

CITY OF GRAND HAVEN

Zoning Ordinance



OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT

519 WASHINGTON

GRAND HAVEN, MI 49417

Adopted March 5, 2007 Effective March 16, 2007

City of Grand Haven Zoning Ordinance

Table of Contents

	<u>Page</u>
ARTICLE ONE - ADMINISTRATION	
40-100 Short Title	1-1
40-101 Purpose and Intent	1-1
40-102 Regulation of Form	1-2
40-103 City Code	1-2
40-104 Projects in Progress	1-3
40-105 Conflicting Regulations or Standards	1-3
40-106 -108 Reserved	
40-109 Graphics, Tables and Text and Other Elements	1-3
40-110 Scope of Regulations	1-3
40-111 Zoning Administrator	1-3
40-111.01 Duties and Limitations of the Zoning Administrator	1-3
40-111.02 Land Use Permit	1-4
40-111.03 Reapplication	1-5
40-111.04 Rehearing	1-5
40-112 General Review Criteria	1-6
40-113 Zoning Board of Appeals	1-8
40-113.01 Establishment	1-8
40-113.02 Membership, Terms of Office	1-8
40-113.03 Meetings	1-8
40-113.04 Duties, Rules, Hearing and Decisions of Appeals, Right to and Grounds of Appeal	1-9
40-113.05 Time to and Notice of Appeal: Transmission of Record	1-9
40-113.06 Stay of Proceedings Pending Appeal	1-9
40-113.07 Hearings, and notices, Right to be Heard, Disposition of Appeals, Decision not Final	1-9
40-113.08 Duties and Powers	1-10
40-114 Planning Commission	1-11
40-115 Site Plan Process	1-11
40-115.01 Purpose	1-11

40-115.02	Scope	1-12
40-115.03	Optional Sketch Plan Review	1-12
40-115.04	Application Procedure	1-13
40-115.05	Action on Application and Site Plans	1-22
40-115.06	Review Criteria	1-24
40-115.07	Conformity to Approved Site Plans	1-25
40-115.08	Term of Approval of the Site Plan	1-25
40-115.09	Amendment to the Site Plan	1-26
40-115.10	Appeals	1-26
40-116	Special Land Use Process	1-26
40-116.01	Special Uses	1-26
40-116.02	Special Use Procedures	1-27
40-116.03	Special Use Review Standards	1-30
40-117	Fees, Escrows and Performance Guarantees	1-32
40-118	Violations	1-33
40-119	Nonconformance	1-34
40-119.01	Scope and Intent	1-34
40-119.02	Nonconforming Lots	1-34
40-119.03	Nonconforming Uses of Land	1-34
40-119.04	Nonconforming Structures	1-35
40-119.05	Nonconforming Uses of Structures and Land	1-36
40-119.06	Repairs and Maintenance of Nonconforming Uses	1-37
40-119.07	Change of Tenancy or Ownership	1-37
40-120	Conditions of Approval	1-37
40-121	Amendments	1-37
40-121.01	Rezoning Agreements	1-38
40-122	Hearing Notice Requirements	1-40
40-122.01	Responsibility	1-40
40-122.02	Content	1-40
40-122.03	Timing of Notice	1-40
40-122.04	Distribution of Notice	1-41
ARTICLE TWO – INTERPRETATION AND DEFINITIONS		
40-200	Rules of Construction	2-1
40-201	Defined Terms	2-1
40-201.01	“A”	2-1
40-201.02	“B”	2-4

40-201.03 “C”	2-6
40-201.04 “D”	2-7
40-201.05 “E”	2-9
40-201.06 “F”	2-10
40-201.07 “G”	2-11
40-201.08 “H”	2-11
40-201.09 “I”	2-12
40-201.10 “J”	2-12
40-201.11 “K”	2-12
40-201.12 “L”	2-13
40-201.13 “M”	2-14
40-201.14 “N”	2-16
40-201.15 “O”	2-17
40-201.16 “P”	2-17
40-201.17 “Q”	2-19
40-201.18 “R”	2-19
40-201.19 “S”	2-20
40-201.20 “T”	2-25
40-201.21 “U”	2-26
40-201.22 “V”	2-26
40-201.23 “W”	2-26
40-201.24 “X”	2-27
40-201.25 “Y”	2-27
40-201.26 “Z”	2-28
 ARTICLE THREE – GENERAL PROVISIONS	
40-300 Purpose and Scope	3-1
40-301 Accessory Buildings	3-1
40-301.01 General Standards for Accessory Buildings	3-1
40-301.02 Dimensional Requirements for Accessory Buildings	3-2
40-301.03 Accessory Structures	3-3
40-302 Accessory Uses	3-5
40-302.01 In General	3-5
40-302.02 Sidewalk Cafes	3-5
40-303 Access to Public Streets	3-8
40-304 Animals	3-8
40-305 Reserved	

40-306	Uses and Dimensional Requirements	3-8
40-306.01	One principal use per Parcel	3-8
40-306.02	Maintenance of Required Spatial Relationships	3-9
40-306.03	Reserved	
40-306.04	Determining Parcel Dimensions, Required Yards and Setbacks	3-9
40-306.05	Porches, Decks and other Projections Into Required Yards	3-9
40-306.06	Front Yard Setback Averaging	3-10
40-306.07	Side Yard Setback for Lots of Substandard Width	3-11
40-306.08	Determining Height and Grade	3-11
40-306.09	Lots Adjoining Alleys	3-12
40-306.10	Lots Having Water Frontage	3-12
40-306.11	Measuring Transparency	3-15
40-306.12	Measuring Built-to Zone	3-15
40-307	Clear Vision Corners	3-15
40-308	Condominiums	3-16
40-309	Conversion of Existing Structures and Dwellings	3-16
40-310	Reserved	
40-311	Reserved	
40-312	Dwellings	3-16
40-313	Essential Services	3-17
40-314	Home Occupations	3-17
40-315	Reserved	
40-316	Key Street Segments	3-19
40-317	Lighting	3-20
40-318	Outdoor Storage and Parking of Recreation Vehicles and other Materials	3-21
40-318.01	Residential Districts	3-21
40-318.02	Commercial and Industrial Districts	3-22
40-319	Parcel Divisions and Combinations	3-23
40-320	Performance Standards	3-24
40-321	Private Roads	3-25
40-322	Screening of Rooftop Mechanical Equipment	3-26
40-323	Site Preparation and Excavation	3-26
40-324	Temporary Uses and Structures	3-27
40-325	Unclassified Uses	3-28

40-326 Utilities Required	3-29
40-327 Fences	3-29
40-328 One Family Cluster Development	3-31
40-329 Voting Place	3-33
40-330 Common Open Space	3-33
40-331 Reserved	
40-332 Hazardous Substance Groundwater Protection	3-34

ARTICLE FOUR – ZONING DISTRICTS AND MAP

40-400 Zoning Districts and Map	4-1
40-401 Official Zoning Map	4-1
40-402 Summary Tables	4-3
Zoning Map	4-5
40-402.01 Table of Land Uses	4-7
40-402.02 Schedule of Regulations	4-11
40-403 (SFR) Single Family Residential District	4-15
40-403.01 Intent	4-16
40-403.02 District Summary	4-16
40-404 (MDR) Moderate Density Residential District	4-19
40-404.01 Intent	4-20
40-404.02 District Summary	4-20
40-404.03 Notes	4-21
40-405 (MFR) Multiple Family Residential District	4-23
40-405.01 Intent	4-24
40-405.02 District Summary	4-24
40-405.03 Notes	4-26
40-405.04 Manufactured Housing Standards	4-26
40-406 (DR) Dune Residential District	4-29
40-406.01 Intent	4-30
40-406.02 District Summary	4-30
40-407 (NS) North Shore District	4-33
40-407.01 Intent	4-34
40-407.02 District Summary	4-34
40-408 (S) Southside District	4-37
40-408.01 Intent	4-38

40-408.02 District Summary	4-38
40-408.03 Notes	4-40
40-409 (E) Eastown District	4-41
40-409.01 Intent	4-42
40-409.02 District Summary	4-42
40-409.03 Notes	4-43
40-410 (OT) Old Town District	4-45
40-410.01 Intent	4-46
40-410.02 District Summary	4-46
40-410.03 Notes	4-48
40-411 (NMU) Neighborhood Mixed Use District	4-51
40-411.01 Intent	4-52
40-411.02 District Summary	4-52
40-411.03 Notes	4-55
40-412 (OS) Office Service District	4-57
40-412.01 Intent	4-58
40-412.02 District Summary	4-58
40-412.03 Notes	4-59
40-413 (CB) Central Business District	4-61
40-413.01 Intent	4-62
40-413.02 District Summary	4-62
40-413.03 Notes	4-64
40-413.04. Compliance with City Dumpster Ordinance	4-65
40-414 (C) Commercial District	4-67
40-414.01 Intent	4-68
40-414.02 District Summary	4-68
40-414.03 Notes	4-69
40-415 (B) Beechtree District	4-71
40-415.01 Intent	4-72
40-415.02 District Summary	4-72
40-415.03 Notes	4-73
40-416 (WF) Waterfront District	4-75
40-416.01 Intent	4-76
40-416.02 District Summary	4-76
40-416.03 Notes	4-77
40-417 (WF-2) Waterfront District	4-79

40-417.01 Intent	4-80
40-417.02 District Summary	4-80
40-417.03 Notes	4-83
40-418 (CC) Civic Center District	4-85
40-418.01 Intent	4-86
40-418.02 District Summary	4-86
40-418.03 Notes	4-87
40-419 (TI) Transitional Industrial District	4-89
40-419.01 Intent	4-90
40-419.02 District Summary	4-90
40-419.03 Notes	4-91
40-420 (I) Industrial District	4-93
40-420.01 Intent	4-94
40-420.02 District Summary	4-94
40-420.03 Notes	4-95
40-421 (PD) Planned Development District	4-97
40-421.01 Intent	4-98
40-421.02 Qualifying Conditions	4-98
40-421.03 Development Requirements	4-98
40-421.04 Application Process	4-100
40-421.05 PD Design Considerations and Performance Standards	4-103
40-421.06 Standards for Zoning Approval	4-105
40-421.07 City Council Approval	4-106
40-421.08 Final Development Plan	4-106
40-421.09 Performance Guarantees	4-107
40-421.10 Commencement of Construction	4-107
40-421.11 Modification and Amendment	4-108
40-421.12 Existing Planned Developments	4-109
40-422 (SA) Sensitive Area Overlay District	4-111
40-422.01 Intent	4-112
40-422.02 Application	4-112
40-422.03 Use Provisions	4-114
40-422.04 Required Conditions	4-115
40-422.05 Environmental Survey	4-117
40-422.06 Reconsideration and Designation as Sensitive Areas	4-117

ARTICLE FIVE – SPECIAL LAND USES

40-500 Special Uses	5-1
40-501 Special Use Procedures	5-1
40-502 Accessory Buildings with Footprint Greater than Principal Building	5-1
40-503 Accessory Uses, Related to Permitted Special Uses	5-2
40-504 Airport	5-3
40-505 Animal Grooming	5-3
40-506 Automobile Gasoline Station	5-3
40-507 Automobile Repair, Major	5-4
40-508 Reserved	
40-509 Automobile Wash	5-5
40-510 Bed and Breakfast	5-5
40-511 Billboard	5-8
40-512 Boarding House	5-9
40-513 Reserved	
40-514 Cemetery	5-10
40-515 Commercial Parking Facility	5-10
40-516 Contractor’s Establishment	5-11
40-517 Reserved	
40-518 Day Care, Commercial	5-11
40-519 Day Care, Group	5-12
40-520 Dredging Facility	5-13
40-521 Drive-through Business	5-14
40-522 Reserved	
40-523 Dry Cleaning and Laundry Establishment, On-site	5-14
40-524 Dry Cleaning Plant	5-15
40-525 Dwelling, Accessory	5-16
40-526 Dwelling, Two Unit	5-17
40-527 Dwelling, Multiple Family	5-18
40-528 Reserved	
40-529 Eating and Drinking Establishment	5-18
40-530 Educational Facility	5-19

40-531 Fuel Storage	5-19
40-532 Golf Course	5-20
40-533 Home Occupation, Major	5-20
40-534 Reserved	
40-535 Hotel	5-22
40-536 Hospital	5-22
40-537 Junkyard	5-23
40-538 Kennel/Animal Day Care	5-24
40-539 Library	5-24
40-540 Live/Work	5-24
40-541 Manufacturing, Compounding, or Processing	5-25
40-542 Marina	5-26
40-543 Medical Offices	5-27
40-544 Mixed use Development	5-28
40-545 Motel	5-29
40-546 Mortuary/Funeral Home	5-30
40-547 Multi-tenant Commercial Establishment	5-30
40-548 Nursing Care Facility	5-31
40-549 Office Building	5-32
40-550 Open Air Business	5-32
40-551 Places of Public Assembly	5-33
40-552 Planned Residential Development	5-33
40-553 Power Generating Facility	5-39
40-554 Recreational Facility, Commercial	5-40
40-555 Refuse Incineration	5-41
40-556 Retail Business or Retail Sales	5-42
40-557 Reserved	
40-558 Senior Assisted Living Facility	5-42
40-559 Sexually Oriented Business	5-43
40-560 Sheltered Housing	5-45
40-561 Social Service Center	5-45
40-562 Studio for Performing or Graphic Arts	5-46

40-563	Tattoo and Piercing Parlor	5-47
40-564	Telecommunication Antennas and Towers	5-47
40-565	Uses Similar to Uses Permitted as Special Land Uses	5-51
40-566	Veterinary Hospital	5-51
40-567	Well, Oil and Gas	5-52
40-568	Wind Energy Conversion System	5-53

ARTICLE SIX - PARKING

40-600	General Provisions	6-1
40-600.01	All Uses	6-1
40-600.02	Location and Use of Parking	6-1
40-600.03	Specific Parking Requirements for One-Family and Two-Family Dwellings	6-1
40-601	Specific Parking Requirements for Non-Residential Uses in the, SFR, MDR, DR, NS, CC, OS, S, E, OT, NMU, B, and TI Districts	6-2
40-602	Specific Parking Requirements for the C and MFR Districts	6-3
40-603	Specific Parking Requirements in the CB District	6-3
40-604	Number of Parking Spaces Required	6-4
40-604.01	General Requirements	6-4
40-604.02	Waivers	6-4
40-604.03	Required Spaces per Unit of Measure	6-5
40-605	Dimensional Requirements for Parking	6-8
40-605.01	In General	6-8
40-605.02	Parking Design Requirements	6-8
40-605.03	Shared Parking Requirements for Nonresidential Uses	6-8
40-605.04	Shared Parking Requirements for Short Term Rentals	6-9
40-605.05	Loading Spaces	6-9
40-606	Driveways and Curbcuts	6-10

ARTICLE SEVEN - SIGNAGE

40-700	Purpose and Scope	7-1
40-701	General Standards for All Signs	7-1
40-702	Sign Standards for Specific Uses	7-4
40-703	Exempt Signs	7-5
40-704	Prohibited Signs	7-6

40-705 Permitted Signs	7-8
40-706 Special Purpose Signs	7-15
40-707 Design Standards for Portable Signs	7-16
40-708 Design Standards for Awnings	7-16
40-709 Non-conforming Landmark Signs	7-16
40-710 Sign Permit Required	7-16

ARTICLE EIGHT - LANDSCAPING

40-800 Purpose and Scope	8-1
40-801 General Requirements	8-1
40-802 Buffer Areas	8-1
40-802.01 Buffer Areas in All Districts Except the B District	8-1
40-802.02 Buffer Areas in the B District	8-2
40-803 Parking Areas	8-3
40-803.01 Required Trees in Off-Street Parking Areas	8-3
40-803.02 Required Parking Area Screening	8-3
40-804 Application and Maintenance	8-4
40-805 Required Conditions for Plantings and Earth Berms	8-5
40-805.01 Size and Placement of Plantings	8-5
40-805.02 Plant Materials	8-5
40-805.03 Earth Berms	8-5