

ARTICLE IV. – ZONING DISTRICTS

SEC. 40-400. - ZONING DISTRICTS AND MAP.

The city is hereby divided into the following zoning districts as shown on the official zoning map:

A. The following districts are commonly referred to as the residential districts of the city:

SFRLDR	SingleLow Density-Family Residential	MDR	Moderate Density Residential
MFR	Multiple-Family Residential	DR	Dune Residential
NS	North Shore	S	Southside
E	Eastown	OT	Old Town
PD	Planned Development	SA	Sensitive Area Overlay

B. The following districts are commonly referred to as the nonresidential districts of the city:

NMU	Neighborhood Mixed Use	OS	Office-Service
CB	Central Business	C	Commercial
B	Beechtree	WF	Waterfront
WF-2	Waterfront 2	CC	Civic Center
I	Industrial	TI	Transitional Industrial

SEC. 40-401. - OFFICIAL ZONING MAP.

A. For the purposes of this ordinance the zoning districts as provided in this ordinance are bounded and defined as shown on a map entitled "Official Zoning Map of the City of Grand Haven," a copy of which accompanies this ordinance and which, with all explanatory matter thereon, is hereby incorporated into and made a part of this ordinance by reference.

- B. The official zoning map shall be identified by the signature of the mayor, attested by the city clerk, and bear the seal of the city under the following words: "This is to certify that this is the official zoning map referred to in the Zoning Ordinance of the City of Grand Haven," together with the effective date of this ordinance, or any amendments thereto.
- C. If, in accordance with the procedures of this ordinance and Michigan law a change is made in a zoning district boundary, such change shall be made by or under the direction of the mayor promptly after the amendment authorizing such change shall have been adopted and published and the approved map shall be immediately updated including the date of revision.
- D. Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map which shall be located in the Grand Haven City Hall shall be the final authority as to the current zoning status of any land, parcel, lot, zoning district, use, building or structure in the city.
- E. In the event the official zoning map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes made thereto, the council may by resolution authorize the transcribing and drawing of a duplicate official zoning map which shall supersede the prior official zoning map. The duplicate official zoning map may correct drafting or other errors or omissions on the prior official zoning map, but no such correction shall have the effect of amending the zoning ordinance or the prior official zoning map. The duplicate official zoning map shall be identified by the signature of the mayor, attested by the city clerk, and bear the seal of the city under the following words: "this is to certify that this is the official zoning map referred to in the zoning ordinance of the City of Grand Haven duplicated on _____, which replaces and supersedes the official zoning map which was adopted on _____."
- F. Where uncertainty exists as to the boundaries of land use districts as shown on the official zoning map, the following rules of interpretation shall apply:
 - 1. A boundary indicated as approximately following the centerline of a highway, street, alley or easement shall be construed as following such line.
 - 2. A boundary indicated as approximately following a recorded parcel line or a property line shall be construed as following such line.
 - 3. A boundary indicated as approximately following the corporate boundary line of the city shall be construed as following such line.
 - 4. A boundary indicated as following a railroad line shall be construed as being the centerline of the railroad right-of-way.
 - 5. A boundary indicated as following a shoreline shall be construed as following such shoreline, and in the event of change in a shoreline shall be construed as following the actual shoreline.
 - 6. A boundary indicated as following the centerline of a water body shall be construed as following such centerline at the time of interpretation.

7. A boundary indicated as parallel to, or an extension of, a feature indicated in subsections F.1. through F.6. above shall be so construed.
 8. A distance not specifically indicated on the official zoning map shall be determined by the scale of the map.
- G. Where a physical or cultural feature existing on the ground is at variance with that shown on the Official Zoning Map, or in any other circumstance not covered by subsections F.1. through F.8. above, or when there is a question in interpreting subsections 40-401F.1. through F.8. above, the zoning board of appeals shall interpret the zoning district boundary.
- H. Ottawa County Zoning Designations. To conform to the Standardized District Titles and Colors of the Ottawa County Planning and Grants Department, certain zoning districts carry a title for the proposes of this Grand Haven Zoning Ordinance and another for purposes of conformance with the county guidelines. In this ordinance only the official district titles are used, but the following provides a cross reference to the standardized Ottawa County Titles:

City of Grand Haven Zoning District Title and Abbreviation	Ottawa County Standardized District Title and Abbreviation
Single-Family <u>Low Density Residential (SFRLDR)</u>	Single-Family Residential (SFR A)
Moderate Density Residential (MDR)	Single/Multi Residential A (SMR A)
Dune Residential (DR)	Single/Multi Residential B (SMR B)
North Shore (NS)	North Shore (NS)
Multiple-Family Residential (MFR)	Multi-Family Residential-2 (MFR-2)
Southside (S)	Southside (S)
Easttown (E)	Easttown (E)
Old Town (OT)	Old Town (OT)
Neighborhood Mixed Use (NMU)	Mixed Use A (MU A)
Office-Service (OS)	Office/Service A
Central Business (CB)	Central Business District A
Commercial (C)	Highway Commercial (C-3)

Beechtree (B)	General Commercial (C-2)
Waterfront (WF)	Waterfront A (WF A)
Waterfront 2	Waterfront B (WF B)
Civic Center (CC)	Civic Center (CC)
Transitional Industrial (TI)	Transitional Industrial (TI)
Industrial (I)	General Industrial (GI)
Planned Development (PD)	Planned Development (PD)
Sensitive Areas Overlay (SA)	Sensitive Areas Overlay (SAO)

SEC. 40-402. - SUMMARY TABLES.

- A. Table 40-402.01, Table of land uses summarizes the applicable regulatory standards for the land uses governed under this zoning ordinance. It is provided for expeditious reference. However, it should not be substituted for careful reference to the specific language of this ordinance. In the event of a discrepancy between the table and the text of the ordinance, the text shall prevail.
- B. The schedule of district regulations set forth as Table 40-402.02 provides an overview of the dimensional requirements of this zoning ordinance. It is provided for expeditious reference. However, it should not be substituted for a precise reference to the specific language of this ordinance. In the event of a discrepancy between the table and the text of the ordinance, the text shall prevail.
- C. Additional standards. All uses shall conform to all applicable general provisions, as well as article I, site plan requirements; article VI, parking; article VII, signage; and article VIII, landscaping.

Sec. 40-402.01. – Table of land uses.

Uses Permitted by Right and Special Land Uses

(R = use by Right; S = Special Land Use; * = along key street segment; ** = only in dwellings with driveways fronting on Franklin Avenue, from 5th Street west.

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	<u>SFRLDR</u>	MDR	MFR	DR	NS	S	E	OT	NMU	OS	CB	C	B	WF	WF-2	CC	TI	I
Accessory building and structure	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Accessory building with footprint greater than principal structure	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S
Accessory dwelling	<u>S</u>	<u>S</u>	<u>S</u>	S		S	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>								
Accessory use, when accessory to a permitted use	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Accessory use, when accessory to a special land use	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Adult foster care	R	R	R	R	R	R	R	R	R	R								

	<u>SFRLDR</u>	MDR	MFR	DR	NS	S	E	OT	NMU	OS	CB	C	B	WF	WF- 2	CC	TI	I
Airport																		S
Animal grooming								S*	S	S		R	R				R	
Automobile gasoline station												S	S				S	R
Automobile repair, minor												R	R				R	R
Automobile repair, major												S	S				S	S
Automobile wash												S	S					
Bed and breakfast	S	S	S	S	S	S	S	S*	S	S		S			S			
Billboard																		S
Boarding house			S															
Boat launch																	R	
Cemetery				S														
Commercial parking facility						S*					S					S		

	<u>SFRLDR</u>	MDR	MFR	DR	NS	S	E	OT	NMU	OS	CB	C	B	WF	WF-2	CC	TI	I
Contractor's establishment													S				S	S
<u>Day-Child</u> care, family (6 clients)	R	R	R	R	R	R	R	R	R	R					R			
<u>Day-Child</u> care, commercial (13+ clients)			S			S*	S*	S*	S	S		S	S					
<u>Day-Child</u> care, group (7—12 clients)	S	S	S			S*	S*	S*	S			S	S					
Dredging facility														S			S	
Drive-through business										S	S	S	S			S		
Dry cleaning and laundry establishment									R		S	R	R					
Dry cleaning plant												S	S					S
Dwelling, one-family	R	R	R	R	R	R	R	R	R	R								
Dwelling, two-unit	<u>S</u>	S*	R			<u>SS*</u>	<u>RS*</u>	<u>RS*</u>	R	<u>R</u>								

	<u>SFRLDR</u>	MDR	MFR	DR	NS	S	E	OT	NMU	OS	CB	C	B	WF	WF-2	CC	TI	I
Dwelling, multiple-family		<u>S*</u>	R			<u>S</u>	<u>S</u>	S*	<u>SR</u>	<u>S</u>	S	<u>R</u>	<u>R</u>		R		S	
Eating and drinking establishment								S*	R		R	R	R	S*	R		R	
Educational facility	S	S	S			S	S	S	S	S		R	S			S		
Fuel storage																		S
Golf course			S															R
Governmental building								R	R			R				R		
Greenhouse													R				R	R
Grower																	S	S
Home occupation, major	S	S			S	S	S	S	S	S								
Home occupation, minor	R	R	R	R	R	R	R	R	R	R								
Hotel											S	S	S		S	S		
Hospital										S								

	<u>SFRLDR</u>	MDR	MFR	DR	NS	S	E	OT	NMU	OS	CB	C	B	WF	WF-2	CC	TI	I
Junkyard																		S
Kennel/animal day care										S		S	R					
Library									S							R		
Live/work						<u>S*</u>		<u>S*</u>	SR	<u>R</u>		<u>R</u>					S	
Manufactured housing community			R															
Manufacturing, compounding, or processing																	S	R
Marina														S			S	
Medical office						S*			R	R	S	R	R					
Mixed use development			<u>S</u>					S*	SR	S	S	R	R	S*	<u>S</u>	<u>S</u>	S	
Mortuary									S	S		S	S					
Motel												S	S					

	SFRLDR	MDR	MFR	DR	NS	S	E	OT	NMU	OS	CB	C	B	WF	WF-2	CC	TI	I
Multi-tenant commercial establishment									S			R	R	S*				
Municipal uses—Utilities	R	R	R	R	R	R	R	R	R	R		R	R	R	R	R	R	R
MWET														S				S
Nursery, plant materials												R	R					
Nursing care facility	S	S*	S					S*	S			S	S		S*			
Office building									R	R	R	R	R	S*	R	R	R	R
Open air business												S	S					
Park or parkland	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	
Personal service business						R*		R*	R	R	R	R	R		R			
Place of public assembly, large	S	S	S			S*	S*	S*	S	S	S	S	S		S	S		
Place of public assembly, small	S	S	R			S*	S*	S*	R	R	R	R	R		S	S	S	

	<u>SFRLDR</u>	MDR	MFR	DR	NS	S	E	OT	NMU	OS	CB	C	B	WF	WF-2	CC	TI	I
Planned residential development	S	S	S															
Power generating facility														S				S
Processor																	S	S
Professional service establishment						R*		R*	R	R	R	R	R		R	R		
Provisioning Center									S		S	S	S	S*	S		S	S
Recreation facility, commercial	S		R					S*	S		S	R	R					
Refuse incineration																		S
Research and development																	R	R
Residential above retail or office						R*		R*	R		R	R	R		R			
Retail business or retail sales								S*	R		R	R	R	S*	R		R	
Safety compliance facility																	S	S

	<u>SFRLDR</u>	MDR	MFR	DR	NS	S	E	OT	NMU	OS	CB	C	B	WF	WF-2	CC	TI	I
Secure transporter													S				S	S
Short-term rental				S		<u>S**</u>		S*			R				R			
Self-service storage facility																		R
Senior assisted living facility		S																
Service establishment accessory to a permitted use									R	R	R	R	R				R	R
Sexually oriented business												S						
<u>Shared commercial facility</u>									<u>S</u>		<u>S</u>	<u>S</u>	<u>S</u>				<u>S</u>	
Sheltered housing			S									<u>S*</u>						
Showroom												R	R				R	R
Social service center								S	S	R								
SSMWET		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S

	SFRLDR	MDR	MFR	DR	NS	S	E	OT	NMU	OS	CB	C	B	WF	WF-2	CC	TI	I
STMWET		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Studio for performing/graphic arts									S		S	S	S				S	
Tattoo or piercing parlor												S	S					
Telecommunications antennas and towers																	S	S
Trade and industrial school													R				R	R
Urgent care facility										R		R	R					
Uses similar to permitted uses	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Uses similar to special uses						S	S	S	S	S	S	S	S	S	S	S	S	S
Veterinary hospital									S			R	R				S	
Warehouse													R				R	R
Wells, oil and gas																		S

	SFRLDR	MDR	MFR	DR	NS	S	E	OT	NMU	OS	CB	C	B	WF	WF-2	CC	TI	I
Wholesale facility													R				R	R

- A. Within the following planned development districts, where residential uses were permitted as part of the approved preliminary development plan, short-term rentals are considered a permitted use:
- a. Grand Landing (preliminary plan approved by city council March 6, 2006).
 - b. Harbor Front Condos (preliminary plan approved by city council July 23, 1984).
 - c. 633 Elliott (preliminary plan approved by city council May 5, 2003).

(Ord. No. 12-01, § 1, 1-3-12)

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Sec. 40-402.02. - Schedule of regulations.

District	Minimum Lot Dimensions		Maximum Lot Coverage	Minimum Yard Requirements (Feet)			Building Form Stds.	Maximum Height	Minimum Floor Area/Dwelling and Least Ext. Dimension
	Area (sq. ft.)	Width (feet)	(%) of gross lot area ^(a)	Front/Corner Front ^(b)	Side	Rear/ Waterfront		Feet/stories (Principal Bldg.)	(Sq. Ft. & Ft.)
SFRLDR	8,700	66	30%	30	8, one side, 20 total	25/ ^{(k)(c)}	See 40-403	350	4,200 760/203
MDR	5,900	454	35%	20	6, one side, 16 total	15/25 ^(k)	See 40-404	350	5704,000 203
MFR 1 & 2 Units Multi Units	5,900 9,000	4544 100	35% N/A	20 25	6, one side, 16 total 20	15 ^(k) 25 ^(k)	See 40-405 See 40-405	350 350	5704,000 203 5400
DR	10,500	66	Greater of 35% or 1,650 sq. ft.	20	6, one side, 16 total ^(d)	10 ^{(c)(k)}	See 40-406	350 See 40-406	570900 ^(l) /203
NS	10,500	75	30%	30	8, one side 20 total	25/ ^(k)	See 40-407	350	4760,200 203
S	5,900	445	35%	20	6, one side, 16 total ^(d)	20	See 40-408	35	5704,000 203
E	5,900	4544	35%	20	6, one side, 16 total ^(d)	20	See 40-409	350	5704,000 203
OT	5,900	4533	35%	10	63 , one side 169 total ^(d)	15	See 40-410	305 ^(j)	5704,000 /20

NMU 1 & 2 Units Multi Units <u>All other uses</u>	5,900 <u>97,000</u> <u>none</u>	<u>4544</u> <u>40050</u> <u>none</u>	35% N/A	15 15 <u>0/5</u>	6, one side, 16 total <u>10</u> <u>400/5</u>	15 25 <u>15</u>	See 40-411 See 40-411 <u>See 40-411</u>	<u>305</u> ⁽ⁱ⁾ <u>305</u> ⁽ⁱ⁾ <u>See 40-411(i)</u>	<u>5704,000/203</u> <u>5400</u> <u>N/A</u>
CB	See 40-413								
OS One family All other uses	5,900 N/A	<u>445</u> N/A	35% 60%	15 15	6/16 total 6/16 total	15 15	N/A N/A	<u>350</u> <u>305</u>	<u>4,000570</u> <u>4,000570</u>
C	N/A	N/A	70%	25	0 ^(e)	10	See 40-414	40	<u>570N/A</u>
B	N/A	N/A	70%	<u>5/10</u> <u>10 max</u>	0 ^(e)	0 ^(f)	See 40-415	35	<u>400N/A</u>
WF	N/A	N/A	N/A	25 ^{(g)(k)}	20 ^(g)	25 ^(c & g)	See 40-416	25 ^(m)	N/A
WF-2	See 40-417								
CC	N/A	N/A	75%	10	20	20	See 40-418	35 ^(h)	N/A
TI	N/A	N/A	70%	25 ^(k)	10	10 ⁽ⁱ⁾ /20	See 40-419	40	<u>5400/NA</u>
I	N/A	N/A	70%	25	10	20 ⁽ⁱ⁾	N/A	60	N/A

Notes

- (a) That portion of lot covered by buildings, including accessory buildings, roof overhangs exceeding two (2) feet, roofed decks, roofed patios, and porches, but excluding paved surfaces.
- (b) On a corner lot, the longer of the sides fronting a right-of-way, shall be the corner front yard.
- (c) Subject to the MDEQ-EGLE Critical Dune requirements.

- (d) In MDR, DR, S, E and OT, for lots of less than standard width, each required side yard may be reduced by three (3) inches for each foot of lot width less than the required minimum width, but in no instance shall side yards be less than three (3) feet, and no portion of a building, such as eaves or other attachments, shall be located less than two (2) feet from any lot line.
- (e) No side yard shall be required along interior lot lines except as provided by applicable fire and electrical codes.
- (f) If a property abuts the ~~SFLDR~~ or MDR district, a ten-foot minimum rear yard shall apply.
- (g) If adjoining an ~~SFLDR~~ district required setbacks shall increase by one foot for every five (5) feet a building exceeds fifty (50) feet in length or width, provided that in no instance shall a building in the WF district be located closer than one hundred (100) feet from a property line in the ~~SFLDR~~ district.
- (h) Government buildings fronting Central Park may be up to one hundred (100) feet in height.
- (i) Minimum required rear yard shall be twenty-five (25) feet for interior lots-parcels with rear yards abutting the ~~SFLDR~~, MDR, MFR, S, E or OT districts.
- (j) Minimum number of stories in the NMU and OT districts shall be one and one-half (1½).
- (k) Waterfront yard setbacks for lots having water frontage shall be determined by averaging the waterfront setbacks of adjacent structures per section 40-306.10.
- (l) In the DR district, ~~nine hundred (900570)~~ square feet shall be the minimum first floor area.
- (m) For parcels lying on the westerly side of Harbor Drive between Harbor Drive and the Grand River or Lake Michigan, the maximum height shall be two (2) stories or thirty (30) feet, whichever is less. The established grade for all parcels lying on the westerly side of Harbor Drive shall be the Harbor Drive side ground level, so the grades on any other side of the structure shall not have any effect on the established grade from which the building height is to be measured.

| [Insert map](#)

SEC. 40-403. - ~~SFR LDR. LOW DENSITY SINGLE-FAMILY~~ RESIDENTIAL DISTRICT.

Sec. 40-403.01. - Intent.

The ~~SFR LDR, Single-Family~~ Low Density Residential district is intended to provide for relatively low-density single-family residential neighborhoods, which predominantly serve families with children. Neighborhoods will be quiet and free of unrelated traffic, though limited, low-impact residentially related land uses may be permitted as described below. Residential streets will be scaled for compatibility between pedestrians and automobiles; and will be lined with attractive landscaping. Except where topographic or other environmental constraints preclude such connectivity, streets within the ~~SFR LDR~~ district should be interconnected, although both curvilinear and grid patterns are encouraged, some cul-de-sac and collector patterns may be developed.

Sec. 40-403.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Adult foster care
- Day care, family (6 clients)
- Dwelling, one-family
- Home occupation, minor
- Municipal uses—Utilities
- Park or parkland
- Uses similar to permitted uses, subject to [section] 40-325

B. Special land uses

- Accessory building w/footprint greater than principal building, subject to [section] 40-502
- Accessory use, to a special land use, subject to [section] 40-503
- Bed and breakfast, subject to [section] 40-510
- Day care, group subject to [section] 40-519
- Dwelling, accessory, subject to section 40-525
- Dwelling, two-unit, subject to section 40-526
- Educational facility, subject to [section] 40-530
- Home occupation, major, subject to [section] 40-533
- Nursing care facility, subject to [section] 40-548

- Place of public assembly, large and small, subject to section 40-551
- Planned residential development, subject to [section] 40-552
- Recreational facility, commercial, subject to [section] 40-554

* Uses that must be located on key street segments per [section] 40-403.03

C. Site and building placement standards

Minimum lot area:	8,700 square feet
Minimum lot width:	66 feet
Maximum lot coverage:	30%
Minimum setbacks:	
Front:	30 feet
Corner front:	30 feet
Side:	8 feet minimum for one side and 20 feet total of two sides
Rear/waterfront:	25 feet, subject to Critical Dune requirements
Minimum floor area:	7601,200 square feet
See Table 40-402.02 for more detail and exceptions	

D. Building form standards

Maximum building height:	350 feet
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Rooflines: Rooflines of regulated accessory structures or principal structures with the lowest elevation at or above twenty-two (22) feet above the median grade shall be pitched at slopes ranging from 4:12 to 12:12. Roofs located below twenty-two (22) feet above the median grade may be flat or pitched at any slope.

Sensitive Area Overlay requirements per [section] 40-422 may apply in certain portions of the district.

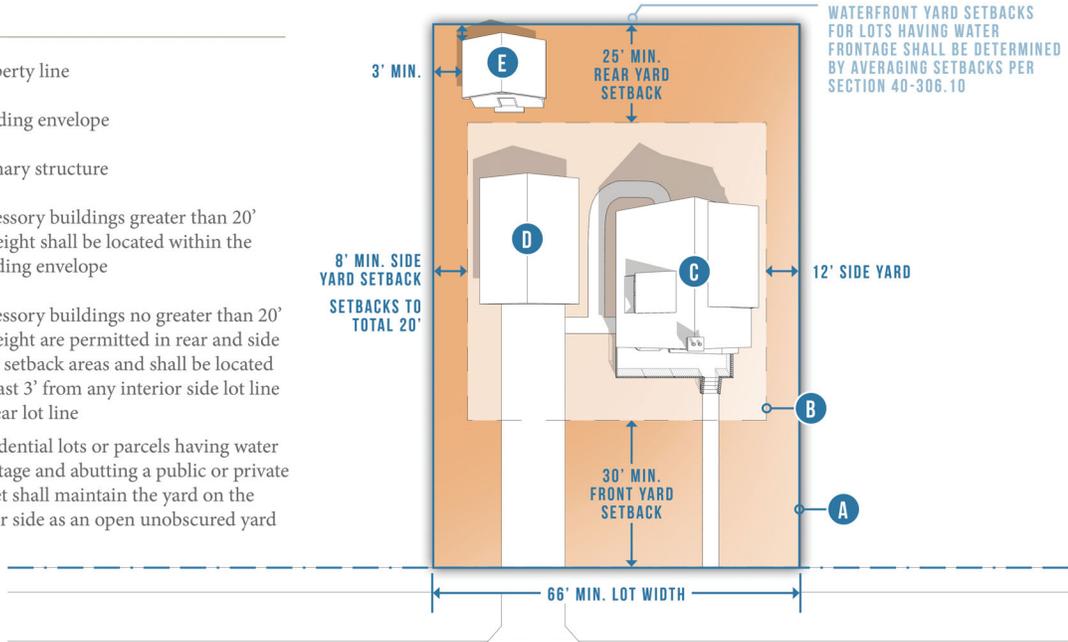
LDR. LOW DENSITY RESIDENTIAL SITE & BUILDING PLACEMENT

FIGURE 4-1

KEY

- (A) Property line
- (B) Building envelope
- (C) Primary structure
- (D) Accessory buildings greater than 20' in height shall be located within the building envelope
- (E) Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line

Residential lots or parcels having water frontage and abutting a public or private street shall maintain the yard on the water side as an open unobscured yard



SEC. 40-404. - MDR. MODERATE DENSITY RESIDENTIAL DISTRICT.

Sec. 40-404.01. - Intent.

The MDR, Moderate Density Residential district is intended to provide for moderate density single-family residential neighborhoods, with two-family-unit dwellings being permitted along key street segments. Neighborhoods shall be quiet and free of unrelated traffic, though limited, low-impact residentially related land uses may be permitted as described below. Streets within the MDR district shall be interconnected.

Sec. 40-404.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Adult foster care
- Day care, family (6 clients)
- Dwelling, one-family
- Home occupation, minor
- Municipal uses—Utilities
- Park or parkland
- Uses similar to permitted uses, subject to {section} 40-325

B. Special land uses.

- Accessory building w/footprint greater than principal building, subject to [section] 40-502
- Accessory use, to a special land use, subject to {section} 40-503
- Bed and breakfast, subject to {section} 40-510
- Day care, group subject to {section} 40-519
- Dwelling, accessory, subject to section 40-525
- Dwelling, multiple-family*, subject to section 40-527
- Dwelling, two unit*, subject to {section} 40-526
- Educational facility, subject to {section} 40-530
- Home occupation, major, subject to {section} 40-533
- Nursing care facility*, subject to {section} 40-548
- Place of public assembly, large and small, subject to section 40-551
- Planned residential development, subject to {section} 40-552

- Senior/assisted living facility, subject to [section] 40-558
- SSMWET, subject to article IX
- STMWET, subject to article IX

* Uses that must be located on key street segments per [section] 40-404.03

C. *Site and building placement standards.*

Minimum lot area:	5,900 square feet
Minimum lot width:	45 <u>44</u> feet
Maximum lot coverage:	35%
Minimum setbacks:	
Front:	20 feet
Corner front:	20 feet
Side:	6 feet minimum for one side and 16 feet total of two sides
Rear:	15 feet
Waterfront	25 feet
Minimum floor area:	5706 <u>4,000</u> square feet
See Table 40-402.02 for more detail and exceptions	

D. *Building form standards.*

Maximum building height:	35 <u>9</u> feet
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Rooflines: Rooflines of regulated accessory structures or principal structures with the lowest elevation at or above twenty-two (22) feet above the median grade shall be pitched at slopes ranging from 4:12 to 12:12. Roofs located below twenty-two (22) feet above the median grade may be flat or pitched at any slope.

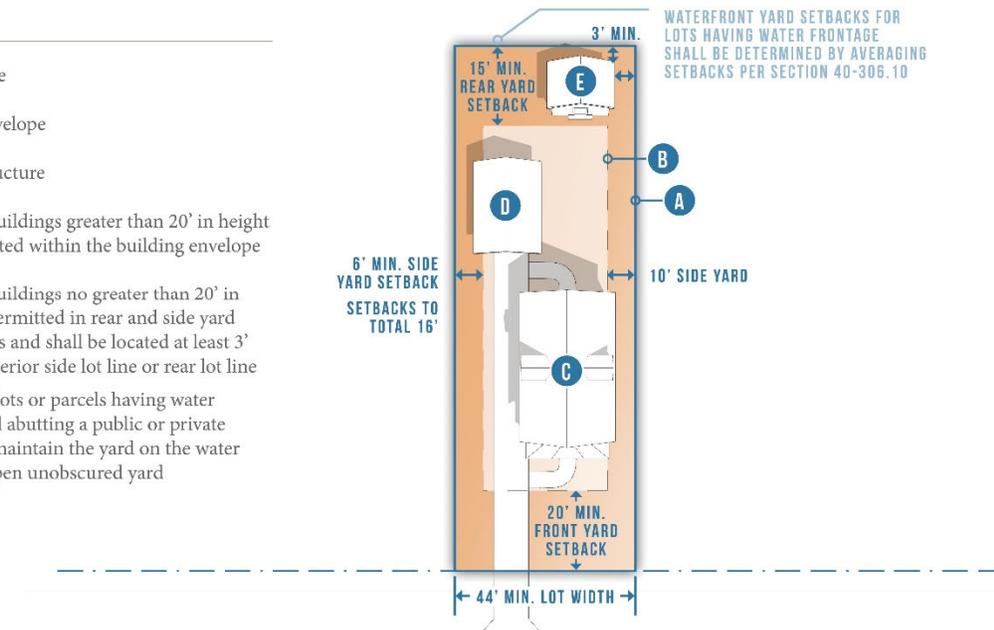
Sensitive Area Overlay requirements per 0 apply in certain portions of the district.

MDR. MODERATE DENSITY RESIDENTIAL SITE & BUILDING PLACEMENT

FIGURE 4-2

KEY

- (A) Property line
 - (B) Building envelope
 - (C) Primary structure
 - (D) Accessory buildings greater than 20' in height shall be located within the building envelope
 - (E) Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line
- Residential lots or parcels having water frontage and abutting a public or private street shall maintain the yard on the water side as an open unobscured yard



Sec. 40-404.03. - Notes.

Key street segments. Within the MDR district, the following key street segments are established:

- ◆ Pennoyer Avenue, from the MDR district westernmost boundary to Friant Street rights-of-way.
- ◆ Friant Street, from Waverly Street to the Grant Street rights-of-way.

SEC. 40-405. - MFR. MULTIPLE-FAMILY RESIDENTIAL DISTRICT.

Sec. 40-405.01. - Intent.

The intent of the MFR, Multiple-Family Residential district is to provide housing opportunities in the form of multi-unit dwellings. These types of dwellings typically provide common open space, and provide housing options with certain accessory uses such as parks, laundry facilities, workout facilities, and garages, among others. Multiple-family residential districts provide housing for all types of individuals, including the elderly, singles, and families. All multiple-family residential districts shall be well integrated with the surrounding community, functioning as a transitional zone between single-family residential uses and commercial districts. Building size and form shall be compatible to the size and form of neighboring districts and adjacent buildings, so as to enhance the available housing options of local residents without disrupting the continuity and character of the existing neighborhood. Lighting and sign standards shall also remain consistent with those in residential districts, so as to create a seamless transition from one district to the next.

Sec. 40-405.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Adult foster care
- Day care, family (6 clients)
- Dwelling, one-family
- Dwelling, two-family unit
- Dwelling, multiple-family
- Home occupation, minor
- Manufactured housing community
- Municipal uses—Utilities
- Park or parkland
- Places of public assembly, small
- Recreational facility, commercial
- Uses similar to permitted uses, subject to [section] 40-325

B. Special land uses.

- Accessory building w/footprint greater than principal building, subject to [section] 40-502
- Accessory use, to a special land use, subject to [section] 40-503

- Bed and breakfast, subject to [section] 40-510
- Boarding house, subject to [section] 40-512
- Day care, commercial, subject to [section] 40-518
- Day care, group, subject to [section] 40-519
- Dwelling, accessory, subject to section 40-525
- Educational facility, subject to [section] 40-530
- Golf course, subject to [section] 40-532 Mixed use development, subject to section 40-544
- Nursing care facility, subject to [section] 40-548
- Place of public assembly, large, subject to section 40-551
- Planned residential development, subject to [section] 40-552
- Sheltered housing facility, subject to [section] 40-560
- SSMWET, subject to article IX
- STMWET, subject to article IX

C. *Site and building placement standards for multiple-family dwellings.*

Minimum lot area:	9,000 square feet
Maximum density:	Lesser of 12 units per structure or 30 units per acre
Minimum lot width:	100 feet
Minimum setbacks from property line (B):	
Front:	25 feet
Corner front:	25 feet
Side:	20 feet
Rear:	25 feet
Setbacks from interior access roads and alleys	
Front:	5 feet

Side:	8 feet
Rear:	5 feet min/20 feet max
Minimum separation between buildings	30 feet
Minimum floor area per DU:	500 <u>400</u> square feet (A)
See Table 40-402.02 for more detail and exceptions	

D. *Building form standards for multiple-family dwellings.*

Max building height:	35 <u>0</u> feet
Rooflines:	Rooflines of regulated accessory structures or principal structures with the lowest elevation at or above 22 feet above the median natural grade shall be pitched at slopes ranging from 4:12 to 12:12. Roofs located below 22 feet above the median natural grade may be flat or pitched at any slope.
Common open space:	100 sq. ft per dwelling unit
Exterior cladding materials:	
Primary walls:	Minimum 80% face brick, stone, solid wood, and/or fiber cement board
Secondary walls:	Minimum 80% face brick, stone, solid wood, fiber cement board, composite siding, decorative concrete block, and/or vinyl siding
Accent/trim materials:	Maximum 20% metal, concrete, face brick, stone, solid wood, fiber cement board, composite siding, decorative concrete block, vinyl, and/or EIFS (must be high impact resistant up to 6 feet from ground level)
Architectural features:	Wrap around entire side visible from right-of-way; blank solid walls visible from public right-of-way prohibited

Minimum transparency:	60% for porches with roofs
Garage door:	Recessed at least 12 inches behind the front line of the building
Building articulation:	Required every 50 feet; may be accomplished using windows, balconies, change in building material, etc.

E. *Site and building placement standards for other than multiple-family dwellings.*

Minimum lot area:	5,900 square feet
Minimum lot width:	45 <u>44</u> feet
Maximum lot coverage:	35%
Minimum setbacks:	
Front:	20 feet
Corner front:	20 feet
Side:	6 feet minimum for one side and 16 feet total of two sides
Rear/waterfront:	15 feet
Minimum floor area:	5706 <u>1,000</u> square feet

F. *Building form standards for uses other than multiple-family dwellings.*

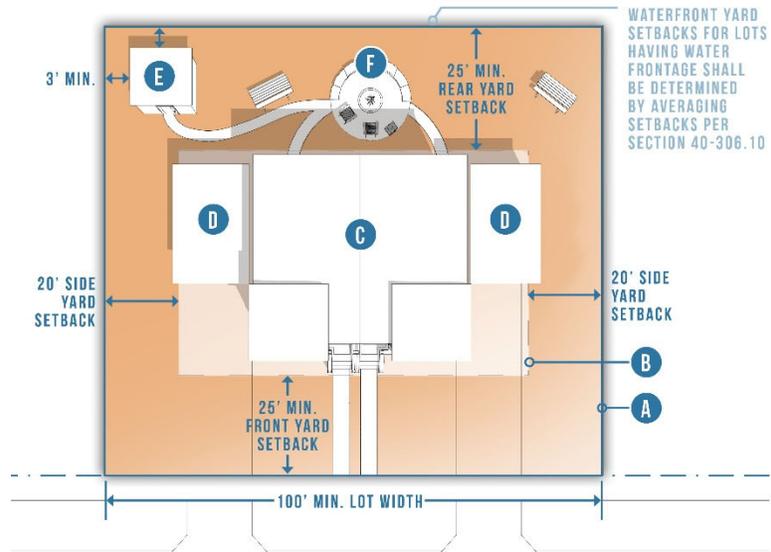
Max building height:	30 feet
Rooflines:	Rooflines of regulated accessory structures or principal structures with the lowest elevation at or above 22 feet above the median grade shall be pitched at slopes ranging from 4:12 to 12:12. Roofs located below 22 feet above the median grade may be flat or pitched at any slope.

MFR. SITE & BUILDING PLACEMENT FOR MULTIPLE FAMILY DWELLINGS

FIGURE 4-3

KEY

- (A) Property line
 - (B) Building envelope
 - (C) Primary structure
 - (D) Accessory buildings greater than 20' in height shall be located within the building envelope
 - (E) Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line
- Residential lots or parcels having water frontage and abutting a public or private street shall maintain the yard on the water side as an open unobscured yard
- (F) Common open space - 100 sq.ft. per unit

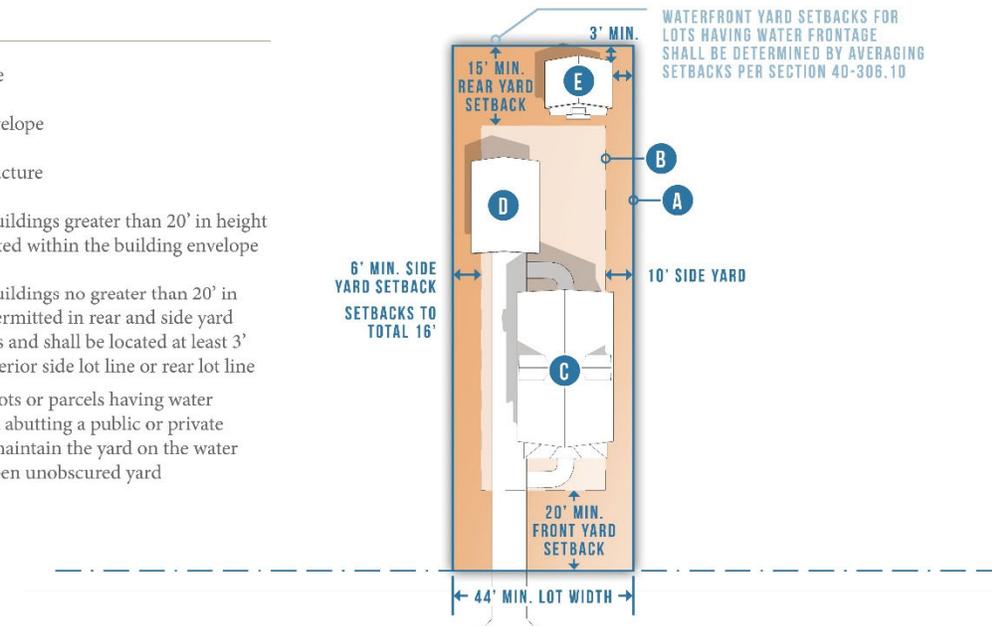


MFR. SITE & BUILDING PLACEMENT FOR OTHER THAN MULTIPLE-FAMILY DWELLINGS

FIGURE 4-4

KEY

- (A) Property line
 - (B) Building envelope
 - (C) Primary structure
 - (D) Accessory buildings greater than 20' in height shall be located within the building envelope
 - (E) Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line
- Residential lots or parcels having water frontage and abutting a public or private street shall maintain the yard on the water side as an open unobscured yard



Sec. 40-405.03. - Notes.

- A. In no instance shall more than one out of six (6) multiple-family units in any multiple-family development be utilized as an efficiency.
- B. Sensitive Area Overlay requirements per {section} 40-422 may apply in certain portions of the district.

Sec. 40-405.04. - Manufactured housing standards.

This district is intended to provide for the location and regulation of manufactured housing communities. It is intended that manufactured housing communities be provided with necessary community services in a setting that provides a high quality of life for residents and residential development standards consistent with all other residential districts in the City of Grand Haven. This use shall be located in areas where it will be compatible with adjacent land uses. Determining the appropriate location for a manufactured housing community is a uniquely challenging task and may have a crucial impact on adjacent and surrounding land uses. A manufactured housing community contains specific site conditions unlike other types of residential development. Sites with an abundance of natural features such as forested areas, wetlands, and steep slopes and sites without the road and utility infrastructure to support a high density living environment are not found to be suitable for the development of a manufactured housing community.

Within the MFR district, manufactured housing communities shall be governed by this section, by the requirements of the Act 96 of the Public Acts of 1987, as amended and the standards set forth in the rules and regulations promulgated by the manufactured housing commission, including part 9, community construction. The intent of this section is to provide for manufactured home development, of long-term duration of stay, in areas which are developed in a manner which takes into account such special characteristics as locational needs, site layout and design, demand upon community services, and the relationship to and effect upon surrounding uses of land, and conformance to the City of Grand Haven Master Plan. All manufactured home developments shall comply with the applicable requirements of Public Act 96 of 1987, as amended. The controlling standards in this section are not designed to generally exclude mobile homes of persons who engage in any aspect pertaining to the business of mobile homes or mobile home parks.

- A. *Application procedures.* Pursuant to section 11 of Act 96 of the Public Acts of 1987, as amended, and the rules promulgated thereunder, an application for the extension, alteration, or construction of a manufactured home development shall be accompanied by a preliminary plan of the proposed development and all permanent buildings indicating the proposed methods of compliance with these requirements. Said application, fees and preliminary plan shall meet the following requirements:
 - 1. An application form shall be completed and fees paid in accordance with the fee schedule (as amended from time to time by resolution of the city council) and twelve (12) copies of the preliminary plan shall be submitted to the zoning administrator for distribution to the planning commission.

2. The preliminary plan need not include detailed construction plans, but shall include the following materials:
 - a. The applicant's name, address and telephone number and the property owner's name, address and telephone number, if different than that of the applicant.
 - b. Notation of all federal, state and local permits required.
 - c. The location of the project including the permanent parcel number(s) of the property upon which the project is proposed to be located.
 - d. The layout of the project including an illustration of the internal roadway system proposed and typical homesite layout.
 - e. The general design of the proposed project including the proposed location and design of signs, trash receptacles, light fixtures and any accessory structures, open lands and recreation areas and accessory uses.
 - f. The location, spacing, type and size of proposed plant materials.
 - g. A general description of the proposed project including the number of homesites proposed, the anticipated phasing of project development and an indication of the number of homesites to be rented and the number to be sold, if any.
- B. *Review process.* The planning commission shall review the submitted preliminary plan and render a decision to approve, approve with conditions or deny the preliminary plan. The planning commission shall approve the preliminary plan upon a finding that the proposed use will not, upon the facts known at the time of the submission of the site plan, cause undue hardship, or create unsafe or hazardous health or safety conditions to the general public. Not more than sixty (60) days following the receipt by the zoning administrator of a complete application for preliminary plan approval, the planning commission shall approve, approve with conditions or modifications, or deny an application and preliminary plan pursuant to the Mobile Home Commission Act, the rules promulgated thereunder and this ordinance.

Upon approval of the preliminary plan, the zoning administrator shall sign three (3) copies thereof. One signed copy shall be made a part of the city's files, one copy shall be retained by the zoning administrator, and one copy shall be returned to the applicant. Construction shall commence within five (5) years after the date of issuance of a construction permit by the Michigan Department of Consumer and Industry Services unless an extension has been granted by said department. Amendments to the approved preliminary plan must be submitted to the planning commission for review and approval.
- C. *Noncompliance.* Any substantial noncompliance with the approved preliminary plan shall be reported to the manufactured housing division of the department of consumer and industry services for remedy along with all pertaining evidence.

- D. *Site development requirements.* The site development requirements of the manufactured housing commission, together with any other applicable requirements of the State of Michigan, Act 96 of 1987, as amended, shall be complied with. No manufactured housing community shall be maintained, operated, or conducted without an annual license from the Michigan Department of Consumer and Industry Services. An inspection of construction may be performed at any appropriate time, pursuant to 1987 PA 96, as amended (the Mobile Home Commission Act).
- E. *Site size:* The minimum site size for a manufactured housing community shall be fifteen (15) acres.

SEC. 40-406. - DR. DUNE RESIDENTIAL.

Sec. 40-406.01. - Intent.

This district is comprised of the Highland Park, Five Mile Hill, and the Edwards areas. The DR, Dune Residential district is characterized by steep topographical slopes, sandy soils, and a variety of single-family architectural styles. The greatest natural resources within the district's neighborhoods are the views of Lake Michigan, sensitive sand dunes and woodland areas. The intent of this district is to preserve the character of the neighborhoods and resources of the dunes for the enjoyment of residents and visitors alike. Development in this district should be scaled primarily for relatively densely-formed single-family neighborhoods with some multi-unit facilities carefully sited to be consistent in look and performance with a single-family area. Because this district is near the lakeshore and has historically had significant concentrations of vacation homes and other tourist-related uses, short-term rental uses (which are commercial or quasi-commercial in nature) are permitted in some circumstances. In particular, short-term rental uses are permitted only with special use approval, based on standards designed to protect the residential character of the neighborhoods.

New development and improvements or renovations in this district shall be consistent with the current character of the respective communities as well as respectful to the views historically enjoyed by property owners. Due to the small size and irregular shape of many lots in the Dune Residential district, building siting standards are intended to take advantage of limited space through flexible building envelopes, while protecting sensitive dune areas and view corridor sight lines, as reasonable and to the extent possible.

Protecting dunes and views of Lake Michigan without sacrificing the integrity of the neighborhood will be more important than rigid site design standards, such as deep setbacks, building height or style requirements. Nevertheless, new development and improvements shall be generally consistent with and in keeping with the current character of the community.

Sec. 40-406.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Adult foster care
- Day care, family (6 clients)
- Dwelling, one-family
- Home occupation, minor
- Municipal uses—Utilities
- Park or parkland
- Uses similar to permitted uses, subject to section 40-325

B. *Special land uses.*

- Accessory building w/footprint greater than principal building, subject to section 40-502
- Accessory use, to a special land use, subject to section 40-503
- Bed and breakfast, subject to section 40-510
- Cemetery, subject to section 40-514
- Dwelling, accessory, subject to section 40-525
- Short-term rentals, where the underlying residential use is permitted by right or as a special land use. Short-term rental uses are subject to special use approval under section 40-513, and require a valid short-term rental certificate issued pursuant to chapter 9 of the Grand Haven Code of Ordinances
- SSMWET, subject to article IX
- STMWET, subject to article IX

C. *Site and building placement standards.*

Minimum lot area:	10,500 square feet
Minimum lot width:	66 feet
Maximum lot coverage:	Greater of 35% or 1,650 square feet including all accessory buildings (see D. building form standards for building footprint standards)
Minimum setbacks:	
Front:	20 feet
Corner front:	20 feet
Side:	6 feet minimum for one side and 16 feet total of two sides
Rear/waterfront:	10 feet, subject to Critical Dune requirements
See D. building form standards for elevated setback requirements.	
Building placement priority, buildings shall be sited to:	
First: Protect Critical Dunes per MDEQ requirements, per section 40-422.	

Second: Mitigate impact on view corridors for upgradient improved property.
Third: Preserve a reasonable setback from roads.
Fourth: Establish a comfortable separation between existing buildings.

D. *Building form standards.*

Building footprint:	For the purposes of this section 40-406, building footprint shall be a rectangle enclosing all foundation walls and any cantilevered building faces together with any attached accessory buildings, but excluding decks and patios.
Maximum building height:	30 feet from median natural grade for each side of the building footprint, pursuant to section 40-306.08.B.2.
Rooflines:	Rooflines with the lowest elevation at or above 22 feet above the median natural grade for the most proximate side of the building footprint, shall be pitched at slopes of not less than 4:12. Where important viewsheds exist and for viewsheds of any upgradient improved properties, gable ends of roofs shall face generally westerly toward Lake Michigan and dormers on northerly or southerly roof faces and skylights that project above the predominate roof deck by more than 6 inches shall not be located at an elevation greater than 25 feet above the median natural grade for the most proximate side of the building footprint.
Elevated setbacks:	To mitigate impact on viewsheds for improved up-gradient properties, where one or more of the sides of the building footprint lies on or within 10 feet of the northerly or southerly lot line, such setback dimensions shall be increased by 5 feet at and above an elevation 22 feet greater than the median natural grade for that side of the building footprint.
Decks:	An attached or detached deck may project into the required front yard by not more than 5 feet provided all

	building placement priority standards of section 40-406.02.C. are met.
Min. first floor area	900-570 square feet for principal building and excluding garages, but not more than maximum lot coverage.

E. Sensitive Area Overlay requirements per section 40-422 may apply in certain portions of the district.

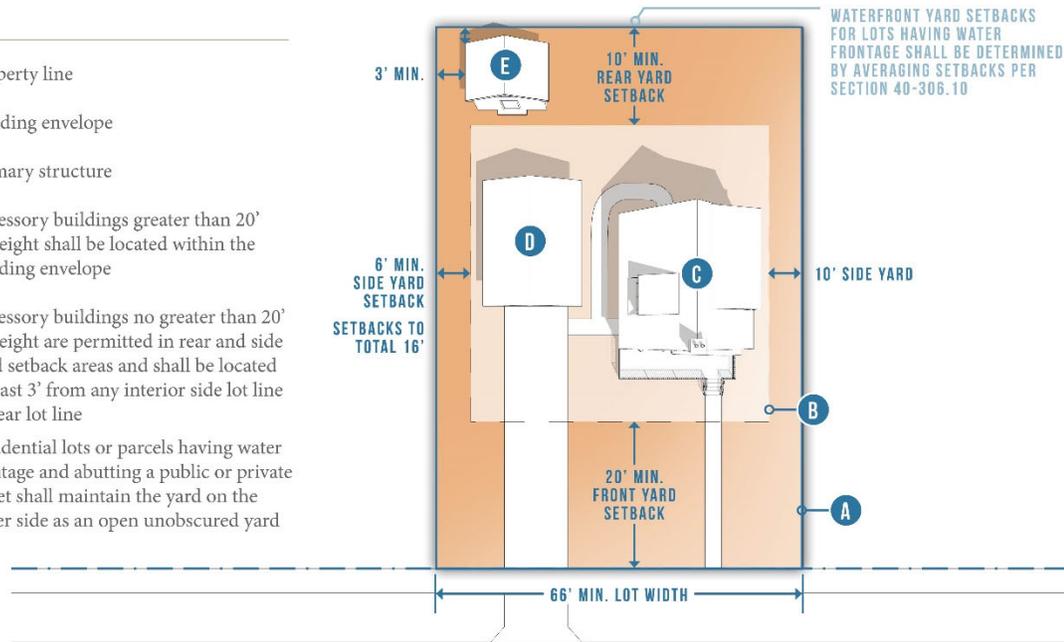
DR. DUNE RESIDENTIAL SITE & BUILDING PLACEMENT

FIGURE 4-5

KEY

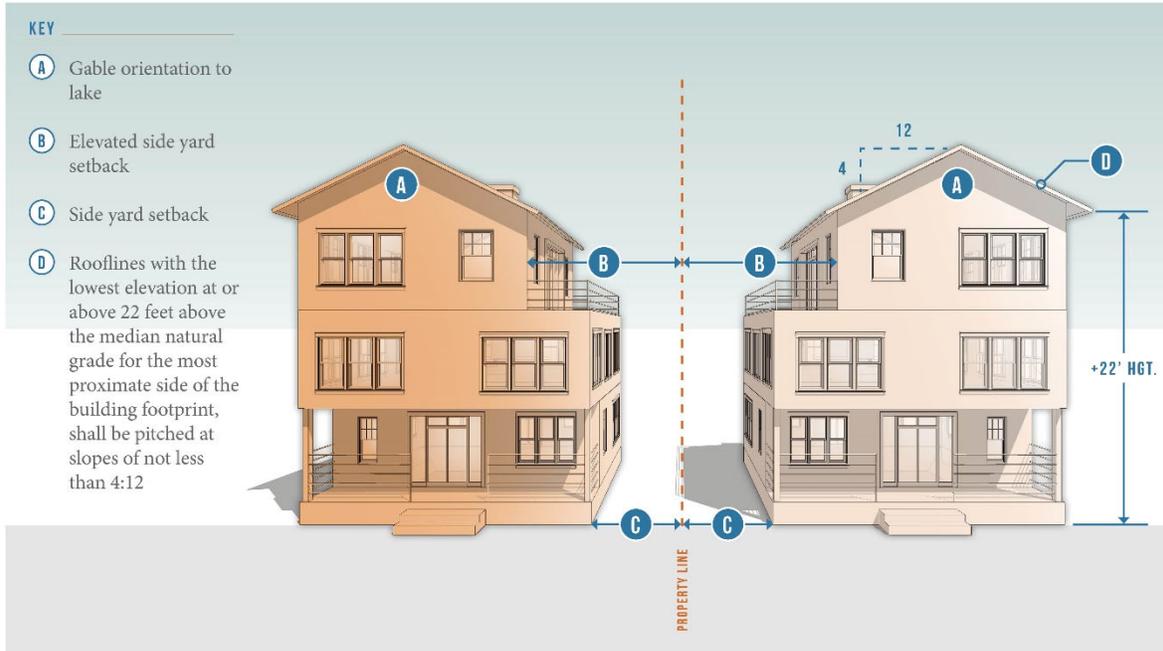
- (A) Property line
- (B) Building envelope
- (C) Primary structure
- (D) Accessory buildings greater than 20' in height shall be located within the building envelope
- (E) Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line

Residential lots or parcels having water frontage and abutting a public or private street shall maintain the yard on the water side as an open unobscured yard



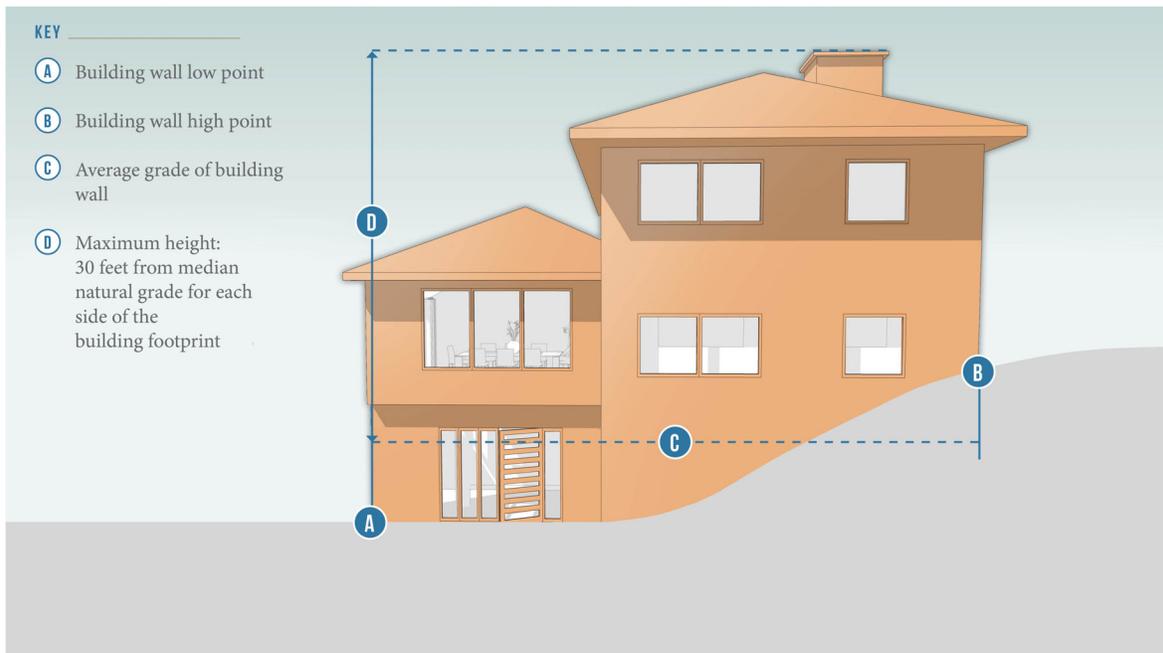
DR. DUNE RESIDENTIAL BUILDING FORM STANDARDS

FIGURE 4-6



DR. DUNE RESIDENTIAL MAXIMUM BUILDING HEIGHT

FIGURE 4-7



SEC. 40-407. - NS. NORTH SHORE DISTRICT.

Sec. 40-407.01. - Intent.

The NS, North Shore district is intended to respect the unique natural setting of the northern side of the Grand River channel and the Lake Michigan shoreline adjoining the Kitchel Lindquist Dunes Natural Preserve. The locale, while sensitive, is ideal for low-density single-family residential neighborhoods, which predominantly serve families with and without children. Neighborhoods will be quiet and free of unrelated traffic, though limited, low-impact residentially related land uses may be permitted as described below. The area is not likely to be served with public wastewater service, so densities will be low. Except where topographic or other environmental constraints preclude such connectivity, streets within the NS district should be interconnected.

Short-term rental uses (which are commercial or quasi-commercial in nature) are now prohibited in order to maintain the single-family residential character of the district, maintain or increase current levels of year-round residents, and ensure the availability of affordable housing stock.

(Ord. No. 17-01, § 4, 4-24-17)

Sec. 40-407.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Adult foster care
- Day care, family (6 clients)
- Dwelling, one-family
- Home occupation, minor
- Municipal uses—Utilities
- Park or parkland
- Uses similar to permitted uses, subject to section 40-325

B. Special land uses.

- Accessory building w/footprint greater than principal building, subject to section 40-502
- Accessory use, to a special land use, subject to section 40-503
- Bed and breakfast, subject to section 40-510
- Home occupation, major, subject to section 40-533
- SSMWET, subject to article IX

- STMWET, subject to article IX

C. *Site and building placement standards.*

Minimum lot area:	10,500 square feet
Minimum lot width:	75 feet
Maximum lot coverage:	30%
Minimum setbacks:	
Front:	30 feet
Corner front:	30 feet
Side:	8 feet minimum for one side and 20 feet total of two sides
Rear/waterfront:	25 feet, subject to Critical Dune requirements and waterfront averaging requirements of section 40-306.10
Minimum floor area:	7601,200 square feet
See Table 40-402.02 for more detail and exceptions	

D. *Building form standards.*

Maximum building height:	30-35 feet
Rooflines:	Rooflines of regulated accessory structures or principal structures with the lowest elevation at or above 22 feet above the median grade shall be pitched at slopes ranging from 4:12 to 12:12. Roofs located below 22 feet above the median grade may be flat or pitched at any slope.
Sensitive Area Overlay requirements per section 40-422 may apply in certain portions of the district.	

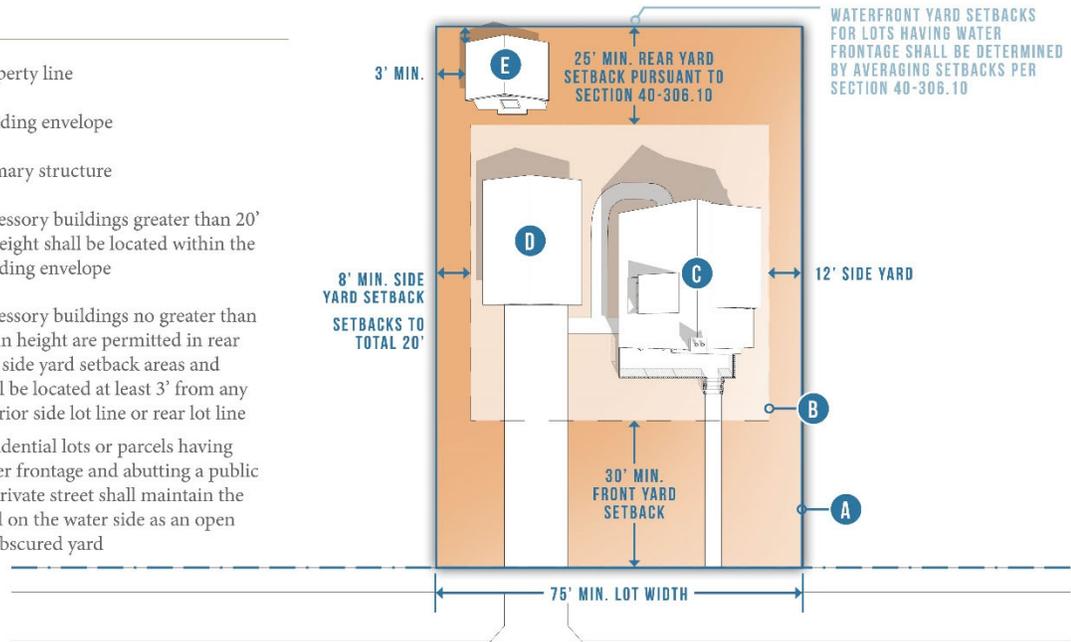
NS. NORTH SHORE DISTRICT SITE & BUILDING PLACEMENT

FIGURE 4-8

KEY

- Ⓐ Property line
- Ⓑ Building envelope
- Ⓒ Primary structure
- Ⓓ Accessory buildings greater than 20' in height shall be located within the building envelope
- Ⓔ Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line

Residential lots or parcels having water frontage and abutting a public or private street shall maintain the yard on the water side as an open unobscured yard



SEC. 40-408. - S. SOUTHSIDE DISTRICT.

Sec. 40-408.01. - Intent.

The S, Southside district exhibits many of the city's finest examples of historic residential architecture including Italianate and Queen Anne styles. As such, these structures, when located on major transit routes, such as on Franklin, are appropriate for low impact, nonresidential uses such as small-scale retail, office and bed and breakfast facilities. Carriage houses provide additional space for residential and small-scale retail, office and bed and breakfast facilities, and shall be encouraged to remain. This ordinance aims to preserve the historic structures in this district by allowing for adaptive reuse from residential to small scale commercial and office uses.

The Southside district is generally bounded on the north by the south side of Franklin, Howard to the south, Harbor to the west and Beacon to the east. Ensuring the stability of the neighborhoods is paramount. The Southside district shall be zoned for single-family detached residential dwellings, in order to perpetuate the existing and predominant land use. However, the Key Street segments, and Franklin Street Avenue in particular, have historically had commercial uses that have become an integral part of this district.

Short-term rental uses (which are commercial or quasi-commercial in nature) are permitted only on in dwellings with driveways fronting on Franklin Street Avenue, from 5th Street west, and only with special use approval, based on standards designed to protect the residential character of the neighborhoods. Elsewhere in the Southside District, short-term rental uses are now prohibited in order to maintain the single-family residential character of the district, maintain or increase current levels of year-round residents, and ensure the availability of affordable housing stock.

Office, commercial, or retail uses shall only be permitted along key street segments such as Franklin and 3rd, 5th, 7th and 8th Streets. All new infill and redevelopment along key street segments shall be constructed to resemble the historic architectural styles through the use of selected building materials, building elements, and building placement standards, which characterize the Southside district.

(Ord. No. 17-01, § 5, 4-24-17)

Sec. 40-408.02. - District summary.

A. Permitted uses ^(B).

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Adult foster care
- Day care, family (6 clients)
- Dwelling, one-family
- Home occupation, minor

- Municipal uses—Utilities
- Park or parkland
- Personal service business*
- Professional service establishment*
- Residential above office*
- Uses similar to permitted uses, subject to section 40-325

*Uses that must be located on key street segments per section 40-408.03(A)

B. *Special land uses.*

- Accessory building w/footprint greater than principal building, subject to section 40-502
- Accessory use, when accessory to uses permitted by special land use, subject to section 40-503
- Bed and breakfast, subject to section 40-510
- Commercial parking facility*, subject to section 40-515
- Day care, commercial (13+ clients)*, subject to section 40-518
- Day care, group (7—12 clients)*, subject to section 40-519
- Dwelling, accessory, subject to section 40-525
- Dwelling, multiple family, subject to section 40-527
- Dwelling, two-unit*, subject to section 40-526
- Educational facility, subject to section 40-530
- Home occupation, major, subject to section 40-533
- Live/work*, subject to section 40-540
- Medical office*, subject to section 40-543
- Place of public assembly, large*, and small, subject to section 40-551
- Short-term rentals**, where the underlying residential use is permitted by right or as a special land use. Short-term rental uses are subject to special use approval under section 40-513, and require a valid short-term rental certificate issued pursuant to chapter 9 of the Grand Haven Code of Ordinances.
- ~~Uses similar to special land uses, subject to section 40-565~~
- SSMWET, subject to article IX
- STMWET, subject to article IX

*Uses that must be located on key street segments per section 40-408.03(A)

**Uses that may only be located in dwellings with driveways fronting on Franklin ~~Street~~Avenue, from 5th Street west.

C. *Site and building placement standards.*

Minimum lot area:	5,900 square feet
Minimum lot width:	Greater <u>Lesser</u> of 45 <u>44</u> feet or original plat dimensions
Maximum lot coverage:	35%
Minimum setbacks:	
Front:	20 feet
Corner front:	20 feet
Side:	6 feet minimum for one side and 16 feet total of two sides
Rear:	20 feet
Minimum floor area:	5704,000 square feet
See Table 40-402.02 for more detail and exceptions	

D. *Building form standards.*

Max building height:	35 feet
Exterior building materials visible from right-of-way, park, or public parking area:	
Walls:	Minimum 80% brick, stone, or wood, cement board, vinyl or aluminum siding with max. 5" reveal
Ornamentation/trim:	Metal, concrete, brick, stone or wood
Architectural features:	Wrap around entire side visible from ROW; blank solid walls visible from public ROW prohibited

Minimum roof pitch of principal or regulated accessory structures at or above 22' above median grade:	4:12 to 12:12
Minimum transparency:	60% for porches with roofs
Garage door:	Recessed at least 12 inches behind the front line of the building.

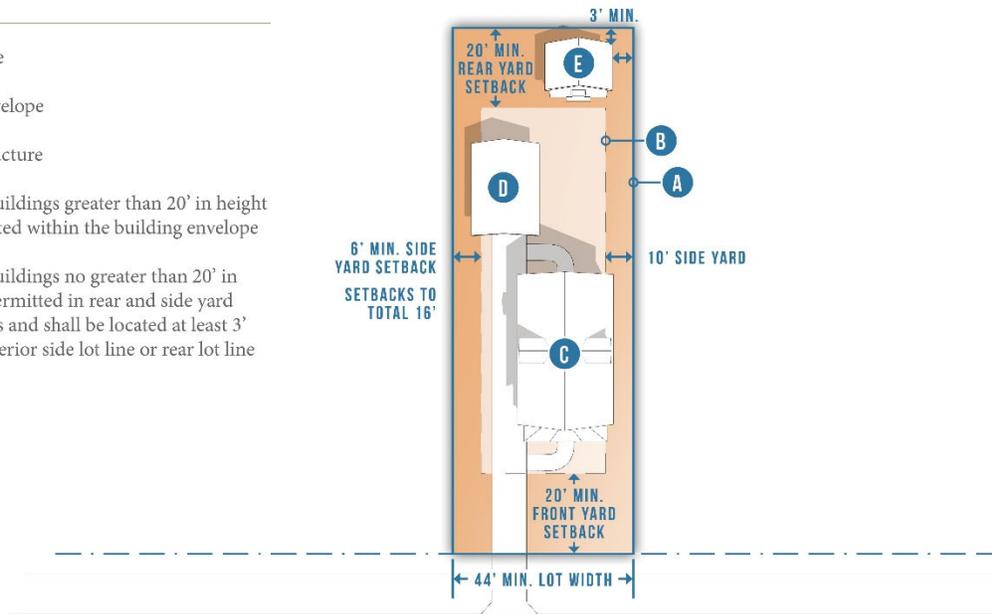
(Ord. No. 17-01, § 5, 4-24-17)

S. SOUTHSIDE DISTRICT SITE & BUILDING PLACEMENT

FIGURE 4-9

KEY _____

- Ⓐ Property line
- Ⓑ Building envelope
- Ⓒ Primary structure
- Ⓓ Accessory buildings greater than 20' in height shall be located within the building envelope
- Ⓔ Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line



Sec. 40-408.03. - Notes.

A. Key street segments. Within the S district, the following key street segments are established:

- ◆ Third Street, from Franklin Street Avenue to the Clinton Street rights-of-way.
- ◆ Fifth Street, from Franklin Avenue Street to the Clinton Street rights-of-way.
- ◆ Seventh Street, from Franklin Avenue Street to the Clinton Street rights-of-way.
- ◆ Eighth Street, from Franklin Avenue Street to the Clinton Street rights-of-way.
- ◆ Franklin Avenue, from Harbor to Eighth Street rights-of-way.

- B. Notwithstanding section 40-119.05, nonconforming uses of structures and lands, multiple-family dwellings existing at the time of adoption of this ordinance, which are destroyed by act of God, may be reconstructed on their former footprint and at their previous height.

SEC. 40-409. - E. EASTOWN DISTRICT.

Sec. 40-409.01. - Intent.

The E, Eastown district is characterized by a predominance of single-family dwellings of a historic, pre- and immediately post-WW II character. Several homes in the Eastown district were built following patterns and materials sold in the Sears Catalogue. Within walking distance to Washington Square, the Eastown district is a neighborhood accessible to services, parks, and schools. Most homes have front porches extending into the front yard setback, street trees, and garages. Alley access is provided on several blocks of the Eastown district. The primary intent of this district is to foster and maintain a neighborhood consisting largely of single-family detached homes arranged in a traditional grid street pattern with modest setbacks and strong pedestrian orientation.

Sec. 40-409.02. - District summary.

A. *Permitted uses* ^(B).

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Adult foster care
- Day care, family (6 clients)
- Dwelling, one-family
- Dwelling, two-unit
- Home occupation, minor
- Municipal uses—Utilities
- Park or parkland
- Uses similar to permitted uses, subject to [section] 40-325

B. *Special land uses*.

- Accessory building w/footprint greater than principal building, subject to [section] 40-502
- Accessory use, to a special land use, subject to [section] 40-503
- Bed and breakfast, subject to [section] 40-510
- Day care, commercial*, subject to [section] 40-518
- Day care, group*, subject to [section] 40-519
- Dwelling, accessory, subject to section 40-525
- ~~Dwelling, two-unit*, subject to [section] 40-526~~
- Educational facility, subject to [section] 40-530

- Home occupation, major, subject to [section] 40-533
- Place of public assembly, large*, and small*, subject to [section] 40-551
- SSMWET, subject to article IX
- STMWET, subject to article IX

• ~~Uses similar to special land uses, subject to [section] 40-565~~

*Uses that must be located on key street segments per [section] 40-409.03(A)

C. *Site and building placement standards.*

Minimum lot area:	5,900 square feet
Minimum lot width:	Greater <u>Lesser</u> of 45 <u>44</u> feet or original plat dimensions
Maximum lot coverage:	35%
Minimum setbacks:	
Front:	20 feet
Corner front:	20 feet
Side:	6 feet minimum for one side and 16 feet total of two sides
Rear:	20 feet
Minimum floor area:	570 <u>1,000</u> square feet
See Table 40-402.02 for more detail and exceptions	

D. *Building form standards.*

Max building height:	30 <u>35</u> feet
Maximum roof pitch of principal or regulated accessory structures at or above 22' above median grade:	4:12 to 12:12
Accessory structures at or above 22' above median grade:	

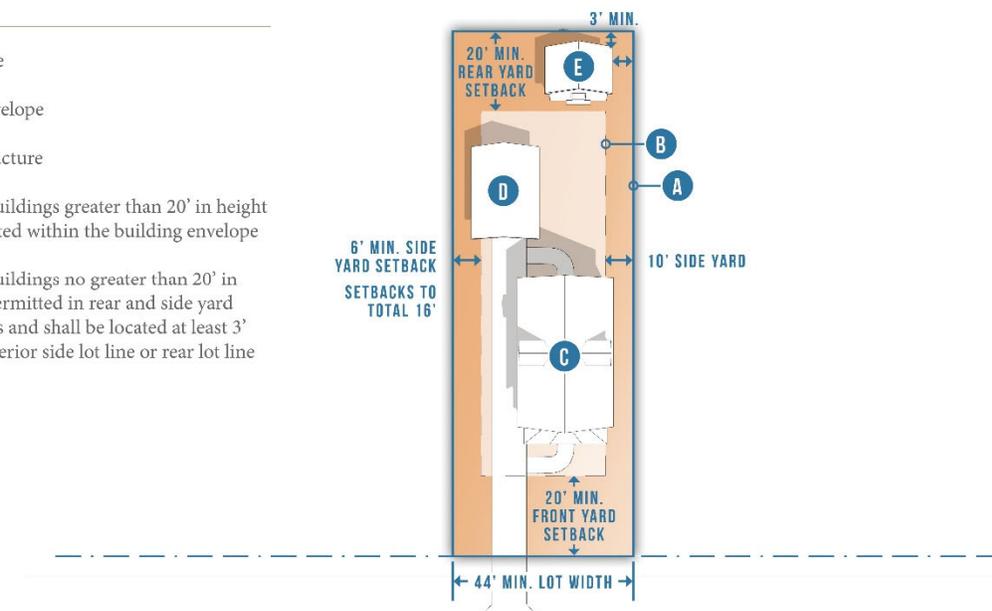
Minimum transparency:	60% for porches with roofs
Garage door:	Recessed at least 12 inches behind the front line of the building.
Required front porch:	80 square feet

E. EASTOWN DISTRICT SITE & BUILDING PLACEMENT

FIGURE 4-10

KEY

- (A) Property line
- (B) Building envelope
- (C) Primary structure
- (D) Accessory buildings greater than 20' in height shall be located within the building envelope
- (E) Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line



Sec. 40-409.03. - Notes.

- A. Key street segments. Within the E district, the following key street segments are established:
 - ◆ Fulton Street, from the Ferry Street to the Beechtree Avenue rights-of-way.
 - ◆ Washington Street, from the Ferry Street to the Albee Street rights-of-way.
- B. Notwithstanding section 40-119.05, nonconforming uses of structures and lands, multiple-family dwellings existing at the time of adoption of this ordinance, which are destroyed by act of God, may be reconstructed on their former footprint and as their previous height.

SEC. 40-410. - OT. OLD TOWN DISTRICT.

Sec. 40-410.01. - Intent.

The OT, Old Town district serves as a gateway to the city's Central Business district. With a mix of land uses, the Old Town district will provide residential uses, as well as service oriented commercial business along primary transit routes. Generally bounded by Beacon to the east, the Grand River to the north, Harbor to the west and Fulton to the south, the Old Town district transitions from medium intensity uses along major corridors, to a modest residential neighborhood consisting of single-family detached residential dwellings with front porches, pitched roofs and narrow lots. Walkability, connectivity and historic integrity are key attributes of the Old Town area. Flanked by the Central Business district and US-31, the Old Town district may experience pressure to convert its single-family residential and small-scale commercial nodes to multi-family and large scale commercial.

It is the intent of this ordinance to ensure that the Old Town district continues to provide housing opportunities for all income levels, helping to sustain small retail nodes and the Central Business district. The Old Town district will be characterized by modest single-family detached residential and small-scale businesses such as personal service establishments, cafes, and offices. In Old Town, sidewalks and the boardwalk will provide safe and convenient non-motorized connections to other parts of the city. Development in this district should be scaled primarily for relatively densely formed single-family neighborhoods with some multi-unit facilities carefully sited to be consistent in appearance and performance with a single-family area.

Because this district has traditionally allowed a mix of residential and commercial uses, the short-term rental of residential dwellings can be compatible in this district. Short-term rental uses (which are commercial or quasi-commercial in nature) are permitted only on Key Street Segments and only with special use approval, based on standards designed to protect the residential character of the neighborhoods. Elsewhere in the Old Town District, short-term rental uses are prohibited in order to maintain the single-family residential character of the district, maintain or increase current levels of year-round residents, and ensure the availability of affordable housing stock.

(Ord. No. 17-01, § 6, 4-24-17)

Sec. 40-410.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Adult foster care
- Day care, family (6 clients)
- Dwelling, one-family
- Dwelling, two-unit

- Government building
- Home occupation, minor
- Municipal uses—Utilities
- Park or parkland
- Personal service business*
- Professional service establishment*
- Residential above retail or office*
- Uses similar to permitted uses, subject to section 40-325

*Uses that must be located on key street segments per section 40-410.03(A)

B. *Special land uses.*

- Accessory building w/footprint greater than principal building, subject to section 40-502
- Accessory use, to a special land use, subject to section 40-503
- Animal grooming*, subject to section 40-505
- Bed and breakfast*, subject to section 40-510
- Day care, commercial*, subject to section 40-518
- Day care, group*, subject to section 40-519
- Dwelling, accessory, subject to section 40-525
- Dwelling, multiple-family*, subject to section 40-527
- ~~Dwelling, two-unit*, subject to section 40-526~~
- Eating and drinking establishment*, subject to section 40-529
- Educational facility, subject to section 40-530
- Home occupation, major, subject to section 40-533
- Live/work*, subject to section 40-540
- Mixed-use development*, subject to section 40-544
- Nursing care facility*, subject to section 40-548
- Place of public assembly, large*, and small*, subject to section 40-551
- Recreational facility, comm'l*, subject to section 40-554
- Retail business or retail sales*, subject to section 40-556
- Social services center, subject to section 40-561

- Short-term rentals*, where the underlying residential use is permitted by right or as a special land use. Short-term rental uses are subject to special use approval under section 40-513, and require a valid short-term rental certificate issued pursuant to chapter 9 of the Grand Haven Code of Ordinances
- SSMWET, subject to article IX
- STMWET, subject to article IX
- ~~Uses similar to special land uses, subject to section 40-565~~

*Uses that must be located on key street segments per section 40-410.03(A)

C. *Site and building placement standards.*

Minimum lot area:	5,900 square feet
Minimum lot width:	33 45 feet
Maximum lot coverage:	35%
Minimum setbacks:	
Front:	10 feet
Corner front:	10 feet
Side:	36 feet minimum for one side and 916 feet total of two sides
Rear:	15 feet
Minimum floor area*:	5704,000 square feet
For uses other than one-family, two-unit, multiple-family dwellings or conversions of residential dwellings to nonresidential uses, the following shall be required:	
Minimum setbacks:	
Front:	10 feet
Corner front:	10 feet
Side:	5 feet when adjacent to nonresidential use; 20 feet when adjacent to the <u>LDSFR</u> or NMU districts

Rear:	15 feet
*Dwelling units as part of a mixed use development or residential above retail or office shall be a minimum of 500 square feet in area	
Sensitive Area Overlay requirements per section 40-421 may apply in certain portions of the district.	
See Table 40-402.02 for more detail and exceptions	

D. *Building form standards.*

Maximum building height:	30 <u>35</u> feet
Minimum number of stories:	1½
Roof pitch at or above 22 feet above median natural grade:	6:12 to 12:12
Minimum transparency:	60% for porches with roofs
Garage door:	Recessed at least 12 inches behind the front line of the building
Required front porch:	80 square feet
For uses other than one-family, two-unit, multiple-family dwellings or conversions of residential dwellings to nonresidential uses, the following shall be required:	
Maximum building height:	30 feet

E. *Building form standards for multiple-family dwellings.*

Maximum roof pitch (B):	Flat or pitched with parapet
Minimum/maximum transparency	
Ground floor:	60%/85%

Upper stories:	40%/85%
First floor use:	Nonresidential
Residential access:	Separate from commercial and office entry
Recessed entry:	3 feet to 5 feet
Exterior cladding materials:	
Primary walls:	Minimum 80% face brick, stone, solid wood, and/or fiber cement board
Secondary walls:	Minimum 80% face brick, stone, solid wood, fiber cement board, composite siding, decorative concrete block, and/or vinyl siding
Accent/trim materials:	Maximum 20% metal, concrete, face brick, stone, solid wood, fiber cement board, composite siding, decorative concrete block, vinyl, and/or EIFS (must be high impact resistant up to 6 feet from ground level)
Architectural features:	Wrap around entire side visible from right-of-way; blank solid walls visible from public right-of-way prohibited
Affordable housing:	10% of units when 10 or more are proposed in new development (C)

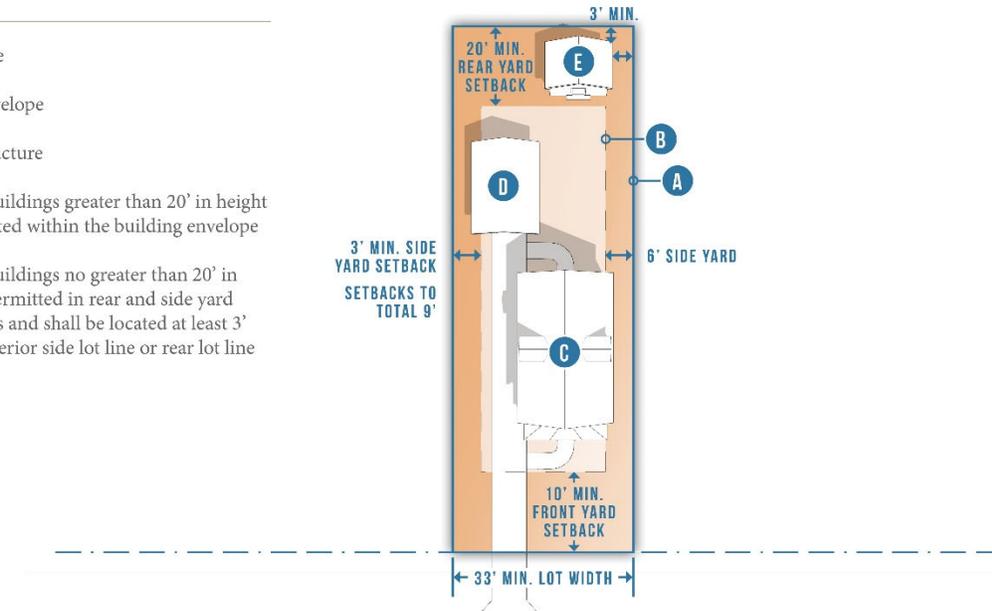
(Ord. No. 17-01, § 6, 4-24-17; Ord. No. 19-06, § 3, 3-4-19)

OT. OLD TOWN SITE & BUILDING PLACEMENT

FIGURE 4-11

KEY

- (A) Property line
- (B) Building envelope
- (C) Primary structure
- (D) Accessory buildings greater than 20' in height shall be located within the building envelope
- (E) Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line

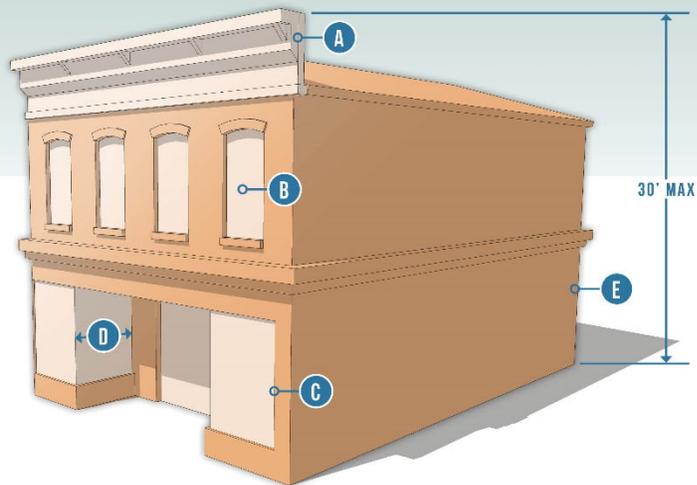


OT. OLD TOWN BUILDING FORM STANDARDS

FIGURE 4-12

KEY

- (A) Parapet to screen pitched roof
- (B) 60% minimum and 85% maximum ground floor transparency
- (C) 40% minimum and 85% maximum transparency for upper stories
- (D) 3' to 5' recessed entry
- (E) Refer to district standards for exterior building material requirements



Sec. 40-410.03. - Notes.

- A. Key street segments. Within the OT district, the following key street segments are established; provided that retail businesses and retail sales shall be further regulated pursuant to section 40-556.
- ◆ Jackson Street, from the Beacon Boulevard (US-31) to the First Street rights-of-way.
 - ◆ Adams Street, from Forth Street to the Sixth Street rights-of-way.
 - ◆ Fulton Street, from First Street to Third Street rights-of-way.
 - ◆ Columbus Street, from Second Street to Third Street rights-of-way.
 - ◆ Second Street, from Columbus Street to Fulton Street rights-of-way.
 - ◆ Third Street, from Columbus Street to Fulton Street rights-of-way.
- B. Roof pitch: For uses other than one-family, two-unit, multiple-family dwellings or conversions of residential dwellings to nonresidential uses, roofs may be pitched so long as a parapet is provided from the roof line to the peak effectively screening the pitch from view.
- C. Where affordable housing units are incorporated within a new development, the design, layout and finish of such units shall be generally consistent and in keeping with the remaining units such that the affordable nature of the units shall not be readily apparent.

SEC. 40-411. - NMU. NEIGHBORHOOD MIXED USE.

Sec. 40-411.01. - Intent.

The NMU, Neighborhood Mixed Use district offers pedestrian-oriented, mixed use buildings with plentiful and large window openings and architecture that embrace the city's history. The convenience of nearby services and institutional uses creates an appealing sense of community and establishes the NMU district areas as neighborhood destinations. An appropriate mix of uses will generate low-impact retail and commercial activity at the street level, while providing for offices and residential dwellings in upper stories. The form of development in the NMU district is well established and is embraced by the City of Grand Haven. As such, this zoning ordinance will ensure the health, safety, general welfare, and sense of place and community of Washington Square and Centertown by regulating the form of development and its relationship with the existing respective neighborhoods.

Sec. 40-411.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Adult foster care
- Day care, family (6 clients)
- Dry cleaning and laundry establishment
- Dwelling, one-family
- Dwelling, and two-unit
- Dwelling, multiple-family
- Eating and drinking establishment
- Governmental building
- Home occupation, minor
- Live/Work
- Medical office
- Mixed use development
- Municipal uses—Utilities
- Office building
- Park or parkland
- Personal service business
- Place of public assembly, small

- Professional service establishment
- Residential above retail or office
- Retail business or retail sales
- Service establishment accessory to a principal use
- Uses similar to permitted uses, subject to {section} 40-325

B. *Special land uses.*

- Accessory building w/footprint greater than principal building, subject to {section} 40-502
- Accessory use, to a special land use, subject to {section} 40-503
- Animal grooming, subject to {section} 40-505
- Bed and breakfast, subject to {section} 40-510
- Day care, commercial, subject to {section} 40-518
- Day care, group, subject to {section} 40-519
- Dwelling, accessory, subject to section 40-525
- ~~Dwelling, multiple family, subject to {section} 40-527~~
- Educational facility, subject to {section} 40-530
- Home occupation, major, subject to {section} 40-533
- Hotel, subject to section 40-535
- Library, subject to {section} 40-539
- ~~Live/work, subject to {section} 40-540~~
- ~~Mixed-use development, subject to {section} 40-544~~
- Mortuary, subject to {section} 40-546
- Multi-tenant commercial establishment, subject to {section} 40-547
- Nursing care facility, subject to {section} 40-548
- Place of public assembly, large, subject to {section} 40-551
- Provisioning center, subject to section 40-543a
- Recreational facility, comm'l, subject to {section} 40-554
- Shared commercial facility, subject to section 40-557
- Social service center, subject to {section} 40-561
- SSMWET, subject to article IX
- STMWET, subject to article IX

- Studio for performing and graphic arts, [subject] to [section] 40-562
- Veterinary hospital, subject to [section] 40-566
- ~~Uses similar to special land uses, subject to [section] 40-565~~

C. Site and building placement standards for one-family and two-unit dwellings.

Minimum lot area:	5,900 square feet
Minimum lot width:	454 feet
Maximum lot coverage:	35%
Minimum setbacks:	
Front:	15 feet
Corner front:	15 feet
Side:	6 feet minimum for one side and 16 feet total of two sides
Rear:	15 feet
Minimum floor area:	5701,000 square feet

D. Site and building placement standards for nonresidential uses.

Minimum/maximum setbacks	
Front:	70% of building frontage within build-to zone (F)
Corner front:	5 feet (F)
Side:	0 feet/5 feet
Rear:	15 feet
Dwelling Minimum floor unit area:	4500 square feet

Maximum lot coverage:	70% (D)
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E. *Site and building placement standards for multiple-family dwellings.*

Minimum lot area:	79 ,000 square feet
Maximum density:	Lesser of 6 units per structure or 20 units per acre.
Minimum lot width:	50 400 feet
Minimum setbacks from property line:	
Front:	15 feet
Corner front:	15 feet
Side:	10 feet
Rear:	25 feet
Setbacks from interior access roads, alleys and other structures:	
Front:	5 feet min.
Side:	8 feet min.
Rear:	5 feet
Minimum floor area per DU:	4 500 square feet

F. *Building form standards for multiple-family dwellings.*

Maximum building height:	30 <u>35</u> feet
Minimum number of stories:	1½
Rooflines:	Rooflines of regulated accessory structures or principal structures with the lowest elevation at or above 22 feet above the median natural grade shall be pitched at

	slopes ranging from 4:12 to 12:12. Roofs located below 22 feet above the median natural grade may be flat or pitched at any slope.
Common open space:	100 sq. ft. per dwelling unit
Exterior cladding materials:	
Primary walls:	Minimum 80% face brick, stone (natural or cultured), solid wood, and/or fiber cement board
Secondary walls:	Minimum 80% face brick, stone (natural or cultured), solid wood, fiber cement board, composite siding, and/or decorative concrete block
Accent/trim materials:	Maximum 20% metal, concrete, face brick, stone (natural or cultured), solid wood, fiber cement board, composite siding, decorative concrete block, and/or EIFS (must be high impact resistant up to 6 feet from ground level)
Architectural features:	Wrap around entire side visible from right-of-way; blank solid walls visible from public right-of-way prohibited
Minimum transparency:	60% for porches with roofs
Garage door:	Recessed at least 12 inches behind the front line of the building
Building articulation:	Required every 50 feet; may be accomplished using windows, balconies, change in building material, etc.
Affordable housing:	10% of units when 10 or more are proposed in new development (C)

G. *Building form standards for nonresidential uses.*

Maximum building height:	30 <u>35</u> feet (E)
Maximum number of stories:	1½

Roof pitch:	Flat or pitched with parapet (B)
Minimum/maximum transparency	
Ground floor:	60%/85% <u>(G)</u>
Upper stories:	40%/85%
First floor use:	Nonresidential
Residential access:	Separate from commercial and office entry
Recessed entry:	3 feet to 5 feet
Exterior cladding materials:	
Primary walls:	Minimum 80% face brick, stone, solid wood, and/or fiber cement board
Secondary walls:	Minimum 80% face brick, stone, solid wood, fiber cement board, composite siding, and/or decorative concrete block
Accent/trim materials:	Maximum 20% metal, concrete, face brick, stone, solid wood, fiber cement board, composite siding, decorative concrete block, and/or EIFS (must be high impact resistant up to 6 feet from ground level)
Architectural features:	Wrap around entire side visible from right-of-way; blank solid walls visible from public right-of-way prohibited
Affordable housing:	10% of units when 10 or more are proposed in new development (C)

H. *Building form standards for one-family and two-unit dwellings.*

Maximum building height:	30 <u>35</u> feet
Minimum number of stories:	1½

Minimum roof pitch:	
20 feet above grade:	8:12
Minimum front porch area:	70 square feet
See Table 20-402.02 for more detail and exceptions	
Sensitive Area Overlay requirements per [section] 40-422 may apply in certain portions of the district.	

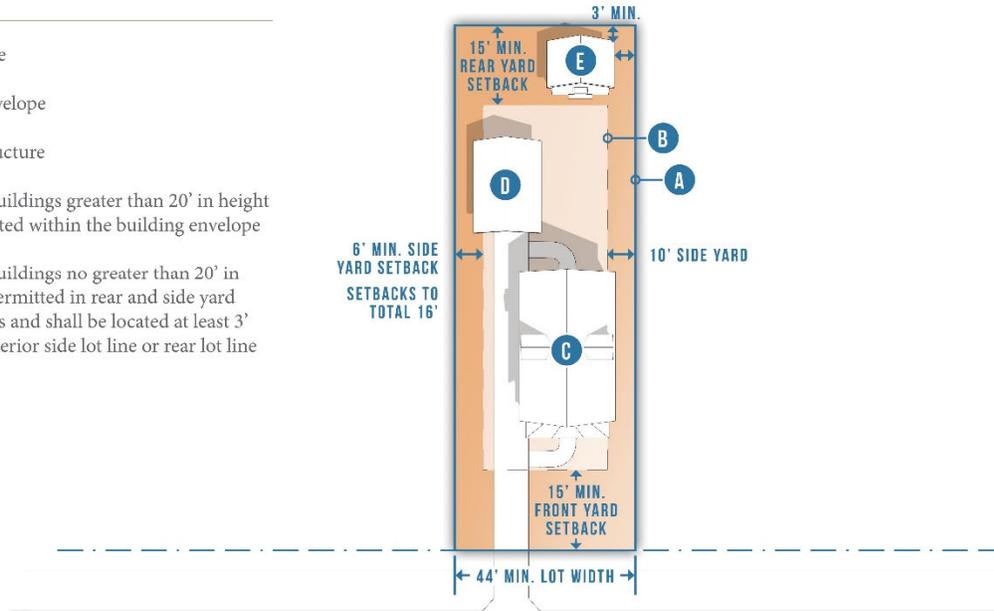
(Ord. No. 11-10, § 1, 5-2-11; Ord. No. 15-03, § 1, 1-5-15; Ord. No. 19-06, §§ 4, 5, 3-4-19)

NMU. SITE & BUILDING PLACEMENT FOR ONE-FAMILY AND TWO-UNIT DWELLINGS

FIGURE 4-13

KEY

- Ⓐ Property line
- Ⓑ Building envelope
- Ⓒ Primary structure
- Ⓓ Accessory buildings greater than 20' in height shall be located within the building envelope
- Ⓔ Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line



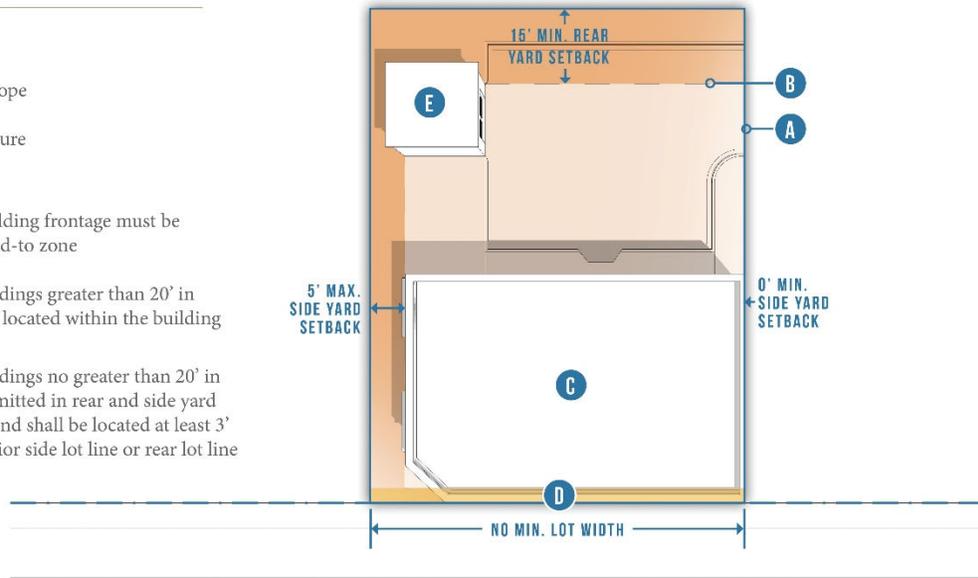
NMU. SITE & BUILDING PLACEMENT FOR NONRESIDENTIAL USES

FIGURE 4-14

KEY

- (A) Property line
- (B) Building envelope
- (C) Primary structure
- (D) Build-to zone
70% of the building frontage must be within the build-to zone
- (E) Accessory buildings greater than 20' in height shall be located within the building envelope

Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line

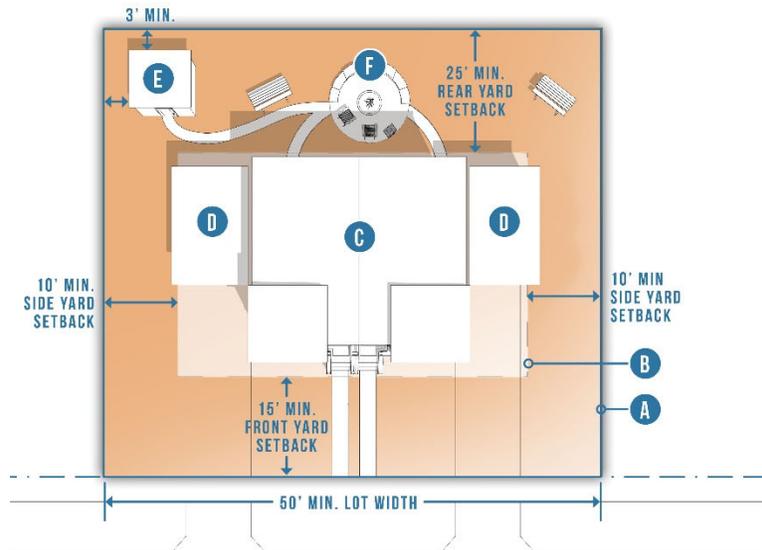


NMU. SITE & BUILDING PLACEMENT FOR MULTIPLE FAMILY DWELLINGS

FIGURE 4-15.A

KEY

- (A) Property line
- (B) Building envelope
- (C) Primary structure
- (D) Accessory buildings greater than 20' in height shall be located within the building envelope
- (E) Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line
- (F) Common open space - 100 sq.ft. per unit

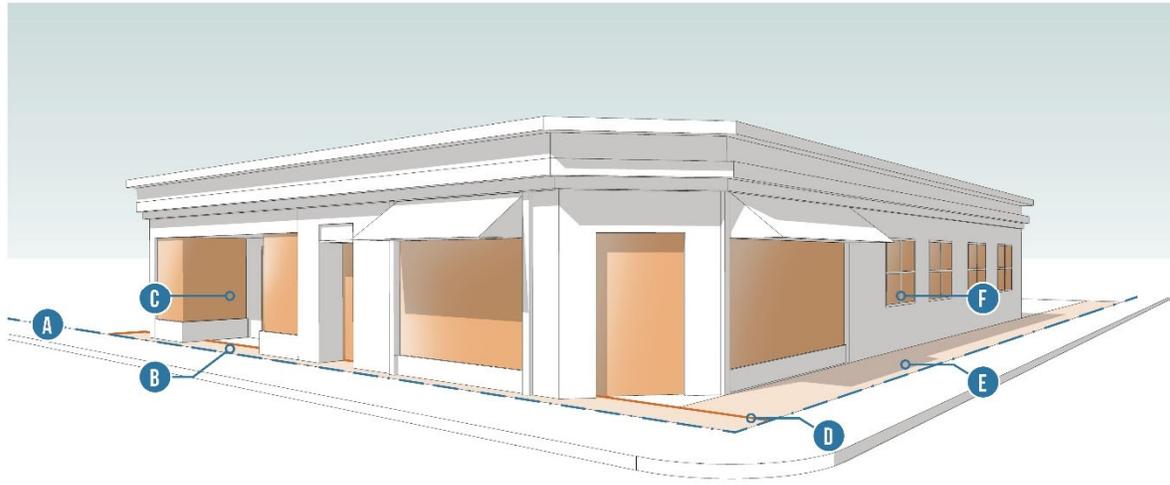


Sec. 40-411.03. - Notes.

- A. Key street segments. Within the NMU district, the following key street segments are established:
- ◆ Franklin AvenueStreet, from Fifth Street to the Eighth Street rights-of-way.
 - ◆ Fulton Street, from Ferry Street to the Eastown district boundary.
 - ◆ Washington Street, from Ferry Street to the Eastown district boundary.
- B. Roof pitch: For uses other than one-family, two-unit or multiple-family dwellings, roofs may be pitched so long as a parapet is provided from the roof line to the peak effectively screening the pitch from view.
- C. Where affordable housing units are incorporated within a new development, the design, layout and finish of such units shall be generally consistent and in keeping with the remaining units such that the affordable nature of the units shall not be readily apparent.
- D. The maximum lot coverage for properties within the Centertown Overlay district is one hundred (100) percent.
- E. The maximum height for non-residential buildings in the Centertown Overlay district shall be the lesser of three (3) stories or forty (40) feet.
- F. For lots with frontage on Beacon Boulevard, a minimum setback for buildings, parking areas, and drive aisles of at least ten (10) feet from the Beacon Boulevard right of way shall be provided.
- G. The Planning Commission may allow a reduction in ground-floor transparency on buildings facing the front or corner front lot line when located on a corner lot. This reduction shall be based on the character of surrounding land uses, existing and planned pedestrian and vehicular circulation patterns, historical development patterns, and similar factors, but in no case shall ground floor transparency be less than forty percent (40%).

NMU. GROUND-FLOOR TRANSPARENCY ON CORNER LOTS

FIGURE 4-15.B



KEY

(A) Right-of-way

(C) Minimum 85% ground floor transparency

(E) Corner front yard

(B) Front yard

(D) Build-to-zone

(F) Minimum 40% ground floor transparency

(Ord. No. 11-10, § 1, 5-2-11; Ord. No. 15-03, § 2, 1-5-15)

Sec. 40-411.04. - Centertown Overlay district.

The Centertown Overlay district, as identified on the official zoning map of the City of Grand Haven, encompasses parcels within the NMU Zoning district and is generally located between Franklin, Columbus, 7th and Beacon. The Centertown Overlay district was established for the purpose of recognizing the existing pattern of development, the proximity and access to publicly available (owned) parking and the proximity to public parks which can serve as open-space. In addition, the Centertown Overlay district was established to fulfill the Main Street Downtown Development Authority's (MSDDA) desire to allow for increased density within this commercial node due to its proximity to the downtown core and its importance within the MSDDA district. The Overlay district only affects the lot coverage requirement and maximum building height requirement for non-residential uses; all other requirements of the NMU Zoning district apply. The requirements of article VI parking, also apply to new or expanded buildings that take place after the effective date of this ordinance.

(Ord. No. 11-10, § 1, 5-2-11; Ord. No. 15-03, § 3, 1-5-15)

SEC. 40-412. - OS. OFFICE-SERVICE DISTRICT.

Sec. 40-412.01. - Intent.

The intent of the OS, Office-Service district is to support office uses along transit routes, while providing a transition from residential to higher intensity uses. Where single-family detached dwellings exist in the Office-Service district, adaptive reuse of these dwellings for office-service uses is encouraged. Where new development occurs, it will be compatible with residential neighborhoods using building height limitations, setbacks, and lot coverage standards. The transition from residential to office-service uses is marked by landscape buffers including berms, or evergreen screening. Lighting, signage, and parking lots shall be designed to have a minimum impact on residential uses. The Office-Service district is generally located along Beacon from Park north to Franklin, and adjacent to the hospital.

Sec. 40-412.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Adult foster care
- Day care, family (6 clients)
- Dwelling, one-family
- Dwelling, two-unit
- Home occupation, minor
- Live/work
- Medical office
- Municipal uses—Utilities
- Office building
- Park or parkland
- Personal service business
- Place of public assembly, small
- Professional service establishment
- Service establishment accessory to a principal use
- Social service center
- Urgent care facility
- Uses similar to permitted uses, subject to {section} 40-325

B. *Special land uses.*

- Accessory building w/footprint greater than principal building, subject to ~~{section}~~ 40-502
- Accessory use, to a special land use, subject to ~~{section}~~ 40-503
- Animal grooming, subject to ~~{section}~~ 40-505
- Bed and breakfast, subject to ~~{section}~~ 40-510
- Day care, commercial, subject to ~~{section}~~ 40-518
- Drive-through establishment, subject to ~~{section}~~ 40-521
- Dwelling, accessory, subject to section 40-525
- Dwelling, multiple-family, subject to section 40-527
- Educational facility, subject to ~~{section}~~ 40-530
- Hospital, subject to ~~{section}~~ 40-536
- Home occupation, major, subject to ~~{section}~~ 40-533
- Kennel/animal day care, subject to ~~{section}~~ 40-538
- Mixed use development, subject to ~~{section}~~ 40-544
- Mortuary or funeral home, subject to ~~{section}~~ 40-546
- Place of public assembly, large, subject to ~~{section}~~ 40-551
- ~~Uses similar to special land uses, subject to ~~{section}~~ 40-565~~

C. *Site and building placement standards for one family.*

Minimum lot area:	5,900 square feet
Minimum lot width:	45 feet
Maximum lot coverage:	35%
Minimum setbacks:	
Front:	15 feet
Corner front:	15 feet
Side:	6 feet minimum for one side and 16 feet total of two sides

Rear:	15 feet
Minimum floor area:	5704,000 square feet
Sensitive Area Overlay requirements per {section} 40-422 may apply in certain portions of the district.	

D. *Site and building placement standards for uses other than one family.*

Maximum lot coverage:	60 <u>70</u> %
Minimum setbacks:	
Front:	15 feet
Corner Front:	15 feet
Side:	6 feet minimum for one side and 16 feet total of two sides
Rear:	15 feet
See Table 40-402.02 for more detail and exceptions.	
Sensitive Area Overlay requirements per {section} 40-422 may apply in certain portions of the district.	

E. *Building form.*

Maximum building height:	30 <u>35</u> feet
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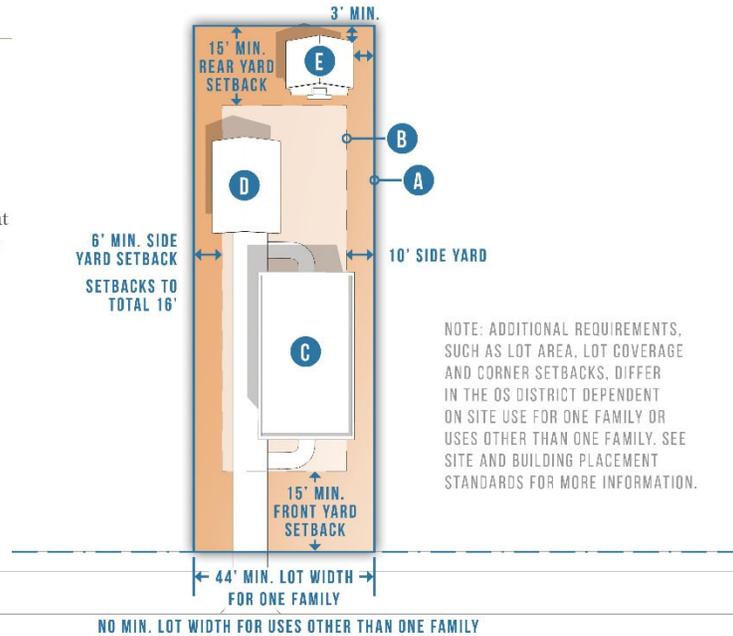
(Ord. No. 12-01, § 1, 1-3-12; Ord. No. 17-03, § 2, 5-15-17)

OS. OFFICE-SERVICE SITE & BUILDING PLACEMENT

FIGURE 4-16

KEY _____

- (A) Property line
- (B) Building envelope
- (C) Primary structure
- (D) Accessory buildings greater than 20' in height shall be located within the building envelope
- (E) Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line



Sec. 40-412.03. - Notes.

- A. Key street segments. Within the OS district, the following key street segments are established:
 - ◆ Eighth Street, from Franklin to the Clinton Street rights-of-way.

SEC. 40-413. - CB. CENTRAL BUSINESS DISTRICT.

Sec. 40-413.01. - Intent.

The downtown CB, Central Business district will serve as the primary identity for the City of Grand Haven. It will serve as a healthy social and economic environment for year-round residents, visitors, and tourists. The Central Business district will be a pedestrian oriented place with active street life, healthy retail, and common space for community gatherings and waterfront activities. It will be friendly and charming, a place where people of all ages gather for social, shopping, and recreational reasons. Street level activities will focus on restaurants and shopping while the upper stories of downtown will provide a diverse range of office space and urban-style housing, accommodating a broad range of residences. As outlined in the Downtown Vision Plan, all public areas within the CB district shall be considered central locations of social and public activity, year-round. All buildings within the district shall contribute to creating a relatively continuous street wall to create a pedestrian oriented sense of enclosure and place. Building heights and signage may vary from one property to the next; however a general consistency shall be retained in order to create a continuous sense of character within the district. Sidewalks, pedestrian pathways, and parking areas shall give particular attention to streetscape/landscape continuity and lighting. The planning commission and property owners may refer to the Downtown Vision Plan and the Mainstreet DDA Design Guidelines in evaluating development design in keeping with the vision outlined therein.

Sec. 40-413.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Eating and drinking establishment
- Office building (AB)
- Park or parkland
- Personal service business
- Place of public assembly, small
- Professional service establishment (AB)
- Residential above retail or office
- Retail business or retail sales
- Service establishment accessory to a principal use
- Short-term rentals, where the underlying residential use is permitted by right or as a special land use. Short-term rentals require a short-term rental certificate issued pursuant to chapter 9 of the Grand Haven Code of Ordinances
- Uses similar to permitted uses, subject to section 40-325

B. *Special land uses.*

- Accessory use, to a special land use, subject to section 40-503
- Commercial parking facility, subject to section 40-515
- Drive-through business, subject to section 40-521
- Dry cleaning and laundry establishment, subject to section 40-523
- Dwelling, multiple-family, subject to section 40-527
- Hotel, subject to section 40-535
- Medical office, subject to section 40-543
- Mixed-use development, subject to section 40-544
- Place of public assembly, large, subject to section 40-551
- Provisioning center (A), subject to section 40-543a
- Recreational facility, commercial, subject to section 40-554
- **Shared commercial facility, subject to section 40-557**
- SSMWET, subject to article IX
- STMWET, subject to article IX
- Studio for performing and graphic arts, subject to section 40-562
- ~~Uses similar to special land uses, subject to section 40-565~~

C. *Site and building placement standards.*

Minimum lot width:	N/A
Minimum setbacks:	
Front:	70% of building frontage in build-to zone
Side:	0 feet (E)
Rear abutting commercial:	3 feet
Rear abutting residential:	20 feet
Dwelling unit <u>Minimum floor</u> area:	<u>4500</u> square feet

D. *Building form standards.*

Minimum building height:	Greater of 24 feet or 2 stories
Maximum building height:	Lesser of 52 feet or 4 stories (B)
Roof pitch:	Flat or pitched with parapet (G)
Minimum/maximum transparency	
Ground floor:	75%/85% <u>(H)</u>
Upper stories:	40%/85%
First floor use:	Nonresidential
Residential access:	Separate from commercial or office entry
Recessed entry:	3 feet to 5 feet
Exterior cladding materials:	
Primary walls:	Minimum 80% face brick, stone, solid wood, and/or fiber cement board
Secondary walls:	Minimum 80% face brick, stone, solid wood, fiber cement board, composite siding, and/or decorative concrete block
Accent/trim materials:	Maximum 20% metal, concrete, face brick, stone, solid wood, fiber cement board, composite siding, decorative concrete block, and/or EIFS (must be high impact resistant up to 6 feet from ground level)
Architectural features:	Wrap around entire side visible from right-of-way; blank solid walls visible from public right-of-way prohibited
Articulation:	Not less than every 20 feet
Base panel:	18 to 30 inches

Sign band:	12 to 24 inches
Horizontal expression line:	24 to 48 inches. Stone or precast concrete, and stepped or sloped
Minimum width of bays:	30 feet
Blank walls:	None permitted when facing a public right-of-way, parking area or park
Façade proportions:	Maintain vertical and horizontal spacing (D)

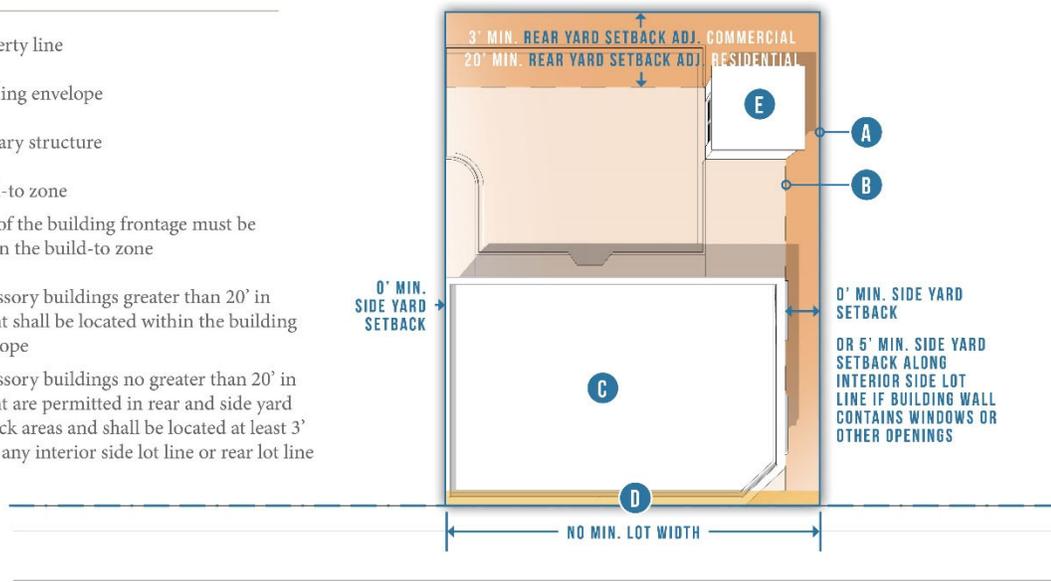
(Ord. No. 17-01, § 7, 4-24-17; Ord. No. 19-06, § 6, 3-4-19)

CB. CENTRAL BUSINESS SITE & BUILDING PLACEMENT

FIGURE 4-17

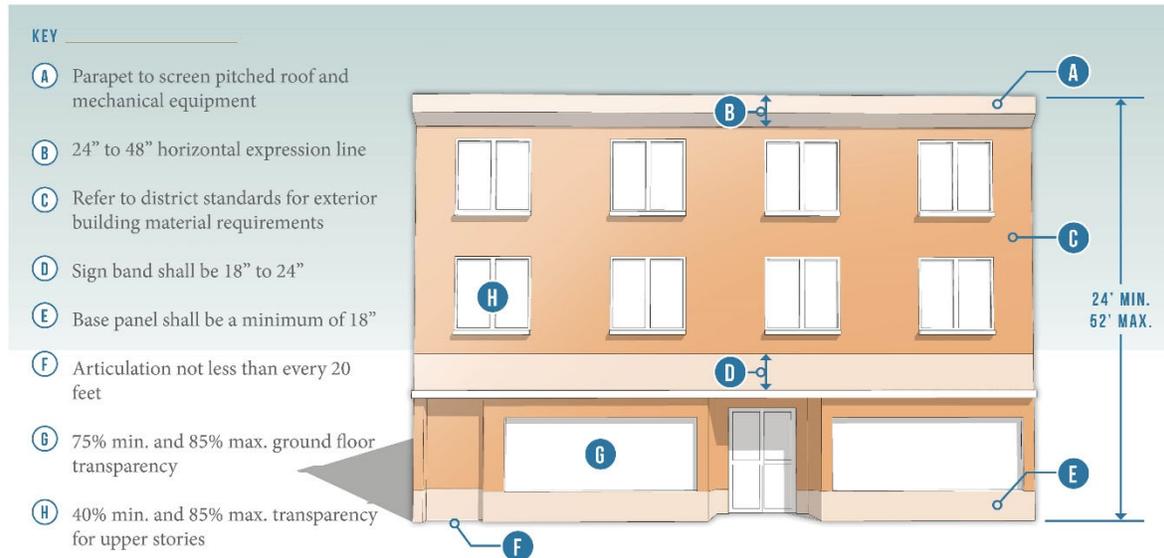
KEY

- Ⓐ Property line
- Ⓑ Building envelope
- Ⓒ Primary structure
- Ⓓ Build-to zone
70% of the building frontage must be within the build-to zone
- Ⓔ Accessory buildings greater than 20' in height shall be located within the building envelope
Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line



CB. CENTRAL BUSINESS BUILDING FORM STANDARDS

FIGURE 4-18



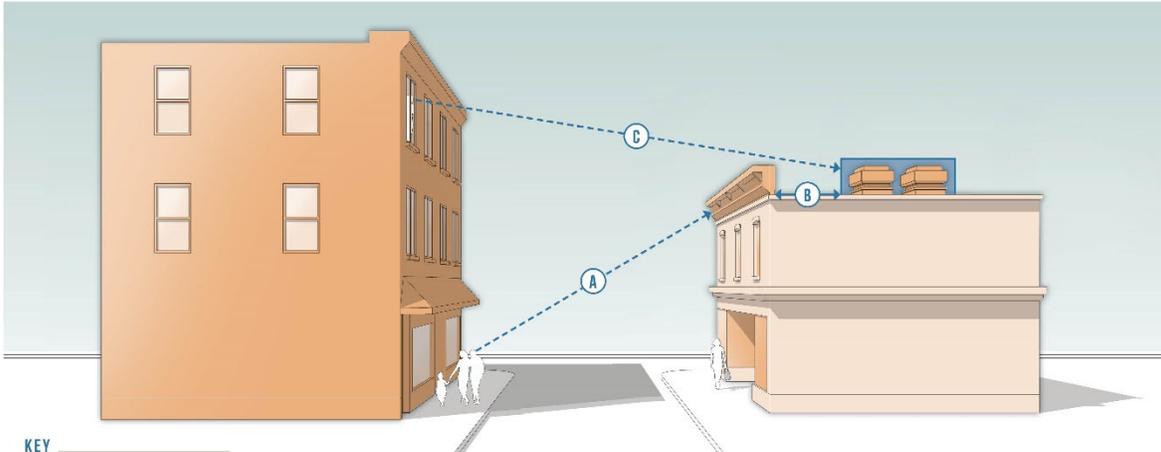
Sec. 40-413.03. - Notes.

- A. On the first floor of buildings facing Washington between Harbor Drive and Third Street, professional service establishments and office buildings are permitted, and provisioning centers are permitted by special use, provided:
- ◆ Professional service establishment, office uses, and provisioning centers shall not front ~~Washington and shall be served by an entrance from a side street or rear entrance behind~~ Washington Avenue;
 - ◆ Professional service establishments, office uses, and provisioning centers may occupy a maximum of 60% of the net usable area of the first floor of the building;
 - ◆ Signage, advertising, and displays on the Washington Avenue building frontage for a professional service establishment, office use, or provisioning center shall be limited to the name of the business and location of its entrance, and shall be included in the permitted area of signage for the building frontage.
- B. In no instance shall building height in the CB district exceed fifty-two (52) feet. A fifth story may be permitted to accommodate internal parking above the natural grade for any new building, which does not front Washington Street. Mechanical, stairwell enclosure, and elevator equipment and any required screening may extend above fifty-

two (52) feet but shall not exceed five (5) feet. The total area covered by all mechanical equipment, stairwell enclosure, and elevator equipment shall not exceed one hundred (100) square feet and shall be located so as to minimize its visibility from any adjoining right-of-way.

CB. CENTRAL BUSINESS VIEW LINES

FIGURE 4-19



KEY

- Ⓐ All rooftop mechanical equipment shall be screened from view through one or more of the following methods: a concealing roofline, a parapet, a screening wall, or grillwork constructed of the same building material as the building directly surrounding the equipment, or an alternative screening mechanism satisfactory to the planning commission
- Ⓑ All mechanical equipment shall be sufficiently setback from the facade edge to be concealed from street-level view
- Ⓒ Where roofs are visible from abutting and adjacent residential areas, a roof is required to cover mechanical units from view

- C. Required building materials may be waived by the planning commission if the building is LEED-NC silver certified/rated and in character with the surrounding buildings.
- D. Proportion: New construction and facade rehabilitation shall create or maintain horizontal and vertical spacing of facade elements such as windows, entries and rooflines, in keeping with the rhythm of the bays, windows and openings of surrounding buildings. Window openings shall be rectangular and 2.2 times as tall as they are wide.
- E. No side yards are required along the interior side lot lines, except as otherwise specified in applicable building and fire codes, provided that if walls of buildings facing such interior side lot lines contain windows or other openings, side yards of not less than five (5) feet shall be provided.
- F. Key street segments. Within the CB district, the following key street segments are established:
 - ◆ Franklin Avenue Street, from Harbor Street to the Eighth Street rights-of-way.
 - ◆ Harbor Drive, from Washington Street to Franklin Avenue Street rights-of-way.
- G. Roof pitch: Roofs may be pitched so long as a parapet is provided from the roof line to the peak effectively screening the pitch from view.

H. The Planning Commission may allow a reduction in ground-floor transparency on buildings facing the front or corner front lot line when located on a corner lot. This reduction shall be based on the character of surrounding land uses, existing and planned pedestrian and vehicular circulation patterns, historical development patterns, and similar factors, but in no case shall ground floor transparency be less than forty percent (40%).

Sec. 40-413.04. - Compliance with city dumpster ordinance.

When, according to subsection 17-2(d) of the City of Grand Haven Code of Ordinances, the city or another public entity constructs one or more common area dumpster enclosures on property owned or controlled by the city in the CB district, no private dumpster or trash receptacle of any kind shall be permitted on property in the block surrounding the common area dumpster enclosure. Except that a temporary storage container, not exceeding one hundred (100) gallons in capacity and stored within a wholly enclosed and roofed area, may be permitted provided that such container must be emptied into the city-provided dumpster not less than once each day.

SEC. 40-414. - C. COMMERCIAL DISTRICT.

Sec. 40-414.01. - Intent.

The intent of the C, Commercial district is to serve the needs of the West Michigan region. This includes establishments, which although they serve primarily a surrounding neighborhood, could also serve a larger trade or service area. This district tends to generate more traffic since most users will arrive at these commercial businesses in an automobile and typically park once. Existing lots within this district are large enough to accommodate large-scale retailers, requiring extensive parking, and sometimes including shopping centers with smaller developable retail pads and attached commercial developments. Office-service uses are compatible with the purpose of the district as long as adequate and convenient automobile parking can be provided for both the office and the retail merchandising activity.

Sec. 40-414.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Animal grooming
- Automobile repair, minor
- Dry cleaning and laundry establishment
- Dwelling, multiple-family
- Eating and drinking establishment
- Educational facility
- Governmental building
- Live/work
- Medical office
- Mixed use development
- Multi-tenant commercial establishment
- Municipal uses—Utilities
- Nursery—Plant materials
- Office building
- Park or parkland
- Personal service business
- Place of public assembly, small

- Professional service establishment
- Recreational facility, Commercial
- Residential above retail or office
- Retail business or retail sales
- Service establishment accessory to a principal use
- Showroom
- Urgent care facility
- Uses similar to permitted uses, subject to [section] 40-325
- Veterinary hospital

B. *Special land uses.*

- Accessory building w/footprint greater than principal building, subject to [section] 40-502
- Accessory use, to a special land use, subject to [section] 40-503
- Automobile gasoline station, subject to [section] 40-506
- Automobile repair, major, subject to [section] 40-507
- Automobile wash, subject to [section] 40-509
- Bed and breakfast, subject to [section] 40-510
- Day care, commercial (13+ clients), subject to [section] 40-518
- Day care, group (7—12 clients), subject to [section] 40-519
- Drive-through business, subject to [section] 40-521
- Dry cleaning plant, subject to [section] 40-524
- Hotel, subject to [section] 40-535
- Kennel/animal day care, subject to [section] 40-538
- Mortuary or funeral home, subject to [section] 40-546
- Motel, subject to [section] 40-545
- Nursing care facility, subject to [section] 40-548
- Open air business, subject to [section] 40-550
- Place of public assembly, large, subject to [section] 40-551
- Provisioning center, subject to section 40-543a
- Sexually oriented business, subject to [section] 40-559
- Shared commercial facility, subject to section 40-557

- Sheltered housing, subject to section 40-560
- SSMWET, subject to article IX
- STMWET, subject to article IX
- Studio for performing and graphic arts, subject to [section] 40-562
- Tattoo or piercing parlor, subject to [section] 40-563
- ~~Uses similar to special land uses, subject to [section] 40-565~~

C. *Site and building placement standards.*

Maximum lot coverage:	70%
Minimum setbacks:	
Front:	25 feet (B)
Corner front:	25 feet
Side:	0 feet (A)
Rear:	10 feet
<u>Minimum floor area:</u>	<u>400570 square feet</u>
Sensitive Area Overlay Requirements per [section] 40-422 may apply in certain portions of the district.	

D. *Building form standards.*

Maximum building height:	40 feet
Minimum/maximum transparency	
Ground floor:	60%/85% <u>(C)</u>
Upper stories:	40%/85%
Exterior cladding materials:	

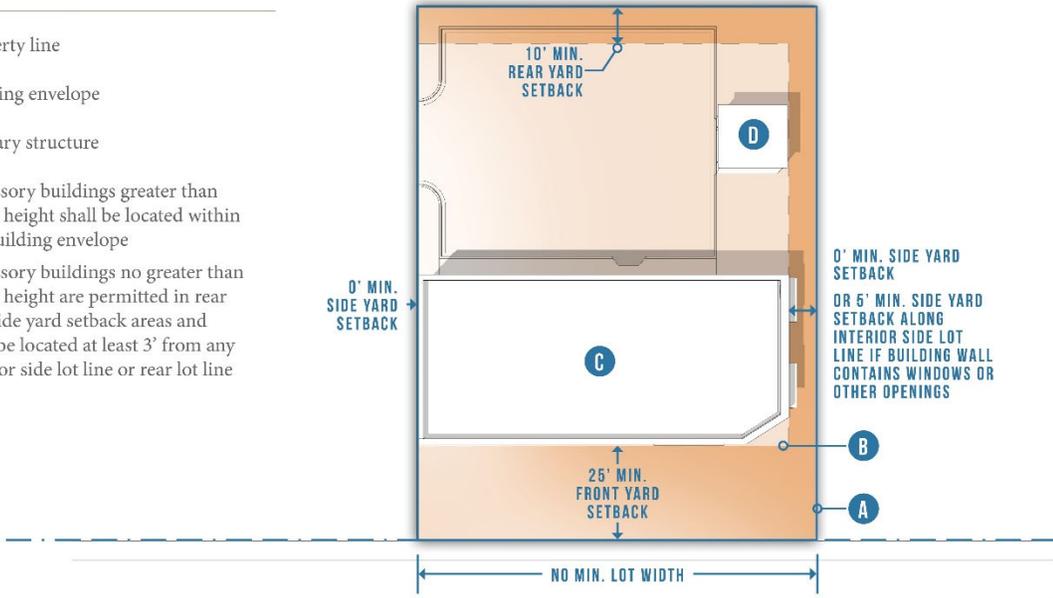
Primary walls:	Minimum 80% face brick, stone, solid wood, and/or fiber cement board
Secondary walls:	Minimum 80% face brick, stone, solid wood, fiber cement board, composite siding, and/or decorative concrete block
Accent/trim materials:	Maximum 20% metal, concrete, face brick, stone, solid wood, fiber cement board, composite siding, decorative concrete block, and/or EIFS (must be high impact resistant up to 6 feet from ground level)
Architectural features:	Wrap around entire side visible from right-of-way

(Ord. No. 19-06, § 7, 3-4-19)

C. COMMERCIAL SITE & BUILDING PLACEMENT

FIGURE 4-20

- KEY
- (A) Property line
 - (B) Building envelope
 - (C) Primary structure
 - (D) Accessory buildings greater than 20' in height shall be located within the building envelope
 Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line



Sec. 40-414.03. - Notes.

- A. No side yards are required along the interior side lot lines, except as otherwise specified in applicable building and fire codes, provided that if walls of buildings facing such interior side lot lines contain windows or other openings, side yards of not less than five (5) feet shall be provided.

- B. Exclusive of access driveways, an uninterrupted front yard setback, as required below, shall be provided along:
1. East side of Beacon Boulevard from South City limits to Woodlawn Avenue:
Eighty (80) feet, except that off-street parking may be permitted to a point thirty (30) feet distant from the right-of-way line.
 2. West side of Beacon Boulevard from South City limits to Woodlawn Avenue:
Fifty (50) feet, except that off-street parking and new automobile display may be permitted to a point thirty (30) feet distant from the right-of-way line.
- C. The Planning Commission may allow a reduction in ground-floor transparency on buildings facing the front or corner front lot line when located on a corner lot. This reduction shall be based on the character of surrounding land uses, existing and planned pedestrian and vehicular circulation patterns, historical development patterns, and similar factors, but in no case shall ground floor transparency be less than forty percent (40%).

SEC. 40-415. - B. BEECHTREE DISTRICT.

Sec. 40-415.01. - Intent.

The B, Beechtree district accommodates light industrial uses and service commercial uses in an automobile oriented environment. The B district will develop as a vibrant corridor providing an eclectic mix of retail sales, office buildings, and light-industrial facilities. The purpose and intent of the B district is to foster the enhancement, accessibility, and function of businesses, which meet the service needs of the surrounding residential and industrial areas.

Sec. 40-415.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Animal grooming
- Automobile repair, minor
- Dry cleaning and laundry establishment
- Dwelling, multiple-family
- Eating and drinking establishment
- Educational facility
- Greenhouse
- Kennel/animal daycare
- Live/work
- Medical office
- Mixed use development
- Multi-tenant commercial establishment
- Municipal uses—Utilities
- Nursery—Plant materials
- Office building
- Park or parkland
- Personal service business
- Place of public assembly, small
- Professional service establishment
- Recreational facility, commercial

- Residential above retail or office
- Retail business or retail sales
- Service establishment accessory to a principal use
- Showroom
- Trade and industrial school
- Urgent care facility
- Veterinary hospital
- Warehouse
- Wholesale facility
- Uses similar to permitted uses, subject to [section] 40-325

B. *Special land uses.*

- Accessory building w/footprint greater than principal building, subject to [section] 40-502
- Accessory use, to a special land use, subject to [section] 40-503
- Automobile gasoline station, subject to [section] 40-506
- Automobile repair, major, subject to [section] 40-507
- Automobile wash, subject to [section] 40-509
- Contractor's establishment, subject to [section] 40-516
- Day care, commercial (13+ clients), subject to [section] 40-518
- Day care, group (7—12 clients), subject to [section] 40-519
- Drive-through business, subject to [section] 40-521
- Dry cleaning plant, subject to [section] 40-524
- Educational facility, subject to [section] 40-530
- Hotel, subject to [section] 40-535
- Mortuary or funeral home, subject to [section] 40-546
- Motel, subject to [section] 40-545
- Nursing care facility, subject to [section] 40-548
- Open air business, subject to [section] 40-550
- Place of public assembly, large, subject to [section] 40-551
- Provisioning center, subject to section 40-543a
- Secure transporter, subject to section 40-543a

- Shared commercial facility, subject to section 40-557
- SSMWET, subject to article IX
- STMWET, subject to article IX
- Studio for performing and graphic arts, subject to [section] 40-562
- Tattoo and piercing parlor, subject to [section] 40-563
- ~~Uses similar to special land uses, subject to [section] 40-565~~

C. *Site and building placement standards.*

Maximum lot coverage:	70%
Minimum setbacks:	
Front:	5 feet(B)(C)
Corner Front:	10 feet
Side:	0 feet (A)
Rear:	0 feet (B)
<u>Maximum front setback:</u>	<u>10 feet</u>
<u>Dwelling Minimum floor -unit area:</u>	<u>400 square feet</u>
Sensitive Area Overlay requirements per [section] 40-422 may apply in certain portions of the district.	

D. *Building form standards.*

Maximum building height:	35 feet
Roof pitch:	Flat or pitched with parapet (D)
Minimum/maximum transparency:	
Ground floor:	60%/85%
Upper stories:	40%/85%

Exterior cladding materials:	
Primary walls:	Minimum 80% face brick, stone, solid wood, and/or fiber cement board
Secondary walls:	Minimum 80% face brick, stone, solid wood, fiber cement board, composite siding, and/or decorative concrete block
Accent/trim materials:	Maximum 20% metal, concrete, face brick, stone, solid wood, fiber cement board, composite siding, decorative concrete block, and/or EIFS (must be high impact resistant up to 6 feet from ground level)
Architectural features:	Wrap around entire side visible from right-of-way

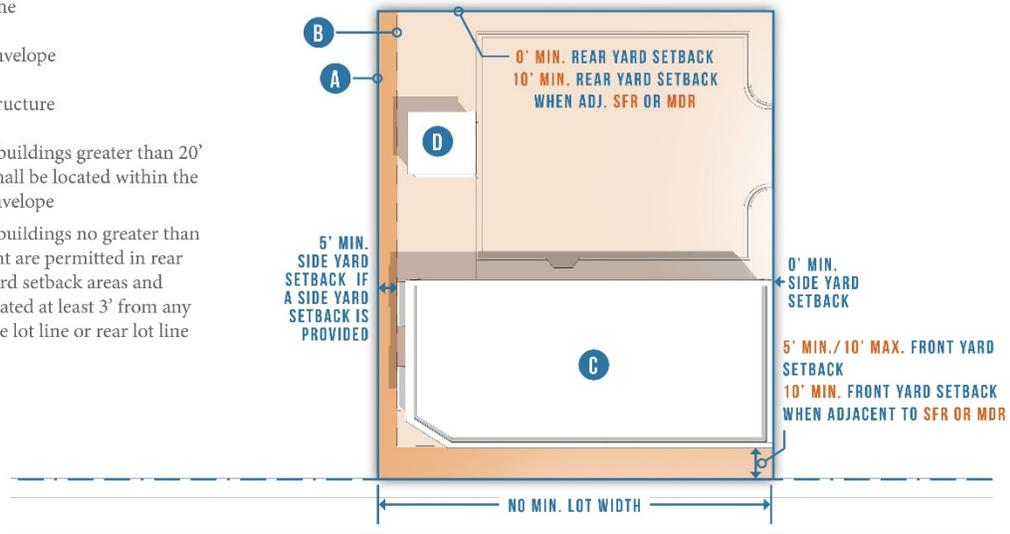
(Ord. No. 19-06, § 8, 3-4-19)

B. BEECHTREE SITE & BUILDING PLACEMENT

FIGURE 4-21

KEY

- (A) Property line
 - (B) Building envelope
 - (C) Primary structure
 - (D) Accessory buildings greater than 20' in height shall be located within the building envelope
- Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line

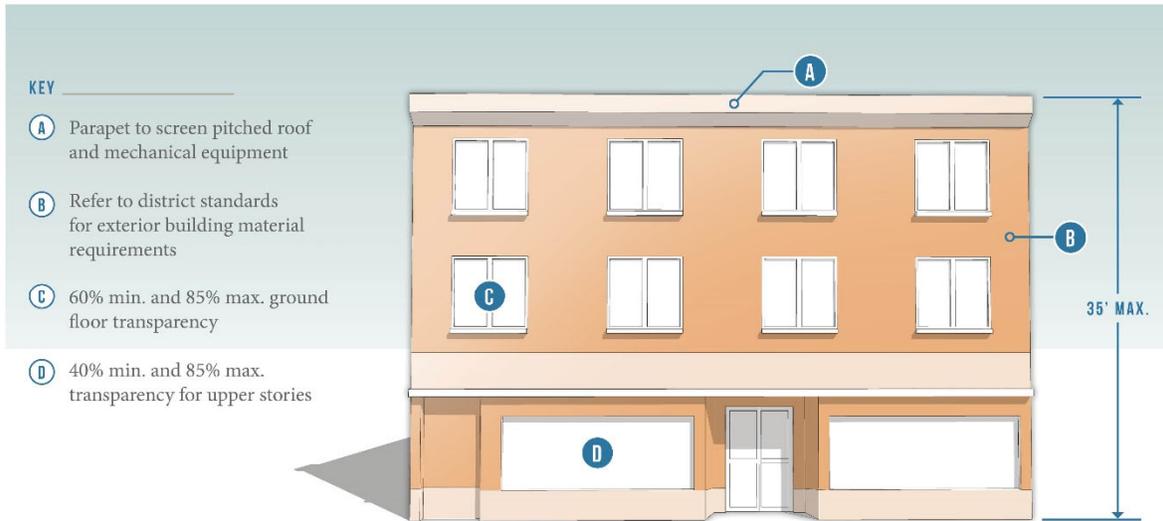


Sec. 40-415.03. - Notes.

- A. No side yards setbacks are required along the interior side lot lines, however, if a side yard setback is provided, it shall be a minimum of five (5) feet.

B. BEECHTREE BUILDING FORM STANDARDS

FIGURE 4-22



- B. Where a proposed building abuts a property zoned LDSFR or MDR, the proposed building shall be set back a minimum of ten (10) feet from the property line which adjoins the residential property.
- C. Corner lots within the Beechtree district shall have the front yard facing Beechtree and clear vision corners of section 40-307 shall be met.
- D. Roof pitch: Roofs may be pitched so long as a parapet provided from the roof line to the peak effectively screening the pitch from view.

SEC. 40-416. - WF. WATERFRONT DISTRICT.

Sec. 40-416.01. - Intent.

The WF, Waterfront district is intended to provide for open space in the form of parks or other general land preserves along lake or river shorelines with the intent of preserving and maintaining natural characteristics of those areas. Marinas and marina related accessory uses shall be permitted, as well as restaurants so long as dimensional and natural feature protection standards are met. Overall, this district is intended to support water related development, and to provide ample opportunities for public access with a balance of recreational and retail opportunities along the waterfront.

Sec. 40-416.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Municipal uses—Utilities
- Park or parkland
- Uses similar to permitted uses, subject to {section} 40-325

B. Special land uses.

- Accessory building w/footprint greater than principal building, subject to {section} 40-502
- Accessory use, to a special land use, subject to {section} 40-503
- Dredging facility, subject to {section} 40-520
- Eating and drinking establishment*, subject to {section} 40-529
- Marina, subject to {section} 40-542
- Mixed use development*, subject to {section} 40-544
- MWET, subject to article IX
- Multi-tenant commercial establishment*, subject to {section} 40-547
- Office building*, subject to {section} 40-549
- Power generating facility, subject to {section} 40-553
- Provisioning center*, subject to section 40-543a
- Retail business or retail sales*, subject to {section} 40-556
- SSMWET, subject to article IX
- STMWET, subject to article IX

- ~~Uses similar to special land uses, subject to [section] 40-565~~

- Wind energy conversion system, subject to [section] 40-568

- * Uses that must be located on key street segments per section 40-416.03.(D)

C. *Site and building placement standards.*

Maximum lot coverage:	N/A
Minimum setbacks:	
Front:	25 feet (A)
Corner Front:	25 feet (A)
Side:	20 feet
Rear/waterfront:	25 feet, subject to Critical Dune requirements
Sensitive Area Overlay requirements per [section] 40-422 may apply in certain portions of the district.	
See Table 40-402.02 for more detail and exceptions	

D. *Building form standards.*

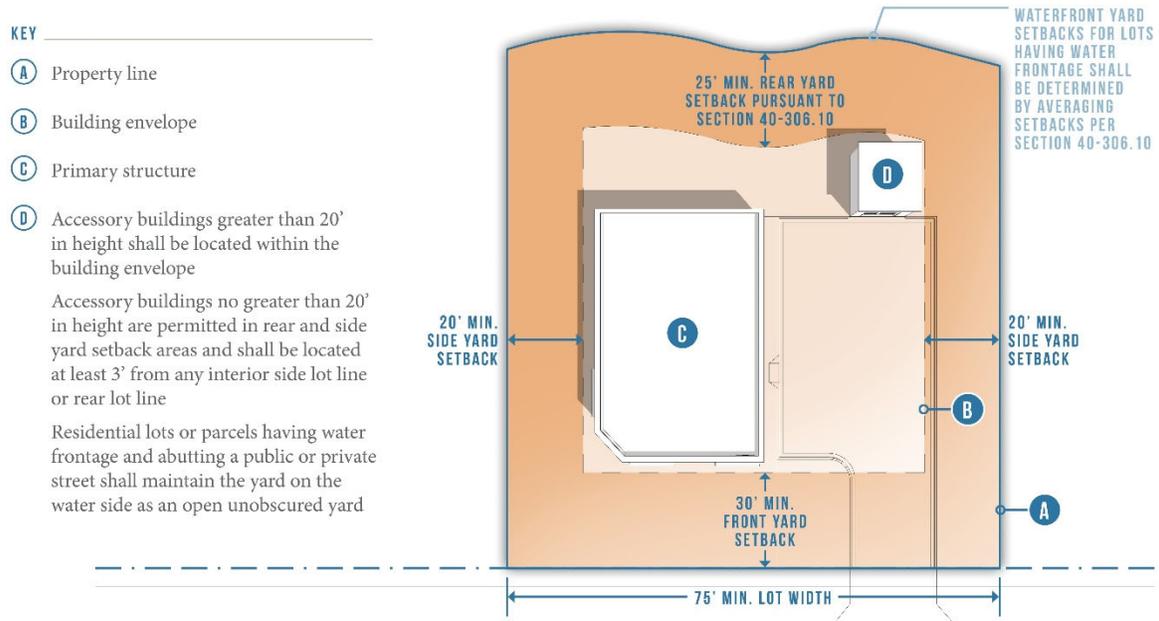
Maximum building height:	25 feet (B) (C)
Rooflines:	Rooflines of regulated accessory structures or principal structures with the lowest elevation at or above 22 feet above the median natural grade shall be pitched at slopes ranging from 4:12 to 12:12. Roofs located below 22 feet above the median natural grade may be flat or pitched at any slope.
Exterior cladding materials:	
Primary walls:	Minimum 80% face brick, stone, solid wood, and/or fiber cement board

Secondary walls:	Minimum 80% face brick, stone, solid wood, fiber cement board, composite siding, and/or decorative concrete block
Accent/trim materials:	Maximum 20% metal, concrete, face brick, stone, solid wood, fiber cement board, composite siding, decorative concrete block, vinyl, and/or EIFS (must be high impact resistant up to 6 feet from ground level)
Architectural features:	Wrap around entire side visible from right-of-way

(Ord. No. 19-06, § 9, 3-4-19)

WF. WATERFRONT SITE & BUILDING PLACEMENT

FIGURE 4-23



Sec. 40-416.03. - Notes.

- A. If adjacent to the **SFLDR** or NS districts, building setbacks shall increase an additional one foot for every five (5) feet the building exceeds fifty (50) feet in length or width. Said additional setbacks shall be provided only on the yard(s) adjacent to the **SFLDR** or NS districts. Provided, however, in no event shall any building be located closer than one hundred (100) feet to any property line in the **SFLDR** or NS district.
- B. Mechanical, stairwell enclosure, access hatches and elevator equipment and any required screening may extend above twenty-five (25) feet but shall not exceed five (5) feet. The total area covered by all mechanical equipment, stairwell enclosure, and

elevator equipment shall not exceed one hundred (100) square feet and shall be located so as to not be visible from any adjoining right-of-way.

- C. For parcels lying on the westerly side of Harbor Drive between Harbor Drive and the Grand River or Lake Michigan, the maximum height shall be two (2) stories or thirty (30) feet, whichever is less. The established grade for all parcels lying on the westerly side of Harbor Drive shall be the Harbor Drive side street level, so the grades on any other side of the structure shall not have any effect on the established grade from which the building height is to be measured. For parcels lying on the westerly side of Harbor Drive between Harbor Drive and the Grand River or Lake Michigan, mechanical, stairwell enclosure, access hatches and elevator equipment and any required screening may extend above thirty (30) feet but not by more than five (5) feet. The total area covered by all such mechanical equipment, stairwell enclosure, and elevator equipment may not exceed one hundred (100) square feet and shall be located so as to not be visible from any adjoining right-of-way
- D. In the WF district, key street segments include the following:
 - ◆ Harbor Drive (or Jackson) from Fourth Street to the entrance to the Lighthouse Connection Park.

SEC. 40-417. - WF-2. WATERFRONT 2 DISTRICT.

Sec. 40-417.01. - Intent.

The WF-2 Waterfront district is intended to provide for the positive redevelopment of the east side of Harbor Drive from Howard to First Street. This district lies at the foot of the downtown and spans an area that is utilized for community festivals, recreation, viewing the Musical Fountain, and appreciating the view of the Grand River channel all the way out to the Grand Haven lighthouse. Harbor Drive is the main point of entry for the State Park and City Beach, and development along this road is visible from the water. Therefore, this district defines the impression of Grand Haven for residents and visitors alike.

The Old Town and Southside neighborhoods adjoin the WF-2 district. These neighborhoods are locally designated Historical districts and are among the first areas settled in Grand Haven. The WF-2 district must therefore provide a context sensitive transition between the activities on the waterfront and the immediately adjacent residential neighborhoods. The Waterfront Strategic Plan outlines a comprehensive vision for this key portion of the community and will be used as guidance by the planning commission and property owners in evaluating design and redevelopment proposals.

It is recognized that the public sight lines of the city are a shared resource of relatively fixed supply and thus must be regulated in a manner that reasonably balances the use afforded to private property owners with the rights of the general public. New development within the WF-2 District will require designs that provide special consideration for public site lines. While recognizing the desire of those owning property to capitalize on its value, especially property near or on the waterfront, this article also seeks to assure that the uses of such property and the size, quality, character, dimensions, of the structures built on that property positively enhance the essential character of the community.

Sec. 40-417.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Day care, family (6 clients)
- Dwelling, multiple-family (above first floor)
- Dwelling, multiple-family (on first floor, subject to Notes (A))
- Eating and drinking establishment
- Municipal uses—Utilities
- Office building
- Park or parkland
- Personal service business

- Professional service establishment
- Residential above retail or office
- Retail business or retail sales
- Service establishment accessory to a principal use
- Short-term rentals, where the underlying residential use is permitted by right or as a special land use. Short-term rentals require a short-term rental certificate issued pursuant to chapter 9 of the Grand Haven Code of Ordinances
- Uses similar to permitted uses, subject to section 40-325

B. *Special land uses.*

- Accessory building with footprint greater than the footprint of the principal building, subject to section 40-502
- Accessory use, to a special land use, subject to section 40-503
- Bed and breakfast, subject to section 40-510
- Hotel, subject to section 40-535
- Mixed use development, subject to section 40-544
- Nursing care facility*, subject to section 40-548
- Place of public assembly, large and small, subject to section 40-551
- Provisioning center, subject to section 40-543a
- SSMWET, subject to article IX
- STMWET, subject to article IX
- ~~Uses similar to special land uses, subject to section 40-565~~

* Uses that must be located on key street segments per section 40-317.03(H)

C. *Site and building placement standards.*

Minimum/maximum setbacks (B):	
Front (nonresidential first floor):	70% of building frontage in Build-to-zone or 5 feet max.
Front (residential first floor):	15 feet
Elevated front (C):	12 feet for each story above 26 feet
Side:	10 feet

Elevated side (C):	5 feet for each story above second floor
Rear abutting SFLDR , MDR, OT or S:	25 feet
Rear abutting other districts (D):	10 feet
Build-to-zone:	70% of building front
Dwelling unit <u>Minimum floor</u> area:	54 00 square feet
Sensitive Area Overlay requirements per section 40-422 may apply in certain portions of the district.	
See Table 40-402.02 for more detail and exceptions	

D. Building form standards.

Maximum building height:	35 feet or (E)
Roofline modulation:	Required every 35 feet; modulation includes a change in elevation of at least 3 feet; or a sloped or gabled roofline segment of 3 feet vertical and 12 feet horizontal
Exterior cladding materials:	
Primary walls:	Minimum 80% face brick, stone, solid wood, and/or fiber cement board
Secondary walls:	Minimum 80% face brick, stone, solid wood, fiber cement board, composite siding, decorative concrete block, and/or vinyl siding
Accent/trim materials:	Maximum 20% metal, concrete, face brick, stone, solid wood, fiber cement board, composite siding, decorative concrete block, vinyl, and/or EIFS (must be high impact resistant up to 6 feet from ground level)
Architectural features:	Wrap around entire side visible from right-of-way
Recessed entry:	3 feet to 5 feet

Blank walls:	Prohibited when visible from right-of-way, park or public parking area
Retaining walls:	Prohibited along public streets when greater than 3 feet in height
Building articulation:	Required every 20 feet

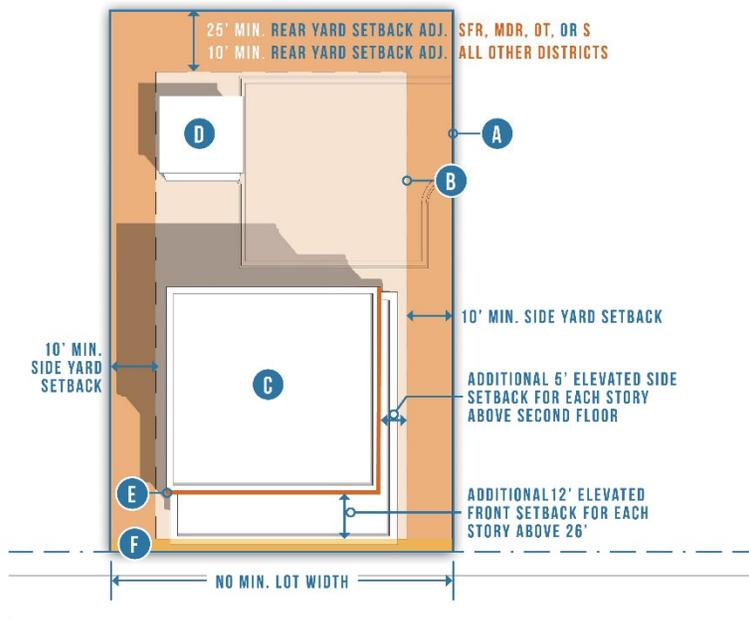
(Ord. No. 17-01, § 8, 4-24-17; Ord. No. 19-06, § 10, 3-4-19)

WF-2. WATERFRONT 2 SITE & BUILDING PLACEMENT FOR NONRESIDENTIAL

FIGURE 4-24

KEY

- (A) Property line
- (B) Building envelope
- (C) Primary structure
- (D) Accessory buildings greater than 20' in height shall be located within the building envelope
Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line
- (E) Elevated setback per Section 40-417.03.C
- (F) Build-to zone
70% of the building frontage must be within the build-to zone or provide a 5' maximum front yard setback

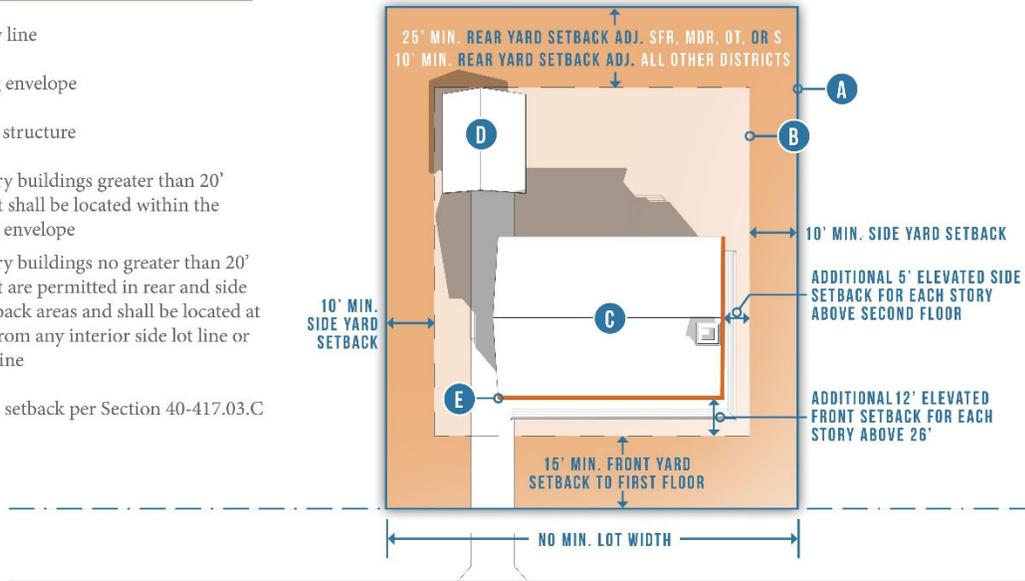


WF-2. WATERFRONT 2 SITE & BUILDING PLACEMENT FOR RESIDENTIAL

FIGURE 4-25

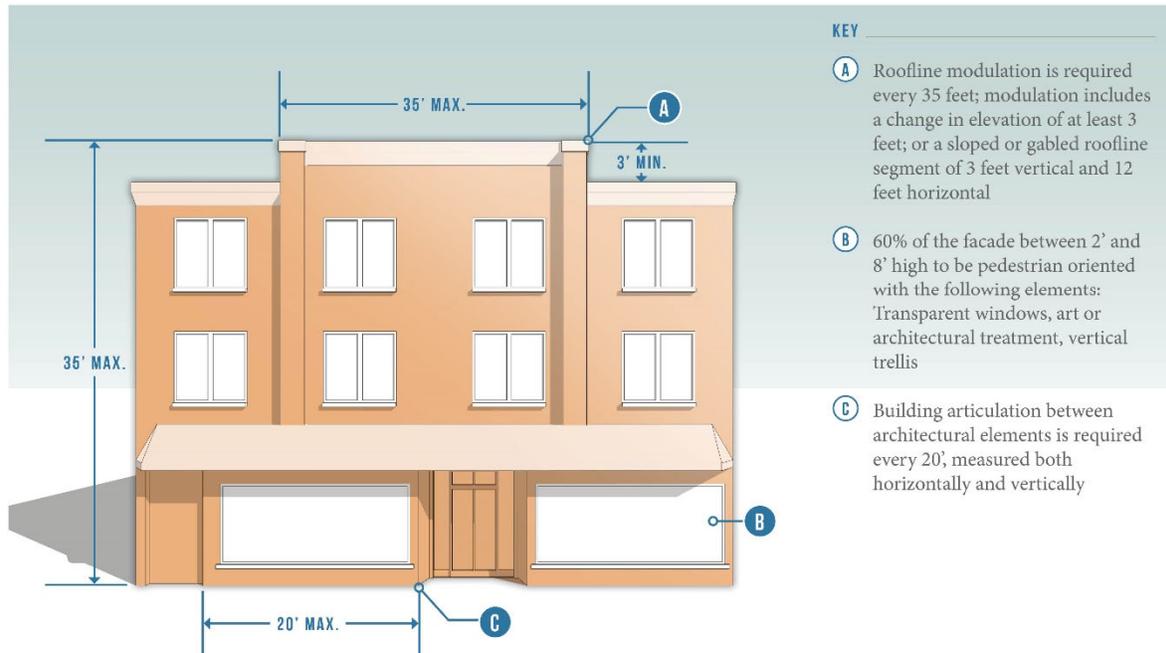
KEY

- (A) Property line
- (B) Building envelope
- (C) Primary structure
- (D) Accessory buildings greater than 20' in height shall be located within the building envelope
 Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line
- (E) Elevated setback per Section 40-417.03.C



WF-2. WATERFRONT 2 BUILDING FORM STANDARDS

FIGURE 4-26



KEY

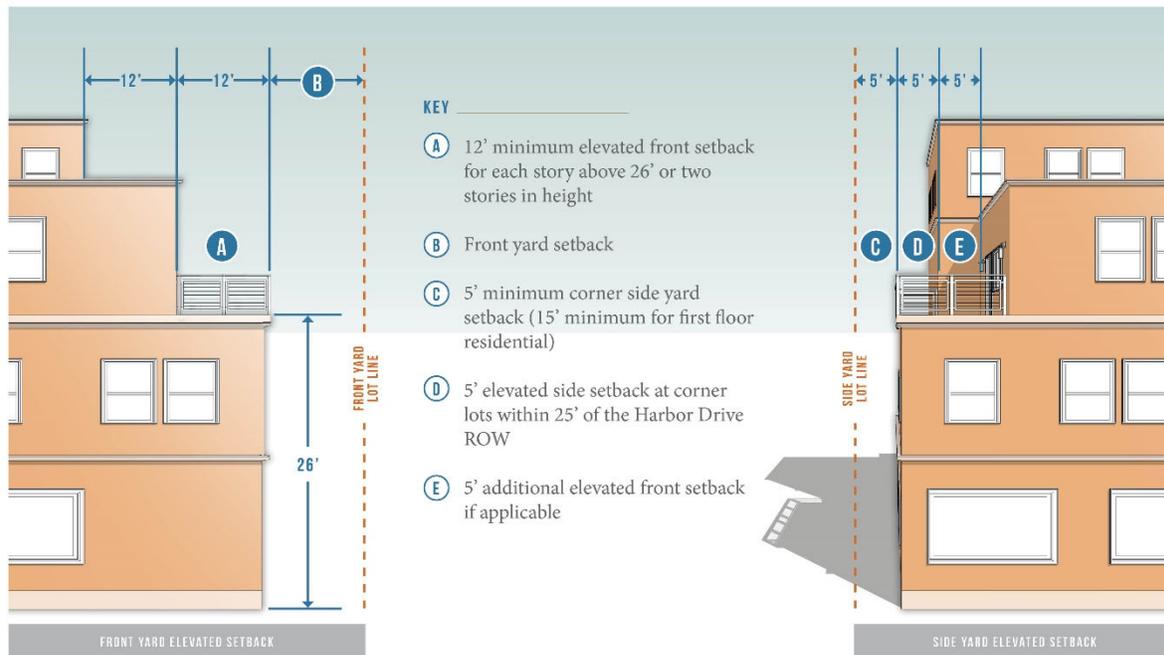
- (A) Roofline modulation is required every 35 feet; modulation includes a change in elevation of at least 3 feet; or a sloped or gabled roofline segment of 3 feet vertical and 12 feet horizontal
- (B) 60% of the facade between 2' and 8' high to be pedestrian oriented with the following elements: Transparent windows, art or architectural treatment, vertical trellis
- (C) Building articulation between architectural elements is required every 20', measured both horizontally and vertically

Sec. 40-417.03. - Notes.

- A. The following shall apply to all multiple-family dwellings where residential units will be located on the first floor:
1. First floor residential units shall be a minimum of four (4) feet above the grade of the front property line.
 2. The building front yard setback when the first floor has residential units shall have a fifteen-foot front yard setback.
 3. The front yard setback shall be landscaped in accordance with article VIII, landscaping.
 4. When residential units incorporate individual parking or garage space, the parking areas shall not be accessed off of Harbor Drive, however a single access to a common parking structure may be permitted.
 5. A wall or decorative fence may be installed five (5) feet from the front property line. Solid walls of concrete, stone or masonry may be no higher than three (3) feet tall, except where required to retain a slope. Decorative fencing or hedges may be used to define the front yard, and shall not exceed four (4) feet in height. A sloped yard may be terraced with more than one retaining walls.
 6. A minimum separation distance of fifteen (15) feet shall be provided between buildings located on the same parcel if they are not attached by a common wall.
- B. All parcels with frontage on Harbor Drive, including corner lots, shall be deemed to have one front yard facing Harbor Drive.
- C. To preserve the views along within the WF-2 district, additional elevated setbacks shall be provided as set forth in this section.
1. For building elevations facing Harbor Drive, beginning at an elevation twenty-six (26) feet above the top of the curb, or at two (2) stories, which-ever is less, measured at the center of the Harbor Drive frontage, there shall be an additional setback of twelve (12) feet for each story.
 2. For building elevations facing Elliot, Fulton, Columbus, Franklin, Clinton, Lafayette and Howard streets and extending twenty-five (25) feet from the Harbor right-of-way, there shall be an elevated setback of five (5) additional feet for each story of height above the second floor adjoining a public right-of-way. This shall apply to all corner lots.

WF-2. WATERFRONT 2 ELEVATED SETBACKS

FIGURE 4-27



D. Parcels, which are immediately adjacent to the CB district, may use CB rear yard setbacks.

E. Maximum height shall be the greater of thirty-five (35) feet or the average height of existing buildings immediately adjacent to, or across the street from, the subject site, if fronting on Harbor Drive. In no instance shall the highest point of a building determined under this paragraph exceed an elevation of six hundred forty-three (643) feet elev. per the United States Department of Interior Geological Survey (USGS NGVD).

Mechanical, stairwell enclosure, access hatches and elevator equipment and any required screening may extend above the maximum height permitted but not by more than five (5) feet. The total area covered by all mechanical equipment, stairwell enclosure, and elevator equipment may not exceed one hundred (100) square feet and shall be located so as to not be visible from any adjoining right-of-way.

F. Transparent windows. Transparent window area or display windows which provide visibility into building interiors or displays. Glass shall be clear or lightly tinted in windows, doors, and displays.

G. Architectural treatment. Blank walls, including retaining walls and screening walls in excess of three (3) feet in height, shall not be permitted when visible from a right-of-way, park or public parking area. At least sixty (60) percent of the wall area between two (2) feet and eight (8) feet in elevation above the sidewalk or adjacent grade shall be designed to create a pleasant environment for pedestrians. Such facades shall have one or more of the following characteristics:

1. Transparency, see subparagraph ~~GE~~. of this section.
 2. Art or architectural treatment. Sculpture, mosaic, glass block, opaque art glass as relief artwork or similar features of visual interest. Structural architectural detailing, including windows, balconies, bay windows, awnings, or other elements, is also acceptable.
 3. Vertical trellis. A permanent vertical trellis in front of the wall with climbing plants or plant materials.
- H. Key street segments. Within the WF-2 district, the following key street segments are established:
- ◆ Harbor Street, from Franklin ~~Avenue Street~~ to the entrance to Lighthouse Connection Park.

SEC. 40-418. - CC. CIVIC CENTER DISTRICT.

Sec. 40-418.01. - Intent.

The CC, Civic Center district is intended to form the institutional and governmental core of the community, specifically intended to accommodate the concentration of municipal and public facilities in the Hilltop area of the city. This district will be comprised of governmental offices and general office buildings, parks and places of public assembly and will be non-commercial in nature. Structures in the district will generally be larger iconic forms, built around a government square, with good sidewalk exposure, yet formed to accommodate automobile access as the regional governmental center. Plazas, parks and outdoor spaces will create an efficient yet inviting space for the civic activities of the community.

Sec. 40-418.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Governmental building
- Library
- Municipal uses—Utilities
- Office building
- Park or parkland
- Professional service establishment
- Uses similar to permitted uses, subject to [\[section\] 40-325](#)

B. Special land uses.

- Accessory building w/footprint greater than principal building, subject to [\[section\] 40-502](#)
- Accessory use, to a special land use, subject to [\[section\] 40-503](#)
- Commercial parking facility, subject to [\[section\] 40-515](#)
- Drive-through business, subject to [\[section\] 40-521](#)
- Educational facility, subject to [\[section\] 40-530](#)
- Hotel, subject to [\[section\] 40-535](#)
- Mixed use development, subject to section 40-544
- Place of public assembly, large and small, subject to [\[section\] 40-551](#)
- Provisioning center, subject to section 40-543a

- SSMWET, subject to article IX
- STMWET, subject to article IX
- ~~Uses similar to special land uses, subject to [section] 40-565~~

C. *Site and building placement standards.*

Maximum lot coverage:	75%
Minimum setbacks:	
Front:	10 feet
Corner front:	10 feet
Side:	20 feet
Rear:	20 feet
See Table 40-402.02 and section 40-418.03 for more detail and exceptions	

D. *Building form standards.*

Maximum building height:	35 feet
Maximum building height for government buildings facing Central Park:	100 feet (B)
Roofline modulation:	Required every 35 feet; modulation includes a change in elevation of at least 3 feet; or a sloped or gabled roofline segment of 3 feet vertical and 12 feet horizontal
Exterior cladding materials:	
Primary walls:	Minimum 80% face brick, stone, solid wood, and/or fiber cement board
Secondary walls:	Minimum 80% face brick, stone, solid wood, fiber cement board, composite siding, and/or decorative concrete block

Accent/trim materials:	Maximum 20% metal, concrete, face brick, stone, solid wood, fiber cement board, composite siding, decorative concrete block, and/or EIFS (must be high impact resistant up to 6 feet from ground level)
Architectural features:	Wrap around entire side visible from right-of-way
Building articulation:	Required every 50 feet; may be accomplished using windows, balconies, change in building material, etc.

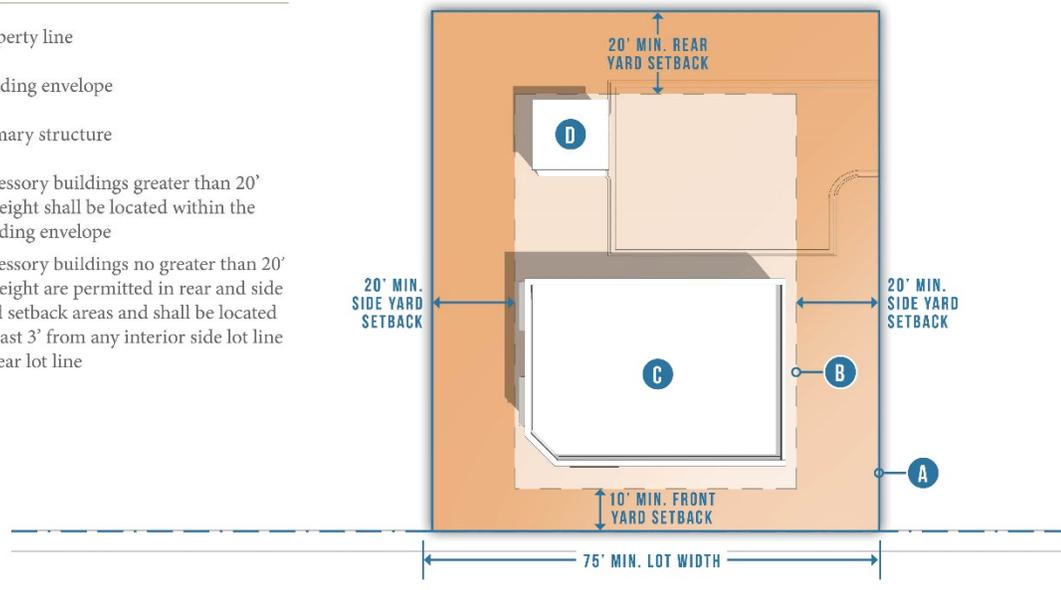
(Ord. No. 19-06, § 11, 3-4-19)

CC. CIVIC CENTER SITE & BUILDING PLACEMENT

FIGURE 4-28

KEY

- Ⓐ Property line
- Ⓑ Building envelope
- Ⓒ Primary structure
- Ⓓ Accessory buildings greater than 20' in height shall be located within the building envelope
Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line



Sec. 40-418.03. - Notes.

- A. Key street segments. Within the CC district, the following key street segments are established:
 - ◆ Franklin AvenueStreet, from the CB district boundary to the Fifth Street rights-of-way.
- B. Height of any proposed architectural features to be approved by the planning commission.

- C. Projections into required yards for government buildings: architectural features such as fireplaces, bay windows, canopies and ornamentation may project into any required yard at a distance as approved by the planning commission.

SEC. 40-419. - TI. TRANSITIONAL INDUSTRIAL DISTRICT.

Sec. 40-419.01. - Intent.

The TI, Transitional Industrial district is intended to allow a mix of commercial, service commercial and light industrial activities, which can be compatible with some non-industrial uses such as live/work facilities and entertainment uses. The TI district will include good accessibility to accommodate pedestrian and bicycle traffic safely with automobiles and commercial vehicles. This district is intended to allow for the transition from traditional industrial uses to commercial, retail, residential and some live/work uses. The TI district is intended for the area north of Fulton and west of the Ferry Street mixed use corridor, as well as the Kooiman industrial area.

Sec. 40-419.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Animal grooming
- Automobile repair, minor
- Boat launch
- Eating and drinking establishment
- Greenhouse
- Municipal uses—Utilities
- Office building
- Park or parkland
- Recreational facility, commercial
- Research and development
- Retail business or retail sales
- Service establishment accessory to a principal use
- Showroom
- Trade and industrial school
- Warehouse
- Wholesale facility
- Uses similar to permitted uses, subject to section 40-325

B. Special land uses.

- Accessory building w/footprint greater than principal building, subject to [section] 40-502
- Accessory use, to a special land use, subject to [section] 40-503
- Automobile gasoline station, subject to [section] 40-506
- Automobile repair, major, subject to [section] 40-507
- Contractor's establishment, subject to [section] 40-516
- Dredging facility, subject to [section] 40-520
- Dwelling, multiple family, subject to [section] 40-527
- Grower, subject to section 40-543a
- Live/work, subject to [section] 40-540
- Manufacturing, compounding, or processing, subject to [section] 40-541
- Marina, subject to [section] 40-542
- Mixed use development, subject to [section] 40-544
- Place of public assembly, small, subject to [section] 40-551
- Processor, subject to [section] 40-543a
- Provisioning center, subject to [section] 40-543a
- Safety compliance facility, subject to [section] 40-543a
- Secure transporter, subject to [section] 40-543a
- Shared commercial facility, subject to section 40-557
- SSMWET, subject to article IX
- STMWET, subject to article IX
- Studio for performing and graphic arts, subject to [section] 40-562
- Telecommunication towers and antenna, subject to [section] 40-564
- Veterinary hospital, subject to [section] 40-566
- ~~Uses similar to special land uses, subject to [section] 40-565~~

C. *Site and building placement standards.*

Maximum lot coverage:	70%
Minimum setbacks:	
Front:	25 feet

Corner front:	25 feet
Side:	10 feet
Rear:	10 feet (A)
Waterfront:	20 feet
Minimum floor area for dwellings:	4500 square feet
See Table 40-402.02 and section 40-419.03 for more detail and exceptions	
Sensitive Area Overlay requirements per [section] 40-422 may apply in certain portions of the district	

D. Building form standards.

Maximum building height:	40 feet
Building articulation:	Required every 50', may be accomplished using windows, balconies, change in building material, etc.
Maximum roof pitch:	N/A
Blank walls:	Prohibited when adjacent to or visible from a public street

TI. TRANSITIONAL INDUSTRIAL SITE & BUILDING PLACEMENT

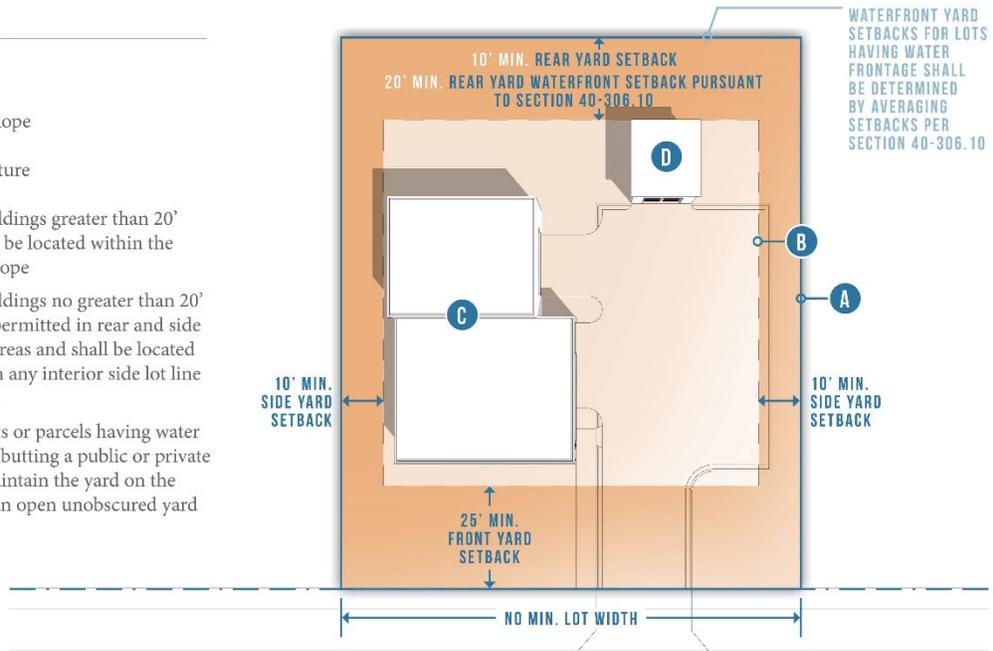
FIGURE 4-29

KEY

- Ⓐ Property line
- Ⓑ Building envelope
- Ⓒ Primary structure
- Ⓓ Accessory buildings greater than 20' in height shall be located within the building envelope

Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line

Residential lots or parcels having water frontage and abutting a public or private street shall maintain the yard on the water side as an open unobscured yard



Sec. 40-419.03. - Notes.

- A. Rear yard setback shall be twenty-five (25) feet when use abuts the **SFLDR**, MDR, MFR, S, E or OT districts, or when abutting a residential use.
- B. Key street segment:
 - ◆ Fulton Street, from the Eastown district boundary to the Beechtree rights-of-way.

SEC. 40-420. - I. INDUSTRIAL DISTRICT.

Sec. 40-420.01. - Intent.

The I, Industrial district is intended to accommodate commercial uses unsuited to other districts, as well as wholesale activities, warehouses, and manufacturing and assembly operations whose external, physical effects are restricted to the area of the district and are well-matched to the surrounding uses. The I district is intended to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly, or treatment of finished or semi-finished products from previously prepared material. It is further intended that activities involving the processing of raw material be entirely enclosed and that all uses conform to the performance standards of this ordinance. Uses within the I district will generally be employment generators.

It is the intent of this district to provide sufficient space for current or future needs for manufacturing and wholesaling or related uses while preserving the general character of the community.

Sec. 40-420.02. - District summary.

A. Permitted uses.

- Accessory building and structure
- Accessory use, when accessory to permitted uses
- Automobile gasoline station
- Automobile repair, minor
- Golf course
- Greenhouse
- Manufacturing, compounding, or processing
- Municipal uses—Utilities
- Office building
- Research and development
- Self-service storage facility
- Service establishment accessory to a principal use
- Showroom
- Trade and industrial school
- Warehouse
- Wholesale facility
- Uses similar to permitted uses, subject to [section] 40-325

B. *Special land uses.*

- Accessory building w/footprint greater than principal building, subject to [section] 40-502
- Accessory use, to a special land use, subject to [section] 40-503
- Airport, subject to [section] 40-504
- Automobile repair, major, subject to [section] 40-507
- Billboard, subject to [section] 40-511
- Contractor's establishment, subject to [section] 40-516
- Dry cleaning plant, subject to [section] 40-524
- Fuel storage, subject to [section] 40-531
- Grower, subject to section 40-543a
- ~~Junkyard, subject to [section] 40-537~~
- MWET, subject to article IX
- Power generating facility, subject to [section] 40-553
- ~~Refuse incineration, subject to [section] 40-555~~
- Processor, subject to [section] 40-543a
- Provisioning center, subject to [section] 40-543a
- Safety compliance facility, subject to [section] 40-543a
- Secure transporter, subject to [section] 40-543a
- SSMWET, subject to article IX
- STMWET, subject to article IX
- Telecommunications antennas and towers, subject to section 40-564
- Wells, oil and gas, subject to [section] 40-567
- Wind energy conversion systems, subject to [section] 40-568
- ~~Uses similar to special land uses, subject to [section] 40-565~~

C. *Site and building placement standards.*

Maximum lot coverage:	70%
Minimum setbacks:	
Front:	25 feet

Corner front:	25 feet
Side:	10 feet
Rear:	20 feet (A)
See Table 40-402.02 and section 40-418.03 for more detail and exceptions	
Sensitive Area Overlay requirements per [section] 40-422 may apply in certain portions of the district.	

D. Building form standards.

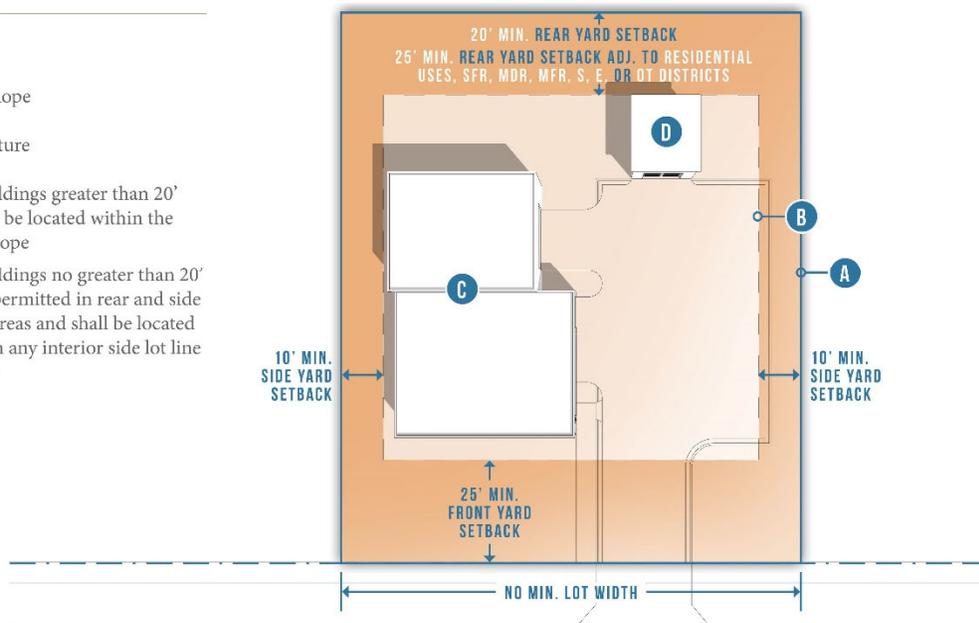
Maximum building height:	60 feet
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I. INDUSTRIAL SITE & BUILDING PLACEMENT

FIGURE 4-30

KEY

- (A) Property line
- (B) Building envelope
- (C) Primary structure
- (D) Accessory buildings greater than 20' in height shall be located within the building envelope
 Accessory buildings no greater than 20' in height are permitted in rear and side yard setback areas and shall be located at least 3' from any interior side lot line or rear lot line



Sec. 40-420.03. - Notes.

1. Rear yard setback shall be twenty-five (25) feet when use abuts the **SFLDR**, MDR, MFR, S, E or OT districts, or when abutting a residential use.

SEC. 40-421. - PD. PLANNED DEVELOPMENT DISTRICT.

Sec. 40-421.01. - Intent.

This article provides enabling authority and standards for the submission, review, and approval of applications for planned developments. The PD district is intended to allow for a combination of land uses, site design, layout flexibility and innovation that cannot be achieved within conventionally structured zoning districts. The primary purpose of this article is to encourage the creation of desirable and efficient working and/or living environments that are designed and developed as integrated projects with harmonious land uses and compatibility with surrounding areas and natural features. It is the intent of this article to authorize the consideration and use of planned development regulations for the following purposes:

1. To encourage the use of land in accordance with its character and adaptability.
2. To promote the conservation of natural features, fragile lands and the preservation of important and historic community resources.
3. To encourage flexibility and innovation in land use and design for the purpose of protecting the character of the community and enhancing the quality of life in the city.
4. To promote the efficient use of land to facilitate a more economic arrangement of buildings, circulation systems, land uses and utilities.
5. To promote the enhancement of housing diversity, shopping, traffic circulation, and recreational opportunities for the people of the city.
6. To promote and ensure greater compatibility of design and use between and among neighboring properties.

A planned development must comply with this article. The provisions of this article are intended to result in land use and development substantially consistent with the goals and objectives and the future land use plan reflected in the City of Grand Haven Strategic Land Use Master Plan, as amended. The planned development provisions are not intended as a device for ignoring the zoning ordinance or the planning upon which it has been based.

Sec. 40-421.02. - Qualifying conditions.

A PD district may be considered in any portion of the city. However, as a condition of a rezoning to PD, the applicant must demonstrate that the PD will result in a recognizable and substantial benefit to the ultimate users and occupants of the project and to the community, where such benefit would otherwise be unfeasible or unlikely. Such benefit may include, but shall not be limited to, the preservation of important natural and/or historic features, the provision of open lands, the provision of a mix of land uses, and/or innovation in design and project configuration.

Sec. 40-421.03. - Development requirements.

- A. The city shall evaluate each PD application in accord with the following general standards. The proposed development:

1. Shall be designed, constructed, and maintained to be an integrated and harmonious development, appropriate in appearance with the existing or intended character of the general vicinity;
 2. Shall be served adequately by essential public facilities and services, such as highways, streets, pedestrian ways, police and fire protection, drainage structures, refuse disposal, water and sewer, telecommunications;
 3. Shall be compatible with the capacities of public services and facilities it may affect;
 4. Shall be developed in accordance with the intent for a planned development as contained herein.
 5. Shall conform to the Sensitive Area Overlay requirements per [section] 40-422, if applicable.
- B. Permitted uses within a PD. Any principal or accessory land uses permitted in any zoning district, either as a use by right or a use subject to special conditions under this ordinance, or any combination of such uses, may be considered within the PD district. Provided, however, that the planning commission and the city council must reach a finding that all such proposed uses and the impacts they may generate on one another and on the surrounding community shall be generally compatible and harmonious with one another.
- C. Guidance standards. Unless specifically waived or adjusted by the city council upon the recommendation of the planning commission through the provisions of subsection 40-421.03.D, below, the dimensional standards set forth in Table 1 shall be used as a guide in evaluating the size, bulk and dimensions of proposed PD developments. For PD developments proposing more than one type of land use, the appropriate guidance standards shall be applied for each such type of use.

TABLE 1. GUIDANCE STANDARDS

Proposed PD Land Use Types ¹	Building Separation ²	Setback ³			Height ⁴ Stories/Feet	Percent Land Coverage	Land Area per Unit
		Front (Street)	Each Side	Rear			
Commercial and Institutional	0 or a minimum of 20 ft.	25 ft.	10 ft.	20 ft.	4/52 ft.	N/A	N/A

Single-Family Residential	N/A	25 ft.	8 ft.	25 ft.	2½/35 ft.	35%	5,000 sq. ft.
Multi-Family Residential	0 or not less than 20 ft.	25 ft.	20 ft.	25 ft.	4/52 ft.	50%	1,000 sq. ft.
Industrial	40 ft.	40 ft.	20 ft.	20 ft.	N/A/40 ft.	N/A	N/A

Notes to Table 1. Guidance Standards.

1. For buildings proposed to house more than one type of use, the guidance standards of the principal use within the structure, as proposed by the applicant, shall be used.
 2. Building separation standards shall apply to multiple structures located on a single parcel within the PD development and shall not be less than twenty (20) feet, except in the case of party-wall or zero lot line structures.
 3. Setback standards shall be applied for structures within a PD and sited on individual parcels. For structures located adjacent to the boundary of the PD, the setback between such structure and boundary of the PD shall be determined from the requirements for the zoning district adjoining that boundary.
 4. In no instance shall building heights exceed ninety-six (96) feet.
- D. Departures from guidance standards. Consistent with the planned development concept, and to encourage flexibility and creativity in development, departures from the guidance standards may be granted upon the recommendation of the planning commission as part of the approval of a planned development. Such departures may be authorized if, in the judgment of the city council upon the recommendation of the planning commission, (1) there are features or planning mechanisms incorporated into the project which would generally achieve the objectives of each of the regulations from which a departure is being requested, and/or (2) the proposed planned development is likely to be more consistent with the objectives of the city's future land use plan than a development under the terms of the guidance standards. Provided, that under no circumstances shall a structure exceed a maximum height of ninety-six (96) feet.
- E. Phasing. The stages or phases of any PD development shall be so structured and scheduled that, if later stages or phases of the development are not implemented, the initial stage(s) shall be consistent with the provisions of this article and shall not detract from the feasibility of developing the remaining portion of the subject PD area in an appropriate and desirable manner.

- F. Private roads. Private roads within the PD, if any, shall conform to the minimum road construction standards established by the city. The city council, upon the recommendation of the planning commission, may approve departures from the strict application of such private road standards where an alternative road design is likely to be more consistent with the objectives of the planned development and the city's future land use plan than roads meeting the city's minimum construction standards. The applicant must pay all costs of inspection and maintenance. All necessary agreements pertaining to private road construction and maintenance shall be reviewed and approved by the city and must be executed and recorded prior to the commencement of construction.

Sec. 40-421.04. - Application process.

- A. The procedure for application, review, and approval of a PD shall be a two-part process. The first part shall be application and approval of a preliminary development plan, which shall require a legislative enactment amending the zoning ordinance so as to reclassify the property to PD. Such action shall confer upon the applicant concept approval for the length of time established by the city council in the amendatory ordinance granting the PD designation. The second part of the review and approval process shall be the application for approval of a final development plan for the entire project or for anyone or more phases of the project. Final development plan approval shall require the granting of site plan approval by the planning commission pursuant to section 40-115 of the zoning ordinance.
- B. Effect of approval. The granting of a planned development rezoning application shall require an amendment of the zoning ordinance and the zoning map. An approval granted under this article including all aspects of the final development plan and conditions imposed shall constitute an inseparable part of the zoning ordinance.
- C. Preapplication conference. Prior to the submission of an application for planned development, the applicant shall meet with the planning and development team of the city (which shall consist of those individuals so designated by the city manager). The applicant shall present at such conference, or conferences, a sketch plan of the planned development, and the following information:
 - 1. A description of the property in question and disclosure of ownership interests;
 - 2. The total number of acres to be included in the project;
 - 3. A description of the proposed land uses including the approximate number of residential units and/or the approximate number, type, and square footage of nonresidential development. This shall also include a description of the general development concept, including structures to be retained, remodeled or removed, an overall architectural concept or development theme, and markets to be served by the development;
 - 4. The relationship of the development to the surrounding neighborhood.
 - 5. The approximate area of the proposed PD to be devoted to each use;

6. A general description of any departures from the regulations of this article which may be requested;
7. Description of how the proposed PD will relate to the objectives of the City of Grand Haven Strategic Land Use Master Plan;
8. All known natural resources, historic sites and natural features, including any views from off the site to important natural features and any impediments to development; and
9. The benefits that are expected to result from the adoption of the PD provisions pertaining to the subject site.
10. If the plan is to be carried out in phases, a description of the phases and the approximate time frame for each phase.

Based on the information presented, the planning and development team will advise the applicant of possible issues and concerns the city may want addressed should the PD application be submitted. However, any such initial reaction or response from the planning and development team shall not be regarded as either conclusive or complete and the applicant shall be so advised.

- D. Preliminary development plan and rezoning request—Submission and content. Following the preapplication conference, fourteen (14) copies (unless otherwise required by the city) and a PDF of a preliminary development plan and application for a PD rezoning request shall be submitted. The submission shall be made to the zoning administrator who shall forward it to the planning commission for consideration at a regular or special meeting. The plan shall be prepared by a licensed professional engineer, community planner, or architect and shall be accompanied by an application form and fee as determined by the city council. The application for preliminary development plan approval and rezoning shall contain the following information unless specifically waived by the planning commission upon the recommendation of the zoning administrator:

1. All the information required for the preapplication conference.
2. A boundary and topographic survey including date, north arrow, and scale which shall not be more than 1" = 100'.
3. Locational sketch of site in relation to surrounding area.
4. Legal description of property including common street address(es).
5. All lot or property lines with dimensions.
6. General location of all buildings within one hundred (100) feet of the property lines.
7. General location and size of all existing structures on the site.
8. General location and size of all proposed structures on the site.

9. General location and dimensions of all existing and proposed streets, driveways, parking areas, including total number of spaces and typical dimensions.
10. General size and location of all areas devoted to open space.
11. Detail on the abutting zoning district(s) and the general dimensions and approaches planned to achieve a gradual transition between the proposed PD and the surrounding neighborhood.
12. Location of existing vegetation and general location and size of proposed landscaped areas and buffer strips.
13. All areas within the Sensitive Areas Overlay district as defined in accordance with section 40-422 of this zoning ordinance.
14. A general signage plan, showing the type, location and dimensions of all signs. Only the signage located on the signage specifications stated within the plan will be permitted.
15. A plan for debris management and dust abatement during construction.
16. A illustration of parking areas including traffic flow diagrams and a detailed estimate of parking demand based on all proposed uses.
17. A narrative describing:
 - a. The nature and concept of the project.
 - b. The proposed density, number, and types of dwelling units if a residential PD.
 - c. How the proposed project meets the objectives of the PD ordinance.
 - d. The legal mechanisms and structures proposed to assure the perpetual maintenance of all open space proposed.
 - e. How the proposed project will be served by public water, sanitary sewer, storm drainage, electric, gas, and telecommunications which shall be prepared by a registered professional engineer.
 - f. The phasing or staging plan.
 - g. Proof of ownership or legal interest in property.
18. Reserved.
19. The name, address and phone number of the applicant.
20. The name, address and seal of the professional engineer, planner or architect that prepared the plan.

E. Preliminary development plan—Planning commission review:

1. ~~Pre-public hearing discussion~~ ~~Work session (optional)~~. The applicant ~~shall~~ may meet with the planning commission in a ~~work session~~ pre-public hearing

~~discussion prior to the required public hearing.~~ At the ~~work session pre-public hearing discussion~~, the planning commission shall review the preliminary development plan and shall make reasonable inquiries of the applicant. The planning commission shall determine whether the application is complete and may ask questions of the applicant and seek further information. The planning commission shall consider any waivers of application materials recommended by the zoning administrator and concur with same, or direct that materials or information recommended for waiver be provided. The planning commission shall review the preliminary development plan for consistency with the PD provisions of this ordinance and may provide the applicant with its initial comments. Provided, however, that the planning commission shall not render any judgments concerning the PD request prior to the public hearing and the applicant shall be advised that any initial comments of the planning commission provided at the ~~work session pre-public hearing discussion~~ are subject to change and shall not be construed as a final judgment of the city.

2. Planning Commission Public hearing. Prior to setting the public hearing, the applicant shall submit all required and requested information to the city. Once complete, ~~the zoning administrator shall transmit the complete application to the planning commission.~~ The planning commission shall ~~schedule and~~ conduct a public hearing in accordance with the requirements of section 40-122, hearing notice requirements hereof. Following the hearing, the planning commission may ~~proceed to~~ render a judgment on the proposed PD preliminary development plan or table the matter for further information and/or consideration. Any decision made on the PD preliminary development plan shall take into account the project's consistency with section 40-421.05.

Sec. 40-421.05. - PD design considerations and performance standards.

A proposed planned development shall take into account the following design considerations, as they are necessary to ensure compliance with all applicable regulations and to ensure the compatibility of the project with adjoining properties and the general area in which the property is located. The planning commission shall review the preliminary development plan to evaluate whether each of the following standards are appropriately addressed in the design and development plan. In all instances, except with regard to building height, the planning commission may recommend exceptions where the imposition of the following standards would result in patterns of development that would be out of character with the development and/or with the surrounding area.

- A. *Building massing*: Except as provided herein, exterior building surfaces must not exceed thirty (30) feet in length without an architectural break, such as a change in elevation, window or doorway or building line. Multiple buildings on a single parcel (if permitted) shall be separated by a distance of at least twenty (20) feet. Existing sight corridors from off the site to natural, cultural or historic features shall be preserved or enhanced to the greatest extent possible.

- B. *Building height*: Buildings within a PD may exceed the height limitations of the most proximate abutting zoning district and the guidance standards of subsection 40-421.03.C, or Table 1, hereof, if a minimum yard equal to the height of the building shall be provided on any side of a building adjoining another zoning district. Provided, that under no circumstances shall a structure exceed a maximum height of ninety-six (96) feet.
- C. *Fumes and odors*: No fumes or odors shall be permitted at any property line.
- D. *Dust and litter*: During construction of a PD, the terms of the debris management and dust abatement shall be followed. Following completion of development, no dust or litter shall be permitted to leave a development site.
- E. *Architectural character and landscaping*: Building architecture shall reflect a common theme or pattern which shall be internally consistent within the PD and aesthetically appropriate for the setting and neighborhood. Landscaping shall be required along public roadways to soften presentation from the street.
- F. *Artificial light*: Artificial lighting shall be aesthetically designed and shielded to prevent light from casting off the property, to the greatest extent possible. Building surface reflectivity, on-site lighting and landscape screening shall be planned and executed such that the degree of light cast off the site shall not exceed one foot candle at the PD boundary. Exceptions may be made for decorative fixtures.
- G. *Traffic and access*: Maximum daily traffic volumes shall be estimated prior to development and the site design shall be developed to accommodate such volumes safely. In addition, the planning commission may require a traffic impact study and contingency provisions within the development to manage volumes that exceed such estimate. Access shall be provided to regional arterial roadway through on-site access or off-site cross access easements. Where possible, nonresidential development shall provide cross access easements to adjoining nonresidential development.
- H. *Stormwater runoff*: No off-site discharge of stormwater shall be permitted except to an approved drainage system.
- I. *Noise*: The applicant shall document measures proposed in the PD district to achieve full compliance with the City of Grand Haven Noise Ordinance.
- J. *Visual screening*: A visual barrier, preferably consisting of mixed evergreens and deciduous vegetation, shall be established to provide a permanent opaque screen of service areas, dumpsters and loading docks and a partial buffer to parking areas and similar less intrusive elements, from surrounding residentially zoned or used property. Where natural landscaping is not feasible, fences or walls may be substituted if they are designed to complement the proposed development and buildings and are generally compatible with surrounding uses.
- K. *Outdoor storage*: All outdoor storage, if permitted, shall be completely screened from view from all offsite points with natural landscaping. If natural landscaping is not feasible, fences or walls may be substituted, if designed to compliment and enhance

the proposed development and buildings and are generally compatible with surrounding uses.

- L. *Signage*: Exterior signage shall conform to the requirements of article VII and the signage plan submitted as a part of the preliminary development plan and shall include effective design approaches to screen signs within the PD from view from surrounding private property occupied by residential land uses.
- M. *Parking*: Off-street parking shall be provided in accord with the requirements of article VI of the zoning ordinance. In a mixed use development, the applicant shall propose shared parking arrangements to reduce pavement within the development. For such shared parking arrangement, the applicant shall provide for an enforceable mechanism to assure cooperation among future building owners and occupants to assure the viability of a shared parking arrangement. The minimum number of off-street parking spaces shall be determined by considering each proposed use and its likely peak hour parking demand. A maximum daily parking demand matrix will be used to determine the peak hour demand for all combined uses and the proposed PD shall provide for not less than the greatest peak hour requirement for the combined uses reflected in such matrix. The use of deferred parking areas (or reserved interim green areas) may be considered to calibrate the required parking standards with evolving conditions.

Sec. 40-421.06. - Standards for zoning approval.

Following the public hearing, the planning commission shall recommend to the city council either approval, denial, or approval with conditions of the PD rezoning request and preliminary development plan. In making its recommendation, the planning commission shall find that the proposed PD meets the intent of the PD district and the following standards:

- A. Granting of the planned development rezoning will result in a recognizable and substantial benefit to the ultimate users of the project and to the community where such benefit would otherwise be unfeasible or unlikely.
- B. The proposed type and density of use shall be compatible with the capacities of the public services and facilities it may affect, and shall not place a material burden upon the subject or surrounding land or property owners and occupants or the natural environment.
- C. The proposed development shall be compatible with the master plan of the city and shall be consistent with the intent and spirit of this article.
- D. The proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project in conformity with this ordinance. This provision shall not prohibit a transfer of ownership or control upon due notice to the zoning administrator.
- E. The proposed phasing plan is feasible and each of the proposed phases shall be capable of standing on its own and in conjunction with previously constructed phases in terms of the provision of all required services, facilities, open space and amenities to

insure the protection of natural resources and the health, safety and welfare of the users of the PD and surrounding residents.

Sec. 40-421.07. - City council approval.

A. *Manner of approval.* After receiving the recommendation of the planning commission, the city council shall consider an ordinance to approve the proposed PD and shall hold a public hearing in accordance with section 40-122, hearing notice requirements hereof and, following said hearing, either approve, deny, or approve with conditions the PD application and preliminary development plan in accordance with the requirements of the city Charter, section 40-121 amendments, and the standards for approval and conditions for a PD. No building permit shall be issued for any improvements in the PD until planning commission approval of the PD final development plan.

B. *Effect of approval.*

1. The planned development amendment including the preliminary development plan as approved, the incorporated narrative and all conditions imposed, if any, shall constitute the land use authorization for the property. Such authorization shall remain in effect for a period of one year from the date of approval by the city council, unless a longer period is granted by the city council. Uses not specifically identified in the preliminary development plan shall not be permitted. All improvements and uses shall be in conformity with this amendment, except as permitted by section 40-421.11. During the period of effectiveness of the preliminary development plan, the applicant shall be permitted to submit one (or more if the project is to be proposed in phases) site plan applications seeking final development plan approval pursuant to section 40-421.08.
2. In the event that an application for a final development plan is not submitted within the time limits set forth in the approved preliminary concept development plan and any extensions thereof that may be permitted and approved, the approval granted under this article shall expire, and the planning commission shall commence rezoning proceedings to an appropriate zoning district.
3. Prior to commencement of construction, the applicant shall record an affidavit with the Ottawa County Register of Deeds which shall contain the following:
 - a. Date of approval of the PD by the city council.
 - b. Legal description of the property.
 - c. A statement that the property shall be developed in accordance with the approved PD preliminary development plan and any conditions imposed by the city council or planning commission unless an amendment thereto is duly approved by the city.

Sec. 40-421.08. - Final development plan.

- A. *Submittal.* After receiving the PD rezoning and preliminary development plan approval from the city council, the applicant shall submit a final development plan for review and approval by the planning commission prior to starting any construction. The final development plan shall contain the same information required for the preliminary development plan, the information required for site plan review in section 40-115, a detailed plan indicating all signs proposed in accordance with the preliminary development plan, and any information specifically requested by the planning commission in its review of the preliminary development plan. Only signage located in detail on the signage specifications stated within the plan will be permitted.
- B. *Standards for PD final development plan approval.* Upon receipt of a complete application for final development plan for an approved PD, the planning commission shall review said application and either approve, deny, or approve with conditions the final development plan. In making its decision, the planning commission shall find that the proposed PD meets the intent of the PD district, that it is consistent with the preliminary development plan and that it meets the requirements of section 40-115 for site plan approval.
- C. *Conditions.*
1. In approving a PD final development plan, the planning commission may impose reasonable conditions. Conditions imposed shall ~~meet all of the following requirements:~~
 - a. Be designed to protect natural resources, the health, safety, and welfare, and the social and economic well being of those who will use the land use or activity under consideration, residents, and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
 - b. Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
 - c. Be necessary to meet the intent and purpose of the zoning ordinance and the preliminary development plan, be related to the standards established in the ordinance for the land use or activity under consideration, and be necessary to ensure compliance with those standards.
 2. The conditions imposed with respect to the approval of a PD final development plan shall be recorded in the record of the approval action and shall remain unchanged except upon the mutual consent of the planning commission and the landowner. The planning commission shall maintain a record of conditions which are unchanged. The final development plan, as approved, shall act as a restriction upon the development. The development must conform with the final development plan and no building permit shall be issued for any improvements that are not in compliance with said plan.

Sec. 40-421.09. - Performance guarantees.

The planning commission may require a performance bond or similar guarantee in order to ensure the completion of required improvements pursuant to section 40-117, fees, escrows and performance guarantees.

Sec. 40-421.10. - Commencement of construction.

Construction of a PD must be started within one year from the effective date of the grant of final development plan approval. This time limit may be extended upon application to the planning commission if it is demonstrated that substantial progress is being made in completing plans and securing financing. In the event that construction has not commenced within these time limits and any extensions thereof that may be permitted and approved, the approval granted under this article shall expire, and the planning commission shall commence rezoning proceedings to an appropriate zoning district in accordance with the policies of the City of Grand Haven Comprehensive Plan. For the purposes of this paragraph, completion of a phase shall be the date all structures intended for occupancy by homeowners, tenants, residents or businesses have been approved for occupancy.

Sec. 40-421.11. - Modification and amendments.

A. *Modification of a PD preliminary development plan.* Minor changes to a PD preliminary development plan may be approved by mutual agreement of the applicant and the planning commission, provided the changes comply with all applicable requirements of this zoning ordinance and all other city regulations or state law. In reaching a determination on whether a proposed change may be treated as a minor amendment, the planning commission shall make a final determination based on the facts presented by the applicant and shall be guided by the standards of this section 40-421.11. Minor changes include:

1. Adjustments to the total combined building area not to exceed the lesser of five thousand (5,000) square feet or five (5) percent of the gross floor area in any phase of development, provided that the cumulative effect of such changes shall not exceed the lesser of five thousand (5,000) square feet or five (5) percent of total gross floor area in the PD. Adjustments to building heights shall not be considered a minor amendment.
2. Adjustments to project phases to either accelerate or retard the development of previously approved project elements. Provided, however, the planning commission shall have the authority to evaluate such a proposed change in project phasing to determine whether the sequence of project elements proposed was a key element of approval of the preliminary development plan and rezoning. If, in the sole judgment of the planning commission, project phasing and the sequence of development elements are regarded as key elements of the preliminary development plan approval, a proposed change to project phasing shall not be regarded as a minor change under this section.

3. A change in the land uses proposed within the development resulting in an increase or decrease in any type of use; such as, but not limited to retail uses or residential uses; of not more than ten (10) percent of the floor area originally approved for that type of use. Provided, however, if in the sole judgment of the planning commission, the particular mix of land uses proposed and approved in the preliminary development plan is regarded as a key element of the preliminary development plan approval, a proposed change to the mix of land uses shall not be regarded as a minor change under this section.
 4. A change proposing the relocation of a building or structure such that not less than seventy (70) percent of building or structure footprint shall remain within the footprint as reflected in the preliminary development plan.
 5. The planning commission may not approve as a minor change any element of a preliminary development plan that the city council in its approval of the preliminary development plan identified as a key element in its approval and the planning commission may not modify any condition imposed by the city council when the city council approved the preliminary development plan.
- B. *Modification of a final development plan.* Minor changes to a PD final development plan may be approved by the planning commission, as follows.
1. The relocation of structures, the relocation and reconfiguration of roads, planting areas, parking areas, signs, lighting, and driveways provided that all such improvements remain in the same general location as approved by the planning commission and provided further that all such changes shall result in no significant additional impact on adjoining properties than would result from the original development.
 2. Minor adjustments among proposed land uses which, in the sole judgment of the planning commission, do not result in a fundamental change in the character of the development. Provided, however, that no use type originally approved shall be eliminated and no new use not originally approved shall be added as part of a minor amendment to a PD.
- C. *Amendment of an approved PD.* Except as provided in subsections 40-421.11.A. and B., all changes in an approved PD shall be considered major changes and shall be processed in accord with the original approval procedures for a PD. Nothing in this section 40-421.11 shall prevent the planning commission from treating any proposed change to a PD as a major amendment to be processed in accord with the original approval procedures, if in the sole judgment of the planning commission, a more complete review and approval process is needed to evaluate the proposed amendment.

Sec. 40-421.12. - Existing planned developments.

Planned developments that have been approved and developed under the provisions of section 40-421 prior to this amendment shall continue to be occupied and used in

accordance with the provisions in effect when they were approved. However, where the development has not yet occurred or phases have not been completed, such uncompleted portions or phases shall be developed only in accordance with the current provisions of section 40-421. Furthermore, any changes or modifications to such planned developments shall be approved in accordance with the requirements and procedures of the current provisions of section 40-421.

SEC. 40-422. - SA. SENSITIVE AREAS OVERLAY DISTRICT.

Sec. 40-422.01. - Intent.

The SA Sensitive Areas Overlay district is intended to protect, conserve and promote specific areas within the city on which there are elements of environmental significance that comprise some of the city's natural heritage and contribute to the character and identity of the city, and therefore are deserving of protection, preservation and conservation.

(Ord. No. 18-05, § 1, 5-7-18)

Sec. 40-422.02. - Application.

The SA Overlay district, as it appears on the city's official zoning map mylar and SA Overlay district maps, reflects the SA Sensitive Areas within the city as depicted on the city's adopted future land use strategic land use master plan map. The SA Overlay district as portrayed on the city's zoning map is an overlay district, which extends across other zoning districts described in this chapter. The criteria utilized to designate Sensitive Areas are as follows:

A. Floodplain.

Sensitive because:	It provides water recharge areas and natural water retention basins during periods of heavy precipitation, snowmelt and riverflow. Harmful pesticides and other chemicals can leach into waterways, and homes and property can be damaged during periods of heavy precipitation, snowmelt and riverflow
Defined by:	100-year and 500-year floodplain as defined by FEMA mapping on streams and International Great Lakes Datum (IGLD) elevation on Lake Michigan
	Boundary at which there is a 1% chance in any year of a 100-year flood occurring
	Boundary at which there is a 0.2% chance in any year of a 500-year flood occurring
Comments:	Development requires permit from EGLEMDEQ and sometimes USACE
	Often contains wetlands regulated under the Michigan Resources and Environmental Protection Act (Act No. 451 of the Public Acts of 1994, as amended), Part 303, Wetland Protection

B. *Wetlands/streams.*

Sensitive because:	It provides flood and storm control, wildlife habitat, pollution treatment, water recharge and storage areas, erosion control, water quality benefits
Defined by:	Criteria set by state/federal law: state definitions outlined in the Michigan Natural Resources and Environmental Protection Act. Part 303, Wetland Protection
	All wetlands subject to regulation by the City, including: A. Wetlands two (2) to five (5) acres in size, whether partially or entirely contained within the site of proposed alteration, which are not contiguous to any lake, stream, river or pond B. Wetlands smaller than two (2) acres in size which are not contiguous to any lake, stream, river or pond and are determined to be consistent with the intent of the Sensitive Areas Overlay District
	And criteria set by state/federal law: state definitions outlined in the Michigan Natural Resources and Environmental Protection Act. Part 301, Inland Lakes & Streams
	Delineated by site inspections, including investigation of plants, soils, and hydrology
	May include springs, seeps, rivers
	May exclude manmade ponds

C. *Dunes/Lake Michigan shoreline.*

Sensitive because:	Value includes rare ecosystem, part of the largest stretch of fresh-water dunes in the world; areas of high erosion; very specialized habitat for plants and animals, containing several state and federal-listed species; beaches for recreation
Defined by:	State and federal statutes (Shoreline) (Section 10 and part 325 of PA 451 of 1994 as amended) and Part 323 of 451 of 1994 as amended (High Risk Erosion Areas)
	Geomorphologic features and interrelated habitat zones (dunes); Shoreline that has been determined to annually erode by one foot or more for a minimum of fifteen (15) years

	Delineated by site inspections
	Existing urbanized areas may be excluded where density is high and/or habitat value is limited
Comments:	May contain areas designated by the State as Critical Dune Areas (CDAs) and subject to regulation under Part 353, Sand Dune Protection and Management, and Part 323, Shoreland Protection and Management
	May contain sensitive slopes

The city will apply criteria letters D—F for consideration only when occurring in conjunction with (within or immediately adjacent to) one or more of criteria letters A—C. The criteria, which do not stand-alone as Sensitive Areas are:

D. Vegetation/habitat.

Sensitive because:	Quality of life, aesthetic value, habitat value, provide buffer zone to other Sensitive Areas which are immediately adjacent and may contain species of concern
Defined by:	Sensitivity of area within or immediately adjacent to another Sensitive Area; areas in a natural vegetated condition; areas where impact could adversely affect the adjacent Sensitive Area
	Areas of sufficient size, connection, and/or diversity, to currently support wildlife communities
	May provide biodiversity in combination with an adjacent Sensitive Area
	Delineated by site inspections
Comments:	Likely to be a component of all floodplains, wetland/stream and dune classifications
	May also provide justification for excluding other areas from Sensitive Area designation
	Not labeled separately on mapping, but identified in documentation if present

E. *Species of concern.*

Sensitive because:	Some plant and animal species are identified as rare within the State of Michigan and are protected by State and /or federal laws
Defined by:	Known occurrences of species listed as endangered, threatened, or of special concern (source: State of Michigan database)
	Assessment of habitat; May include habitat suitable for state or federal listed endangered or threatened plant or animal species (may include areas where there are no documented occurrences)
	Direct observation of species not otherwise mapped or known to occur

F. *Slopes.*

Sensitive because:	In proximity to other Sensitive Areas, there is potential for impact to adjacent Sensitive Areas if slopes are disturbed because of potential for destabilization/erosion, altered drainage patterns
Defined by:	Delineated by site inspections, including consideration for degree of slope, soil type, vegetative cover, erodibility, buffering value and adjacent use or community

All other provisions of the ordinance notwithstanding, wherever the SA district extends over part or all of another zoning district, the standards of the SA district shall control.

(Ord. No. 18-05, § 1, 5-7-18)

Sec. 40-422.03. - Use provisions.

A. *Permitted uses.*

1. Public parks and public open-space areas.
2. Quasi-public reserves or open-space areas.
3. Non-motorized bicycle, hiking, horseback riding, exercising, or nature trails.
4. Shelter houses.
5. Management, enhancement, or stabilization protection structures.
6. Single-family dwelling construction projects in zoning districts that permit this use.

B. *Principal uses permitted to special conditions:* The following uses shall be permitted subject to special conditions in the SA Overlay District. All such uses shall be subject to review and approval by the planning commission as well as site plan review by the planning commission. Such uses shall be subject to the procedures and requirements of sections 40-422.04 and 40-115 site plan process. If a special land use and the standards for which conflict with section 40-422.04, section 40-422.04 shall apply. All such uses shall be reviewed under section 40-422.04 and shall not be permitted if they would unacceptably impact any Sensitive Area:

1. Any use permitted in the underlying zoning district, subject to all requirements in the underlying district and all requirements of this section.
2. Uses permitted subject to special conditions in the underlying zoning district, subject to any applicable requirements for such uses in such zoning district.
3. For any parcel for which the underlying zoning district is a PD Planned Development, any use permitted within the PD district subject to all requirements of the PD district.

(Ord. No. 15-10, § 1, 11-2-15; Ord. No. 18-05, § 1, 5-7-18)

Sec. 40-422.04. - Required conditions.

Application to develop land within the SA Overlay district for any use permitted in that district shall require compliance with the following conditions:

- A. No person shall undertake any activity such as grading, clearing, cutting and filling, excavating, or tree removal in preparation for a use subject to special conditions in the Sensitive Area Overlay unless approved by the planning commission and any other review agency such as the department of environmental quality.
- B. The construction, expansion of or change in a permitted use of land shall meet all building height, bulk, and setback requirements applicable to the use district in which it is located and where applicable to the use district in which it is located and, where applicable, shall meet the numerical off-street parking and off-street parking layout standards of this chapter.
- C. One single-family detached dwelling erected on a single lot of record shall comply with the building height and building setback requirements of the residential district in which the lot is located.
- D. No existing or new use of land permitted in the SA Overlay district shall be allowed unless it complies with the high-risk erosion area setback requirements of part 323 entitled "Shorelands Protection and Management" of the Natural Resources Environmental Protection Act, Act No. 451 of the Public Acts of Michigan of 1994, as amended, and the shoreline protection measure requirements stated in section 40-423.03 of the Beach Overlay district, if applicable.
- E. The disposal of sanitary sewage from any expanded use or new use of land within the SA Overlay district shall be by means of the city's public sanitary sewer system, or, if not available, shall be by approval of the Ottawa County Health Department.

- F. All land within the SA Overlay district affected during development, shall be stabilized during construction to minimize soil erosion conditions. Upon completion of development, said land shall be:
1. Restored so as to establish permanent drainage patterns with no greater adverse effect on adjacent properties;
 2. Replanted to prevent soil erosion; and
 3. Restored to the natural appearance and contours of the land to the extent possible, in compliance with part 91, entitled "Soil Erosion and Sedimentation Control" of the Natural Resources Environmental Protection Act, Act No 451, of the Public Acts of Michigan of 1994, as amended.
- G. All development and redevelopment located within 250 feet of a critical dune area which is designated on the Michigan Department of Natural Resources "Atlas of Critical Dune Area" dated February 1989 or any amendments thereto with the SA Overlay district shall comply with requirements of Part 353 entitled "Sand Dunes protection and Management" of the Natural Resources Environmental Protection Act, Act No. 451, of the Public Acts of Michigan of 1994, as amended.
- H. Any use of a wetland located within a SA Overlay district shall comply with the requirements of Part 303, entitled "Wetland Protection" of the Natural resources Environmental Protection Act, Act No. 451, of the Public Acts of Michigan of 194, as amended.
- I. Any use of an area designated as a floodplain by the Michigan Department of Natural Resources or the National Flood Insurance Program Flood Insurance Rate Map dated February 15, 1978, shall comply with requirements of Part 31, entitled "Water Resources Protection," Part 301 entitled "Inland Lakes and Streams," Part 303 entitled "Wetland Protection," Part 323 entitled "Shorelands Protection and Management," and Part 325 entitled "Great Lakes Submerged Lands" of the Natural Resources Environmental Protection act, Act No. 451 of the public Acts of Michigan of 1994, as amended.
- J. Reasonable efforts shall be made to protect and preserve natural and native vegetation within the SA Overlay district. Significant trees (six (6) inches and larger in diameter) measured at four (4) feet from grade shall be preserved, wherever possible. Reasonable pruning and trimming of existing vegetation is allowed. Vegetative cover that is removed outside of the building envelope shall be cut flush with the ground and the stumps and roots shall not be removed. Pruning of dead and native cover is permitted, however, the stumps and roots shall not be removed.
- K. Improvements located within the SA Overlay district, including parking lots, driveways, and storm water management structures, shall be designed to minimize negative impacts on sensitive natural features. Examples include use of pervious pavers, depressed parking lot islands, native plantings, and bioswales.

- L. For construction or expansion of any use subject to special conditions on any parcel in the SA Overlay district, a site plan shall be prepared and submitted for review and approval by the planning commission and, where applicable, the Michigan Department of Environment, Great Lakes & Energy Quality (MDEQEGLE). All site plans shall be prepared in accordance with Section 40-115 and with applicable standards of Part 323 entitled "Shorelands Protection and Management" and Part 353 entitled "Sand Dunes Protection and Management" of Natural Resources Environmental Protection Act, Act No. 451, of the Public Acts of Michigan of 1994, as amended.
- M. The proposed use, expansion or improvement will not unacceptably impact the Sensitive Area or surrounding property or uses. In determining such issues, staff (if subject to staff review) or the planning commission (if subject to planning commission review) shall, at a minimum and not by limitation, consider at least the following factors:
1. Traffic generation and traffic flows, including any hazardous conditions;
 2. Noise generation;
 3. The effects of vehicles and paved driveways on the premises including, without limitation, run-off, snow removal, noise, etc. resulting from the presence and use of vehicles and paved driveways as they relate to the Sensitive Area and the vegetation or animal life thereon;
 4. Lot coverage;
 5. Impacts upon wildlife and native plant species habitat;
 6. Landscaping;
 7. Compatibility with other uses and zoning in the vicinity;
 8. Compatibility with neighboring properties;
 9. The use of any herbicides, insecticides, other pesticides or hazardous substances on the site, including, without limitation, the effects of any run-off;
 10. Native vegetation removal
 11. Any mitigation of any effects upon the sensitive area;
 12. Long-term shoreline erosion estimates;
 13. Other factors deemed by the planning commission to be important in the protection of the Sensitive Area.
- N. For the purposes of this district, uses of land not specifically allowed in section 40-422.03 shall be prohibited in the SA Overlay district.

(Ord. No. 15-10, §§ 2, 3, 11-2-15; Ord. No. 18-05, § 1, 5-7-18)

Sec. 40-422.05. - Environmental survey.

If the planning commission, upon initial review of any application and site plan filed pursuant to this Article, deems it necessary and appropriate to its review of the application and site

plan, may require the applicant to conduct an environmental survey of the subject property which specifically identifies and delineates the locations and presence of sensitive areas, floodplains, wetlands/streams, dunes, Lake Michigan shorelines, slopes, species of concern, habitat for vegetation and wildlife, and other issues listed in section 40-422.02.

(Ord. No. 18-05, § 1, 5-7-18)

Sec. 40-422.06. - Reconsideration and designation as Sensitive Area.

The owner of any parcel of property part or all of which is designated as lying within the SA Overlay district and containing a Sensitive Area or any person of interest with the owner's written consent, may apply to the planning commission for reconsideration of that designation or redefining of the areas on the property designated as a Sensitive Area. Such an application shall be supported by an environmental survey meeting the requirements in section 40-422.05, in the case of wetland areas previously mitigated under an approved ~~MDEQ-EGLE~~ wetland mitigation permit, prior to the adoption of this ordinance, shall suffice for reconsideration of designation as Sensitive Area. If the planning commission, after a public hearing noticed and held in the same manner as is required for any re-zoning and after reviewing and considering the information submitted by the applicant, together with any other information the planning commission deems relevant, determines that the Sensitive Area designation should be modified (which modification could include the elimination of the property from the SA Overlay district, the decrease of the portion designated as Sensitive Area or the increase of the portion designated as Sensitive Area), the planning commission shall recommend such a change to the city council in the same manner as for any other rezoning request.

(Ord. No. 18-05, § 1, 5-7-18)

SEC. 40-423. - BEACH OVERLAY DISTRICT.

Sec. 40-423.01. - Intent.

The Beach Overlay district (B-OD) is an overlay district intended to prevent damage to private property along the shore of Lake Michigan, to prevent damage to public trust shorelands, and to preserve the character of those public trust shorelands, which constitute a valuable public resource and an important part of the identity of the community.

The city finds that during periods of low Lake Michigan water levels, sand accretion in this district tends to significantly enlarge the beach and to enlarge affected parcels in this district. This additional land area can be seen by property owners as permanent and attractive for development. The character of the shorelands along this portion of the Lake Michigan shoreline, as well as viewsheds along the shoreline from public parks in this district can be compromised by development in immediate proximity to the water's edge.

The city further finds that the beach and property area near the shoreline is subject to submergence and erosion during periods of higher Lake Michigan water levels and resulting from severe weather conditions. It has been demonstrated that current state and federal development standards for the Lake Michigan shoreline, such as those imposed based on the ordinary high water mark (OHWM) and the base flood elevation, do not ensure that property shoreward of those locations is protected from erosion, inundation, or damage during such periods of time and/or weather events. The OHWM is not intended to reflect these periods of peril, and the base flood elevation is the still-water elevation that does not take into account the effect of wave action. The city further understands that revised federal floodplain regulations are being developed to take into account additional environmental factors such as waves and to provide an improved standard of floodplain development protection, but implementation of these regulations will not likely occur for several years.

When erosion threatens a structure legally built near the shoreline, owners may wish to construct a seawall or implement similar shore protection measures. Such actions may pose an increased threat of erosion and damage to adjacent private properties and to public trust shorelands more broadly, and may significantly diminish the character of those public trust shorelands.

Given the physical, environmental and developmental characteristics of the B-OD, including generally large lots that need not be developed near the water's edge to be economically viable, and given that the area generally benefits from accretion, the city believes that construction of seawalls and similar structures in this area can be detrimental to the public health, safety, and welfare. This finding is supported by the 2017 City of Grand Haven, Building Coastal Resiliency Report developed by the University of Michigan, a copy of which is on file with the city.

The city believes the most appropriate, effective, and reasonable method to further the public interests of protecting natural resources, preserving the economic and environmental well-being of the community, protecting the health, safety and general welfare of the community, and promoting the general preservation or enhancement of property values along Lake Michigan is to restrict the construction of structures so near the water's edge as to: (1) be

susceptible to damage resulting from inundation or erosion; or (2) create an increased threat of erosion or damage on adjacent properties; (3) be detrimental to the spirit and character of the public trust property; (4) be detrimental to vistas from neighboring public parks; or (5) be potentially built in a location that will render the structure non-conforming under the future federal floodplain protection regulations currently under development.

These regulations are intended to prevent the construction of structures and implementation of other measures that would have deleterious effects on neighboring private properties and on public trust shorelands more broadly, to preserve the character of public trust shorelands along the Lake Michigan shoreline, and to protect vistas from neighboring public parks.

These regulations are supported by the master plan.

(Ord. No. 18-06, § 1, 5-5-18)

Sec. 40-423.02. - Description of district.

The B-OD, as it appears on the city's official zoning map mylar and Beach Overlay district map, is an overlay district covering certain land along Lake Michigan. It specifically includes all lands situated lakeward of a line sequentially connecting the following points as well as the distance and bearing of each line segment, described by Michigan State Plan Grid Coordinates, South Zone, Grid NAD 83 international feet. This line, which does not track existing lot lines, is defined by the sum of two (2) measurements: (1) the line commonly referred to as the elevation contour, which represents the 50-year flood elevation (583.7 feet) in 1992, as established by the State of Michigan for the purpose of identifying shorelands at risk of inundation and high-energy waves during a relatively high-probability storm event, plus the sixty-year projected recession distance (one hundred fifteen (115) feet), as established by the State of Michigan for high risk erosion areas.

Point	Northing	Easting
A	579225.99	12619765.36
B	579049.41	12619790.83
C	578679.58	12619871.22
D	578267.11	12619936.88
E	577896.31	12619976.95
F	577229.62	12620047.64
G	576590.75	12620053.34
H	575792.14	12620032.51

I	575154.57	12619982.43
J	574544.89	12619889.28
K	573875.48	12619803.34
L	573646.32	12619886.67
M	573279.97	12620122.56
N	572952.10	12620173.23
O	572598.74	12620366.71
P	572477.53	12620498.89
Q	572044.16	12620786.27
R	571757.22	12620899.96
S	571458.53	12621094.06
T	571148.42	12621217.45
U	570975.79	12621308.75
V	570520.99	12621478.05
W	570250.16	12621594.71
X	570103.87	12621688.10
Y	569454.72	12621850.64
Z	569175.38	12621936.64
AA	568586.22	12622095.66
BB	568381.03	12622131.70
Line	Distance	Bearing

AB	178.41'	N 8.2088° E
BC	378.47'	S 12.2634° E
CD	417.66'	S 9.0453° E
DE	372.96'	S 6.1675° E
EF	670.43'	S 6.0521° E
FG	638.89'	S 0.5115° E
GH	798.88'	S 1.4943° W
HI	639.54'	S 4.4905° W
IJ	616.76'	S 8.6874° W
JK	674.90'	S 7.3155° W
KL	243.85'	S 19.9831° E
MN	331.8'	S 8.7838° E
NO	402.9'	S 28.7032° E
OP	179.3'	S 47.4775° E
PQ	520.0'	S 33.5503° E
QR	308.6'	S 21.6131° E
RS	356.2'	S 33.0176° E
ST	333.8'	S 21.6971° E
TU	195.3'	S 27.8748° E
UV	485.3'	S 20.4175° E
VW	294.9'	S 23.3031° E

WX	175.6'	S 32.5573° E
XY	669.2'	S 14.0563° E
YZ	292.3'	S 17.1123° E
ZAA	610.3'	S 15.1050° E
AABB	208.3'	S 9.9619° E

The city shall review the location of the line commonly referred to as the elevation contour every ten (10) years or if the fifty-year flood elevation is updated by the State of Michigan for the purpose of identifying shorelands at risk of inundation and high-energy waves during a relatively high-probability storm event, and determine if it should be adjusted.

(Ord. No. 18-06, § 1, 5-5-18)

Sec. 40-423.03. - Shoreline protection measures.

For the reasons set forth in section 40-423.01, the installation, construction and operation of shoreline protection measures, including but not limited to breakwater, groins, riprap, revetment, bulkhead, seawall, and sandbags, within the B-OD shall be subject to the following:

- A. No shoreline protection measure shall be installed or constructed in the B-OD, except for temporary fencing not more than four (4) feet in height and with openly spaced slats or weaves, placed seasonally between October 1 and May 1 to influence the accumulation of sand and/or snow that does not prevent public passage across the public trust property.
- B. In the event the provisions of this section effectively prevent the development or use of a lot existing on the effective date of this amendment for all purposes permitted in the underlying zoning district, or create an unnecessary hardship for the use of such a lot, the property owner may seek a variance.
- C. If any lot within or partially within the B-OD is divided or the subject of a boundary adjustment after the effective date of this amendment such that any resulting parcel is nonbuildable due to the regulations of this section, except for a boundary adjustment that has the effect of lessening a nonconformity with respect to this section, it will be deemed a voluntary action of the property owner and will disqualify the resulting nonbuildable parcel from receiving a variance.
- D. In the event the provisions of the B-OD render nonconforming a structure which is existing or under construction pursuant to a valid building permit on the effective date of this amendment, completion of the permitted project shall not be deemed a voluntary action of the property owner that would disqualify the parcel from receiving a variance if on lands within and adjacent to the B-OD.

E. To the extent of any conflict between the regulatory provisions contained in this section and other provisions of the zoning ordinance, the restrictions contained in this section shall control with respect to all lots that include land within the B-OD.

(Ord. No. 18-06, § 1, 5-5-18)