

# CHAPTER 1340

## C-1 Office Service District

The Office Service (C-1) District is for the purpose of accommodating residentially scaled commercial buildings. A variety of low intensity uses designed to integrate with adjacent residential areas. Uses permitted generally generate low to moderate trips. Existing residential structures are intended to be preserved and adaptively reused without substantially altering the appearance of building exteriors. New structures, signs and lighting should be sensitive and respectful to adjacent residential properties.

1340.01	Uses allowed.	1340.06	Building height.
1340.02	Uses allowed by special land use permit.	1340.07	Accessory buildings.
1340.03	Lot, density and impervious surface provisions.	1340.08	Parking, loading and driveways.
1340.04	Setbacks.	1340.09	Special requirements.
1340.05	Encroachments into the setbacks.		

### CROSS REFERENCES

Zoning and planning in home rules cities - MCLA 117.4i  
 Regulation of location of trades, buildings and uses by local authorities - MCLA 125.581  
 Regulation of buildings; authority to zone - MCLA 125.582  
 Regulation of congested areas - MCLA 125.583  
 Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCLA 125.583a  
 Signs - B & H Chapter 1476

### **1340.01 USES ALLOWED.**

The following uses of land and buildings, together with accessory uses, are allowed in the Office Service District:

- R-29 District uses;
- Art galleries;
- Business services;
- Educational services, except schools;
- Engineering, accounting, research, management & related services except testing and laboratory services;
- Finance, insurance and real estate services;
- Funeral services, excepting crematories;
- Health services except hospitals, sales and rentals;
- Legal services;
- Mailing services;
- Membership organizations;
- Offices;
- Personal services, including walk-in laundry and dry cleaning pick-up stations, but laundry cleaning and garment services are not allowed and without drive-throughs;

- Places of worship;
- Public administration, except correctional institutions;
- Repair services - watch, clock and jewelry;
- Repair services - reupholstery and furniture;
- Security services exclusive of sales and installation;
- Social services;
- Vacation Home Rentals maintaining a City Vacation Home Rental License;
- Veterinary Services, without outdoor runs.

(Ord. 788. Passed 3-17-08. Ord. 844. Passed 8-3-09. Ord. 954. Passed 10-1-12.)

**1340.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.**

The following uses of land and buildings, together with Accessory Uses, are allowed in the Office Service District if a Special Land Use Permit is issued according to the standards of this Code:

- Communication towers
- Essential services buildings
- Residential care and treatment facilities
- Schools
- Transitional housing and Emergency shelters
- Wind Energy Building-Mount

(Ord. 938. Passed 4-2-12. Ord. 1002. Passed 7-7-14)

**1340.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.**

<u>Lot width(min.)</u>	<u>Lot area(min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
20 feet	3,750 sq. ft.	N/A	60% maximum

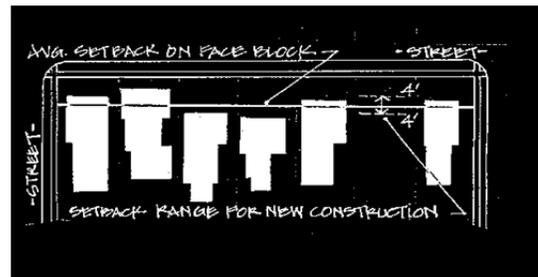
(Ord. 886. Passed 11-1-10.)

**1340.04 SETBACKS.**

(a) **Front setbacks:**

**Building:** The lesser of 8 feet or the average setback of principal buildings on the same face block.

**Parking area:** Behind or to the side of the principal building and set back a distance equal to the setback of the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than 25 feet from the front property line.



(b) **Side setbacks:**

**Building:**

**Each side:** None, except a minimum 10-foot side setback is required on any side adjoining an R- District.

**Parking area:** 5 feet, except a 10-foot side setback is required on any side adjoining an R-District.

(c) **Rear setbacks:**

**Building:** 5 feet, except a 20 foot rear setback is required on portion abutting or across an

alley from an R-district.

**Parking area:** 5 feet, except a 20 foot rear setback is required for any parking area abutting, adjacent to or across an alley from an R-district.

- (d) **Corner lots and through lots** shall have a front setback on each street.
- (e) **Water setbacks:** 50 feet inland from the ordinary high water mark of Grand Traverse Bay and Boardman Lake and 25 feet from the ordinary high water mark of Boardman River. Where the dock line is established by City ordinance, it shall be measured inland from the dock line.

**1340.05 ENCROACHMENTS INTO THE SETBACKS.**

No encroachments into the required setbacks are allowed except:

- (a) **Eaves, chimneys, sills, belt courses, cornices and ornamental features** not to exceed 18 inches are permitted to extend within the setbacks.
- (b) **An unenclosed balcony, porch or deck** may project into a rear setback for a distance not exceeding 10 feet.

**1340.06 BUILDING HEIGHT.**

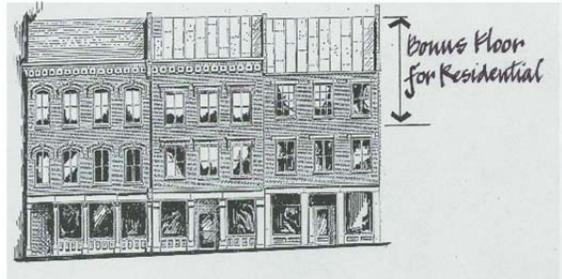
- (a) **Building height:**

Maximum 30 feet or with a floor designed and used for residential purposes: maximum 45 feet

- (b) **Exceptions:**

**Steeple and clock towers** may be erected to a height not exceeding twice the height of the attached building.

**Parapet walls** may be erected as necessary to screen a building's rooftop mechanical equipment if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.



(Ord. 730. Passed 3-19-07. Ord. 994. Passed 6-2-14)

**1340.07 ACCESSORY BUILDINGS.**

An accessory building shall:

- (a) Only be permitted in the rear yard, except accessory buildings may be located streetward of the principal building on the less traveled street on through lots.
- (b) Be located no closer than 4 feet to any side or rear property line. A boat house up to 250 square feet gross floor area may be built to the water=s edge.
- (c) Be constructed using materials and features similar to the principal building if the accessory building exceeds 500 square feet in gross floor area.

(Ord. 476. Passed 7-6-99. Ord. 554. Passed 2-4-02.)

**1340.08 PARKING, LOADING AND DRIVEWAYS.**

Requirements for parking, loading and driveways are contained in Chapter 1374. In addition, athletic fields may provide up to 50% of the required number of organized parking on an area developed in turf grasses. Grassed parking areas are considered as providing one parking space

for every 350 square feet of continuous turf-covered area. All grassed parking areas shall be maintained in a healthy, vigorous growing condition and shall not be used more than 12 times per calendar year. When use requires more frequent parking, an impervious surface or approved pervious hard surface parking area shall be developed. Additional parking is not required for upper story dwellings above a first floor commercial or office use if the commercial or office use is in compliance with the parking requirements of this Code. Any residential building or driveway constructed after the effective date of this zoning code which has access to a maintained alley shall not have access to a street nor shall a parking area be located in the front yard. For parcels having alley access, the parking of a boat, motor home, camper, utility trailer or other recreational vehicle is limited to the rear yard.  
(Ord. 763. Passed 7-2-07.)

### **1340.09 SPECIAL REQUIREMENTS.**

To preserve and reinforce the context of historic buildings and land to establish development patterns of the Office Service district, all new buildings and additions to existing buildings are to be designed, constructed and used in accordance with the following standards:

- (a) Except for buildings located on Garfield Avenue, no building shall have a gross floor area of more than 4,500 square feet on one level, and no more than 9,000 square feet gross floor area total, except a third floor and an additional 4,500 square feet are allowed if such floor is designed and used for residential purposes.
- (b) No use shall be open to the public between the hours of 10:00 p.m. and 6:00 a.m.
- (c) The predominant building wall and entryway shall face the street.
- (d) Unless determined to be impractical by the Planning Director, the building width shall not be less than 80 percent of the property width at the street.
- (e) Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street facing wall may be achieved with wall offsets in combination with pilasters, corbeling or other permanent architectural elements, however, offsets in any wall shall not be less than eight inches from the subject plane.
- (f) Window glazing shall be recessed from the outside of all building walls.
- (g) Clear or lightly tinted transparent glass shall be used for all windows facing a public street. Decorative stained glass may be used for accents. Mirrored, smoked and darkly tinted glass is prohibited.
- (h) Street-facing building facades shall incorporate permanent architectural elements which create shadow patterns and surface textures which, in turn, enhance visual interest.
- (i) Except for buildings that are solely residential, windows or street level activities are required on 50 percent of the first story street wall facing any public street. Street level activities include public display space, public atriums, pedestrian entrances and interior circulation and windows with views into any designated street level use.
- (j) For each 90 feet of linear building frontage, pedestrian entrances will be required. Pedestrian entrances may open onto the sidewalk or mid-block passages or walkways leading to the public right-of-way. Entries must be prominently identified and must not interfere with safe pedestrian passage along walkways. Primary entries must set back a minimum four feet from the facade.
- (k) The spacing and shape of windows and openings on the building shall closely reflect the fenestration of any adjacent historic buildings. Brick, stone, wood or a combination

thereof, compatible with adjacent historic buildings, shall be used.

(l) Fenestration, cornices and other primarily horizontal architectural elements incorporated in new buildings or additions to existing buildings shall be in context with historic buildings in the area.

(m) Any rooftop equipment shall be enclosed or screened from street level view using the same materials used for the building walls or a material which is approved by the Planning Director as visually compatible with the building.

(n) All buildings that front the street, except for parking structures, accessory and utility buildings and buildings that are intended and designed to be exclusively developed for residential use shall have a minimum height of 15 feet measured from the street level entrance level to the next finished level or roof structure. The Planning Director may grant a first floor building height exception if it has been clearly demonstrated that such provision is unnecessary or that such requirements would create a practical difficulty, as contrasted merely granting an advantage or convenience.

(Ord. 476. Passed 7-6-99. Ord 503. Passed 5-15-00. Ord. 547. Passed 10-15-01. Ord. 559. Passed 3-18-02 Ord. 955. Passed 10-1-12. Ord. 994. Passed 6-2-14).

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