



Legislation Text

File #: 08-0554, **Version:** 1

An Ordinance to Amend Section 5:10.12 of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor regarding the Addition of Personal Services as an allowable use in the Office Zoning District (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. 08-24)

Approval of this amendment to Chapter 55 will allow personal services as a principal use in the office zoning district. Currently, personal services are not permitted in any form in the office district; they are permitted as principal uses in all commercial districts. This amendment has been proposed at the request of City Council, following staff and City Planning Commission review.

The City Planning Commission, at its meeting of May 6, 2008, recommended approval of the amendment. Following the recommendation of the City Planning Commission, the proposed text amendment now eliminates references to 'day spas.' As a result, staff has further revised the proposed text amendment to identify the specific services that may be provided with a beauty salon for a clear definition of the term. The proposed text amendment also now eliminates the requirement for special use approval, as recommended by the City Planning Commission.

Prepared By: Laurie Foondle, Management Assistant

Reviewed By: Mark Lloyd, Planning & Development Services Manager
Jayne Miller, Community Services Administrator

Approved By: Roger W. Fraser, City Administrator

ORDINANCE NO. ORD-08-24

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ZONING

(REGARDING THE ADDITION OF PERSONAL SERVICES AS AN ALLOWABLE USE IN THE OFFICE ZONING DISTRICT)

AN ORDINANCE TO AMEND SECTION 5:10.12 OF CHAPTER 55 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR.

The City of Ann Arbor ordains:

Section 1. That Section 5:10.12 of Chapter 55 of Title V of the Code of the City of Ann Arbor is amended as follows:

5:10.12. O office district.

- (1) Intent. This district is primarily for office buildings. The office district classification will be applied as a transitional use buffer between residential uses and uses which would be

incompatible in direct contact with residential districts.

(2) Permitted principal uses.

(a) Executive and administrative offices for establishments whose plants, warehouses or outlets are not permitted in the "O" district.

(b) Any office in which goods, wares or merchandise are not commercially created, displayed, stored, exchanged or sold, such as the following:

1. Business offices of a public utility, real estate, insurance, commercial or industrial establishment.
2. Offices of physicians, dentists and other health practitioners; legal, engineering, architectural and surveying services; accounting, auditing and bookkeeping services.
3. Finance, insurance and real estate offices; travel bureau; and banks.
4. Government offices.
5. Business services such as: advertising, consumer credit reporting agencies, mailing list and stenographic services, business and management consulting services.
6. Office of nonprofit organizations, such as professional membership organizations, labor unions, civic, social and fraternal associations, political organizations and religious organizations.
7. Veterinary hospitals and kennels providing medical, surgical, boarding, grooming and bathing facilities for small nonfarm animals such as dogs, cats and birds as a special exception use pursuant to section 5:104. All facilities must be completely enclosed in a sound proof building in such a way as to produce no objectionable odors at the lot lines.
8. Beauty salons providing beauty treatments such as hair cutting, coloring and styling; hair removal; manicure; pedicure; skin care; and therapeutic massage. Incidental sales of products used in the salon shall occupy no more than 25 percent of the total floor area.

(c) Any permitted principal use of the "R" dwelling district, subject to all the regulations of the district in which such use first occurs.

(d) Indoor court game facilities, including, but not limited to, handball, racquetball, paddleball, squash, ping-pong and similar uses, when located in an enclosed building shall be permitted as a special exception use pursuant to section 5:104.

(e) Artists' studios, provided no more than 25 percent of the total floor area of the

studio is used for the display and sale of articles which are produced in the studio.

- (f) Funeral homes.
 - (g) Private colleges, universities and other institutions of higher learning, offering courses in general, technical or religious education.
 - (h) The City Council may, by resolution, designate certain dates and locations as special events temporary outdoor sales areas. The resolution shall include conditions and standards of conduct to be in force for outdoor sales and displays on private property. A property owner who wishes to conduct outdoor sales and displays on his or her private property, as provided for in the Council resolution, shall first apply for and receive a Zoning Compliance Permit by the date designated in the resolution. The conditions and standards contained in the resolution shall be conditions of the Zoning Compliance Permit issued to a property owner. Failure to comply with the conditions set in the resolution shall be a violation of this ordinance section and shall be grounds to revoke all permits granted to the property owner for the duration of the special event identified in the resolution.
- (3) Permitted accessory uses.
- (a) Those allowed in the R3 district.
 - (b) Incidental services may be provided within office buildings for the convenience of occupants of that building, such as news, cigar or candy stands, delicatessens, restaurants, personal service shops and similar uses, provided the following conditions are fulfilled:
 - 1. Not more than 5 percent of the building's usable floor area is used for incidental services.
 - 2. All such incidental services shall be situated within the interior of the building so that no part thereof shall be directly accessible from the outside of the building.
 - 3. No sign or window display shall be discernible or visible from a public sidewalk or street.

Section 2. That this ordinance shall take effect on the tenth day following legal publication.