

**Sec. 39-12.01. Intent. [7-21-2021 by Ord. No. 1796]**

A. This article establishes the processes used for the review of *development* applications.

**How to use this article:**

1. Determine the review process required per application type from the table in Section 39-12.02.
2. Learn about the *approving authorities* for each review process in Section 39-12.03.
3. Zoning permits review process: See Section 39-12.04.
4. For all other review processes: general review process requirements in Section 39-12.05.
5. Administrative review process: Section 39-12.06.
6. Planning Commission review process: See Section 39-12.07. Special land use review process: Section 39-12.08.
7. Determine the application materials and *site plan* components required per review process from the tables in Section 39-12.09.
8. For application types requiring *City Council* or *Board of Appeals* review, see Section 39-12.10 and Section 39-12.12, respectively.
9. Post-site plan approval requirements. See Section 39-12.11.
10. Violations information: See Section 39-12.13.

**Sec. 39-12.02. Review processes and approving authorities tables. [7-21-2021 by Ord. No. 1796]**

A. All zone districts.

Application Type	Zoning Administrator/ Zoning Permit	Administrative Review Staff	Planning Commission	City Council	Board of Appeals	Other Required Approval
Site improvements with no structural changes	Final determination	—	—	—	—	—
Accessory dwelling units	Final determination	—	—	—	Final determination if special exception requested	Infill design review if not in historic districts HDC approval in historic districts Noticed neighbors may request Board of Appeals special exception
Signs (other than in PUD, A, and F Zone Districts)	Final determination	—	—	—	—	HDC approval in historic districts
Fences (other than in PUD, A, and F Zone Districts)	Final determination	—	—	—	—	HDC approval in historic districts

Application Type	Zoning Administrator/ Zoning Permit	Administrative Review Staff	Planning Commission	City Council	Board of Appeals	Other Required Approval
<b>Special land uses</b>	—	Recommendation	Final determination	—	—	Public workshop in PUD and F Zone Districts  DDA recommendation for F sub-districts downtown
<b>Rezoning and conditional rezoning</b>	—	Recommendation	Recommendation	Final determination	—	Public outreach workshop (exempt rezoning to LDR, MDR, or CNR)  DDA recommendation for downtown F sub-districts
<b>Text amendment (UDO or Master Plan)</b>	—	Recommendation	Recommendation	Final determination	—	—
<b>Special exception</b>	—	—	—	—	Final Determination	—
<b>Variance</b>	—	—	—	—	Final determination	—
<b>Nonconformities</b>	—	—	—	—	Final determination	—
<b>UDO interpretation</b>	—	—	—	—	Final determination if appealed	—
<b>Lot split or combination</b>	Final determination	—	—	—	—	Assessor approval
<b>Site condominium</b>	—	Recommendation	Final determination	—	—	Public outreach workshop
<b>Traditional condominium</b>	—	Recommendation	Final determination	—	—	Public outreach workshop
<b>Subdivision plat</b>	—	Recommendation	Recommendation	Final determination	—	Public outreach workshop

B. LDR, CNR, MDR, TNR, HDR and MHR Zone Districts.

Application Type	Zoning Administrator/ Zoning Permit	Administrative Review Staff	Planning Commission	City Council	Board of Appeals	Other Required Approval
<b>Residential dwellings with 1 to 4 units</b> (new and additions)	Final determination	—	—	—	—	Infill design review (CNR and TNR)  HDC approval in historic districts
<b>New nonresidential buildings</b>	—	Recommendation	Final determination	—	—	Infill design review (CNR and TNR)  HDC approval in historic districts
Nonresidential building additions	Less than 1,000 square feet  Final determination	1,000 square feet or greater  Final determination	—	—	—	HDC approval in historic districts
Conversions of residential dwelling units	Final determination	—	—	—	Final determination if special exception requested	HDC approval in historic districts
<b>HDR only:</b> new buildings with 5 or more residential dwellings units and mixed uses	—	Recommendation	Final determination	—	—	—

C. NMU, CMU, RMU, GMU and ED Zone Districts.

Application Type	Zoning Administrator/ Zoning Permit	Administrative Review Staff	Planning Commission	City Council	Board of Appeals	Other Required Approval
<b>New mixed-use nonresidential</b>	1,000 square feet or less	Greater than 1,000 square feet	—	—	—	Noticed neighbors may request Planning Commission review
<b>5+ unit residential buildings</b>	Final determination	Final determination	—	—	—	
<b>Building additions</b>	10,000 square feet or less or in ED  Final determination	Final determination in all other cases	—	—	—	Noticed neighbors may request Planning Commission review
<b>GMU only:</b> multiple residential detached dwellings with 1 to 4 units	—	Recommendation	Final determination	—	—	—
<b>ED only:</b> single residential detached dwellings with 1 to 4 units	Final determination	—	—	—	—	—
<b>Outdoor cafes (private property)</b>	Final determination	—	—	—	—	—

Application Type	Zoning Administrator/ Zoning Permit	Administrative Review Staff	Planning Commission	City Council	Board of Appeals	Other Required Approval
<b>Sidewalk cafes (public property)</b>	Final determination	—	—	—	—	Approval of insurance and indemnification by City Attorney

D. I Zone District.

Application Type	Zoning Administrator/ Zoning Permit	Administrative Review Staff	Planning Commission	City Council	Board of Appeals	Other Required Approval
<b>East or south of US-31</b> <b>New buildings</b>	Less than 1,000 square feet Final determination	—	—	—	—	Noticed neighbors may request Planning Commission review
<b>West or north of US-31</b> <b>New buildings</b>	Less than 1,000 square feet Final determination	1,000 square feet or greater not adjacent to a residential zone district: final determination  1,000 square feet or greater and adjacent to residential zone district: recommendation	1,000 square feet or greater and adjacent to residential zone district  Final determination	—	—	Noticed neighbors may request Planning Commission review
<b>Building additions</b>	10,000 square feet or less Final determination	Greater than 10,000 square feet Final determination	—	—	—	Noticed neighbors may request Planning Commission review

E. A Zone District.

Application Type	Zoning Administrator/ Zoning Permit	Administrative Review Staff	Planning Commission	City Council	Board of Appeals	Other Required Approval
<b>New buildings</b>	Final determination	—	—	—	—	West Michigan Airport Authority recommendation
<b>Site improvements with no changes to principal building</b>	Final determination	—	—	—	—	West Michigan Airport Authority recommendation
<b>Signs and fences</b>	Final determination	—	—	—	—	West Michigan Airport Authority recommendation

F. PUD Zone District.

Application Type	Zoning Administrator/ Zoning Permit	Administrative Review Staff	Planning Commission	City Council	Board of Appeals	Other Required Approval
New buildings and site elements <sup>1</sup>	—	Recommendation	Final determination	—	—	Public outreach workshop
Site improvements with no changes to principal building	—	Final determination if minor addition	Final determination in conjunction with a site plan review or major addition	—	—	—
Signs	Permit issued	Recommendation	Final determination	—	—	HDC approval in historic districts  Standards defined in PUD agreement
Fences	Permit issued	Recommendation	Final determination	—	—	Standards defined in PUD agreement
Fences and signs (not in conjunction with a site plan)	Final determination based on PUD agreement	—	—	—	—	HDC approval in historic districts

NOTE:

<sup>1</sup> Site elements include all nonstructure aspects of site design. For example: utilities, lighting, landscaping, or parking.

G. F-WDT, NDT, CDT, EDT and CENT Zone Districts. [Amended 10-20-2021 by Ord. No. 1804]

Application Type	Zoning Administrator/ Zoning Permit	Administrative Review Staff	Planning Commission	City Council	Board of Appeals	Other Required Approval
New buildings or additions	—	Less than 500 square feet: final determination  500 square feet or greater: recommendation	500 square feet or greater: final determination	—	—	If 500 square feet or greater: public outreach workshop and DDA recommendation  Less than 500 square feet: noticed neighbors may request Planning Commission review
Accessory buildings (not in conjunction with site plan)	200 square feet or less  Final determination	Over 200 square feet  Final determination	—	—	—	Noticed neighbors may request Planning Commission review  DDA recommendation
Form-based code standards waiver	—	Recommendation	Final determination	—	—	DDA recommendation

Application Type	Zoning Administrator/ Zoning Permit	Administrative Review Staff	Planning Commission	City Council	Board of Appeals	Other Required Approval
<b>Signs and fences</b>	Final determination	—	—	—	—	DRB review

H. F-RM, SIXT, WASH and SSV Zone Districts.

Application Type	Zoning Administrator/ Zoning Permit	Administrative Review Staff	Planning Commission	City Council	Board of Appeals	Other Required Approval
<b>New buildings or additions</b>	—	Less than 500 square feet: final determination  500 square feet: or greater: recommendation	500 square feet: or greater: final determination	—	—	Less than 500 square feet: noticed neighbors may request Planning Commission review
<b>Accessory buildings</b> (not in conjunction with site plan)	200 square feet or less  Final determination	Greater than 200 square feet  Final determination	—	—	—	Noticed neighbors may request Planning Commission review
<b>Outdoor cafes</b> (private property)	Final determination	—	—	—	—	—
<b>Sidewalk cafes</b> (public property)	Final determination	—	—	—	—	Approval of insurance and indemnification by City Attorney
<b>Form-based code standards waiver</b>	—	Recommendation	Final determination	—	—	—
<b>Signs and fences</b>	Final determination	—	—	—	—	—