

ORDINANCE

AN ORDINANCE TO AMEND THE ORDINANCE CODE OF THE CITY OF HOLLAND, BEING PORTIONS OF ORDINANCE NO. 39 OF THE CITY (THE UNIFIED DEVELOPMENT ORDINANCE) BY AMENDING THE FOLLOWING ITEMS OF SAID SECTION 39.

Summary of changes to the Unified Development Ordinance, Chapter 39 of the ordinances of the City of Holland:

<u>Code Section</u>	<u>Change</u>
2.03	Update Use table to include Battery Energy Storage System (BESS) Correct Use table for Alternative Energy – Solar.
2.05	Add small scale accessory use to LDR zone
2.06	Add small scale accessory use to CNR zone.
2.07	Add small scale accessory use to MDR zone
2.08	Add small scale accessory use to TNR zone
2.09	Add small scale and large scale accessory use to HDR zone
2.10	Add small scale accessory use to MHR zone
2.11	Add small scale and large scale accessory use to NMU zone
2.12	Add small scale and large scale accessory use to CMU zone
2.13	Add small scale and large scale accessory use to RMU zone
2.14	Add small scale and large scale accessory use to GMU zone
2.15	Add small scale and large scale accessory use to ED zone
2.16	Add principal use to Industrial zone and correct Alternative energy – solar
2.18	Add small scale and large scale accessory use to Open Space zone
2.19	Add small scale and large scale accessory use to PUD zone
2.23	Add small scale and large accessory use to Form Based Code zone
4.02	Add Battery Energy Storage System to permitted land uses
4.02.BB	Add small scale Battery Energy Storage System standards
4.04	Correct Alternative energy wind/solar; add Battery Energy Storage System to permitted land use
4.04.O	Add large scale Battery Energy Storage System standards
9.12	update essential service examples
Definitions	Add Battery Energy Storage System definition Update Essential Service definition

All other provisions of Chapter 39 shall remain in full force and effect.

Adoption date: July 1, 2026

Effective date: July 22, 2026

USES		LDR	CNR	MDR	TNR	HDR	MHR	NMU	CMU	RMU	GMU	ED	I	A	OS	PUD	F
Industrial Uses	Alternative Energy - Solar	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*/S*		P*	P*	P*
	Alternative Energy - Wind	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*		P*/S*	P*/S*	P*/S*
	Manufacturing - Low Intensity	-	-	-	-	-	-	-	S	S	-	-	P		-	-	-
	Manufacturing - High Intensity	-	-	-	-	-	-	-	-	-	-	-	S*		-	-	-
	Oil and Gas Drilling	-	-	-	-	-	-	P*	P*	P*	P*	-	P*		-	-	-
	Power Plant (Not Wind or Solar)	-	-	-	-	-	-	-	-	-	-	-	S		-	-	-
	Recycling Collection Centers	-	-	-	-	-	-	-	-	-	-	-	P*		-	-	-
	Research and Development	-	-	-	-	-	-	-	P	P	S	P	P		-	-	-
	Self Storage Facilities	-	-	-	-	-	P*	-	P*	P*	-	-	P*		-	-	-
	Transportation and Logistics	-	-	-	-	-	-	-	S	-	-	-	P		-	-	-
	Warehousing	-	-	-	-	-	-	-	P*	P*	-	P	P*		-	-	-
Other Uses	Campground	-	-	-	-	-	-	-	S*	-	-	-	-		S*	S*	-
	Cemetery (Public)	-	-	-	-	-	-	-	-	-	-	-	-		P	-	-
	Cemetery (Private)	-	-	-	-	-	-	-	-	-	-	-	-		P*	-	-
	Greenhouses	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*	P*	P*
	Government/Municipal Services	S	S	S	S	S	S	S	S	S	S*	S	S		P	S	S
	Institutions of Higher Education	S	S	S	S	S	S	S	S	S	P/S	P	S		-	-	S
	K-12 Schools	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P	P/S		-	-	P/S
	Kennels	-	-	-	-	-	-	-	P*	-	-	-	-		-	-	-
	Marinas	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*		S*	S*	S*
	Parking Lots as a Principal Use	-	-	-	-	-	-	-	S*	-	-	P*	P*		-	-	S*
	Parking Structures as the Principal Use	-	-	-	-	-	-	-	S*	-	S	P*	P*		-	P*	S*
	Recreation - Indoor	-	-	-	-	P	P	P	P	P	P	P	P		S	P	P
	Recreation - Outdoor	-	-	-	-	P	P	P	P	S	S	P	-		P	P	S
	Religious Institutions	P	P	P	P	P	P	P	P	S	S	P	S		-	P	S
	Sexually Oriented Businesses	-	-	-	-	-	-	-	S*	-	-	-	-		-	-	-
	Wireless Communication Facilities	P*	P*	P*	P*	P*	P*	P*	P*/S*	P*	P*	P*	P*/S*		P*/S*	P*	P*
	Battery Energy Storage System	P*	P*	P*	P*	P*/S*	P*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	S*		P*	P*/S*	P*

See Section 39-2.17 for allowed uses

- 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.
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- P** Permitted, see the Zone District
- P*** Permitted with Restrictions, see the Zone District and [Section 39-4.02](#)
- S** Special Land Use, see the Zone District and [Section 39-4.03](#)
- S*** Special Land Use with Restrictions, see the Zone District, [Section 39-4.03](#) and [Section 39-4.04](#)

	USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES *	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)	
1 Toolbox						
2 Zone Districts	Residential Uses	Bed and Breakfast	Permitted: 1-4 Guest Rooms 5-8 Guest Rooms: Special Exception	1 per guest room, plus 1 for the dwelling unit	4 spaces <u>4.02.C</u> <u>12.12.B</u> Special Exception	
3 Form Based Code		Short Term Rentals	Permitted with Restrictions (See Section 39-4.02.Q)	1 per dwelling unit	- <u>4.02.Q</u> Chapter 14	
4 Add'l Use Standards		Home Occupation/ Business Type 1 and 2	Type 1: Permitted Type 2: Special Exception	1 per dwelling unit. Type 2: 2 parking spaces available	- <u>4.02.G</u> <u>12.12.B</u> Special Exception	
5 Site Design Review Standards		Child Care In-Home	1-6 children permitted; 6+ requires Special Exception	-	- <u>4.02.D.2-3</u>	
6 Landscaping/ Green Inf.	Other Uses	Offices	Permitted Accessory to a Religious Institution or K-12 School	1 per 800 sf	-	
7 Lighting		Child Care Centers	Permitted Accessory to a Religious Institution or K-12 School	1 per 800 sf	-	<u>4.02.D.1</u>
8 Signage		Alternative Energy - Solar	Permitted as Accessory Use	-	-	<u>4.02.B</u> <u>4.04.B</u>
9 General Standards		Alternative Energy - Wind	Permitted: 40 feet in height or less Special Land Use: Greater than 40 feet in height Shall be Accessory Use	-	-	<u>4.02.B</u> <u>4.04.B</u>
10 Streets/ Sidewalks/ Driveways		Greenhouses	Permitted as Accessory Use	-	-	-
11 Subdivision of Land		Government/ Municipal Services	Special Land Use	Approving Authority Determination	1 per 5,000 sf, minimum 4 available to general public	<u>4.03</u>
12 Processes/ Admin.		Institutions of Higher Education	Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.03</u>
13 Non-conformities		K-12 Schools	Special Land Use Existing Uses Can Expand without Special Land Use Approval	Approving Authority Determination	2 per classroom	<u>4.03</u>
14 Definitions		Marinas	Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.04.F</u>
		Religious Institutions	Permitted	Approving Authority Determination	1 per 40 seats in worship space, minimum 4 available to general public	-
	Wireless Communication Facilities	Permitted Only when located on an existing structure	-	-	<u>4.02.X</u> <u>4.04.M</u>	
	Battery Energy Storage System	Permitted as Accessory Use	-	-	<u>4.02.BB</u>	

* Where square footage is referenced, it refers to gross building square footage.

USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES *	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)
Other Uses	Religious Institutions	Permitted	Approving Authority Determination	1 per 40 seats in worship space, minimum 4 available to general public
	Wireless Communication Facilities	Permitted Only when located on an existing structure	-	-
	Battery Energy Storage System	Permitted as Accessory Use	-	-

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D. Additional Standards.

1. The **Infill Design Review Standards** shall apply in the CNR *Zone District* as described in Section 39-9.09.
2. **Residential Buildings** shall not **exceed 2,500 square feet** in gross floor area.
3. **Non-Residential Buildings** shall not exceed 2,500 square feet in gross floor area unless approved for a Special Exception under Section 39-12.12.B.
4. **Accessory Dwelling Units** are not permitted.
5. The **maximum size** of any *accessory structure* in the CNR district is **576 square feet**.

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Add'l Use
Standards

5
Site Design
Review
Standards

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Landscaping/
Green Inf.

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Signage

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General
Standards

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Streets/
Sidewalks/
Driveways

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Subdivision
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USE		APPROVAL TYPE	MINIMUM AUTO PARKING SPACES *	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)
Other Uses	Marinas	Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.04.F</u>
	Religious Institutions	Permitted	Approving Authority Determination	1 per 40 seats in worship space, minimum 4 available to general public	-
	Wireless Communication Facilities	Permitted Only when located on an existing structure	-	-	<u>4.02.X</u> <u>4.04.M</u>
	Battery Energy Storage System	Permitted as Accessory Use	-	-	<u>4.02BB</u>

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USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES *	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)	
Other Uses	Government/ Municipal Services	Special Land Use	Approving Authority Determination	1 per 5,000 sf, minimum 4 available to general public <u>4.03</u>	
	Institutions of Higher Education	Special Land Use	Approving Authority Determination	Approving Authority Determination <u>4.03</u>	
	K-12 Schools	Special Land Use Existing Uses Can Expand without Special Land Use Approval	Approving Authority Determination	2 per classroom <u>4.03</u>	
	Marinas	Special Land Use	Approving Authority Determination	Approving Authority Determination <u>4.04.F</u>	
	Religious Institutions	Permitted	Approving Authority Determination	1 per 40 seats in worship space, minimum 4 available to general public -	
	Wireless Communication Facilities	Permitted Only when located on an existing structure	-	-	<u>4.02.X</u> <u>4.04.M</u>
	Battery Energy Storage System	Permitted as Accessory Use	-	-	<u>4.02BB</u>

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D. Additional Standards Required.

- Hope Neighborhood Overlay District:** See Section 39-2.21 to determine if located in the Hope Neighborhood Overlay District and for requirements.
- The Infill Design Review** standards shall apply in the TNR Zone District as described in Section 39-9.09.
- Education Zone District.** These TNR standards shall apply to *Single Detached Dwelling Units* located in the ED Zone District (Section 39-2.15) that are **not owned** by an *Institution of Higher Education*.
- Historic Districts.** Properties in an *Historic District* are also required to adhere to the City Code of Ordinances Chapter 2, Article XV *Historic Districts* and *Historic District Commissions* ordinance.

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- 5** Site Design Review Standards
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- 7** Lighting
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	USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES *	MINIMUM BIKE PARKING SPACES <small>SECTION 39-9.03</small>	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)
Other Uses	Battery Energy Storage System	Permitted as Accessory Use	-	-	<u>4.02BB</u>

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USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES *	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)	
Other Uses	Alternative Energy - Solar	Permitted as Accessory Use	-	-	<u>4.02.B</u> <u>4.04.B</u>
	Alternative Energy - Wind	Permitted: 40 feet in height or less Special Land Use: Greater than 40 feet in height Shall be Accessory Use	-	-	<u>4.02.B</u> <u>4.04.B</u>
	Self Storage Facilities	Permitted: As Accessory to Manufactured Housing Community	-	-	<u>4.02.P</u>
	Greenhouses	Permitted as Accessory Use	-	-	-
	Government/ Municipal Services	Special Land Use	Approving Authority Determination	1 per 5,000 sf, minimum 4 available to general public	<u>4.03</u>
	Institutions of Higher Education	Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.03</u>
	K-12 Schools	Special Land Use Existing Uses Can Expand without Special Land Use Approval	Approving Authority Determination	2 per classroom	<u>4.03</u>
	Marinas	Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.04.F</u>
	Recreation - Indoor	Permitted: As Accessory to Manufactured Housing Community	Approving Authority Determination	-	-
	Recreation - Outdoor	Permitted: As Accessory to Manufactured Housing Community	Approving Authority Determination	-	-
	Religious Institutions	Permitted	Approving Authority Determination	1 per 40 seats in worship space, minimum 4 available to general public	-
	Wireless Communication Facilities	Permitted Only when located on an existing structure	-	-	<u>4.02.X</u> <u>4.04.M</u>
	Battery Energy Storage System	Permitted as Accessory Use	-	-	<u>4.02BB</u>

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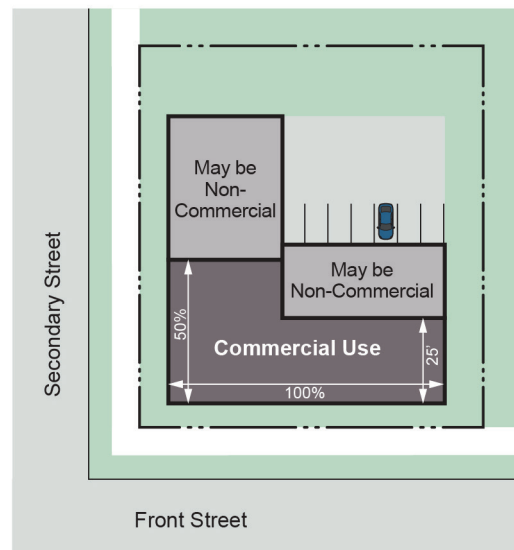
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	USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES*	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)
Other Uses	Marinas	Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.04.F</u>
	Recreation - Indoor	Permitted as Accessory Use	Approving Authority Determination	-	-
	Recreation - Outdoor	Permitted as Accessory Use	Approving Authority Determination	-	-
	Religious Institutions	Permitted	Approving Authority Determination	1 per 40 seats in worship space, minimum 4 available to general public	-
	Wireless Communication Facilities	Permitted Only when located on an existing structure	-	-	<u>4.02.X</u>
	Battery Energy Storage System	Permitted as Accessory Use	-	-	<u>4.02.BB</u>

* Where square footage is referenced, it refers to gross building square footage. See Section 39-12.02 for reduction/waiver of commercial parking requirements.

D. Use Allowances.

1. **Only commercial uses are allowed as follows:**
 - a. Located in **100% of the first story** of a building facing the **front street**, to a depth of 25 feet.
 - b. Located in **50% of the entire first story** of a building facing a **secondary street**, to a depth of 25 feet.
2. **Residential** uses are permitted in the remaining areas of the *building*.
3. **A Special Land Use may be approved** by the *Planning Commission* to decrease the amount of *commercial* use if the context of the site deems it appropriate. See Section 39-4.04.G.



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	USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES*	MINIMUM BIKE PARKING SPACES <small>SECTION 39-9.03</small>	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)
Industrial Uses	Alternative Energy - Solar	Permitted as Accessory Use	-	-	<u>4.02.B</u> <u>4.04.B</u>
	Alternative Energy - Wind	Permitted: 40 feet in height or less Special Land Use: Greater than 40 feet in height Shall be Accessory Use	-	-	<u>4.02.B</u> <u>4.04.B</u>
	Manufacturing – Low Intensity	Special Land Use	1 per 800 sf	1 per 20,000 sf, minimum 4 available to general public	<u>4.03</u>
	Oil and Gas Drilling	Permitted	-	-	<u>4.02.I</u>
	Research and Development	Permitted	1 per 300 sf	Approving Authority Determination	-
	Self Storage Facilities	Permitted	0.25 per storage unit	-	<u>4.02.P</u>
	Transportation and Logistics	Special Land Use	1 per 800 sf	Approving Authority Determination	<u>4.03</u>
	Warehousing	Permitted	1 per 800 sf	1 per 50,000 sf, minimum 4 available to general public	<u>4.02.W</u>
	Battery Energy Storage System	Permitted as Accessory Use	-	-	<u>4.02BB</u>

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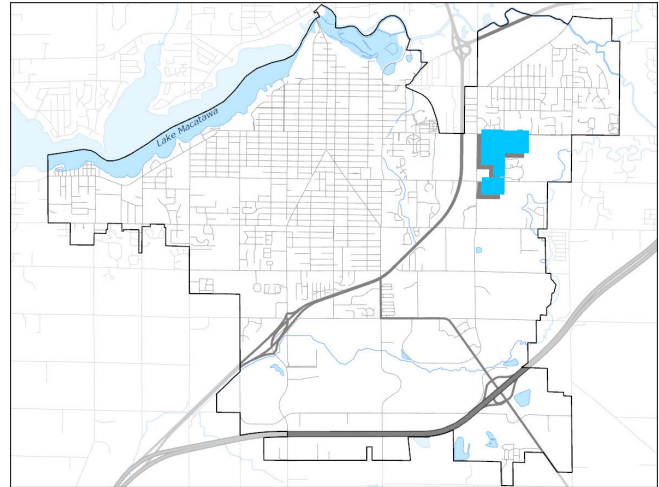
	USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES*	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)
Other Uses	Self Storage Facilities	Permitted	-	-	<u>4.02.P</u>
	Warehousing	Permitted	1 per 800 sf	1 per 50,000 sf, minimum 4 available to general public	<u>4.02.W</u>
	Greenhouses	Permitted	-	-	
	Government/ Municipal Services	Special Land Use	Approving Authority Determination	1 per 5,000 sf, minimum 4 available to general public	<u>4.03</u>
	Institutions of Higher Education	Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.03</u>
	K-12 Schools	Special Land Use Existing Uses Can Expand without Special Land Use Approval	Approving Authority Determination	2 per classroom	<u>4.03</u>
	Marinas	Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.04.F</u>
	Recreation - Indoor	Permitted as Accessory Use	Approving Authority Determination	-	-
	Recreation - Outdoor	Special Land Use	Approving Authority Determination	-	<u>4.03</u>
	Religious Institutions	Special Land Use	Approving Authority Determination	1 per 40 seats in worship space, minimum 4 available to general public	<u>4.03</u>
	Wireless Communication Facilities	Permitted Only when located on an existing structure	-	-	<u>4.02.X</u> <u>4.04.M</u>
	Battery Energy Storage Systemn	Permitted as Accessory Use	-	-	<u>4.02.BB</u>

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SECTION 39-2.14 GREENFIELD MIXED USE ZONE DISTRICT

GMU

A. **Intent:** The GMU Greenfield Mixed Use Zone District is intended for *mixed use developments* to support existing commercial uses along corridors. This *Zone District* provides standards to ensure that connectivity, walkability, and community amenities are central in the *development* of these *properties*. To accomplish these City goals, new *developments* will be required to provide internal streets and non-motorized connections supported by open space. *Mixed Use buildings* and Missing Middle housing types (townhouses, small apartment *buildings*, etc) are especially encouraged.



B. GMU Dimensional Standards Table.

SETBACKS			
		MINIMUM	MAXIMUM
Setbacks	Front Yard – From Existing Streets	25 ft	75 ft
	Front Yard – From Internal/ New Streets	10 ft	25 ft
	Side Yard – Single Detached Dwelling Units	10 ft	-
	Side Yard – All Other Uses	15 ft	-
	Rear Yard	25 ft	-
	Secondary Street Yard – From Existing Streets	10 ft	75 ft

SETBACKS (CONTINUED) AND BUILDING HEIGHT			
		MINIMUM	MAXIMUM
Setbacks	Secondary Street Yard – From Internal/ New Streets	10 ft	25 ft
	Building Height	-	45 ft Up to 60 ft may be permitted by Special Land Use Approval

C. GMU Use and Parking Standards Table.

USE		APPROVAL TYPE	MINIMUM AUTO PARKING SPACES*	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)
Res. Uses	Single Detached Dwelling Unit	Permitted Minimum density six units per acre	1 per dwelling unit	-	9.04
	Single Attached Dwelling Unit	Permitted Minimum density six units per acre	1 per dwelling unit	-	9.04

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1 Toolbox	Residential Uses	Two Attached Dwelling Units	Permitted Minimum density six units per acre	1 per dwelling unit	-	<u>9.04</u>
2 Zone Districts		Three Attached Dwelling Units	Permitted Minimum density six units per acre	1 per dwelling unit	-	<u>9.04</u>
3 Form Based Code		Four Attached Dwelling Units	Permitted Minimum density six units per acre	1 per dwelling unit	-	<u>9.04</u>
4 Add'l Use Standards		Five or More Attached Dwelling Units	Permitted Minimum density six units per acre	1 per dwelling unit	1 long term space per 2 dwelling units. 4 short tem spaces for general public.	<u>9.04</u>
5 Site Design Review Standards		Accessory Dwelling Unit (ADU)	Permitted Only on properties with Single Detached Dwelling Units	1 per dwelling unit	-	<u>9.07</u>
6 Landscaping/ Green Inf.		Short Term Rental	Permitted	1 per dwelling unit	-	<u>4.02.Q</u> Chapter 14
7 Lighting		Home Occupation/ Business Type 1 and 2	Type 1: Permitted Type 2: Special Exception	Type 1: 1 per dwelling unit. Type 2: 2 parking spaces available	-	<u>4.02.G</u> <u>12.12.B</u> Special Exception
8 Signage		Child Care In-Home	1-6 children permitted; 6+ requires Special Exception	-	-	<u>4.02.D.2-3</u>
9 General Standards		Commercial Uses	Retail	Permitted	1 per 200 sf	1 per 4,000 sf for the first 75,000 sf 1 per 12,500 sf for floor area over 75,000 sf Minimum 4 available to general public
10 Streets/ Sidewalks/ Driveways	Services		Permitted	1 per 200 sf	1 per 5,000 sf, minimum 4 available to general public	-
11 Subdivision of Land	Restaurants/Bars		Permitted	1 per 200 sf	1 per 2,000 sf, minimum 4 available to general public	-
12 Processes/ Admin.	Offices		Permitted	1 per 200 sf	1 per 5,000 sf, minimum 4 available to general public	-
13 Non-conformities	Care Facilities		Special Land Use	1.25 per patient room	Approving Authority Determination	<u>4.03</u>
14 Definitions						

USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES*	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)
Commercial Uses	Child Care Centers	Special Land Use	1 per 300 sf	Approving Authority Determination <u>4.03</u>
	Drive-Thru's	Permitted Only on properties abutting 16th Street, 24th Street, or Waverly Avenue.	Included with Principal Use	Approving Authority Determination <u>4.02.E</u>
	Event Venues	Permitted on 2-acre maximum properties	1 per 500 sf	Approving Authority Determination -
	Gas Stations	Special Land Use. Shall only be approved on properties abutting 16th Street, 24th Street, or Waverly Avenue.	1 per 300 sf of retail space, plus 1 per gas pump (located next to the pump)	Approving Authority Determination <u>4.04.D</u>
	Maker Spaces	Permitted on 2-acre maximum properties	1 per 400 sf	Approving Authority Determination -
	Outdoor Sales, Outdoor Cafes, and Sidewalks Cafes	Permitted	Included with Principal Use	- <u>4.02.K</u>
	Public Lodging	Permitted	1.1 per guest room	1 per 10 rooms, minimum 4 available to general public <u>4.02.N</u>
	Shelters	Permitted	1.1 per guest room	1 per 10 rooms, minimum 4 available to general public <u>4.02.Z</u>
	Vehicle Repair	Permitted Only on properties abutting 16th Street, 24th Street, or Waverly Avenue.	3 per vehicle bay	Approving Authority Determination <u>4.02.S</u> <u>4.04.K</u>
	Vehicle Wash	Permitted Only on properties abutting 16th Street, 24th Street, or Waverly Avenue.	10 spaces	Approving Authority Determination <u>4.02.U</u>
Vendor Trucks	Permitted	Included with Principal Use	- <u>4.02.V</u>	
Industrial Uses	Alternative Energy - Solar	Permitted as Accessory Use	-	- <u>4.02.B</u> <u>4.04.B</u>
	Alternative Energy - Wind	Permitted: 40 feet in height or less Special Land Use: Greater than 40 feet in height Shall be Accessory Use	-	- <u>4.02.B</u> <u>4.04.B</u>

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USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES*	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)	
Oil and Gas Drilling	Permitted	-	-	<u>4.02.I</u>	
Research and Development	Special Land Use	1 per 300 sf	Approving Authority Determination	<u>4.03</u>	
Other Uses	Greenhouses	Special Land Use on 2-acre maximum properties	-	-	
	Government/ Municipal Services	Special Land Use on 2-acre maximum properties.	Approving Authority Determination	1 per 5,000 sf, minimum 4 available to general public	<u>4.03</u>
	Institutions of Higher Education	Special Land Use on 2-acre maximum properties Existing Uses Can Expand without Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.03</u>
	K-12 Schools	Special Land Use Existing Uses Can Expand without Special Land Use Approval	Approving Authority Determination	2 per classroom	<u>4.03</u>
	Marinas	Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.04.F</u>
	Parking Structures as the Principle Use	Special Land Use	-	-	<u>4.02.M</u> <u>4.04.I</u>
	Recreation - Indoor	Permitted on 2-acre maximum properties	Approving Authority Determination	-	-
	Recreation - Outdoor	Special Land Use	Approving Authority Determination	-	<u>4.03</u>
	Religious Institutions	Special Land Use	Approving Authority Determination	1 per 40 seats in worship space, minimum 4 available to general public	<u>4.03</u>
	Wireless Communication Facilities	Permitted Only when located on an existing structure	-	-	<u>4.02.X</u>

BESS

4.02.BB

* Where square footage is referenced, it refers to gross building square footage. See Section 39-12.02 for reduction/waiver of commercial parking requirements.

D. **Additional Standards – Waverly Sub-Area Infrastructure Connections.** All properties in the GMU *Zone District* shall be subject to providing public street, utility, and pathway connections within properties and stubbing at adjacent properties per the guidance from the Waverly Subarea Plan, *Article 39-10*, staff, and *Planning Commission*. The purpose of this regulation is to intentionally develop a connected, walkable, and urban character for the GMU *Zone District*.

	USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES*	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)
1 Toolbox					
2 Zone Districts	Marinas	Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.04.F</u>
3 Form Based Code	Parking lots as a Principal Use	Permitted	-	-	<u>4.02.L</u>
4 Add'l Use Standards	Parking Structures as the Principal Use	Permitted Accessory to an Institution of Higher Education or K-12 School	-	-	<u>4.02.M</u>
5 Site Design Review Standards	Recreation - Indoor	Permitted Accessory to an Institution of Higher Education or K-12 School	Approving Authority Determination	-	-
6 Landscaping/ Green Inf.	Recreation - Outdoor	Permitted Accessory to an Institution of Higher Education or K-12 School	Approving Authority Determination	-	-
7 Lighting	Religious Institutions	Permitted	Approving Authority Determination	1 per 40 seats in worship space, minimum 4 available to general public	-
8 Signage	Wireless Communication Facilities	Permitted Only when located on an existing structure	-	-	<u>4.02.X</u>
9 General Standards	Battery Energy Storage System	Permitted as Accessory Use	-	-	<u>4.02.BB</u>

* Where square footage is referenced, it refers to gross building square footage.

D. When established as an integrated element of the educational program, a full range of academic, administrative, assembly, *residential*, recreational and supportive services are permitted, including, but not limited to, the following: Classroom, laboratory, library, gymnasium, student center, office, store, clinic, gallery, *greenhouse*, *parking* areas, chapel, theater, auditorium, dining hall, dormitory, apartment, residence, museum, playing fields and courts, *signs*, sculpture and monuments, and such installations or uses as may be necessary or incidental to utility or mechanical services, maintenance and operations, and safety and security. For the purposes of this division, all such *buildings* or uses which are customary or incidental to an educational function may be referred to as "accessory to an institutional uses," as distinguishable from privately owned *residential* premises which may be included within the ED *Zone District*.

USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES*	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)
Commercial Uses	Gas Stations	Special Land Use Accessory to an Industrial Use or in Non-Industrial Outlots.	1 per 300 sf of retail space, plus one per pump	Approving Authority Determination <u>4.04.D</u>
	Maker Space	Permitted	1 per 400 sf	Approving Authority Determination -
	Outdoor Sales, Outdoor Cafes, and Sidewalks Cafes	Permitted	Included with Principal Use	- <u>4.02.K</u>
	Public Lodging	Permitted in Non-Industrial Outlots	1.1 per guest room	1 per 10 rooms, minimum 4 available to general public <u>4.02.N</u>
	Shelters	Permitted in Non-Industrial Outlots	1.1 per guest room	1 per 10 rooms, minimum 4 available to general public <u>4.02.Z</u>
	Vehicle Repair	Permitted	None	Approving Authority Determination <u>4.02.T</u> <u>4.04.L</u>
	Vehicle Wash	Permitted	10 spaces	Approving Authority Determination <u>4.02.U</u>
	Vendor Trucks	Permitted as Accessory Use	Included with Principal Use	- <u>4.02.V</u>
Outdoor Storage and Processes	Permitted	-	- <u>4.02.J</u>	
Industrial Uses	Alternative Energy - Solar	Permitted as Small Scale and Accessory Special Land Use for Large Scale	-	- <u>4.02.B</u> <u>4.04.B</u>
	Alternative Energy - Wind	Permitted Accessory 40 feet or less in height Special Use for principal and greater than 40ft in height	-	- <u>4.02.B</u> <u>4.04.B</u>
	Manufacturing – Low Intensity	Permitted	-	1 per 20,000 sf, minimum 4 available to general public -
	Manufacturing – High Intensity	Special Land Use	-	1 per 20,000 sf, minimum 4 available to general public <u>4.04.E</u>
	Oil and Gas Drilling	Permitted	-	- <u>4.02.I</u>
Power Plant (Not Wind or Solar)	Special Land Use	-	Approving Authority Determination <u>4.03</u>	

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Site Design Review Standards

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	USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES*	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)
1 Toolbox					
2 Zone Districts	Battery Energy Storage System	Permitted as Accessory Use Special Land Use as Principal Use	-	-	<u>4.02.BB</u> <u>4.04.O</u>
3 Form Based Code	Recycling Collection Center	Permitted	5 spaces	-	<u>4.02.O</u>
4 Add'l Use Standards	Research and Development	Permitted	-	Approving Authority Determination	-
5 Site Design Review Standards	Self Storage Facilities	Permitted	-	Approving Authority Determination	<u>4.02.P</u>
6 Landscaping/ Green Inf.	Transportation and Logistics	Permitted	-	Approving Authority Determination	-
7 Lighting	Warehousing	Permitted	-	1 per 50,000 sf, minimum 4 available to general public	<u>4.02.W</u>
8 Signage	Greenhouses	Permitted	Included with Principal Use	-	-
9 General Standards	Government/ Municipal Services	Special Land Use	Approving Authority Determination	1 per 5,000 sf, minimum 4 available to general public	<u>4.03</u>
10 Streets/ Sidewalks/ Driveways	Institutions of Higher Education	Special Land Use	Approving Authority Determination	-	<u>4.03</u>
11 Subdivision of Land	K-12 Schools	Special Land Use Existing Uses Can Expand without Special Land Use Approval	Approving Authority Determination	2 per classroom	<u>4.03</u>
12 Processes/ Admin.	Marinas	Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.04.F</u>
13 Non-conformities	Parking lots as a Principal Use	Permitted	-	-	<u>4.02.L</u>
14 Definitions	Recreation - Indoor	Permitted Accessory to an Industrial Use or in Non-Industrial Outlots.	-	-	-
	Religious Institutions	Special Land Use	Approving Authority Determination	1 per 40 seats in worship space, minimum 4 available to general public	<u>4.03</u>
	Wireless Communication Facilities	Permitted Accessory 40 feet or less in height Special Use if over 40 ft in height May be accessory or principal use	-	-	<u>4.02.X</u> <u>4.04.M</u>

* Where square footage is referenced, it refers to gross building square footage.

	USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES*	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)	
2 Zone Districts	Industrial Uses	Alternative Energy - Solar	Permitted as an Accessory Use	-	-	<u>4.02.B</u> <u>4.04.B</u>
		Alternative Energy - Wind	Permitted: Accessory 40 feet or less in height Special Use for all other cases. Shall be Accessory Use.	-	-	<u>4.02.B</u> <u>4.04.B</u>
4 Add'l Use Standards	Other Uses	Campground	Special Land Use	-	-	4.04.N
		Cemetery (Public)	Permitted	-	-	-
		Cemetery (Private)	Permitted	-	-	-
Greenhouses		Permitted	Approving Authority Determination	-	-	
Government/ Municipal Services		Permitted	Approving Authority Determination	Approving Authority Determination	-	
Marinas		Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.04.F</u>	
Recreation – Indoor		Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.03</u>	
Recreation - Outdoor		Permitted	Approving Authority Determination	Approving Authority Determination	-	
Wireless Communication Facilities		Permitted: Accessory 40 feet or less in height Special Use for all other cases. Shall be Accessory Use.	-	-	<u>4.02.X</u> <u>4.04.M</u>	
Wetlands (man made)		Permitted	-	-	-	
Retention Ponds		Permitted	-	-	-	
Detention Ponds	Permitted	-	-	-		
Battery Energy Storage System	Permitted as Accessory Use	-	-	<u>4.02.BB</u>		

* Where square footage is referenced, it refers to gross building square footage.

USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES*	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)	
Other Uses	Campground	Special Land Use	-	-	<u>4.04.N</u>
	Greenhouses	Permitted	Included with Principal Use	Included with Principal Use	-
	Government/ Municipal Services	May be Permitted	Determined by PC at Time of Application	1 per 5,000 sf, minimum 4 available to general public	-
	Marinas	Special Land Use	Approving Authority Determination	Approving Authority Determination	<u>4.04.F</u>
	Parking Structures as the Principal Use	May be Permitted	Approving Authority Determination	-	<u>4.02.M</u>
	Recreation - Indoor	May be Permitted	Approving Authority Determination	-	-
	Recreation - Outdoor	May be Permitted	Approving Authority Determination	-	-
	Religious Institutions	May be Permitted	Approving Authority Determination	1 per 40 seats in worship space, minimum 4 available to general public	-
	Wireless Communication Facilities	Permitted Only when located on an existing structure	-	-	<u>4.02.X</u>
	Battery Energy Storage System	Permitted as Accessory Use	-	-	<u>4.02.BB</u>

* Where square footage is referenced, it refers to gross building square footage.

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USE	APPROVAL TYPE	MINIMUM AUTO PARKING SPACES	MINIMUM BIKE PARKING SPACES SECTION 39-9.03	ADDITIONAL STANDARDS (SECTION IN CHAPTER 39)
Other Uses	Greenhouses	Permitted as accessory use	Included with Principal Use	-
	Government/ Municipal Services	Special Land Use	Approving Authority Determination	Included with Principal Use <u>4.03</u>
	Institutions of Higher Education	Special Land Use	Approving Authority Determination	1 per 5,000 sf, minimum 4 available to general public <u>4.03</u>
	K-12 Schools	Special Land Use Existing Uses Can Expand without Special Land Use Approval	Approving Authority Determination	2 per classroom <u>4.03</u>
	Marinas	Special Land Use	Approving Authority Determination	Approving Authority Determination <u>4.04.F</u>
	Parking lots as a Principal Use	Special Land Use	Approving Authority Determination	- <u>4.02.L</u> <u>4.04.H</u>
	Parking Structures as the Principal Use	Special Land Use	Approving Authority Determination	- <u>4.02.M</u> <u>4.04.I</u>
	Recreation - Indoor	Permitted	Approving Authority Determination	-
	Recreation - Outdoor	Special Land Use	Approving Authority Determination	- <u>4.03</u>
	Religious Institutions	Special Land Use	Approving Authority Determination	1 per 40 seats in worship space, minimum 4 available to general public <u>4.03</u>
	Wireless Communication Facilities	Permitted Only when located on an existing structure	None	- <u>4.02.X</u> <u>4.04.M</u>
	Battery Energy Storage System	Permitted as Accessory Use	-	- <u>4.02.BB</u>

Note: Where square footage is referenced, it refers to gross building square footage.
 **F-NDT Parking Spaces: 1.2 per dwelling unit

SECTION 39-4.01 INTENT

A. The intent of this Article is to provide additional use standards for the following:

1. **Permitted Uses** that have additional requirements beyond what is provided in Sections 39-2.05-23.

2. **Special Land Uses (SLU)** required to meet the Basic SLU Standards for Approval.
3. **Special Land Uses (SLU)** required to meet the Basic SLU Standards for Approval AND specific use standards.

P* SECTION 39-4.02 PERMITTED LAND USES WITH ADDITIONAL STANDARDS

A. **List of Permitted Land Uses with Additional Standards**

1. **Alternative Energy (Wind and Solar)** – All *Zone Districts*
2. **Bed and Breakfasts (1-4 Rooms)** – All *Zone Districts* where single detached *dwelling units* are permitted.
3. **Child Care Centers** – LDR, CNR, MDR, TNR, HDR, MHR, CMU, ED, PUD, F *Zone Districts*
Family and Group Child Care Homes – All *Zone Districts* where residential uses are permitted.
4. **Drive Thru’s** – NMU, CMU, RMU, GMU, ED, I, PUD, F *Zone Districts*
5. **Funeral Homes** – NMU (east of US-31), CMU; F (CENT and F-RM *Sub-Districts*)
6. **Home Occupations and Businesses** – All *Zone Districts* where residential uses are permitted.
7. **Kennels** – CMU *Zone District*
8. **Oil & Gas Drilling** – NMU, CMU, RMU, GMU, and I *Zone Districts*
9. **Outdoor Storage & Processes** – CMU, RMU, and I *Zone Districts*
10. **Outdoor Sales, Outdoor Cafes, and Sidewalk Cafes** – NMU, CMU, RMU, GMU, ED, I, PUD, and F *Zone Districts*
11. **Parking lots as a Principal Use** – ED and I *Zone Districts*
12. **Parking Structures as the Principal Use** – ED, I, and PUD *Zone Districts*
13. **Public Lodging** – CMU, RMU, GMU, ED, I, PUD, and F *Zone Districts*

14. **Recycling Collection Centers** – I *Zone District*
15. **Self Storage Facilities** – CMU, RMU, and I *Zone Districts*
16. **Short Term Rentals** – All *Zone Districts*
17. **Temporary Uses** – All *Zone Districts* where the use is typically not permitted
18. **Vehicle Repair** – CMU, RMU, GMU, and I *Zone Districts*
19. **Vehicle Sales** – CMU and RMU *Zone District*
20. **Vehicle Wash** - CMU, RMU, and I *Zone Districts*, and GMU *Zone Districts*
21. **Vendor Trucks** – NMU, CMU, RMU, GMU, ED, I, PUD, and F *Zone Districts* along corridors
22. **Warehousing** – CMU, RMU, and I *Zone Districts*
23. **Wireless Communication Facilities less than 40 feet** – All *Zone Districts*
24. **Care Facilities** – HDR *Zone District*
25. **Shelters** – CMU, RMU, GMU, ED, I, PUD, and F *Zone Districts*
26. **Cemeteries** – OS
27. **Battery Energy Storage System** – All *Zone Districts*

- c. **Routine maintenance** of a Small Cell Wireless facility, utility pole, or wireless support *structure*;
- d. **Micro Wireless Facility** installation, placement, maintenance, operation, or replacement of that is suspended on cables strung between utility poles or wireless support *structures* in compliance with applicable codes.

Y. Care Facilities

- 1. **Zone Districts Permitted:** HDR; up to 20 occupants
- 2. **Approving Authority:** If *Site Plan* Required: *Planning Commission* or Administrative Staff; If No *Site Plan* Required: Zoning Administrator
- 3. **Additional Review Processes:** *Special Land Use* approval in HDR with over 20 Occupants, RMU and GMU *Zone Districts*, see Section 39-4.03.
- 4. **Standards:**
 - a. **Screened** – All outdoor patios and outdoor recreation areas shall be screened from adjacent residential uses.
 - b. Shall comply with Chapter 26, Article II Residential Care Facilities, of the City Code of Ordinances.

Z. Shelters

- 1. **Zone Districts Permitted:** CMU, RMU, GMU, ED, I, PUD and F Zone Districts
- 2. **Approving Authority:** If *Site Plan* Required: *Planning Commission* or Administrative Staff; If no *Site Plan* Required: Zoning Administrator
- 3. **Standards:**
 - a. Shall comply with Chapter 26, Article I Public Lodging Houses and Shelters, of the City Code of Ordinances

AA. Cemeteries

- 1. **Zone Districts Permitted:** OS
- 2. **Approving Authority:**
 - a. If *Site Plan* required: Administrative Staff, if no *Site Plan* required: Zoning Administrator.

3. Standards:

- a. The cemetery must comply with MCL Act 251 of 1968
- b. No exterior storage of cemetery materials.
- c. All buildings shall meet the setback requirements of the zone district where they are located.
- d. There shall be a 10 foot setback from the side and rear property lines for any burial or earth interment.
- e. Any cemetery that is adjacent to a residential use or residential zone district must meet the residential buffer requirements per section 39-6.02

BB. Battery Energy Storage System (BESS) up to or equal to 60k Wh aggregate energy capacity (Small Scale and Accessory)

- 1. **Zone District Permitted:** All Zone Districts as an accessory use.
- 2. **Approving Authority:** Zoning Administrator
- 3. **Additional Review Process:** Special Land Use for large scale and in I zone district as a principal use (Section 39.4.04.O)
- 4. **Standards:**
 - a. Setbacks - equipment shall maintain a 5 foot setback to all property lines and shall be located in the side or rear yard
 - b. Height - equipment shall not exceed 6 feet in height in any residential zone and 10 feet in any other zone district.

S

**SECTION 39-4.03
SPECIAL LAND
USES WITH BASIC
STANDARDS REQUIRED**

- A. **List of Special Land Uses and Allowable Zone Districts.** The following uses shall be approved as *Special Land Uses* by the *Planning Commission*, using **The Basic Special Land Use Standards** per Sections 39-4.03.B and 39-12.08.

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
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- 9. **Manufacturing (Low Intensity)** – CMU and RMU *Zone Districts*
- 10. **Care Facilities** – HDR for over 20 Occupants, RMU and GMU *Zone Districts*
- 11. **Power Plants- Non-Wind or Solar** – I *Zone District*
- 12. **Recreation (Indoor)** – OS *Zone District*
- 13. **Recreation (Outdoor)** – RMU, GMU, F *Zone Districts*. Note: Public parks are permitted in all *Zone Districts*, including *Zone Districts* where other *outdoor recreation* is prohibited or requires *Special Land Use Approval*.
- 14. **Religious Institutions** – RMU, GMU, I, and F *Zone Districts*
- 15. **Research and Development** – GMU *Zone District*
- 16. **Transportation and Logistics** – CMU *Zone District*

- 5. **Landscaping and additional amenities proposed.** Approval may be conditioned upon additional *landscaping* or *amenities* being added to the site design.
- 6. Compatibility with the City of Holland’s **Master Plan**.
- 7. Adequate access to **public services**.
- 8. **Impact of traffic.** A *Traffic Impact Study* may be required for all *Special Land Uses*.
- 9. No **detrimental effects** are foreseen due to *noise*, vibration, smoke, fumes, odors, dust, *glare*, and light, etc. on surrounding properties.
- 10. Shall be compatible with the **natural environment and conserve natural resources and energy**.

B. Summary of The Basic Special Land Use Standards (Section 39-12.08)

- 1. The use and the *Site Plan* shall be **consistent with the intent of UDO**.
- 2. The *Site Plan* shall **comply with all UDO requirements**.
- 3. The use shall be **designed, constructed, operated, and maintained to be compatible** with *uses* on surrounding properties, and the site design shall minimize the impact of site activity on surrounding properties.
- 4. **In determining** if these above requirements have been met, consideration will be given to how the following relates to the surrounding properties:
 - a. **Parking** – location and *screening* of vehicular circulation;
 - b. **Outdoor storage, activity, or work areas, and mechanical equipment;**
 - c. **Structure massing, placement, and materials;**
 - d. **Hours of Operation.** Approval may be conditioned upon operation within specified hours to minimize impact on surrounding properties.

S* SECTION 39-4.04 SPECIAL LAND USES WITH BASIC STANDARDS AND SPECIFIC USE STANDARDS REQUIRED

A. List of Special Land Uses with Basic Standards AND Specific Use Standards Required

- 1. **Alternative Energy**
 - a. **Wind** – All *Zone Districts* over 40 feet tall; principal use I *Zone District*
 - b. **Solar** – I *Zone District*
- 2. **Firearm and Archery Ranges** – CMU and I *Zone Districts*
- 3. **Gas Stations** – CMU, GMU, and I *Zone Districts*
- 4. **Manufacturing – (High Intensity)** – I *Zone District*
- 5. **Marinas** – All *Zone Districts*

N. Campgrounds

1. **Zone Districts Permitted as a Special Land Use:** OS, CMU, and PUD *Zone Districts*
2. **Approving Authority:** *Planning Commission*
3. **Standards:**
 - a. **The Basic *Special Land Use Standards*** are met per Section 39-4.03.B and Section 39-12.08.
 - b. The campground shall comply with Part 125 of the Public Health Code, Act 368 of 1978, as amended, including required licenses and inspections.
 - c. Minimum Property Area: 5 acres.
 - d. Campsites shall be set back a minimum of **100 feet** from all *property lines*.
 - e. *Retail* uses within the campground shall be no more than 2,000 square feet in area and shall be an *accessory use* to the campground use.
 - f. The property shall be connected to public water and sewer.
 - g. A permanent *building* containing bathrooms and shower facilities shall be provided and shall meet or exceed the minimum number required by the Public Health Code.
 - h. The perimeter of the campground shall be enclosed by a solid *fence* or other screening as determined by the *approving authority*. *Fence* heights and types shall comply with Section 39-9.08.
 - i. Dumpsters shall be centrally located in the campground and a minimum of **100 feet** from all *property lines*.
 - j. Campsite access roads shall be a minimum of **100 feet** from all *property lines*, except for the main entrance driveway that provides access into the campground.
 - k. Outdoor group activities shall be limited to 7AM – 10PM.
 - l. The maximum duration of stay at a campground shall not exceed 29 consecutive days.
 - m. An application and *Site Plan* for a campground shall contain the following:

- 1) Items required by Section 39-12.09;
- 2) *Landscaping* that complies with Article 39-6;
- 3) Location of any electrical pedestals and water / sewer connections for individual campsites;
- 4) Playground equipment (if provided);
- 5) Any other *amenities* provided at the campground.

O. Battery Energy Storage System (BESS) greater than 60 k Wh aggregate energy storage capacity (Large Scale or Principal Use)

1. **Zone District Permitted as a Special Land Use:** As an accessory use in HDR, CMU, RMU, PUD, NMU, ED and A; as a principal use in I *Zone District*
2. **Approving Authority:** *Planning Commission*
3. **Additional Review Process:** small scale permitted as an accessory use per Section 39-4.02 BB
4. **Standards:**
 - a. **The Basic *Special Land Use Standards*** in Section 39-4.03.B and Section 39-12.08.
 - b. Setbacks - equipment shall be located in the side and rear yard for any accessory use
 - c. All equipment shall maintain a 25 foot setback to all property lines and shall be located a minimum of 300 feet from any residentially occupied building on an adjacent property.
 - 1) Height - equipment shall not exceed 10 feet for accessory use and 25 feet for principal use.
 - 2) Screening - equipment that is an accessory use shall be screened from view as determined by the *Approving Authority*. (Section 39-6.02 and 39-9.08 for applicant regulations).

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

6. **Effect of Zoning Pending a Determination.** While a request for reasonable accommodation is pending, all *zoning* regulations, policies, practices, and procedures otherwise applicable to the property that is the subject of the request shall remain in full force and effect.
7. **Appeals.** An *applicant* may appeal a decision by the *Board of Appeals* as provided by statute.

SECTION 39-9.11 BOARDERS

- A. **Intent.** The intent of this section is to enable a property *owner* to rent out **1 room in their dwelling unit to a single boarder** in addition to rooms occupied by a single *family*. Compliance with this section is required prior to renting a room.
- B. **Application.** To request permission for **1 boarder**, the property *owner* shall submit the following information:
 1. **A written description** of the request that includes the property address, property *owner's* name, address, and phone number;
 2. **A dimensioned Site Plan**, delineating areas designated for *off-street parking*, with one *parking space* designated for the boarder;
 3. **A dimensioned building floor plan** of the *dwelling unit*, delineating a minimum of **200 square feet** of area that will be dedicated for use by the boarder;
 4. **A written summary** of any physical changes that will be made to the *building* to accommodate the boarder. Physical changes resulting in additional *dwelling units* shall be prohibited.
- C. **Approval Criteria.**
 1. **The Zoning Administrator shall review** the request and ensure that the property conforms in all respects with *zoning*, housing, *building*, plumbing, heating, and electrical codes, including *Historic District* regulations if applicable, and any other codes or regulations of the City applicable to the construction or rental of residential *dwelling units*. The property shall be registered and inspected as required by **Chapter 14** of the Code of Ordinances.

2. **Habitable Floor Area.** The floor area of the dwelling, exclusive of unfinished *basement* or attic space, shall have a minimum of **200 square feet** of habitable area dedicated exclusively for use by the boarder. Areas dedicated to the boarder shall have interior access to common areas, including living and kitchen areas.
3. **Utilities shall not be separately metered** for each sleeping room.
4. Allowing a boarder **shall not increase** the number of *dwelling units*.
5. Boarders **shall not be allowed** in the **Hope Neighborhood Overlay District**. See Section 39-2.21.
- D. **Approval Time Frame.** Within **5 business days** of receiving a written request, the *Zoning Administrator* shall review the approval criteria and provide a written notification to the property *owner* either approving or denying the request and shall provide the reasons if denied.
- E. **Penalty.** Violations of this Section shall be administered as provided in Sections 14-4.34 (a) and 14-4.38 of the City's Code of Ordinances.

SECTION 39-9.12 ESSENTIAL SERVICES

- A. **Definition.** See Article 39-14 Definitions.
- B. **Examples.** Utility wires and pipes, electrical transformers, lift stations, etc. This includes *Battery Energy Storage Systems* that are installed or operated in conjunction with a utility substation for the primary purposes of off-site use through the electrical grid.
- C. **Zone Districts permitted.** *Essential Services* are allowed in all *Zone Districts* without *zoning* approval.

SECTION 39-9.13 MEDICAL MARIHUANA (MARIJUANA)

- A. **Definitions.** The following definitions shall apply to this section:

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

Note: Commonly used and technical terms that are **italicized** in *UDO* are defined in this Article. In the event that a word or phrase is not defined in this Article, the City shall use the definition as stated in the most recent edition of Webster's New World Dictionary.

A

Accessible: Public spaces, buildings, and facilities that accommodate people with special needs or disabilities.

Accessory Building or Structure: A subordinate building or structure on the same property as a principal building, such as a shed, garage, or carport.

Accessory Dwelling Unit: An *Accessory Dwelling Unit* (ADU) is a detached *dwelling unit* that is permitted only on properties with a single detached principal *dwelling unit*. ADUs are a lesser size than the principal *dwelling unit* and include a kitchen, a sleeping area, and full bathroom facilities.

Accessory Use: A use naturally and normally incidental to, subordinate to, and devoted exclusively to the principal use on the same property.

Adaptive Reuse: Conversion of a building into a use other than what it was designed for, such as changing a warehouse into gallery space or housing.

Adult Foster Care Facility: A dwelling or establishment that provides supervision, assistance, protection, or personal care and room and board to an adult these facilities are typically licensed by the State. This does not include a licensed home for the aged, nursing home, or a mental hospital.

Air Easement: The ownership or control of airspace development rights over property, such as a building or balconies projecting over public right-of-way areas, such as streets.

Alley: A public or private right-of-way that provides access from a street to the rear or side yards of properties. Alleys are usually located at mid-block locations between two street and provide access to garages and yard areas. An alley is not considered a street.

Amenity: Design features that are valued by the users of a building or public space, such as open space, clubhouses, landscaping, outdoor seating, and public art.

Americans with Disabilities Act of 1990 (ADA): The Federal law that requires public buildings and facilities, including transportation facilities and private property that is open to the public, to be accessible to persons with disabilities.

Applicant: The person or entity requesting an approval under UDO. The owner of a property that is subject to an application for approval under UDO shall always be considered the applicant, although they may designate a representative to complete the application and communicate with the Approving Authority on their behalf.

Approving Authority: The person, agency, committee, or entity responsible for reviewing and making a determination on an application under UDO.

Average Daily Traffic (ADT): The average number of vehicles passing a fixed point in a 24-hour period; a conventional measurement of traffic volume.

Awning: A rooflike shelter of canvas or other material extending over a doorway that is meant to provide protection from precipitation and the sun.

B

Balcony: An open-air outdoor portion of an upper floor that typically projects from a building wall, but may also be recessed with the building mass.

Basement: The portion of a building that is partly or wholly below finished grade. A basement shall not be counted as a floor or story.

Battery Energy Storage System (BESS): One or more devices, assembled together, capable of storing and discharging electricity primarily intended to supply electricity to a building, equipment or to the electrical grid.

Bay or Bay Window: An interior portion of a building that extends beyond the building's exterior wall and is not supported from below by vertical columns or piers.