

GENERAL GUIDE TO USING THE CITY OF KENTWOOD ZONING ORDINANCE

The following pages are intended to assist you in using the Zoning Ordinance for the City of Kentwood. However, be sure to review the entire ordinance to insure that you are aware of all the appropriate standards. Your project may also be regulated by other City ordinances. Contact the Community Development Department concerning questions on the use or interpretation of this Zoning Ordinance, procedures, submittal deadlines, information on the Master Plan, etc.

When you receive this Zoning Ordinance, write the date of receipt on the cover of the first page. Thereafter, refer to this date when asking the Community Development Department about any zoning ordinance amendments (particularly to the zoning map).

HOW DO I DETERMINE THE CURRENT ZONING OF MY SITE?

- **Check the Zoning District Map:** Refer to the Adopted Zoning District Map available from the Community Development Department. The published zoning map is periodically updated. The Community Development Department maintains the official up-to-date copy. You may want to verify the zoning shown on the map with the City.
- **Check the City Master Plan:** The City of Kentwood has undertaken several studies as a foundation to this Zoning Ordinance and to help guide zoning decisions. The Master Plan for Kentwood was adopted on November 14, 1995. The Master Plan documents present information on environmental features, utilities, transportation, community goals and recommended future land use. Recommendations from these studies may affect your site.

The Master Plan illustrates the land use pattern envisioned for the future. The future land use designation may be different than the current zoning for some sites. Proposed developments should help realize the goals of the Master Plan, particularly development that is sensitive to the area's natural resources.

Generally, the City requires rezonings to be consistent with the Master Plan and future land use map. The Planning Commission may consider amending the Master Plan for rezonings which are inconsistent with the future land use map.

WHAT USES ARE PERMITTED IN EACH ZONING DISTRICT?

The zoning map illustrates the designated zoning district for each parcel in the City. Once you determine how your property is zoned, refer to the corresponding district Chapter for a table of uses that are permitted or are regulated as special land uses within that zoning district.

Zoning Districts include:

Chapter 4	FP – Flood Plain District
Chapter 5	Single Family Residential Districts
Chapter 6	Two and Multiple Family Residential Districts
Chapter 7	R-5 – Manufactured Housing District
Chapter 8	Commercial/Office Districts
Chapter 9	Neighborhood Corridor Commercial District
Chapter 10	Industrial Districts
Chapter 11	Open Space, Public, Semi-Public District
Chapter 12	Planned Unit Development District

- **What is a Special Land Use?**

In addition to the uses listed as permitted, each zoning district lists special land uses. Even if your site is zoned properly, the Planning Commission will only approve the special land use if it meets the general standards listed in Section 15.02, such as compatibility with the surrounding area and any special site or operational standards listed in Section 15.04. All special land uses require a public hearing before the Planning Commission and preparation of a site plan. The required review procedure for special land uses is listed in Section 13.04 of Zoning Approval Application and Review Procedures Chapter.

WHAT ARE MY OPTIONS IF THE PROPOSED USE IS NOT LISTED AS A PRINCIPAL USE PERMITTED OR SPECIAL LAND USE?

If your proposed use is not listed as either a principal use permitted or a special land use for the district in which your land is located, you have several options:

Confirm your understanding of allowable uses with the Zoning Administrator.

- Find an alternative use for your property that is permitted.
- Find a site in the City that is properly zoned for your intended use.
- Request that the City rezone the property, which requires appearances before both the Planning Commission and City Commission, with at least one public hearing. Refer to Section 13.03 for the required procedure for a rezoning.
- If you have confirmed with the Zoning Administrator that your use is not listed anywhere in the zoning ordinance, request the Zoning Board of Appeals to consider your intended use based on the "determination of similar uses". Under this process, the Zoning Board of Appeals determines the appropriate district(s) for the intended use based on similarity to other uses listed. The Zoning Board of Appeals may also elect to require an amendment to the zoning ordinance to specifically address the use.
- Request that the City add your proposed use, either as a permitted use or a special land use to the zoning district. Adding a use requires an amendment to the zoning ordinance and involves public hearings. Since this can take several months and may not be approved, finding a location that is already zoned for the proposed use is strongly encouraged.
- Request the Zoning Board of Appeals consider a use variance for your project. Your request must meet all the review criteria outlined in Section 21.04.

WHAT IS THE NEXT STEP WHEN THE PROPER ZONING IS IN PLACE?

Once proper zoning is in place there are several factors to consider during the early stages of project planning. The list below highlights some of the more important features.

- **Existing Site Conditions:** The City strives to preserve existing conditions of every site including drainage flow, woodlands, wetlands, soils and sensitive topography. If your site contains any or all of these features, they should be considered natural assets to be preserved and enhanced as part of the site design. Your site plan must illustrate and analyze these features. The City has the discretion to require an impact assessment that includes a narrative on the anticipated impacts of the development.

- **Physical Improvements:** In order to fully assess the proposed project all details of physical improvements and construction must be provided to the City. This includes information such as principal and accessory buildings, utilities, pavement, landscaping, lighting and parking areas.
- **Access and Circulation:** The City's policy is to minimize the number of driveways along non-residential streets, maximize spacing between driveways, and specify minimum spacing between driveways and intersections. Your survey should illustrate existing driveways and roads across and within 100 feet of the edge of your property. Sharing of driveways or connecting sites through frontage roads or service drives is encouraged (especially along major thoroughfares). Larger scale projects should consider the relationship of the site to existing and potential traffic signals.
- **Special Studies:** If your project is expected to generate a significant amount of traffic (50 or more trips in one direction during a peak hour or 750 trips daily), you may be required to submit a Traffic Impact Assessment or Study by a qualified engineer or planner (refer to Section 13.02). In some cases, such as for proposed development on environmentally sensitive land, the Planning Commission may require an impact assessment.
- **Site Condominiums:** The zoning ordinance contains special provisions for site condominiums. Site plan review is required. Refer to Section 3.25
- **Utilities:** Information on water, sanitary sewer and storm sewer or connection to county drains is required. The City Department of Public Works or Community Development Department can assist you in analyzing your site.
- **Land Division/Combination:** If your project requires splitting the land or combining lots, there is an administrative review process outlined in a separate ordinance. If your lot splits are regulated by the State Subdivision Control Act, your project will be reviewed under the City Subdivision Ordinance and by the State of Michigan.
- **Other Agencies:** The eventual approval of your site development plan may involve the approval of other agencies besides the City. The agencies will be dependent on the features that are present on the site. Agencies may include Kent County Road Commission, Kent County Drain Commission. Michigan Department of Transportation and Michigan Department of Environmental Quality.
- **PUD Option:** If there are significant natural features on your land, or you are interested in designing a creative or unique project that is not easily provided for under standard zoning, you should consider the Planned Unit Development District option. A PUD gives you flexibility in designing your site such as mixing certain uses or clustering buildings on the most buildable part of a site. Refer to Chapter 12 for all the options including a Residential PUD, a Mixed Use PUD, an Office PUD, a Commercial PUD and an Industrial PUD.

WHAT IS THE PROCESS TO DEVELOP A SITE PLAN AND WHAT SHOULD BE ILLUSTRATED?

- **Meet with City Staff:** Early, informal meetings to discuss conceptual plans may help to alert you to the need for additional information.
- **General Provisions (Chapter 3):** This Chapter should always be reviewed. It contains regulations that pertain to all zoning districts including:
 - ⇒ standards on accessory buildings, uses and structures;
 - ⇒ standards for fences and walls;
 - ⇒ standards for corner clearance (i.e. maintaining visibility for motorists);
 - ⇒ regulations on the storage and repair of vehicles; home occupations and state licensed residential child and adult care facilities

- ⇒ acreage standards for keeping animals, such as horses;
- ⇒ standards for all single family homes, including mobile homes outside manufactured housing parks.
- ⇒ regulations for nonconforming uses, structures and lots.

Table of Uses: Each Zoning District has a Table that lists uses permitted, prohibited and allowed by special land use approval.

- **Development Requirements Based on District:** Every district chapter has a separate listing of specific regulations that apply to uses listed in that particular district. Remember, if your use is a special land use, you must also refer to the standards of Sections 15.02 and 15.04. Generally, every district chapter includes the following regulations, primarily in table format:
 - ⇒ Lot and Yard Area Requirements: The information contained in this table tells you information such as the setback requirements for your district, the minimum lot area and the maximum building height.
 - ⇒ Parking: Based on the uses that are permitted in the district, a table is provided that outlines parking requirements for each of these uses. Refer to Chapter 17 for specific dimensional and design standards for parking and loading areas.
 - ⇒ Signs: The section on sign requirements apply to signs that may be installed in your district. The degree of restrictions varies from district to district that is why it is important that you are referring to the zoning district that applies to your project. Refer to Chapter 16 for sign definitions and dimensional standards that apply to all districts.
- **General Development Requirements:** As mentioned above there are development requirements tailored to each zoning district in the City. Those are provided in each district chapter. Regulations that generally apply to all sites are provided in individual chapters and are discussed in more detail below:
 - ⇒ Signs: General sign standards are outlined in Chapter 16 and include definitions, permitted and prohibited signs, sign measurement requirements, permit procedures and other general standards that apply to signs in all districts.
 - ⇒ Off-Street Parking, Loading and Access Management: Required dimensions and general design standards for off-street parking and loading are included in Chapter 17. This chapter also includes standards for access management.
 - ⇒ Private Streets: The City has adopted provisions outlined in Chapter 18 related to private streets.
 - ⇒ Landscaping Regulations: Chapter 19 is a complete outline of landscaping standards including required information for landscape plans; standards for size, spacing and species; greenbelt requirements along a street; buffering between certain uses such as residential and commercial; parking lot landscaping; standards for placement and island design are provided.
 - ⇒ Lighting: Chapter 20 is a complete description of lighting standards including definitions; information requirements; design and lighting intensity standards for each light fixture type.

- **Floodplains (Chapter 4):** If your project includes land within the 100 year floodplain determined by the Federal Emergency Management Act, you must meet the floodplain protection standards.
- **Non-Conforming Uses and Structures:** There are certain limits on what can be done if your use, lot, or structure is non-conforming, that is, it does not meet the standards of this Ordinance (refer to Section 3.24).
- **Manufactured Housing Developments:** Projects that involve a state licensed manufactured housing development must refer to Chapter 7. The subject site must be zoned R-5 Manufactured Housing District and must meet all applicable design requirements as outlined in this Chapter.

If you cannot meet a requirement, you may request a variance from the Zoning Board of Appeals. The process for a variance is outlined in Section 13.07 and the criteria for a variance, outlined in Section 21.04, must be met. In some instances, the Planning Commission has discretion to modify requirements.

WHAT IS THE APPROVAL PROCESS FOR MY PROJECT?

- **Determine which approvals are needed:** This may include rezoning, site plan, special land use, variance, subdivision, etc. A majority of the site plans are subject to administrative review and approval.
- **Application forms:** Obtain copies of the application forms from the Community Development Department.
- **Key submission dates:** Check with City staff to determine key cut-off dates for being placed on an upcoming meeting agenda where Planning Commission or Zoning Board hearings are required.
- **Submittal:** Submit all required material, application form and fee to the Community Development Department. Most submittals require submittal several days before the meeting at which they will be discussed. This time period is used by the City Commission, Planning Commission, Zoning Board of Appeals, staff and/or consultants to review your proposal. In some cases, such as special land uses and rezonings, a longer time is needed to set a public hearing and work session for the Planning Commission.
- **Approval Procedures:** A majority of the approval procedures are conveniently located and outlined in Chapter 13. For a quick reference, refer to the flow chart on the following page.