

**South Haven Charter Township
09761 Blue Star Hwy, South Haven
Planning Commission**

**SPECIAL workshop
February 5, 2025
5:00PM**

Call to Order

Role Call

Public Comments on Non-Agenda Items

Workshop

- a. Brad Kotrba, Williams and Works, go over Zoning Ordinance Audit, to start Zoning Ordinance update
- b. Anything that may come before the commission

Public Comment / Commissioner Comments

Adjournment

MEMORANDUM

To: South Haven Charter Township Planning Commission
Date: November 18, 2024
From: Bradley S. Kotrba, AICP
RE: **Zoning Ordinance Audit**

We have completed our initial review of South Haven Charter Township's Zoning Ordinance. This memorandum summarizes parts of the Zoning Ordinance that may need reconsideration to help ensure that effective land use and development standards are in place to regulate the built environment. This report is intended to serve as a brief evaluation of the current zoning language. It highlights critical policy issues and other elements that may be revised to establish a more comprehensive, modern, and user-friendly document. While this report may be viewed as an initial critique of the Ordinance, it will allow the Planning Commission to consider how comprehensive they would like the update to be.

The existing Zoning Ordinance was adopted in 1990 and has been amended several times over the last 34 years. This is common; many communities adopt several amendments to their Zoning Ordinances each year to address changing circumstances, emerging land use issues, and unforeseen challenges that require attention. However, Zoning Ordinances that have not undergone a significant rewrite or restatement for such a long time should also undergo a periodic comprehensive evaluation and update to ensure that all parts of the ordinance are working together correctly and to address more significant policy issues that cannot be adequately addressed with a more straightforward amendment.

In summary, this analysis confirms the perspective of many Township officials familiar with the ordinance. The ordinance's overall length, structure, and format make it cumbersome and intimidating, and several piecemeal amendments and attempted refinements over the years have made the document internally inconsistent and confusing, at best. Some internal conflicts within the ordinance could subject decisions based on the document to legal challenges that could be difficult to defend. A significant ordinance amendment and reorganization is recommended to make the ordinance user-friendly and enhance its clarity and functionality.

Formatting and Style.

The South Haven Township Zoning Ordinance is 219 pages long; however, this isn't unusually long. For example, the City of South Haven ordinance is nearly 300 pages. The Township Ordinance contains thirty-one articles and the zoning map. The Zoning Ordinance may be confusing or challenging to navigate for those who are not very familiar with its layout and cross-referencing notations. An update could be achieved in several ways, such as by consolidating

articles, removing duplicate provisions, and adding easily interpreted graphics and tables. For example, the Zoning Ordinance currently contains thirteen zoning districts, two overlays, and PUD options for all districts. After further review, it is possible that some of these districts could be eliminated or combined into another district, resulting in a shorter ordinance and a more straightforward zoning map.

The overall structure of the ordinance is typical for a Michigan zoning ordinance. However, some reorganization is suggested. Article 3 (General Provisions) could be combined with Article 18 (Supplemental Regulations) and Article 19 (Environmental Conservation Provisions). Additionally, Article 23 (Administration) deals with the administration and enforcement of the ordinance, which is also contained in Article 3, creating an opportunity to be retitled "Administration and Enforcement." Articles 20 (Parking) and 21 (Signs) and Section 18.24 (Exterior Lighting), as well as several landscaping provisions, could also be combined and organized into one article titled "Development Standards" or something similar.

The outline structure of the document is very workable, with each section and page number based on the article's number. However, the outline contains long paragraphs, which makes the document look complicated and intimidating. Design can address this, including using varied font sizes and colors for the article, section, and subsection titles, consistent line spacing, and liberal use of high-quality graphics and tables.

Article One – Title, Purpose, Enabling Authority, and Conditions of Enactment

The language of this Article is generally acceptable. However, the recital of the eleven purposes of the zoning ordinance could be broken into a numbered list instead of one long paragraph. In Sections 1.02 and 1.03, the statutory reference should be updated to refer to the Michigan Zoning Enabling Act (Act 110 of 2006, as amended).

Article Two – Definitions

The key terms of the ordinance must be defined, and in many ordinances, definitions are assigned their own separate article. Definitions must be provided for any term that may be subject to interpretation to assure that both reader and regulator have a clear, shared understanding. Further, several instances exist where one term is defined, but a different but similar term is used in the ordinance. For example, Section 7.03 permits as a special land use "Churches, religious institutions, private schools, libraries, museums, and community halls," but there is no definition for "religious institution, private school, museum, library, or community hall" in the ordinance. Instead, the definitions often switch between the term "church" or "religious institution." Instead of using similar but inconsistent language, the zoning ordinance should contain one definition for each land use, and that term should be used throughout the ordinance.

As a general note, it is important that zoning definitions be limited to merely defining what a term means and that additional regulatory language or limitations be removed. Most South Haven Charter Township Zoning Ordinance definitions do this, but a few terms stray from this

approach. Where such regulations are needed to set forth the scope of the regulations, they should be included in general provisions or other applicable section(s) of the zoning ordinance.

Observations on some particular terms are found below:

1. The term “benefit, recognizable and substantial” probably does not need to be included in the zoning ordinance.
2. The term “conflict of interest” should probably not be included in the zoning ordinance.
3. The dwelling definitions for group daycares, group foster homes, etc., should be consistent with state statute definitions.
4. The definition of “family” is inconsistent with case law, which prohibits communities from specifying a limitation on the number of unrelated residents. This should be revised.
5. Improved graphics should make understanding the definitions of lot types, building heights, lot lines, and other dimensional concepts easier.
6. All land uses permitted by right or as special land uses must be defined, but many land uses permitted in one or more zoning districts are not well defined or not defined at all.

Article Three – General Provisions

This article lists all the individual zoning districts, the reasoning for the zoning map, amendments to the zoning map (rezonings), and the authority of the zoning map, in addition to applying and interpreting the districts on the map and many similar regulatory sections. The Township’s general provisions describe the authority of the zoning map, interpretation, amendments, zoning permits, and conforming with the applicable laws and regulations of the local, state, and federal government. “General Provisions” should be provisional ordinance items that apply to a “general” review of any zoning application or review feature (i.e., walls & fences, lot width, lot coverage, etc.); these are found in a “supplemental” article of this ordinance. They are general items that apply to everything, not necessarily why it is being regulated or how to change it. This chapter could be combined and retitled the ordinance’s purpose.

Article Four – RD Resource Development District

This article sets forth the Township’s conservation district’s land use and dimensional requirements. Conservation districts often preserve large tracts of prime farmland or sensitive environments such as forestlands, wetlands, or waterways. This district contains permitted and special land uses, and our comments follow:

- The permitted uses are generally satisfactory, but the ordinance should be consistent with the Michigan Right to Farm Act.
- Sports facilities should be further defined. Large outdoor sports complexes are becoming more common, and if this is a conservation district established to protect sensitive environments, building large indoor/outdoor sports facilities may not be appropriate for this particular district.

- This also goes with temporary, transient amusement entertainment. This could be permitted only under a temporary permit issued by the Zoning Administrator or Township Board. If the use is temporary and not permanent, the necessity of making it a permitted permanent use isn't needed.

Article Five – AR Agricultural – Residential District

This article sets forth the land use and dimensional standards for agricultural and very low-density residential purposes. Regarding these land uses, we have the following comments:

- Several permitted uses (general farming, animal husbandry, apiaries, hatcheries, orchards, nurseries, etc.) could be simplified into a general statement such as “commercial farming, as defined under the Michigan Right to Farm Act, practicing under the Generally Accepted Agricultural and Management Practices (GAAMPS).”
- Further definition of residential care facilities, as defined by the State of Michigan, will have to be made.
- Public schools do not need to be listed on a land use list and do not fall under the authority of local zoning. Any reference to public schools falls under the authority of the Michigan Department of Education's Superintendent of Schools, which has all regulatory authority of any public education institution anywhere in the State. This is not true for parochial or private schools, which do not fall under the State of Michigan public schools legislation.
- Agribusiness should be defined to avoid confusing it with the agricultural uses permitted by rights.
- The definition of licensed care facilities must be expanded to stay consistent with state law.
- Churches, libraries, public halls, etc., are poorly defined and should be classified under a comprehensive term such as “places of public assembly.” Because of First Amendment Rights, the ordinance should maintain the secular vs. nonsecular land uses in generic terms that don't specify one particular religion or religious practice (i.e., churches (Christianity), synagogues (Judaism), Mosques (Islam), etc.). This maintains governmental neutrality and perception of authority in regulation.
- Man-made ponds for agricultural uses don't need to be listed because they may be a component of GAAMPS as defined by MDARD.
- Dimensional standards appear appropriate for the district; the minimum residential floor area is exceptional.

Article Six – Medium-Density Residential

Article six provides a home for single-family detached housing and duplex (attached single-family, 2-unit) housing. It is principally designed for smaller lots with present public utilities available or in locations where public utilities are within easy connection due to the present water and sewer networks. We have the following comments about this article:

- You could combine accessory uses and accessory buildings into a single bullet point.
- Public schools in this article can be deleted.
- Swimming pools should always be considered an accessory use to any residence, not a principal land use, under the regulation of the swimming pool ordinance. The only time you would consider a swimming pool as an individual land use is if it exists as the only principal use on the lot (i.e., a public swimming pool).
- The Wind Energy Conversion System (WECS) must be updated in compliance with State law; we can discuss the purposes and types of ordinance amendments that the Township could follow. If this is a purely residential district and/or transition to a strictly residential district of medium density (higher than low density, suburban-style), private WECS could be permitted as an accessory land use, developed as such, separate from utility systems.
- Lot area minimums and setbacks should be made to increase density if this is to be a proper medium-density residential district. So, the dimensional standards should be reviewed in detail for all potential residential scenarios in the near future.

Article 7 – Low Density Residential

This district acts as a single-family and two-family (duplex) residential district at a lesser density than the medium-density residential district reviewed in Article 6. I don't like how this chapter is organized after the medium-density residential district. It should be formatted to logically flow from low-density to medium-density and then to high-density residential districts. Our comments about this chapter follow:

- Similar to Article 6, accessory uses, and buildings should be combined into one bullet point.
- County government buildings are identified here; it may be appropriate to classify government buildings as such rather than specifically county buildings. This allows more flexibility, and if permitted in the low-density residential district, we may want to license government buildings into all or more similar districts.
- There are similar comments regarding public schools and private swimming pools, just like in article six.
- As mentioned in other articles, churches, religious institutions, etc., should just be classified as places of public assembly.
- Low-density residential, while less dense, may not be the best location for renewable energy (wind and solar) for utility purposes. These should be placed in locations where open acreage is available and will have as little direct impact on residents as possible. Battery energy storage could be a renewable use allowable in low-density residential areas with little direct impact on residents, but this will be discussed.

- Dimensional standards could be made to increase density a bit to allow a bit more density while not encroaching into the levels of medium-density residential.

Article 8 – High-Density Residential

The high-density residential district has been created to increase residential density by limiting the minimum lot areas permissible to 10,000 square feet for public utilities and 1 acre for drinking wells and sanitary septic. While the one-acre minimum for non-public utility lots appears to be significant for a high-density residential district, the one-acre minimum is because of typical county health department standards (need to verify for Van Buren County) for the minimum amount of land required to permit a residential well and septic field because of the needed separation distances between both and the house. Our comments for Article 8 follow:

- The Township may wish to consider more housing formats for higher density in some regions of the district (i.e., near the City limits with high residential or commercial corridors). This may allow more than just one or two-unit single-family dwellings, and options for up to four attached units may be appropriate in specific locations.
- Similarly, accessory buildings and uses may be combined into one bullet point.
- Remove public schools and buildings.
- Remove private residential swimming pools as a permitted principal use; it should be an accessory use.
- Define micro-housing developments to get a clear understanding of the terminology.
- Parks and Playgrounds (public) and government buildings could be classified as governmental uses.
- Natural resources and mining should probably be located only in agricultural or low-density areas, not high-density residential districts.
- Dimensional standards appear appropriate, but this can be discussed further.

Article 8A – Public Utility Residential Overlay

This district appears to have been created to encourage dense development for single-family residential in areas that currently contain public utilities. This seems logical. However, it also seems to add a little more confusion to the zoning ordinance because it overlaps the other residential districts that permit homes in areas where utilities are available and areas that may not have utilities available in some instances. This can be discussed further.

Article 9 – Multiple Family Residential

The multiple-family residential district is for more intensive residential uses such as apartments and other attached single-family homes. The minimum one-half-acre lot area is appropriate for

small multifamily developments that contain only a few units. However, more significant developments are likely to be placed here over time. Our comments follow:

- Previously discussed items such as public buildings, playgrounds, and parks combined into public facilities or public uses.
- Planned Unit Developments are not land uses per se; they are a method of development that theoretically can be placed anywhere in residential, commercial, industrial, or mixed uses. It is more appropriate to have the minimum standards for developing a PUD outlined in the PUD chapter. This will be explained further with the redevelopment of the PUD chapter.
- Public schools can be removed.
- Manufactured Housing, if included in this Chapter, cannot be a “Special Land Use,” as determined by Michigan case law. This land use must be permitted by right in at least one district or a district created outright.
- The dimensional standards appear appropriate but are very detailed and may be simplified to make it easier to digest.

Article 9A – Residential – Commercial Overlay

The residential-commercial overlay identifies specific locations where residential homes and commercial businesses are mixed in amongst each other along the major commercial corridors in the Township, such as Blue Star Highway, Phoenix Road, M-140, etc. This chapter could be simplified by combining or creating a business district that permits residential homes or allows existing homes but no new residential development in the future as the district transitions into more business. The special use terms may be included in the special use chapter as specific conditions for certain uses.

Article 10 – Neighborhood Commercial

This district is the lease-intensive business district in the township, primarily providing retail and personal services near residential districts. Our comments follow:

- Some of these identified land uses that don't have a specific definition can be combined into a more generalized term (i.e., sporting goods stores, clothing stores, music stores, etc., can be classified as general retail), which allows for accepting land uses that would generally fit the purpose of the district, but would have to be amended and updated before an applicant could apply if the specific land use weren't listed.
- Remove religious institutions.
- Provide better definitions or re-categorization of many of these land uses.
- Location and Site Development requirements can be added to a combined “Site Development Standards” and/or “general provisions” chapter.

Article 11 – Community Service Commercial

This is a more dense commercial or business district focusing on larger-scale retail and service for a regional area.

- Generalizing the land uses will simplify the need for defining every individual land use permitted, only because it is almost impossible to list every potential land use that may fit the purpose of the district but may unintentionally not be included and, therefore, have to be amended in the future.
- We recommend removing utility-scale wind and solar facilities out of this district.
- Location and development requirements can be moved to a consolidated site development standards chapter and/or general provisions.

Article 12 – High Service Commercial

The highway service commercial district is designed to service areas easily accessible from interstate and state highway roads. Due to the possibility of higher traffic speeds and congestion, these areas are to be designed to flow easily and consistently.

- Similar to the previous chapters, many uses could be consolidated.
- Are parking garages a real possibility? Especially in a township outside of a downtown area?
- Temporary, transient amusement enterprises are labeled as a special use. If the use is temporary, it shouldn't be identified as permanent land use permitted by right or special land use.
- We have similar comments regarding site development standards, such as the creation of a site development chapter and/or general provisions chapter.

Article 13 – Heavy Commercial

Heavy Commercial is a district that provides services or products not directly to the general public but through a wholesale or bulk purchase format. Our comments are below:

- Many of these types of uses are typically categorized into the light industrial categories of other jurisdictions. This can be addressed easily in a light industrial district.
- Breweries could be categorized into a different commercial district unless the township anticipates a large brewing facility that produces on the amount that warehousing, bottling, and packaging facilities will be combined in the volume to meet the definition of a macro brewery by the MLCC. Or labeled that way to keep it in this category.
- Junkyards and scrap facilities are most certainly industrial and not commercial and should be classified as such.

- Similarly, a consolidated site development chapter can outline site development requirements.

Article 14 – Industrial

This chapter was created to zoning all industrial and heavy industrial uses. As mentioned, many, if not all, of the uses in the heavy commercial district could be combined into the industrial district or developed into a light industrial district. This district should be kept away from any residential district or buffered heavily if near a residential district.

- Public service and utility facilities are identified here. However, placing these into all districts may be appropriate, some permitted by right, others by special use, and identified as essential services. This is because the placement of substations, gas line valves, etc., is often not determined by the zoning district but by the necessity of the utility line's location itself.
- Most land uses are appropriate for industrial zoning, but some are far more intense than others (i.e., metal plating and finishing or plastics molding versus mini storage).
- Breweries, distilleries, and wineries are also something that may not be appropriate in industrial zoning unless it is on such a large production scale that it necessitates several industrial processes and uses. On that note, wineries, as witnessed all over Southwest and the Grand Traverse area, are typically located in rural farming locations because that is the vineyard's location. A purely commercial site should be commercial in nature, but most, if not all, tasting rooms are typically located in agricultural settings. This is something to discuss further.
- Junkyards are permitted for special use in industrial and heavy commercial districts. We advise keeping these intensive and often unsightly uses to industrial districts only and away from commercial uses.
- Many of the accessory uses permitted are confusing. For example, if an industrial district, how would you have an accessory banking use or medical facility? If a machine shop has a nursing station or medical attention room inside the facility, it should be considered part of the use and not a standalone accessory use. This means a machine shop could also install a separate hospital or urgent care facility on the same property, but only for workers. We can discuss this further.
- Additionally, caretaker homes or residences are not common these days. In the past, an industrial site or warehousing facility would contain an apartment for a security guard or caretaker. Now, these facilities have video surveillance and not 24-hour on-site dwellings.
- Site development standards would better be organized into a site development chapter.

Article 14A – Airport Overlay

This chapter was designed to accommodate the South Haven airport and allow for the appropriate MDOT and FAA zoning standards to be applied. We do not foresee any changes to this chapter.

Article 14B – Shoreline Protection Overlay

This chapter was developed to protect the sensitive environments and high-risk erosion or bluffs along Lake Michigan as defined by EGLE and the Michigan Environmental Protection Act of 1994. The State of Michigan regulates this, and the chapter must be consistent with the state law. It may, however, be more restrictive than the minimums required by the State as long as it is factually backed up with supporting data. We will review this Chapter for consistency and accuracy with the new Master Plan.

Article 14C – Marihuana Business Overlay

This chapter was created to restrict the types and locations of marijuana business establishments in the Township. Because the Zoning Ordinance has several overlay districts, we will structure them into a single overlay district chapter with subsections for each overlay. This organizes them neatly at the tail end of the district chapters.

Article 15 – Special Land Uses

Special land uses are not entirely incompatible with the surrounding areas but could potentially have adverse effects on the neighborhood if they are not reviewed explicitly for compatibility and impacts through regulations.

- Sections 15.01 – 15.03 set the purpose and reasoning behind the special land use; this could be combined into a single section.
- Section 15.04 is the submittal requirements. This section is rather slim, covering everything that is needed and laying it out easily for developers and applications to understand. It would directly reference the submittal requirements in the site plan review chapter and also serve as a cross-reference because, ultimately, special land uses need to be reviewed as a site plan unless it is a development that will be phased or not take place for a year or two. A provision can be written to describe this situation.
- Section 15.05 cross-references the need for a public hearing and the Michigan Zoning Enabling Act and should also reference the Michigan Open Meetings Act.
- Section 15.06 sets the special land use standards for approval. These appear to be reasonable and similar to other ordinances.
- Section 15.07 describes the need for site plan review; this can be combined into the submittal section as a cross-reference. The reasoning for a one-year re-application can be summarized in the administrative chapter.
- Sections 15.08 – 15.34 are all specific review procedures and approval standards for certain special land uses.

- Section 15.08 could be removed entirely and defer authority to the Michigan Manufactured Housing Commission regulations and the Mobile Home Commission Act of 1987. None of the standards outlined here are permitted to be regulated by the Township.
- Section 15.10 can be deleted because it is covered in the nonconformities chapter.
- Section 15.11—Temporary Transient Amusement Enterprises: If they are temporary, they shouldn't be reviewed as a special land use. It may be more appropriate to permit amusement enterprises temporarily with regulatory provisions in a chapter on general provisions.
- Section 15.13 – a local government cannot regulate Sanitary Landfills in accordance with the Michigan Environmental Protection Act of 1994. This must be deleted.
- Section 15.14 must be updated to comply with the Michigan Zoning Enabling Act of 2006. Which defines what can and cannot be regulated. This Section will need an overhaul.
- Section 15.18 must meet the campground regulatory requirements as defined and licensed by the Michigan Department of Natural Resources.
- Section 15.19 should be relabeled as places of public assembly.
- Section 15.22 should be considered private parks and recreation areas, but public ones can be exempted from zoning regulations. However, this must be clearly stated in the document.
- Section 15.24 should be discussed, allowing, in certain districts, as a permitted land use by right, and therefore, these may be more appropriate in a general provision chapter.
- Section 15.26 must be rewritten to conform with the new state legislation for wind energy systems.
- Section 15. 28 must also be rewritten to conform with the new state legislation for solar energy farms. We will also have to add a section for battery energy storage systems.
- Section 15.33 must be written to comply with the Michigan Zoning Enabling Act for Communication Towers and Systems.

Article 16 – Planned Unit Developments

A PUD is a tool to permit development via deviations from the regular zoning that would otherwise be difficult or impossible to develop without creating a PUD. The PUD chapter is extraordinarily complicated and complex to follow. This chapter will need to be rewritten for clarity and ease of use. A PUD is a tool, not a use. In this chapter, it is appropriate to identify certain districts and site requirements. However, the most common way today to handle a PUD is to re-zone a PUD as a quasi-district developed to be site-specific for that particular development. Then, it will be recorded into the overall zoning ordinance with all the

requirements, development standards created, etc., as well as the adopted ordinance that legally creates this district. A PUD will then be recorded at the County Register of Deeds. We will discuss the PUD chapter in more detail when we meet.

Article 16A – Site Condominiums or Condominium Subdivisions

I'm not too fond of the way this is titled. Condominiums are a form of property ownership, and the only reason that the zoning ordinance is concerned with condominiums in this particular sense is that a "site condominium" looks and operates similarly to a typical platted or "subdivided" lot. A traditional condominium is where real property is enclosed within a particular unit (i.e., inside the home, apartment, or boat slip). However, a "site condo" is where the boundaries of the condominium "unit" are the entire "lot" that the house sits on. So, a housing development is laid out similarly to a platted subdivision, except the lots are condominium "units." Therefore, all the open space or yard lies around the house, but within that person's unit, it is called a limited common element, to be used exclusively by that homeowner. Suppose the unit was just the home itself. In theory, any homeowner in the condominium housing development could use a neighbor's backyard or front yard because it is available for everyone as a "general common element." Site condominiums restrict the lot space as the entire unit. Therefore, the general common elements owned and enjoyed by all residents are the roads, common play areas, swimming pool, etc.

This chapter should comply with the Michigan Condominium Act of 1978. The state act outlines all the development standards and review procedures that the Township should follow.

Note* The Private Road Ordinance should be moved into the zoning ordinance here to support the site condominium development chapter because many of the roads in these site condominium developments are private roads maintained by the condominium homeowners association.

Article 17 – Nonconforming Land, Buildings, Uses

This chapter is fine the way it is. Some portions could be consolidated or rewritten to make them easier to understand. What is important is to clarify when rights are vested in property when there is or has been a nonconformity. Case law has explained when and how vested rights are held in real property.

Article 18 – Supplemental Regulations

This chapter contains all the general review provisions and is often called the general provisions chapter. It may be better labeled as such and reorganized to make it easy for both the administrator and the applicant to understand. These provisions and several more could be expanded upon or streamlined in some cases.

Article 19 – Environmental Conservation Provisions

This chapter focuses on the procedures and provisions for reviewing environmentally sensitive areas such as wetlands, ponds, rivers, streams, lakes, floodplains, etc. The Michigan Natural Resources Protection Act of 1994 covers many of these provisions and should reflect state law. These provisions can also be located in the proposed site development standards chapter.

Article 20 – Off-Street Parking and Loading

This chapter defines the standards for off-street parking and the number of spaces required for specific uses. This chapter will be combined into the proposed site development standards. The number of spaces should be reviewed per land use to see if adjustments need to be made.

Article 21 – Signs

The sign chapter is proposed to be rewritten. Many of the existing standards will remain. However, the chapter needs to comply with the 2015 US Supreme Court Gilbert case. This chapter will include extensive additions of figures for sign definitions and applications.

Article 22 – Site Plan Review

This chapter highlights the submittal standards, uses required for site plan review, procedures, and approval standards. Since the two work hand-in-hand, this chapter would be organized more efficiently if it were located next to the special land uses and site development standards chapters.

Article 23 – Administration and Enforcement

This chapter provides the procedures and guidelines for administering and enforcing the zoning ordinances. Most of it will remain as written, but some minor adjustments or rewording may occur.

Article 24 – Zoning Board of Appeals

This chapter provides the establishment and appeal review authority for the Zoning Board of Appeals. It should be noted that while the ZBA has authority per the Michigan Zoning Enabling Act to review certain land use matters, the local ZBA is not a local government court of appeal for every issue the public may wish to challenge. This chapter must be updated to fully conform to and reference the Michigan Zoning Enabling Act, as amended.

Article 25 – Amendments and Public Hearing Notice

This chapter identifies the ways to amend the zoning ordinance and zoning map and the required public hearing notices to comply with the Zoning Enabling Act. It will likely remain unchanged.