

Manistee Vertical Zoning / River Street Overlay AT A GLANCE - FACT SHEET

- **Intent:** to encourage compatible retail, service and entertainment uses along River Street that strengthen a vibrant, walkable and attractive downtown shopping experience. Accordingly, some land uses permitted in the C-3 (Central Business) District are strongly desired within this area, while others may be counter-productive to this intent. The purpose of the River Street Overlay (vertical zoning) is to further refine the permitted uses in a defined portion of the C-3 district to those that are most supportive of the stated intent.
- **Area affected:** first floor of properties, at River Street Grade, along both north and south sides of River Street, from US-31 right-of-way to Pine Street right-of-way, extending 25 feet in from front property line.
- **Permitted Uses:**
 - Eating & Drinking Establishment
 - Gallery or Museum
 - Outdoor recreation/park
 - Personal service establishment
 - Retail Businesses
 - Studio for performing and graphic arts
 - Theater
 - Accessory uses related to uses permitted by right, subject to section 516 (e.g. a kitchen products retailer holding cooking classes)
 - Uses similar to uses permitted by right pursuant to this Section and subject to Section 530 (e.g. a use very similar to those above but not specifically listed)
 - General rule: multiple uses within buildings are permitted, as long as the area of the building within the Overlay complies with the uses set forth above.
 - Residential is permitted on the first floor behind the 25 feet required for commercial (currently only permitted on upper floors)
- **When it comes into effect:** The overlay (vertical zoning) comes into effect only in the following circumstances:
 - The current non-permitted use ceases to exist in the building for one year (section 405 - abandonment). Then only permitted uses will be allowed.
 - A permitted use begins operation where a non-permitted use had previously been. This space can not go back to a non-permitted use after that point.
 - Note: a non-permitted use may continue in that space until either of the two above circumstances arises. Even if the property owner/tenant changes, as long as the non-permitted use (e.g. professional office) remains similar, the use may continue indefinitely.

A BONUS:

- **Display Windows:** windows on the first floor may be used to display the following items, providing total signage associated with such display does not exceed 16 sqft:
 - Merchandise or works of art or craft regardless of whether or not such materials are produced or sold on site
 - Community service materials including, but not limited to school displays, projects or posters
 - Event displays and announcements or other materials of general interest
 - This is to allow display of pertinent materials from a group/organization/business in storefront windows where that entity may not be located. The intent is to encourage utilization of windows in otherwise vacant or underutilized storefronts, making the downtown more visually interesting and inviting.
- Display windows shall be periodically maintained and updated and the Zoning Administrator shall be empowered to direct the removal of materials that are out of date, dirty or otherwise unsightly.