

EXECUTIVE SUMMARY AND USER GUIDE FOR ZONING ORDINANCE OF THE HASTINGS-RUTLAND JOINT PLANNING COMMISSION

This Executive Summary and User Guide is intended to provide a general orientation to the format and organization of the Zoning Ordinance of the Hastings-Rutland Joint Planning Commission (JPC), to make the document easier to understand and use.

Like every municipal zoning ordinance, the JPC Zoning Ordinance regulates the development and use of land by dividing the zoning jurisdictional area of the JPC into "zoning districts", sometimes commonly referred to as "zones". This Zoning Ordinance establishes two such zoning districts as noted in Section 3.01, and as shown on the Zoning Map made part of the Zoning Ordinance by Section 3.01: the MU Mixed Use District, and the LI Light Industrial District.

The JPC Zoning Ordinance is based on what is sometimes called a "permissive" zoning concept; that is, land in each zoning district can be used only for the land uses and activities that are specifically designated in the Zoning Ordinance as permissible in that district. The permissible land uses within each zoning district are further divided into either "permitted uses" or "special land uses". A land use designated as a "permitted use" in a zoning district is recognized as being harmonious with other such uses within the same district, and may therefore require no prior land use approval; but even some permitted uses are subject to "site plan review" or other prior land use approval. A land use designated as a "special land use" in a zoning district always requires prior land use approval by the Joint Planning Commission, pursuant to standards specified in the Zoning Ordinance, to make sure the particular location proposed for the land use will not adversely impact other property, or the general health, safety and welfare of the community.

Chapters 6 and 7 of this Zoning Ordinance indicate the permitted uses and special land uses for each of the two zoning districts. Each of those chapters specifies other requirements applicable in each zoning district, such as the minimum lot size requirements, building "setbacks", building design and architectural standards, and other requirements for development in each zoning district.

Some provisions of the Zoning Ordinance are intended to apply generally throughout the zoning jurisdictional area of the JPC, such as the "General Provisions" in Chapter 4 and "Supplementary Provisions" in Chapter 5. These and other parts of the Zoning Ordinance regulate specific matters that may also apply in one or more zoning districts, or throughout the JPC zoning jurisdictional area, as indicated to be applicable. Examples of such provisions include the following sections/chapters and subject matters:

- Section 5.01---Accessory Uses
- Section 5.02---Accessory Buildings

- Section 5.03---Temporary Uses or Structures Requiring Zoning Administrator Authorization
- Section 5.05---General Lighting Requirements
- Section 5.10---Waterfront Property Development Regulations
- Section 5.12---Private Roads
- Chapter 12---Off Street Parking Requirements
- Chapter 13---Signs

So, to determine whether property can be used for a particular land use or activity, and what regulations may apply to that property/land use, a person using this Zoning Ordinance will generally go through the following steps:

- ❖ Step 1: find the property on the official Zoning Map and determine the “zoning district” in which the property is located.
- ❖ Step 2: make sure the property meets the minimum “lot” requirements for that zoning district, and is therefore “buildable” pursuant to the requirements in Chapters 6 or 7, as applicable; or is otherwise a legal buildable “nonconforming lot” pursuant to Section 14.09. Chapter 14 also includes special provisions pertaining to “nonconforming” uses and building/structures lawfully established before the enactment of the Zoning Ordinance.
- ❖ Step 3: refer to the pertinent chapter covering that zoning district, Chapter 6 or 7, and determine whether the intended land use is listed there as either a “permitted use” or a “special land use”.
- ❖ Step 4a: if the intended land use is listed as a “permitted use” in the zoning district in which the property is located, check Section 9.02 to see whether that use is subject to a “site plan review” requirement. If so, other provisions of Chapter 9 will apply.

Step 4b: if the intended land use is listed as a “special land use” in the zoning district in which the property is located, review Chapter 10 for information about applying for special land use approval and the “standards” that must be shown to be complied with before the Planning Commission can grant such approval, after a public hearing. Section 10.04 specifies the approval standards that apply to all special land uses; and Section 10.08 includes additional specific standards that are required of certain special land uses. Note: the “site plan review” requirements of Chapter 9 apply to all special land uses.

- ❖ Step 5: for every permitted use or special land use check whether additional regulations are applicable from either Chapter 4 (General Provisions), Chapter 5 (Supplementary Provisions), or other

chapters/sections dealing with specific subjects, such as the examples listed above in the bullet points.

User hint: many words and terms used in this Zoning Ordinance are given a specific definition in Section 2.02. It is therefore important to refer to that section to determine whether a particular word or term has a specific definition for purposes of this Ordinance. Any word or term not specifically defined in that section or elsewhere in this Ordinance (such as in Section 13.02 with respect to various terms relating to signage) is defined in accordance with its customary or common meaning.

Finally, other parts of this Zoning Ordinance address what may be called “administrative” matters, including the following chapters/sections on the indicated subjects:

- Chapter 15---Zoning Board of Appeals
- Chapter 16---Administration and Enforcement
- Section 16.05---Zoning Text/Zoning Map Amendments

These articles are not generally relevant to determining how a particular land use is regulated by the Zoning Ordinance, but may apply in certain circumstances. For example, a potential applicant for a “variance” should review Chapter 15, as that chapter has provisions addressing the authority of the Zoning Board of Appeals to grant variance relief and generally covers the authority and functions of that board.

Disclaimer: this Executive Summary and User Guide is intended to provide a general orientation to the format and organization of the JPC Zoning Ordinance to help persons better understand how to use the Ordinance, generally. Many zoning questions can be answered upon simple reference to the appropriate parts of this Zoning Ordinance; but some questions will require knowledgeable assistance from someone such as the Zoning Administrator, and sometimes from legal counsel with special expertise in zoning matters. In short, although this Executive Summary and User Guide is not intended to substitute for knowledgeable assistance to address a particular zoning question or issue where required; it will hopefully make this Zoning Ordinance less of a mystery to public officials and residents alike, and more accessible to all.

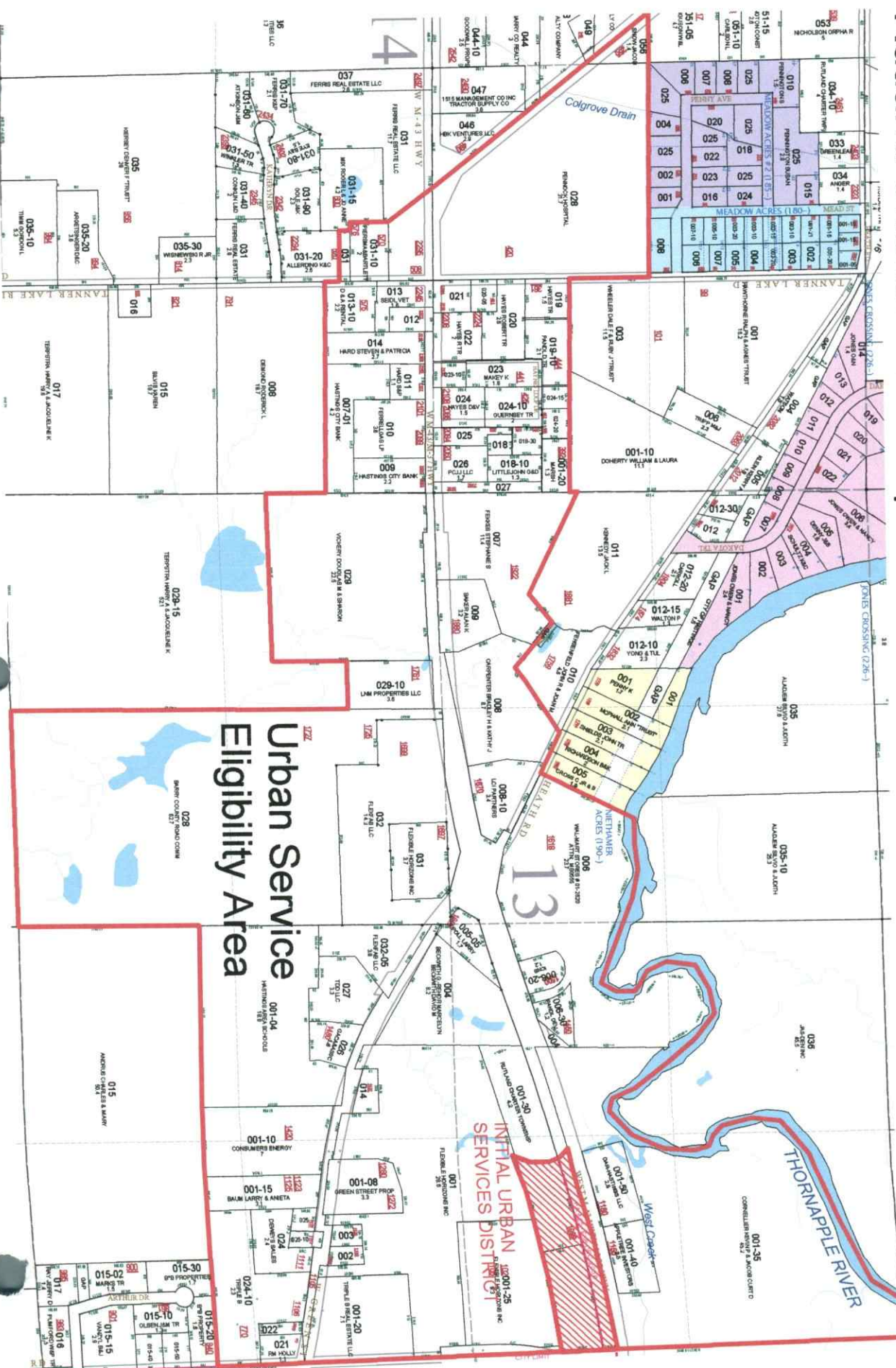
Zoning Ordinance Format Note

This Zoning Ordinance is organized with a chapter-based section numbering system, and a related chapter-based page numbering system.

The chapter-based section numbering system chronologically numbers each section within each chapter. Thus, for example, the first section of Chapter 1 is Section 1.01, and the fourth section of that same chapter is Section 1.04. The first section of Chapter 2 is Section 2.01, and so on.

In coordination with this chapter-based numbering system, the Zoning Ordinance is paginated using a unique chapter-based section page numbering system that enables the user to immediately discern from each page number the chapter of the content on each page, and the consecutive number of each page within that chapter. For example, the fourth page of Chapter 4 is numbered 4-4 at the bottom of the page. This page number tells the user the content of that page pertains to Chapter 4, and is the fourth page of content within that chapter. This pagination system is used for all of the chapters of this Zoning Ordinance.

Rutland Charter Township



Urban Service Eligibility Area

INITIAL URBAN SERVICES DISTRICT




**Hastings - Rutland
Joint Planning Commission**

**OFFICIAL ZONING MAP
EFFECTIVE JULY 1, 2016**

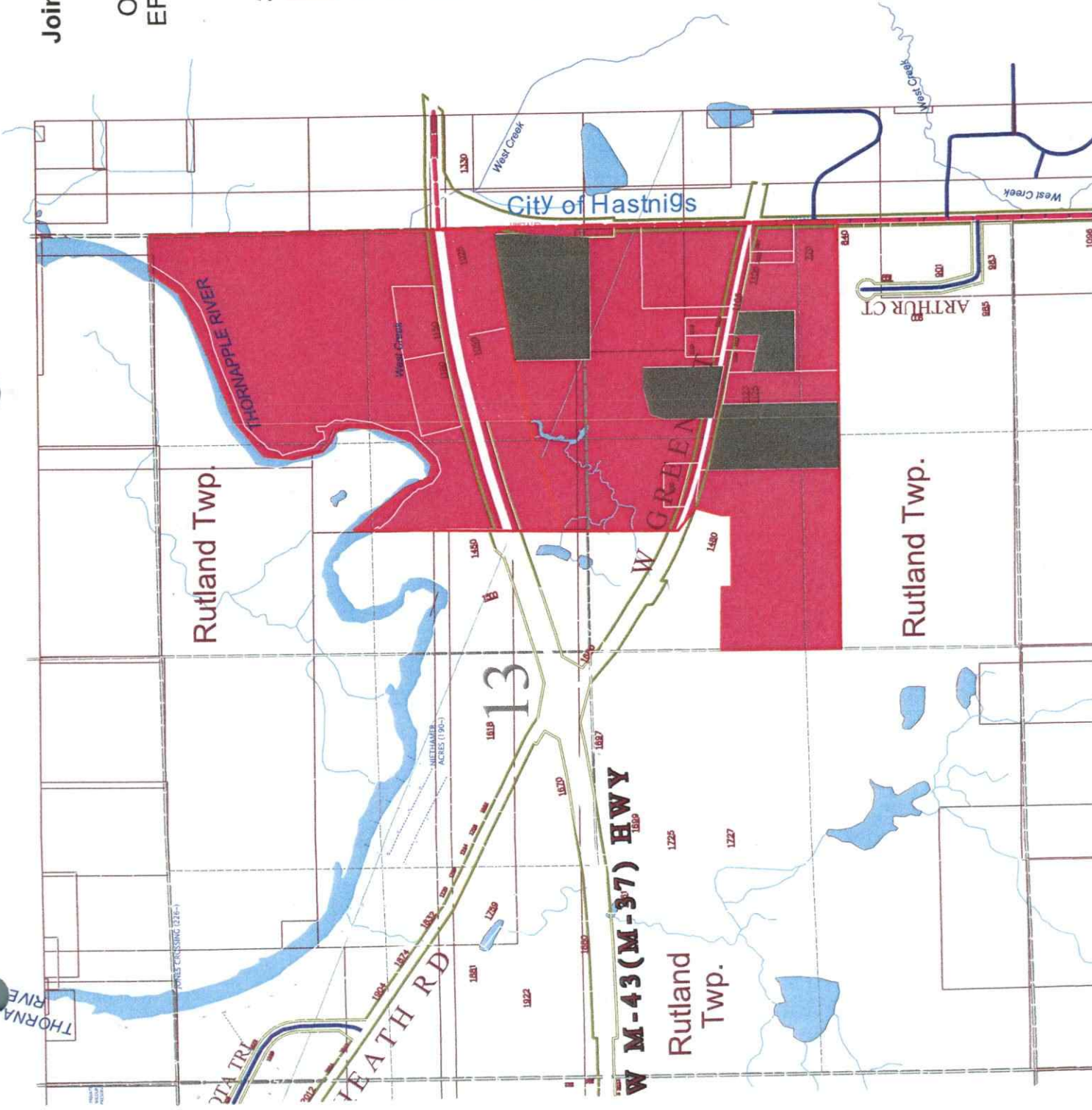
(As Amended January 2017)

Legend

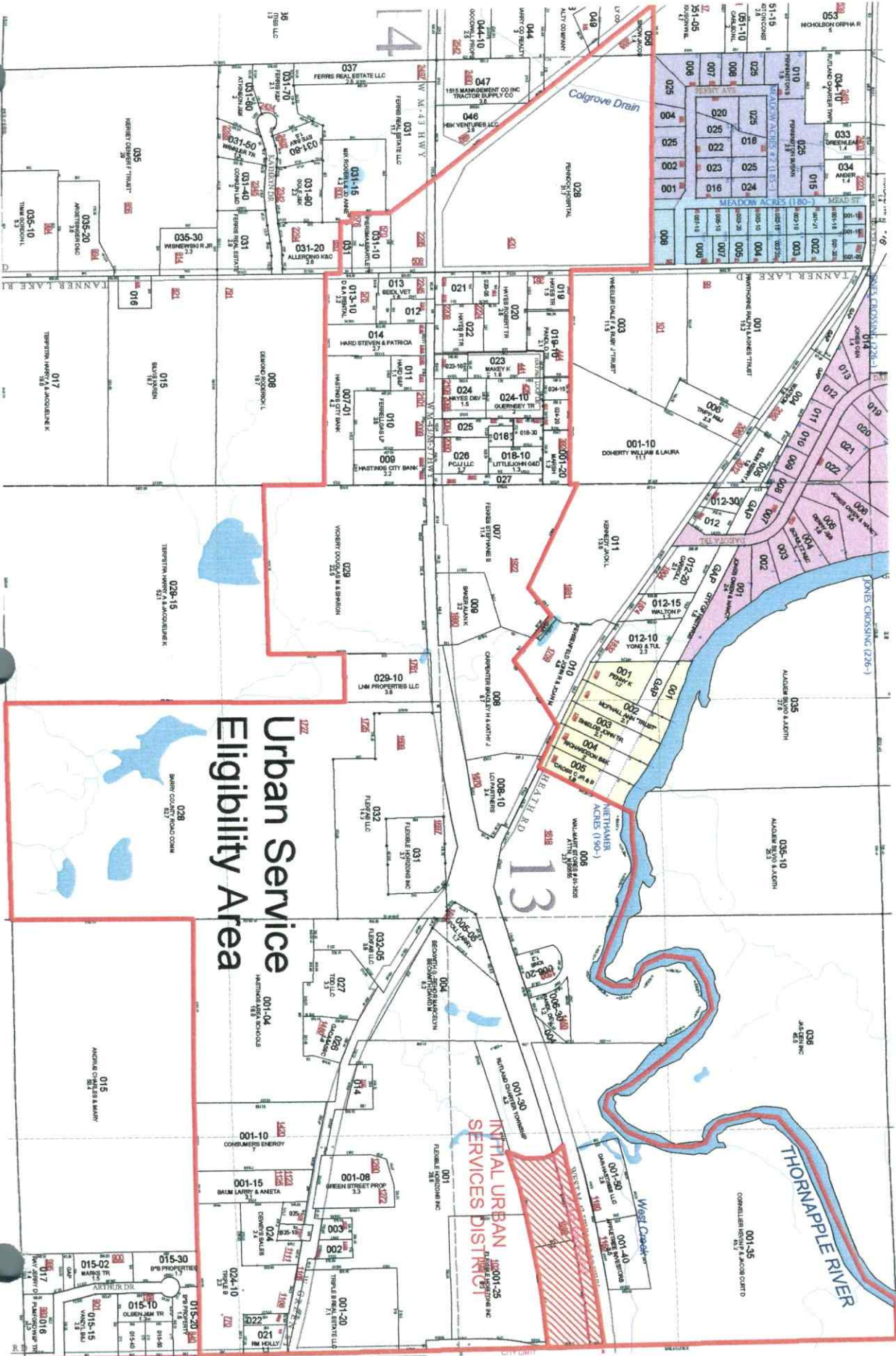
-  Zoning Map Boundary
-  MUD, Mixed Use
-  LI, Light Industrial

Note:

Lands outside of the
Joint Planning Commission
Zoning Map Boundary are
subject to the zoning
regulations of Rutland Charter
Township and the City of
Hastings as noted.



Rutland Charter Township



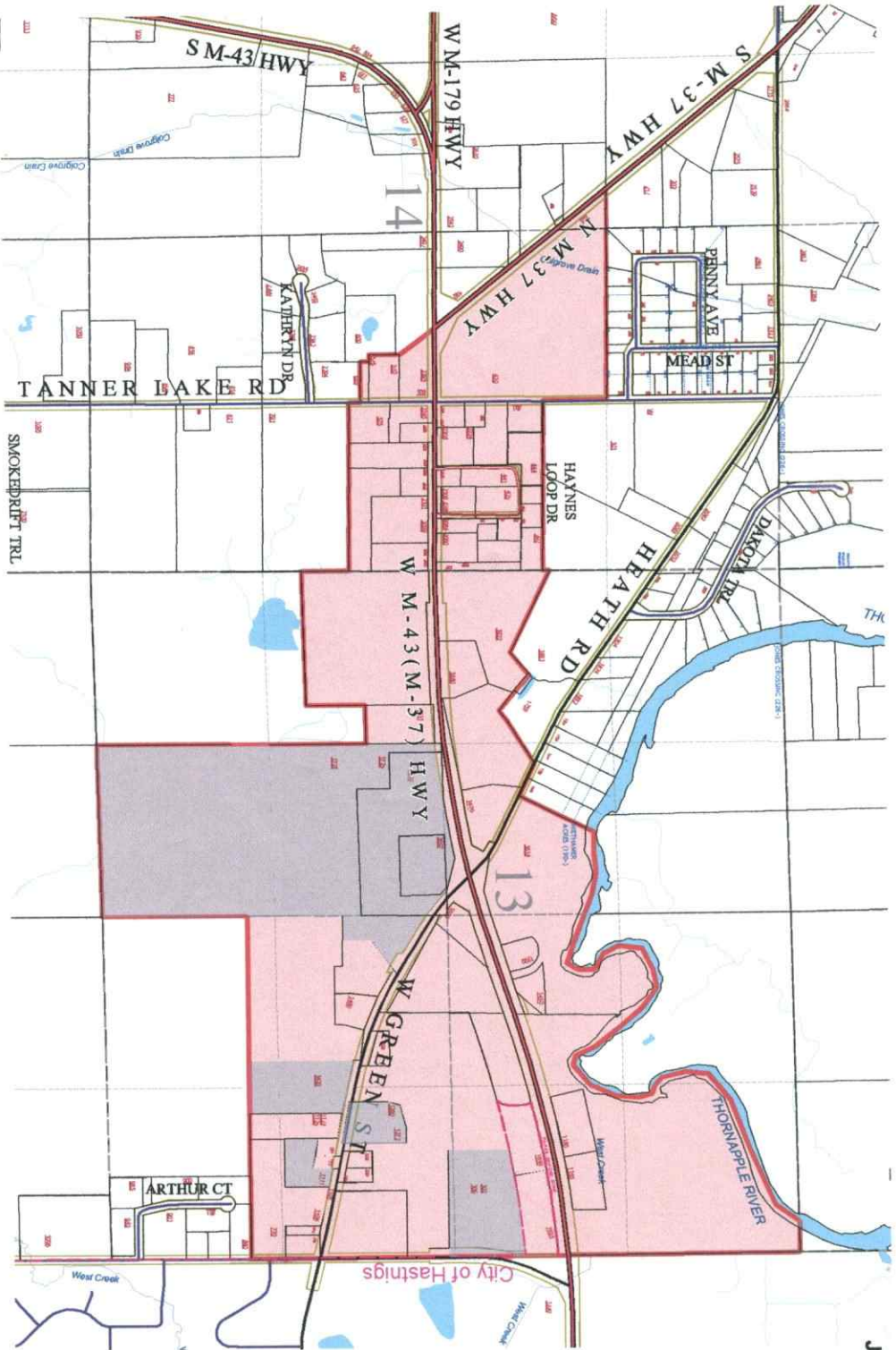
Urban Service Eligibility Area



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Hastings - Rutland
Joint Planning Commission

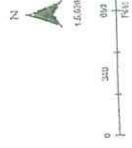
OFFICIAL ZONING MAP
ADOPTED _____ 2015



- Legend**
- MUD, Mixed Use
 - LI, Light Industrial

Scale 1" = 500'

URBAN SERVICE DISTRICTS:
#1 - #2 - #3 - #4
1992 SEWER AGREEMENT DISTRICT



10722035



Section 14
08-013-013-

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40	41	42	43	44	45
46	47	48	49	50	51	52	53	54	55	56	57	58	59	60

Section 14
08-013-014-

61	62	63	64	65	66	67	68	69	70	71	72	73	74	75
76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
91	92	93	94	95	96	97	98	99	100	101	102	103	104	105
106	107	108	109	110	111	112	113	114	115	116	117	118	119	120

Barry County
Land Use Ordinance
The purpose of this ordinance is to provide for the health, safety and general welfare of the community by regulating the use of land and buildings. This ordinance shall be known as the Land Use Ordinance and may be cited as such.

