

Zoning & Planning Services - Development Guide

Zoning

The Village has various zoning districts, and each zone has different requirements for lot area, lot width, and building setbacks. The zoning map can be found [here](#) where you can determine the what the property is zoned. Once the zone district has been determined, the zoning requirements may be reviewed in the zoning ordinance [here](#).

The zoning administrator reviews all permit applications such as new dwellings, additions, accessory buildings, fences, and signs. The zoning administrator processes applications for variances, appeals, land divisions and is liaison to the [Zoning Board of Appeals](#). The Village planner facilitates site-plan reviews for any commercial, office or multifamily development and acts as the staff liaison to the [Planning Commission](#).

Step 1 - Conceptual Site Plan Review

For all project types, the Village offers conceptual site plan review opportunities prior to the permit submission or pre-application conference. This conceptual site plan review aims to help identify potential issues as early in the process as possible and avoid unnecessary delays during the formal review process. This review also helps to identify what permits or requirements might apply to your project. At any point prior to the submission of an application, you can request a meeting with our [Zoning Administrator](#) to discuss your project. There is no cost for this service. While a final plan is not necessary for a conceptual site plan review, it is recommended to have the following information. This will allow the Zoning Administrator to provide more meaningful feedback and guidance.

- Project location.
- Existing land use and zoning.
- Intended development (residential, office, retail, commercial, etc.)
- Preliminary sketches (hand-drawn are acceptable).
- Surrounding land uses.
- Any other additional project information available.

Step 2 - Site Plan Review

This generally begins with a pre-application conference with Village Staff and consultants. This meeting allows the Village to learn more about the project, provide feedback about the proposed site plan, and identify any issues that need to be resolved prior to public hearings or final approval. Once the plan has been revised based on this feedback, the site plan will be introduced to the Planning Commission for their review

and feedback. From here, public hearings will be scheduled with the Planning Commission and Village Commission for final approval. Once the site plan is approved through the appropriate process, a building permit may be applied for to begin construction.

All development projects in the Village require some form of site plan review. Simple residential projects, such as a single-family home or a duplex, or a building addition, may only require a basic site plan review from the zoning administrator for approval. Larger commercial/multifamily housing projects or Planned Unit Developments may require site plan review and approval from the Planning Commission and Village Council. These include all commercial uses, residential uses with more than two dwelling units, Planned Unit Developments and development involving a special land use. Article XVII of the zoning ordinance lists all the requirements for this process. The application may be found [here](#).

Step 3 – Other Zoning Processes

Some projects may require additional approvals and review before moving to the site plan approval or building permit phase. If required, any additional approvals need to be granted before a site plan can be approved. The following subsections describe when these might be necessary and the approval process for each.

Zoning Variances

If a project you are planning does not meet zoning requirements, you may apply for a variance, or exception from the rules. Historically, variances have been granted only when there are unique circumstances or practical difficulties regarding the property or structure, and when the granting a variance would not be a detriment to neighboring properties. Variances are not granted solely as a means to avoid compliance with the Village's regulations. A public hearing before the [Zoning Board of Appeals \(ZBA\)](#) is required for all variances.

The time period from variance application to public hearing is usually six to eight weeks. The following is a general guide for what to expect when seeking a variance.

- A [zoning variance application](#) must be submitted along with the non-refundable application fee, a site plan showing all required information, and a brief narrative explaining the request and how it meets the required variance approval criteria.
- Village staff will review the application and schedule a date for a public hearing for the request.
- At least 15 days prior to the public hearing, Village staff will advertise the public hearing in the press and send notices to all residents within 300' of the request.
- At the public hearing, the ZBA will hear the request. The applicants will be required to attend to speak on their request. Public comment will also be held to get the views of interested residents.

- After hearing the request, the ZBA will vote to either Approve the request, Approve the request with Conditions, Deny the request, or Table for further information or consideration.
- Approved variances are valid for two years. Variances not acted upon after that time automatically become null and void.

We suggest that you contact the [zoning administrator](#) to better understand the zoning variance process, determine the best course of action, and to confirm the [deadlines for application](#).

Special Land Uses

Special land uses are generally consistent with the purpose of the zoning district in which they are permitted but, due to unique operational characteristics, may not be desirable or compatible in all locations. Therefore, special land uses require Village Planning Commission approval to ensure the use does not create detrimental impact on its surroundings. These uses are also subject to additional standards and requirements to mitigate their potential negative impacts.

To receive a Special Use Permit, applicants should first review the Schedule of Uses for [Residential](#) and [Commercial](#) zones to determine if the use is allowable. Special land uses also require a site plan per Article XVII.

Rezoning

Rezoning requests are an option to change which zoning district a property is located in. Before considering this action, please be aware that rezoning requests are generally reserved for situations where the existing zoning is no longer compatible with current development in the area, or for an area that is recommended for rezoning or change in land use in the current [Village Master Plan](#). If you have questions on if your request meets this standard, we recommend speaking to our [zoning administrator](#) at 616-940-4817 to determine if this process is right for you.

For all rezoning requests, a [Rezoning Application](#) is required along with information about your request, including any maps, drawings, and other documentation that help explain the reasoning for the request. All rezoning requests are first heard by the Planning Commission, who will ultimately provide a recommendation to the Village Council for approval or denial. Public hearings before both the Planning Commission and Village Council are required as part of this process. The standards listed in [Section 390-150](#) of the zoning ordinance define the standards that are used to evaluate rezoning requests.

Step 4 - Building Permit

Most new construction in the Village requires the submission of a building permit. The Village has contracted with Michigan Township Services (MTS) for all building and trade permits. Their website is www.michigantownshipservicesmuskegon.com. Once all zoning approvals have been provided by the Village, MTS is notified that building and trade permits may issue at their discretion. Not all projects in the Village require zoning approval prior to issuance of building or trade permit, such as interior remodeling.

There are some projects that may not require a building permit. However, these projects may still have zoning restrictions for setbacks and lot coverage that need to be followed. These include the following:

- Single-story accessory buildings under 200 s.f. in area
- Fences
- Retaining walls under 4' height
- Prefabricated swimming pools that are less than 24" deep.

Land Divisions

Land divisions, including lot line adjustments, require Zoning Administrator approval. Each resulting parcel and the buildings on it must meet the requirements of the zoning district where it is located. The ordinance sets standards requiring the results to be compatible and harmonious with the surrounding area. View or download the [land division application](#).

The Ottawa County Treasurer's office now requires a tax payment certification before a local municipality can approve a land division or property line adjustment. This approved certification must be submitted with your land division application.

Other Zoning and Planning Services

The Zoning Department also administers the following:

- [Fence permits](#)
- [Sign permits, sign variance applications, and sign ordinance violations](#)

For more information, or questions about these functions, contact the [zoning administrator](#) at 616-842-1393.