

**CITY OF PORTLAND
Ionia County, Michigan**

Council Member Fitzsimmons, supported Mayor Pro-Tem VanSlambrouck, moved the adoption of the following ordinance:

ORDINANCE NO. 175QQ

**AN ORDINANCE TO AMEND CHAPTER 42 – DIVISION 8
OF THE CODE OF ORINANCES**

THE CITY OF PORTLAND ORDAINS:

SECTION 1.

DIVISION 8. O-R OFFICE/RESEARCH/BUSINESS DISTRICT

Sec. 42-280. Intent and Purpose.

(a) The propose of this district is to provide specific regulations to achieve the following:

- (1) To develop a mixed-use campus-style environment for office, research, service, and related business uses integrated with the natural environment.
- (2) To create a cohesive mix of compatible uses that complement and support business uses elsewhere in the city.
- (3) To promote the use of green building technology, long-term community sustainability, and high-quality design and materials.

Sec. 42-281. Table of Uses. The following abbreviations apply to the table of uses:

P: Permitted use: Land and/or buildings in this district may be used for the purposes listed by right.

SLU: Special land use: The following uses may be permitted by obtaining special land use approval when all applicable standards cited in article V of this chapter are met.

NP: Not permitted: The use is not permitted in the district.

<i>Table of uses</i>	<i>O-R</i>
Accessory buildings or uses customarily incidental to any allowed principal uses	P
Art studio/craft shop	P
Bank or other financial institution (including drive-through facilities)	P
Banquet hall and/or conference center	P
Brewery/distillery	P
Day care center, either as an accessory or principal use	P
College, university, and technical schools	SLU
Fraternal or social club or lodge	P
Greenhouse, hydroponics, aquaculture facility	P
Health or exercise club	P
Hospital	SLU
Hotel	P
Laboratories including experimental, film, testing, and medical	P
Live/work units	P
Medical and dental offices, including clinics	P
Micro-brewery	P
Movie, film, or photo studios, post-processing, or production facilities	P
Municipal buildings, public service buildings (not including outdoor storage)	P
Personal service establishments	P
Professional offices and professional services	P
Research and development facilities	P
Restaurant (not including drive-through facility)	P
Veterinary hospitals or clinics (not including outdoor kennels)	P
Veterinary hospitals or clinics (including outdoor kennels)	SLU
Walk-up Automatic Teller Machine (ATM)	P
Wireless communications antenna when attached to a principal use	P
Wireless communications tower when proposed tower is within the height limitations of the district	SLU

Sec. 42-283. Development requirements.

(a) The following chart provides for application and review requirements. No application shall be accepted unless in compliance with all of the following requirements, unless specifically waived by the zoning officer.

	Applications		
Process	Requirements	Submission	Review Requirements
Site plan review (article VI of this chapter)	Completed application form	15 days prior to Planning Commission meeting	Permitted uses—Administrative review (except site condominium developments)
	Application fee/escrow fee		
	Legal description of property		Site condominiums site plan review, see section 42-309 for site condominium requirements and procedures
	Narrative addressing review standards of section 42-379		
	Complete site plans in accordance with section 42-375		
Special land uses	Same as site plan review	30 days prior to the planning commission meeting	See article V of this Chapter
	Narrative addressing review standards of section 42-339 and applicable specific standards of section 42-341		
Rezoning	Completed application form	30 days prior to the planning commission meeting	See article II of this chapter
	Application fee/escrow fee		
	Property map showing property to be rezoned and surrounding properties and current zoning		
	Proof of ownership or interest in properties		
	Legal description of properties		

(b) Lot, yard, and building requirements.

Requirements		O-R District
Lot	Area (minimum)	1 acre

	Width (minimum)	150 ft.	
	Width/Depth Ratio (maximum)	1:3	
	Maximum Coverage	60 %	
Setback	Front	30 ft.	
	Side	One side	10 ft.
		Total 2 sides	25 ft.
	Rear	25 ft.	
Building	Maximum Height	4 stories/60 ft.	

(c) *Parking, loading, and access requirements.*

- (1) Parking lots shall be located no closer than 30 feet to the right-of-way line of E. Grand River Avenue or any interior street. Parking shall be located at least 15 feet from the Cutler Road right-of-way.
- (2) Required loading areas shall be located in the rear or side yard.
- (3) No lot shall have direct vehicular access from Cutler Road or E. Grand River Avenue; provided, where extreme topographic conditions exist and make interior access impractical, the Planning Commission may permit not more than one (1) access along E. Grand River Avenue no closer than 200 feet to the nearest street intersection or existing driveway.
- (4) Parking lots shall be landscaped and screened in accordance with the requirements of Section 42-283 (e)(2).
- (5) Parking shall be provided in accordance with the provisions of the following table in addition to all applicable requirements of Sec. 42-408.

<i>Use</i>	<i>Required Parking Spaces</i>
Art studio/craft shop	1 space per 800 sq. ft. Gross Floor Area (GFA)
Bank or other financial institution	1 space per each 400 sq. ft. GFA
Banquet hall and/or conference center	1 space per every 4 persons permitted by fire code
Day care center	1 space per each 3 children the facility is license to accept
College, university, or technical school	1 space per each 3 students or the amount required for an auditorium or place of assembly, whichever is greater
Greenhouse, hydroponics, aquaculture facility	1 space per each peak shift employee, plus spaces required for office uses
Fraternal or social club or lodge	1 space for every 4 persons permitted in the structure by fire code
Health or exercise club	1 space per each 6 persons permitted by fire code
Hospital	1 space per each 4 beds, plus 1 space per each employee
Hotel	1 per unit, plus 1 per employee, plus additional spaces for accessory uses provided at 50 percent of the requirement listed

Laboratories including experimental, film, testing, and medical	1 space per each 500 sq. ft. Useable Floor Area (UFA), plus spaces required for office uses
Medical or dental office, including clinic	1 space per each 400 sq. ft. GFA
Micro-brewery	1 space for every 3 persons permitted in the structure by fire code
Movie, film, or photo studios, post-processing, or production facilities	1 space per each peak shift employee, plus spaces required for office uses
Municipal buildings and public service buildings	1 space per each 300 sq. ft. GFA, not including parking areas for municipal vehicles
Personal service establishment	2 spaces per service provider
Professional offices and professional services	1 space per each 400 sq. ft. GFA
Research and development facilities	1 space per each 500 sq. ft. GFA, plus spaces required for office uses
Restaurant	1 space per each 150 sq. ft. of floor space not used for seating area, plus 1 for every peak-shift employee, plus 1 space for each 3 persons permitted by fire code
Veterinary hospitals or clinics	1 space per each 400 sq. ft. UFA

(d) *Building Requirements.*

(1) *Materials.*

- a. All exterior walls shall be clad in durable and maintainable materials. Any side of a building facing a public or private street shall be comprised of at least 30 percent of the following materials:
 1. Brick;
 2. Decorative concrete block;
 3. Cut stone;
 4. Horizontal clapboard siding; and
 5. Commercial grade horizontal vinyl siding (at least 0.44 gauge).
- b. In no case shall vertical siding, sheet metal, cement board, or EIFS be considered an acceptable building material on any side facing a public or private street.
- c. The planning commission may, in its sole discretion, deviate from the minimum percentages in the above design standards where the building design incorporates patterns and materials that provide visual interest through changes in color, material, or relief, such as the inclusion of beltlines, pilasters, recesses, and pop-outs.

(2) *Transparency.*

- a. At least 40 percent of a building façade facing a public or private street shall consist of windows and doors on the ground floor and at least 25 percent on all other floors.
- b. All buildings must have at least one useable door facing the front lot line. For corner lots, the door shall be on the street providing access to the site.

(3) *Articulation.*

- a. Blank walls longer than 40 feet without windows shall not face a street.
- b. Building facades shall have massing changes and architectural articulation to provide visual interest and texture in order to avoid monotonous one-dimensional facades.
- c. Architectural design elements shall be incorporated into the building to add variety and interest. They may include, but are not limited to strong cornice lines, material texture, prominent corner features, strong and simplified building entries, window sills, lintels, overhangs, canopies or porticos, arcades, recesses and projections, arches, outdoor patios, and integral planters.

(4) *Projections.*

- a. Except for eaves, awnings, balconies, bay windows, stoops, and ADA compliant ramps, as specified by this division, no part of a building may encroach into the required setback.
- b. Eaves and awnings may not project more than 2 feet from the main building wall into the required setback.
- c. Bay windows may not project more than 3 feet from the main building wall into the required setback.
- d. Stoops may not project more than 8 feet from the main building wall into the required setback.

(e) *Landscaping/screening*

(1) *Generally.*

- a. Native vegetation, (indigenous trees, shrubs, wildflowers, grasses, and other plants) and low maintenance turf grasses shall be used to the greatest extent possible.
- b. Planting design near a building may use a broader palette of ornamental species; provided, plants shall be selected for low water and fertilizer requirements as well as ornamental value.

(2) *Parking lots.*

- a. One canopy tree (minimum three inch caliper) and three understory shrubs shall be provided for every eight parking spaces, or portion thereof. Parking lot landscaping shall be located within parking lot islands or within 20 feet of the edge of the parking lot.
- b. An opaque hedge or solid masonry wall at least 36 inches high shall be installed along the length of any parking lot along Cutler Road.

(3) *Streetscape.*

- a. The required parking setback area along E. Grand River Avenue and any interior street shall be landscaped and include, at a minimum, the following:
 - i. One (1) deciduous tree for every 30 feet of frontage along the street.
 - ii. One (1) ornamental tree for every 50 feet of frontage along the street.
 - iii. One (1) evergreen tree for every 50 feet of frontage along the street.

- b. The required parking setback area along Cutler Road shall be landscaped and include, at a minimum, the following:
 - i. One (1) deciduous tree for every 30 feet of frontage along the street.
 - ii. One (1) evergreen tree for every 50 feet of frontage along the street.
- c. Required streetscape plantings may be clustered for effect to create a more natural appearance and stronger visual impact.

(4) *Screening.*

- a. Dumpsters, utilities, and service areas shall be located within a side or rear yard and shall be screened from view.
- b. Mechanical and electrical equipment, whether on a roof or next to a building, shall be screened from view.

(5) *Lighting.*

- a. Light fixtures shall be no taller than 30 feet and must be provided with cut-off fixtures that direct light downward and prevent light spill beyond the property.
- b. Additional lighting standards found in sections 42-304 and 42-411(c) shall be met.

(6) *Pedestrian connectivity.* A pedestrian walkway meeting City standards shall be constructed within the right of way along the entire street frontage of the property.

Section 2. Publication and Effective Date. The City Clerk shall cause this Ordinance to be published and recorded as provided in the City Charter and it shall take effect on the date of publication, but not less than ten (10) days after its adoption by the City Council.

Yeas: Fitzsimmons, VanSlambrouck, Johnston, Sheehan, Barnes

Nays: None

Abstain: None

Absent: None

ORDINANCE DECLARED ADOPTED.

Dated: August 16, 2021

James E. Barnes, Mayor

Monique I. Miller, City Clerk

Introduced: August 16, 2021

Adopted: September 7, 2021

Published: September 12, 2021

Effective: September 17, 2021

CERTIFICATION

I certify that this is a true and complete copy of the ordinance adopted at a regular meeting of the City Council of the City of Portland on September 7, 2021.

Monique I. Miller, Clerk

Dated: September 7, 2021