

- J. **City Council.** The *City Council's* primary responsibility is to make decisions regarding the present and future of the City of Holland. In matters concerning *UDO*, the *City Council* is the final *Approving Authority* on all *rezoning* requests, text amendments, *subdivision* plats, street vacations, and adoption of ordinances. *City Council* is comprised of 8 elected Council Members and the elected Mayor.

SECTION 39-12.04 ZONING PERMIT REVIEW PROCESS

- A. **Zoning Permit** applications are reviewed the *Zoning* Administrator and the *Board of Appeals*.
- B. **Zoning Permit Types.**
 - 1. **Application Types** in Section 39-12.02; and
 - 2. **Land Use Change** applications for existing *structures*.
- C. **Applications** for a *Zoning* Permit shall be submitted to the Community and Neighborhood Services Department to ensure compliance with *UDO* and other applicable regulations. Depending on the Application Type, additional approvals may be required along with *Zoning* Permit issuance. The following items shall be provided in a *Zoning* Permit application:
 - 1. **Application;**
 - 2. **Scaled Plot Plan** with all property lines, *setbacks*, dimensions, location of drives and parking areas, and existing and proposed *structures*. A non-scaled, sketched Plot Plan may be permitted upon *Zoning* Administrator determination;
 - 3. **Scaled Floor Plan** shall be required for interior changes of use, Accessory Dwelling Units, and other similar construction. A non-scaled, sketched Floor Plan may be permitted upon *Zoning* Administrator determination;
 - 4. **Additional information**, plans, testimony, and/or evidence the *Board of Appeals* or *Zoning* Administrator may request to review the application.

- D. **Public Notices of Applications.** Upon receipt of applications requiring public notice, as specified in Section 39-12.02, the *Zoning* Administrator shall adhere to the Michigan *Zoning* Enabling Act, P.A. 110 of 2006 and mail a written notice to notify property owners and occupants within a **300-foot radius** of the property about the proposed project and that they may request a *Public Hearing* and Special Exception determination by the *Board of Appeals* if a detailed, written request including the reasons why they have made this request is provided to the *Zoning* Administrator.
- E. The **Public Notice** shall inform residents of their right to request a *Public Hearing* with the *Board of Appeals*. This request shall be **in writing** and shall include a **detailed description** of the reason for the request.
- F. **Appeals of Zoning Administer Determinations.** An *applicant* or aggrieved party shall appeal a *Zoning* Administrator determination to the *Board of Appeals* following the process specified in Section 39-12.12.E. The appeal application shall stay action on any permit issuance.

SECTION 39-12.05 GENERAL REQUIREMENTS FOR ADMINISTRATIVE STAFF AND PLANNING COMMISSION REVIEW

- A. **Intent.** This section specifies general review process requirements for **any Application Type required other than a Zoning Permit**, regardless of whether it is reviewed by the Administrative or the *Planning Commission* process. See Section 39-12.04.
- B. **Administrative Review Team Meeting.** Community and Neighborhood Services (CNS) planning staff **shall require** this meeting with the Administrative Review Team to **review a Basic Engineered Site Plan** to ensure early coordination on a given *development*, unless determined unnecessary by CNS staff. The Administrative Review Team shall include staff from the departments listed in Section 39-12.03.C.

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Zone
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Site Design
Review
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9	General Standards
10	Streets/ Sidewalks/ Driveways
11	Subdivision of Land
12	Processes/ Admin.
13	Non-conformities
14	Definitions

C. **Application Submittal.** Per Section 39-12.09, the *applicant* shall submit:

- An application
- 2 scaled hardcopy *Site Plans* sized 24” x 32”
- The application fee
- The required supplementary materials
- An electronic copy of everything

The application materials shall be submitted to the Community and Neighborhood Services Department by 5:00 pm **28 days** prior to the Planning Commission meeting or **15 business days** prior to a desired Administrative Review decision. Applications shall **only be accepted** if all required contents are provided.

D. **Public Notices of Applications.** Upon receipt of an application, the Community and Neighborhood Services Department shall adhere to the Michigan *Zoning Enabling Act*, P.A. 110 of 2006 and mail a written notice to notify property owners and occupants within a **300-foot radius**. If the proposed *development site* borders an adjacent municipality, that municipal governmental office and the properties within **300 feet** of the subject *site’s* property lines shall both be noticed. See Section 39-12.06 and Section 39-12.07 for noticing requirements pertaining to Administrative and *Planning Commission* reviews.

E. **Administrative Review and Staff Report.** The Administrative Review Team shall review the application, *Site Plan*, and additional required materials, and make either a determination or recommendation, depending on the application type, which shall be compiled into a Staff Report with Conditions of Approval.

F. **WMAA Recommendation.** For properties in the **Airport Overlay District**, please see Section 39-2.20. A Recommendation Report from the West Michigan Airport Authority (WMAA) or its designee shall be required and provided in the Staff Report, as described in Section 39-12.07.D.

G. **Time Period for Obtaining Approval.** An *applicant* shall have a **maximum of 1 year** from the application submittal date to obtain a **Final Determination on the *Site Plan***. If approval is not achieved within this period, the application becomes null and void and a new application is required.

H. **Expiration of Site Plan Approval.** A *Site Plan* approval is valid for **18 months**. If a *Building Permit* is not issued within the 18 month approval period, the *Site Plan* approval expires. *Site Plan* approvals may be eligible for a **1 year extension** if application is made to and granted by the *Planning Commission* prior to the expiration of the *Site Plan*.

I. **Amendments to an Administratively Approved Site Plan.** If modifications are requested to an approved Administrative *Site Plan* prior to the completion of construction, the Administrative Review Team Staff shall determine if the change requested in a **Minor or Major Amendment** per the table in Section 39-12.05.K, and shall then review it accordingly.

J. **Amendments to a Planning Commission Approved Site Plan.** If modifications are requested to a *Site Plan* approved by the *Planning Commission* prior to the completion of construction, the following table shall be used to determine if the proposed *Site Plan* amendment is a **Minor or Major Amendment**.

K. **Minor and Major Amendments Table 39-12.05.K**

	CHANGE REQUESTED ^A	MINOR AMENDMENT ^B	MAJOR AMENDMENT ^C	NEW APPLICATION AND FEE REQUIRED
Structural Elements	Building Setbacks	Administratively approved Site Plan and most Planning Commission approved Site Plans	Planned Unit Development (PUD) Amendment or determined a Significant Change ^D	More than 1 setback change or Major Amendment
	Building Height	Administratively approved Site Plan and most Planning Commission approved Site Plans	Planned Unit Development (PUD) Amendment or determined a Significant Change ^D	Major Amendment
	Building Elevations and/or Materials	Administratively approved Site Plan and most Planning Commission approved Site Plans	Planned Unit Development (PUD) Amendment or determined a Significant Change ^D	Major Amendment
	Signage	All Approved Site Plans except Planned Unit Development (PUD)	Planned Unit Development (PUD)	Major Amendment
Site Elements	Utilities and Fire Code	All Approved Site Plans	-	Dependent on other Departments
	Lighting	Administratively approved Site Plan and most Planning Commission approved Site Plans	Planned Unit Development (PUD) Amendment or determined a Significant Change ^D	Major Amendment
	Landscaping	All Approved Site Plans, unless determined as Significant Change ^D	Determined a Significant Change if it would significantly change the amount of screening adjacent to residential uses ^D	Major Amendment
	Number of Parking Spaces (Auto/Bicycle)	All Approved Site Plans except Planned Unit Development (PUD)	Planned Unit Development (PUD) Amendment or determined a Significant Change ^D	Major Amendment
	Parking Lot Design	Administratively approved Site Plan and most Planning Commission approved Site Plans	Planning Commission approved Site Plan determined Significant ^D	Major Amendment
	Other Site Plan Change	All Approved Site Plans, unless determined as Significant Change ^D	Determined a Significant Change ^D	Major Amendment

- 1 Toolbox
- 2 Zone Districts
- 3 Form Based Code
- 4 Add'l Use Standards
- 5 Site Design Review Standards
- 6 Landscaping/ Green Inf.
- 7 Lighting
- 8 Signage
- 9 General Standards
- 10 Streets/ Sidewalks/ Driveways
- 11 Subdivision of Land
- 12 Processes/ Admin.
- 13 Non-conformities
- 14 Definitions

	CHANGE REQUESTED ^A	MINOR AMENDMENT ^B	MAJOR AMENDMENT ^C	NEW APPLICATION AND FEE REQUIRED
Form Based Code	Building or Frontage Types, Architectural Elements, or Building Envelopes	-	All Approved Site Plans	Yes
	Other Site Plan Changes	All Approved Site Plans, unless determined as Significant Change ^D	Determined a Significant Change ^D	Major Amendment

Footnotes

- ^A All amendments shall **comply with the zoning standards**. Amendments not meeting the required zoning standards shall require a *Variance by the Board of Appeals*
 - ^B **Minor Amendments** are Administratively Reviewed
 - ^C **Major Amendments** are Reviewed by Planning Commission
 - ^D **Significant Change** – If staff is concerned that the change could potentially negatively impact the health, safety, or welfare of site users and/or adjacent properties.
- L. **Violation.** In the event that construction is not in compliance with the approved *Site Plan* and the property owner fails to take corrective action or pursue approval of an amended *Site Plan*, the Zoning Administrator may invoke the Violation and Penalties as specified in Section 39-12.13.

SECTION 39-12.06 ADMINISTRATIVE STAFF REVIEW PROCESS FOR SITE PLANS

- A. **Intent.** Application Types requiring Administrative Review shall be subject to the standards in this Section.
- B. **General Review Process Requirements** shall be met as specified in Section 39-12.05.
- C. **Public Notice of Administrative Review Application Types.** Per Section 39-12.05.D, written public notice shall be mailed to all property owners and occupants within a **300-foot radius** of the *site's* property lines. Public notice for Administrative Review Applications shall include the following information:
 1. The address of the subject property or properties;
 2. The application type;
 3. The nature of the *development*, if applicable;
 4. The date the Administrative Review determination will be made, which is a minimum of **10 days** after the public notice is postmarked;
- 5. Notice that the notified person may provide public comment and/or request that a *Public Hearing* be held by the *Planning Commission* on the proposed application, rather than Administrative Review, by submitting a detailed written statement regarding the reason for the request;
- 6. The due date for the *Public Hearing* request, which shall be a minimum of **7 days** after the date the public notice is postmarked. If a *Public Hearing* is scheduled, the Application Type shall instead follow the *Planning Commission* Review Process specified in Section 39-12.07;
- 7. Contact information to provide public comment or to request a *Public Hearing*.
- D. **Administrative Review Application Decisions.** One of the following Application Determinations shall be made by the Administrative Review Staff for Administrative Review Application Types and shall be made known to the *applicant* via a Staff Report.