

**CITY OF CEDAR SPRINGS  
CITY COUNCIL  
Kent County, Michigan**

**ORDINANCE NO. XXX**

**AN ORDINANCE TO: AMEND CHAPTER 40, ARTICLE III, DIVISION 12 TO ADD SECTION 40-390 ENTITLED "WHITE PINE TRAIL OVERLAY DISTRICT"; TO AMEND ARTICLE III, DIVISION 1, SECTION 40-131 TO ADD "WHITE PINE TRAIL OVERLAY DISTRICT AND: TO MODIFY THE MAP ENTITLED "THE ZONING MAP OF CEDAR SPRINGS" WHICH ACCORDING TO SEC. 40-132 IS PART OF THE ZONING ORDINANCE OF THE CODE OF ORDINANCES FOR THE CITY OF CEDAR SPRINGS**

**THE CITY OF CEDAR SPRINGS ORDAINS:**

**Section 1.** Section 1. Amendment of Chapter 40, Article III Division 12, of the Code of Ordinances for the City of Cedar Springs to Add Sections 40-390 through 40-395 entitled "White Pine Trail Overlay District" to read in its entirety as follows:

**WHITE PINE TRAIL OVERLAY DISTRICT**

**SEC. 40-390. – PURPOSE**

The White Pine Trail is a State of Michigan linear park originating in Grand Rapids, extending northward to Cadillac and traveling through the center of Cedar Springs. Trail users on bicycles and roller blades, runners and walkers pass through the City on a daily basis traveling primarily past existing industrial businesses. The White Pine Trail Overlay Zone is intended to: allow these existing businesses to pursue additional sources of income by offering convenience and sometimes needed goods and services to passing Trail users; allow new businesses to be established along the Trail as a means to encourage economic development within the City and; promote Cedar Springs as a friendly and caring community. The regulations of this overlay zone are intended to apply to certain lands abutting the Trail and to ensure the allowed uses are compatible with nearby land uses.

**SEC. 40-391 – APPLICABILITY**

The White Pine Trail Overlay Zone applies to those parcels which are zoned Industrial (the underlying zone) located between Maple Street and Church Street which abut the White Pine Trail and also certain parcels on Elm and Ash Streets which do not abut the Trail as illustrated on the City of Cedar Springs Zoning Map.

## **SEC. 40-392 - USES PERMITTED.**

In addition to the uses permitted by the underlying zoning district the following uses are permitted within the White Pine Trail Overlay Zoning District. Parcels within this district may contain more than one principal use and are exempt from the provisions of Section 40-471 herein.

- a) Generally recognized retail businesses that supply commodities on the premises within a completely enclosed building, such as but not limited to foods, pharmacy, liquor, clothing, and dry goods.
- b) Personal service establishments that perform services on the premises within a completely enclosed building, such as but not limited to repair shops, barbershops, therapeutic massage, and photographic studios but excluding tattoo parlors.
- c) Restaurants, coffee shops, bakeries, taverns and similar retail food establishments including those with walk up window service and those which allow dancing, live entertainment, or the consumption of alcoholic beverages on the premises but not including such establishments with drive through facilities. Outdoor dining is permitted in accordance with Sections 40-465 and Section 470 herein. Outdoor dining may be separated from the sidewalk and Trail only with movable planters, fencing or similar non-fixed barriers, provided they do not exceed a height of 36 inches including plant material.
- d) Brew pubs,
- e) Farmers Market per Chapter 24 of the Code of Ordinances of Cedar Springs.
- f) Video gaming establishments.
- g) Outdoor display of merchandise subject to Section 40-444(5) herein.
- h) Municipal parking lots not directly associated with a principal use.
- i) Parks, public open spaces, swimming pools and community building.
- j) Accessory uses and structures customarily incidental to the principal use.

## **SEC. 40-393. - SPECIAL LAND USES.**

The following uses may be permitted within the White Pine Trail Overlay District upon authorization as a Special Land Use by the Planning Commission in accordance with the requirements of Article VIII herein.

- a) Indoor commercial recreation facilities such as theaters, bowling alleys, skating rinks, rock climbing, ball sports, pool and billiard hall, but excluding firearm and archery ranges per Section 40- 574(d) herein.

- b) Community centers owned and operated by a public or nonprofit agency.
- c) Municipal buildings, utility buildings and regulating substations and pressure control stations per Section 40-575(h) herein.
- d) Production of merchandise on the premises, provided that such production shall not be detrimental either by odor, noise, vibration, or smoke to the nearest occupied dwelling.

#### **SEC. 40-394 – PERMITTING PROCEDURES**

- a) Existing Buildings. For permitted uses listed in Section 40-392 which are proposed to be established within an existing building, a Development Permit must first be obtained in accordance with Section 40-21 and a Sketch Plan submitted in accordance with Section 40-49 of this Zoning Ordinance.
- b) New Buildings and Additions. For new buildings and additions to existing buildings which are proposed for uses permitted by Section 40-392, a site plan shall be submitted for Planning Commission review and approval in accordance with the requirements of Section 40 - 47 to 40-58 herein.
- c) For Special Land Uses listed in Section 40-393, the procedures and requirements of Article VIII shall be followed.

#### **SEC. 40-395 - DISTRICT REGULATIONS**

- a) Existing buildings. Uses proposed within existing buildings shall comply with the following requirements.

1) All parking shall be provided on site. The Zoning Administrator shall determine the total number of off-street parking spaces required for all uses on the parcel in accordance with Section 40-513(b) herein. An expansion of the existing parking area is subject to the approval of the Zoning Administrator in accordance with the applicable requirements of Article VI and Sketch Plan approval.

2) That portion of the existing building proposed for uses permitted by Section 40-392 shall have its own a separate exterior entrance and shall not be directly accessible from other uses within the same building

3) Signs. In addition to the signs allowed by the underlying zoning district wall signs OR one ground sign may be permitted per parcel as follows:

- a. More than one wall sign may be placed on that portion of the building facing the White Pine Trail. The signs shall not exceed 10 percent of the area of the wall to which it is attached but the total area of all signs shall not exceed 100 sq. ft. in area. The signs shall not be lighted.

b. One ground sign not to exceed 24 sq. ft. and six feet in height may be placed between the existing building and the White Pine Trail. The sign shall not be lighted.

b. New buildings and expansions. The construction of a new building or an expansion of an existing building shall comply with the applicable requirements of the underlying zoning district including but not limited to setbacks, landscaping, lighting, building height, parking, waste disposal facilities, and stormwater management provisions.

**Section 2. Severability and Repealer.** If any portion of this Ordinance shall be held to be unlawful, the remaining portions shall remain in full force and effect. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

**Section 3. Effective Date.** This ordinance shall take effect upon its publication in The Cedar Springs Post, a newspaper of general circulation in the City of Cedar Springs, consistent with state law and the City Charter.

**YEAS:** Councilmembers:

**NAYS:** Councilmembers:

**ABSENT:** Councilmembers:

**ABSTAIN:** Councilmembers:

**Ordinance No. XXX declared adopted**

Dated XX, 2021

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Rebecca Johnson, City Clerk

### **CERTIFICATION**

I certify that this is a true and complete copy of an ordinance adopted by the City Council of the City of Cedar Springs at a Regular Meeting held XXX, 2021 and that public notice of the meeting was given pursuant to and in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated:XX, 2021

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Rebecca Johnson, City Clerk

Public Hearing:  
First Reading:  
Second Reading:  
Published:  
Effective: