

ARTICLE 9 DISTRICTS AND DISTRICT STANDARDS

Section 9.10 Zone Districts

For the purposes of this Ordinance, the City of Ferrysburg is hereby divided into the following Zone Districts.

Section	District Name	District Symbol
9.50	Low Density Dune Residential	RD
9.60	Low Density Residential	RG1
9.70	Medium Density Residential	RG2
9.80	High Density Residential	RG3
9.90	Service	S
9.100	Commercial X Core Commercial X General Commercial	CC GC
9.110	Industrial X Light Industrial - 1 X Light Industrial - 2 X Light Industrial - 3	LI-1 LI-2 LI-3
9.120	Port Industrial	PI

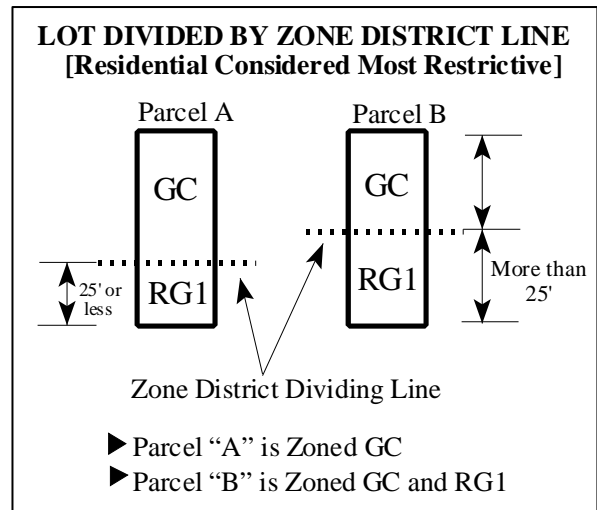
Section 9.20 Zone District Map

- a) **Boundaries** - The boundaries of the districts identified in Section 9.10 are hereby established as shown on a map entitled "The Zoning Map of the City of Ferrysburg, Michigan" which accompanies this Ordinance and is made a part of this Ordinance. Except where referenced on said map to a street line, water body, or other designated line by dimensions shown on said map, the district boundary lines follow lot lines or the center lines of streets or alleys or railroad rights-of-way as they existed at the time of adoption of this Ordinance.

- b) **Boundary Interpretation** - Matters of interpretation concerning the exact location of district boundary lines shall be determined by the Zoning Board of Appeals.

Section 9.30 Lot Divided by Zone District Boundary Line

Where a district boundary line, as established in this Ordinance or as shown on the Zoning Map, divides a lot or lots in common ownership and of record at the time of enactment of this Ordinance the least restrictive use shall be considered as extending to the entire lot, if the more restrictive portion of such lot is entirely within twenty-five (25) feet of said dividing district boundary line. The use so extended shall be deemed to be conforming. If the more restrictive portion of the lot is not entirely within twenty-five (25) feet of said dividing district boundary line, the various portions of the lot shall be zoned according to the underlying zone district classifications.



Section 9.40 Zone Districts and District Standards

Zone districts and district standards are enumerated and described in Sections 9.50 through 9.120.

Section 9.50

RD Zone District - Low Density Dune Residential

a)Statement of Purpose - The ecology of the dunes and Lake Michigan shoreline are unique, but fragile, environmental features that provide character and lifestyle quality to the residents of Ferrysburg. The purpose of the RD District is to permit the establishment of a tenable balance between the delicate dunes and shoreline ecologies and human use. Improper and shortsighted development in dune and shoreline areas can result in large scale despoliation of property with resultant waste and depreciation of property values. Therefore, the preservation of the dune and shoreline ecology and the regulation of development in the dune and shoreline areas are designed to promote the general welfare of the city and residents thereof.

b)Principal Permitted Uses:

- 1) Single family dwellings.
- 2) Day care family home.
- 3) Foster care family home.
- 4) Home occupations.

c)Accessory Buildings and Uses:

- 1)Accessory buildings or uses customarily incidental to a principal permitted use or special land use.

d)Special Land Uses:

- 1)Day care group home.
- 2)Foster care group home.
- 3)Community service buildings and facilities [e.g. fire station, city offices, clubhouse of a private property owners association, non-profit recreational buildings, tennis courts, public parks and playgrounds, and building and facilities of a similar nature.]
- 4)Golf course.
- 5)Planned unit development.

e)Area, Height, Bulk and Placement Requirements - Area, Height, Bulk and Placement Requirements unless otherwise specified are as provided in Section 9.140, "Schedule of District Standards".

Section 9.60

RG1 Zone District - Low Density Residential

a)Statement of Purpose - The RG1 District has been established to provide locations oriented to residential development of a single-family detached character with homes placed in neighborhood settings. Housing density is relatively low and the range of non-residential uses very limited. It is the primary goal of the RG1 District to support and protect single family homes and the residential neighborhoods within which said homes exist or are likely to be constructed.

b)Principal Permitted Uses:

- 1)Single family dwellings.
- 2)Day care family home.
- 3)Foster care family home.
- 4)Home occupations.

c)Accessory Buildings and Uses:

- 1)Accessory buildings or uses customarily incidental to a principal permitted use or special land use.

d)Special Land Uses:

- 1)Churches, synagogues, temples, and other similar places of religious worship.
- 2)Public and private schools.
- 3)Public parks and playgrounds.
- 4)Day care group home.
- 5) Foster care group home.
- 6) Planned Unit Development with attached single family dwellings provided:
 - a. The Planned Unit Development site shall possess not less than ten (10) contiguous acres under one ownership; and,
 - b. The total number of all dwelling units located within the Planned Unit Development shall not exceed the total number of dwelling units obtainable if the site were to be developed for single family detached dwellings.

[Ordinance #205, 8/18/03]

e)Area, Height, Bulk and Placement Requirements - Area, Height, Bulk and Placement Requirements unless otherwise specified are as provided in Section 9.140, "Schedule of District Standards".

Section 9.70**RG2 Zone District - Medium Density Residential**

a)Statement of Purpose - The RG2 District recognizes the importance of accommodating a variety of housing types consistent with the needs and demands of the populace. These include multiple-family housing units of a low density character and residential facilities oriented to populations with special needs. Certain non-residential uses are also permitted. Due to the variety of potential uses and impact on surrounding development, many of the RG2 Zone District uses are subject to special review and approval.

b)Principal Permitted Uses:

- 1)Single family dwellings.
- 2)Day care family home.
- 3)Foster care family home.
- 4)Home occupations.
- 5)Two-family dwellings/duplexes.

c)Accessory Buildings and Uses:

- 1)Accessory buildings or uses customarily incidental to a principal permitted use or special land use.

d)Special Land Uses:

- 1)Churches, synagogues, temples, and similar places of religious worship.
- 2)Public and private schools.
- 3)Public parks and playgrounds.
- 4)Day care group home.
- 5)Foster care group home.
- 6)Profit and non-profit day care centers.
- 7)Bed and breakfast facilities.
- 8)Nursing homes.
- 9)Senior citizen housing.
- 10)Libraries, fire stations, police stations, and other municipal offices and facilities, but not including penal institutions, halfway houses, work release facilities, or facilities of a similar nature.
- 11)Planned unit development.

e)Area, Height, Bulk and Placement Requirements - Area, Height, Bulk and Placement Requirements unless otherwise specified are as provided in Section 9.140, "Schedule of District Standards".

Section 9.80**RG-3 Zone District - High Density Residential**

a)Statement of Purpose - The RG3 District recognizes the broadest range of housing types and housing density. In addition to single family, the district offers opportunity to place duplexes, apartments, mobile home and manufactured housing parks, and other compatible uses in high quality settings. To ensure compatibility among potential RG3 and surrounding district uses and to ensure that existing public facilities and services are adequate to handle high density development needs, many of the RG3 uses have been classified as Special Land Uses.

b)Principal Permitted Uses:

- 1)Single family dwellings.
- 2)Day care family home.
- 3)Foster care family home.
- 4)Home occupations.
- 5)Two to four family multiple-unit dwellings.

c)Accessory Buildings and Uses:

- 1)Accessory buildings or uses customarily incidental to a principal permitted use or special land use.

d)Special Land Uses:

- 1)Day care group.
- 2)Foster care group home.
- 3)Churches, synagogues, temples, and similar places of religious worship.
- 4)Public parks and playgrounds.
- 5)Bed and breakfast facilities.
- 6)Nursing homes.
- 7)Senior citizen housing.
- 8)Multiple family dwellings and apartments possessing in excess of four (4) units.
- 9)Libraries, fire stations, police stations, and other municipal offices and facilities, but not including penal institutions, halfway houses, work release facilities, or facilities of a similar nature.
- 10)Mobile home park, mobile home subdivision, and mobile home site condominium.
- 11)Planned unit development.
- 12)Boat slips accessory to permitted and special uses.

e)Area, Height, Bulk and Placement Requirements - Area, Height, Bulk and Placement Requirements unless otherwise specified are as provided in Section 9.140, "Schedule of District Standards".

Section 9.90 S Zone District - Service District

a)Statement of Purpose - The Service District is a special, mixed-use district, in which viable, pre-existing industries, businesses, and homes have historically integrated in a pattern of nearby, peaceful, co-existence with limited provision for buffers and other transitional techniques commonly employed to separate differing land use types. The Service District provides the city with the unique opportunity to maintain these historic mixed-use patterns in settings demonstrated to be conducive to such use.

Recognition of the Service District as a unique and desired element of the City's overall land use program results in a need to implement design criterion somewhat modified over the more typical, and generally more restrictive, standards of this Ordinance. Such modification is based on the long standing physical arrangement of uses, buildings, and structures historically located in the Service District, and on the determination that any relaxation of standards is not anticipated to diminish the quality or integrity of the District, nor the health, safety, and welfare of City residents.

b)Principal Permitted Uses:

- 1)Light industrial, including light manufacturing, in which operations are conducted within an enclosed building. [**Refer to Section 9.110, a), 1) for definition of Light Industrial.**]
- 2)Service and repair shops in which operations are conducted within an enclosed building.
- 3)Executive and administrative offices including communication, accounting, Real Estate, insurance, stockbroker, employment agencies, data processing, secretarial, and similar business services.
- 4)Banks, credit unions, and savings and loan offices, but not to include financial institutions with drive-through facilities.
- 5)Personal service businesses including hair salons, nail care salons, health and fitness salons and spas, photographic studios, travel agencies, and similar personal care services.
- 6)Offices providing legal, architectural, engineering, community planning, and similar professional services.
- 7)Medical and dental offices and clinics, not including veterinarian hospitals or any type of medical facility providing overnight, in-patient, care.
- 8)Manufacturing and equipment sales offices.
- 9)Office supply, printing, and copy services.
- 10)Sales offices of industrial products which do not require outside storage or display.

c)Accessory Buildings and Uses:

- 1)Accessory buildings or uses customarily incidental to a principal permitted use or special land use.

d)Special Land Uses:

- 1) Offices of construction services provided that products, equipment, and related goods are housed within an enclosed building.
- 2) Enclosed warehousing.
- 3) Banks, credit unions, savings and loan offices, and similar financial institutions with drive-through service.
- 4) Fire stations, police stations, and other municipal offices and facilities, but not including penal institutions, halfway houses, or facilities of a similar nature.
- 5) Private clubs, lodge halls, civic halls, and fraternal organizations.
- 6) Newspaper, magazine, and book sales, but not including adult book stores.
- 7) Restaurants without drive-through service.
- 8) Veterinary offices, but not to include outdoor kennel, run, or exercise facilities.
- 9) Profit and non-profit day care centers.
- 10) Single and two-family dwellings.
- 11) Residential apartments located on the second or above story of a permitted district use.
- 12) Underground storage of gasoline and similar fuels.
- 13) Small animal grooming of common household pets (e.g. dogs and cats), but not to include outdoor kennels, run, or exercise facilities.
- 14) Planned unit developments [Ordinance No. 221, 12/20/04]

e) Area, Height, Bulk and Placement Requirements - Area, Height, Bulk and Placement Requirements unless otherwise specified are as provided in Section 9.140, "Schedule of District Standards".

f) Parking and Access Standards - The following standards shall prevail over the more restrictive standards found in this Ordinance:

- 1) Required Parking** - One (1) space per employee, based on the number of employees per the maximum shift.
- 2) Ingress and Egress** - Ingress and egress to a parking facility shall be provided in a safe and efficient manner.
- 3) Curbing** - Curbing or bumper blocks shall be provided where parking spaces abut landscaping, property lines, sidewalks, or required setback areas, provided, however, said curbing and blocks shall not be required at the street (e.g. between a parking area and abutting street).
- 4) Maneuvering in the Public Right-Of-Way** - The use of public right-of-way for ingress, egress, and other maneuvering of vehicles shall not result in a traffic or safety hazard. Any such maneuvering shall be subject to the Traffic Safety Codes of the City of Ferrysburg.
- 5) Section 6.70, i)** [Right of way Setback for Parking Lots and Maneuvering Aisles]- Section not applicable to the Service District. [Ordinance No. 221, 12/20/04]
- 6) Section 6.70, j)** [Parking Lot Setback from Property Line]- Section not applicable to the Service District. [Ordinance No. 221, 12/20/04]

7) Parking Space Dimension - One hundred eighty (180) square feet of space shall be allocated per parking space. (Section 6.70 k) shall not be applicable to the Service District). [Ordinance No. 221, 12/20/04]

8) Section 6.90 c) [Re: Visibility of loading areas] - Section not applicable to the Service District.

9) Section 6.90 e) [Re: Loading areas and use for parking] - Section not applicable to the Service District.

10) Section 6.90 f) [Re: Size of loading area] – The Zoning Administrator may reduce or waive the loading area size requirements for site plan approval on site where the existing arrangement of buildings and/or parking areas or other factors prevent provision of a loading space that meets the requirements of Section 6.90, f). [Ordinance No. 221, 12/20/04]

Section 9.100 C Zone Districts - Core Commercial (CC) and General Commercial (GC)

- a) **Statement of Purpose** - The Commercial Designation provides opportunity for a wide variety of business and service uses oriented to the local and regional markets. It is the intent of the commercial districts to encourage the concentration of compatible business uses to the mutual advantage of consumers and merchants, while avoiding marginal strip development along the City’s heavily traveled streets. Business uses having the potential to create offensive and loud noise, glare, heavy truck traffic comparable to industrial uses, or other such impacts shall be highly regulated or, if determined to be excessively offensive, prohibited.

In fostering the above Statement of Purpose, and in recognition of the differing geographic and economically diverse zones within which commercial development is found, the commercial districts have been divided into two (2) classifications.

- 1) **Core Commercial (CC)** - The Core Commercial District encompasses the concentrated business district located in the core area of the City. The district location is found in the general vicinity bounded by Ridge (N.), Spring Lake (E.), the Grand River (S.), and U.S. 31 (W.). Much of the Core Commercial District has exposure to Spring Lake and/or the Grand River.
 - 2) **General Commercial (GC)** - All commercial areas not located in the Core Commercial District are identified as General Commercial. General Commercial locations tend to experience high levels of both local and regional traffic. The nature of development, and associated customer base, is highly oriented to that daily traffic.
- b) **Permitted and Special Land Use** - Principal permitted land uses and special land uses for the commercial districts are listed in the following table (**TABLE 9.100**). A use classified as a **Principal Permitted Use** is designated by the letter “P”, while a **Special Land Use** is designated by the letter “S”.

Table 9.100

**Principal Permitted Uses (P) and Special Land Uses (S)
Commercial Districts**

USE		CC	GC
GROCERY, FOOD STUFFS, PHARMACIES AND RELATED USES			
1	Grocery store	S	P
2	Convenience store selling foods, without gasoline sales	S	P
3	Speciality food store, meat market, and health food store	S	P
4	Bulk food sales (retail)	S	P
5	Bakery and donut shop (retail)	S	P
6	Pharmacy, with or without drive-through service	S	P
7	Medical supplies	S	P
8	Liquor sales		S
AUTOMOTIVE, MOBILE HOME, R.V., AND MARINE SALES AND SERVICE			
9	Automobile sales and service		S
10	Light truck sales and service		S
11	Mobile/modular home sales and service		S
12	Recreational vehicles sales and service		S
13	Gasoline sales, with or without convenience goods	S	S
14	Automobile service stations with minor body and engine work [e.g. oil change, lube, fan replacement, etc. No engine overhaul, transmission work, undercoating, etc.]		S
15	Car wash, automatic or manual		S
16	Quick oil change		S
17	Automobile and light truck parts sales		P
18	Marine supplies, not including water craft sales and service	P	P
19	Marine supplies, including water craft sales and service	S	S
OFFICES			
20	Executive, professional, and administrative offices	P	P
21	Medical offices and out-patient clinics, emergency med-center	S	P
22	Veterinary office, but not including outdoor kennels, run, or exercise facilities		S
23	Municipal offices and facilities, but not including penal institutions, halfway houses, work release facilities, or facilities of a similar character	S	S
24	Banks, credit unions, savings and loan, mortgage, stock brokerage, including facilities, including facilities with or without drive-through facilities	S	P
RESTAURANTS, LOUNGES, BARS, AND PUBS			
25	Restaurant, cafes, ice cream shops, retail bakeries without drive-through service	P	P
26	Restaurant, cafes, ice cream shops, retail bakeries with drive-through service	S	S

USE		CC	GC
27	Bar, lounge, and pub, but not including adult entertainment	S	S
GENERAL AND SPECIALITY RETAIL AND PERSONAL SERVICES			
28	Sporting goods, not including recreational vehicle sales and service	P	P
29	Bait shops	S	P
30	New retail merchandise sales conducted entirely within an enclosed building and limited to new merchandise.	S	P
31	Used retail merchandise sales conducted entirely within an enclosed building and handing product lines classified as antiques, used, second-hand, surplus, or factory seconds.	S	S
32	Shopping center containing multiple stores, either detached or attached	S	S
33	Service of small appliances, computers, office equipment	S	S
34	Printing and mailing services, not including commercial delivery services maintaining a fleet (in excess of 2 vehicles) of trucks, vans, or cars	S	P
35	Hair salons, nail care salons, beauty and barber shops, health and fitness salons and spas, photographic studios, travel agencies, locksmith, and personal services of a similar character	P	P
36	Tattoo parlors and body piercing		S
37	Massage clinics, massage services	S	S
38	Laundromats and dry-cleaning (non-industrial) outlets	S	S
39	Funeral homes		S
40	Lumber and building supply, with or without outdoor display		S
41	Lawn and garden sales and services		S
42	Florist, without greenhouse	P	P
43	Florist, with greenhouse	S	S
44	Books, magazine, and video sales and rental, not including adult entertainment material	S	P
RECREATION, LEISURE, HOTELS, AND MOTELS			
45	Marinas and yacht clubs	S	
46	Bowling alley, with or without sale of food and alcoholic beverages	S	P
47	Miniature golf	S	S
48	In-door movie theater, not including adult entertainment		S
49	Lodge halls, social clubs, fraternal organizations, and other similar uses not involving residential occupancy or adult entertainment		S
50	Public parks and playgrounds	S	S
51	Hotel	S	S
52	Motel		S
53	Bed and Breakfast	S	S
MISCELLANEOUS			

	USE	CC	GC
54	Public utility buildings and uses, but not including storage yards		S
55	Planned unit development	S	S
56	Open air businesses (unless specifically exempted)	S	S
57	Small animal grooming of common household pets (e.g. dogs and cats), but not to include outdoor kennels, run, or exercise facilities.		S
58	Pre-existing single-family dwellings, including the alteration and expansion of such dwellings, subject to RG2 Zone District Standards provided for under Section 9.140, Schedule of District Regulations. [Ordinance No. 176, 7/19/99]	P	

- c) **Accessory Buildings and Uses** - Accessory buildings and uses customarily incidental to a principal permitted use or special land use.
- d) **Area, Height, Bulk and Placement Requirements** - Area, Height, Bulk and Placement Requirements unless otherwise specified are as provided in Section 9.140, "Schedule of District Standards".

Section 9.110 LI Zone Districts - Light Industrial District (LI-1, LI-2, and LI-3)

a)Statement of Purpose - The intent of the LI Light Industrial District is to permit in planned areas of the City, certain industries which are primarily light manufacturing in character and do not create an adverse impact on the environment or pose the probability of creating a heavy demand on public services or utilities. To ensure that such uses may be properly integrated with nearby land uses, such as commercial and residential uses, limitations are placed on the degree of acceptable noise, smoke, glare, waste, and other such impacts so as to avoid adverse effects. The Light Industrial District also recognizes certain industrial locations which, according to the City Master Plan, are proposed for eventual transition to non-industrial use.

The LI Light Industrial District is divided into three (3) sub-categories:

- 1) **LI-1 Industrial District** - LI-1 is defined as wholesale, warehousing, and manufacturing uses and facilities whose external effects (e.g. noise, vibration, odor, smoke, heat, etc.) have minimal or no detrimental effect on surrounding properties and zone districts. LI-1 Districts permit the manufacturing, compounding, processing, packaging, assembly, and/or treatment of finished or semi-finished products from previously prepared material.

This district provides opportunity to locate a limited range of industrial uses within close proximity of areas experiencing residential and commercial growth. The spatial orientation of the LI-1 District is based on the potential for identified locations to support a select range of industrial uses, as well as the historic development of lands so designated. Due to the proximity of LI-1 sites to non-industrial development, the range of uses is, however, limited in scope. Certain compatible commercial uses are also provided for in the LI-1 District.

- 2) **LI-2 District** - LI-2 is defined as manufacturing, assembly, and fabrication activities, including large scale or specialized industrial operations, whose external effects (e.g. noise, vibration, odor, smoke, glare, etc.) have greater potential to be felt/experienced by surrounding land uses and zone districts (when compared to LI-1 uses). Said effects having a potential to be detrimental to surrounding properties unless carefully regulated.

LI-2 uses include, but are not limited to, many of the uses provided for within the LI-1 District as well as the manufacturing, processing, and/or compounding of finished or semi-finished products from raw materials. This district is located in close proximity to the US-31 Freeway/VanWagoner Road Interchange. In addition to the buffering effect of these major road systems, the LI-2 District is segregated from areas of higher density development as a result of extensive wetlands bordering the southern and westerly sides of the district. The isolation of the LI-2 District from non-industrial uses affords greater opportunity to support a larger, more diverse, range of industrial development. Certain compatible

commercial uses are also provided for in the LI-2 District.

While both districts provide for many of the same land uses, their individual location and site characteristics offer opportunity to focus a select number of specific uses unique to each sub-category.

- 3) **LI-3 District** - This is a transitional industrial district. The district recognizes the pre-existence of historic industrial development on sites likely to experience a transition to non-industrial use over time. The transitional character of LI-3 District locations is recognized as such by the City Master Plan. Due to their relatively large size, location, and general relationship to surrounding development, LI-3 District sites do not exhibit the general characteristics of spot zones. Uses programmed for the LI-3 District include pre-existing industrial development and a range of non-industrial transitional uses.

b)Principal Permitted Uses - LI-1 and LI-2:

- 1)Light manufacturing and processing industries enclosed entirely within a building, not including the baking or processing of food or food products, processing of organic wastes, recycling, or similar activities employing plant or animal products or other goods, materials, or products or procedures likely to result in the off site transmission of odor, dust, light, glare, noise, vibration, or other external impacts of a similar nature. Examples of permitted light industrial uses include the assembly of pre-manufactured electronic, computer, vehicular, communication, furniture, or other such components; fabrication of signs and sheet metal products; production of clothing from pre-manufactured materials; silk screening; commercial and industrial packaging and mailing services; and, delivery services (e.g. United Parcel Service).
- 2)Warehousing of new materials and products when enclosed entirely within a building.
- 3)Moving and storage operations, with no outside storage.
- 4)Indoor boat storage facilities.
- 5)Printing and copy services of a high volume commercial nature (as opposed to services oriented to day to day, walk-in, pedestrian traffic).
- 6)Public utility facilities.
- 7)Gasoline service stations, including those with convenience stores.
- 8)Taxi and limousine services [Ordinance No. 217, 11/15/04]
- 9)Service and repair shops enclosed entirely within a building, except those classified as Special Land Uses.

c)Principal Permitted Uses - LI-3:

- 1)Manufacture of boilers and related appurtenances.

d)Accessory Buildings and Uses - LI-1 and LI-2:

- 1)Accessory buildings or uses customarily incidental to a principal permitted use or special land use.

e)Special Land Uses - LI-1:

1)Light industrial uses having a potential to result in the limited transmission of off-site odor, dust, light, glare, noise, vibration, or other external impacts or those possessing large quantities of explosives, fuels, or other such materials potentially detrimental to surrounding uses and the overall environment unless properly stored and handled. For purposes of this section, large quantities shall mean quantities in excess of one thousand (1,000) gallons for liquid or semi-liquid products and five hundred (500) pounds for dry products. The above light industrial uses may be permitted subject to the provisions of this Ordinance and after demonstration that all potential off-site impacts may be mitigated through appropriate design controls.

2)Automobile, truck tractor and trailer sales, rental, and service.

3)Machinery and transportation equipment sales and service.

4)Heavy equipment rental.

5)Freight and trucking terminals.

6)Warehousing of new materials and products involving outside storage.

7)Moving and storage operations involving outside storage.

8)Outdoor boat storage facilities.

9)Planned unit development.

f)Special Land Uses - LI-2:

1)Light industrial uses having a potential to result in the limited transmission of off-site odor, dust, light, glare, noise, vibration, or other external impacts or those possessing large quantities of explosives, fuels, or other such materials potentially detrimental to surrounding uses and the overall environment unless properly stored and handled. For purposes of this section, large quantities shall mean quantities in excess of one thousand (1,000) gallons for liquid or semi-liquid products and five hundred (500) pounds for dry products. The above light industrial uses may be permitted subject to the provisions of this Ordinance and after demonstration that all potential off-site impacts may be mitigated through appropriate design controls.

2)Manufacturing, processing, and/or compounding of finished or semi-finished products from raw materials.

3)Adult entertainment uses.

4)Automobile, truck tractor and trailer sales, rental, and service.

5)Machinery and transportation equipment sales and service.

6)Heavy equipment rental.

7)Freight and trucking terminals.

8)Warehousing of new materials and products involving outside storage.

9)Moving and storage operations involving outside storage.

10)Outdoor boat storage facilities.

11)Communication towers and antennas.

12)Planned unit development.

g)Special Land Uses - LI-3:

- 1)Hotels (including bar, restaurant, and lounge).
- 2)Marinas and yacht clubs.
- 3)Restaurants (not including fast food).
- 4)Residential condominiums.
- 5)Planned unit development.
- 6)Public parks and playgrounds.

h)Area, Height, Bulk and Placement Requirements - LI -1, LI-2, and LI-3 - Area, Height, Bulk and Placement Requirements unless otherwise specified are as provided in Section 9.140, "Schedule of District Standards".

Section 9.120 PI Zone District - Port Industrial District

a)Statement of Purpose - The Port Industrial District has been established to accommodate the demand and special requirements for the out-door bulk storage of industrial materials which are received via large waterborne craft. The district also permits other uses having a water related orientation and/or capable of being designed to avoid conflicts with the district's primary use.

b)Principal Permitted Uses:

1)Indoor and outdoor bulk storage of non-hazardous material which is temporarily stored and distributed for wholesale such as aggregate, salt, fertilizer, and products of a similar nature or character. The above materials being delivered by large waterborne craft and trucks.

c)Accessory Buildings and Uses:

1)Accessory buildings or uses customarily incidental to a principal permitted use or special land use.

d)Special Land Uses:

1)Processing of materials permitted under b), 1), above. This shall not include any hazardous materials including, but not limited to, dredge materials containing hazardous substances.

2)Boat storage.

3)Marinas and yacht clubs.

4)Hotels (including bar, restaurant, and lounge).

5)Planned unit development.

6)Public parks and playgrounds.

e)Area, Height, Bulk and Placement Requirements - Area, Height, Bulk and Placement Requirements unless otherwise specified as are provided in Section 9.140, "Schedule of District Standards".

Section 9.130 IL-O – Inland Lakefront Overlay District

a)Statement of Purpose. The IL-O Overlay District has been established to encourage the conservation and redevelopment of the older, waterfront residential neighborhood on inland Spring Lake, designated as Lakefront/Cottage Settlement on the City of Ferrysburg Master Plan, where most existing lots and/or structures do not conform fully to the standards of the underlying zoning district. Since the area includes a wide variety of lot sizes, the intent is to support the continued use and improvement of small lot single family homes while providing for new residential development that is consistent with the standards of the underlying zoning district.

b)Applicability. The IL-O Overlay District is established as an overlay district that is applied over the existing underlying zoning district, and shall be applied only to lands designated as Lakefront/Cottage Settlement on the Future Land Use Map of the City of Ferrysburg Master

Plan. Except as modified by the requirements of this Section, all requirements of the underlying zoning district and of this Ordinance shall apply.

c)Boat Lots. The exceptions and modifications allowed or required in the IL-O District shall not apply to a boat lot as defined by this Ordinance. A boat lot shall be subject to the requirements of Section 3.130, h).

d)Principal Permitted Uses:

1)Any permitted use allowed in the underlying zoning district.

e)Accessory Buildings and Uses:

1)Accessory buildings or uses customarily incidental to a principal permitted use or special land use.

2)Boat lots, according to Section 3.130, h).

f)Special Land Uses:

1)Any Special Land Use allowed in the underlying zoning district.

g)Area, Height, Bulk and Placement Requirements:

1)Development Requirements. Area, Height, Bulk and Placement Requirements, unless otherwise specified, are as provided for the underlying zoning district in Section 9.140, “Schedule of District Standards”.

2)Development or Expansion. Any new use or expansion of an existing use or structure within the IL-O Overlay District shall meet the following requirements:

- a. Lot of Record. The exemptions allowed by this Section shall apply only to lots of record in existence on the effective date of this Section. Any lot, parcel or site condominium unit created after the effective date of this Section shall comply with the minimum lot area, minimum lot width, setbacks and all other requirements of the underlying zoning district.
- b. **Permitted and Special Land Uses on Substandard Lots of Record.** In the event that a lot of record within the IL-O Overlay District in existence on the effective date of this Section does not meet the minimum underlying zoning district regulations for minimum lot area, minimum lot width or both, the lot may be used for the permitted and accessory uses listed in Section 9.130, d) and e), provided that all other dimensional requirements are met as required by the underlying zoning district and as modified by the requirements of this Section. Except for Planned Unit Developments that are developed in accordance with Article 8, special land uses shall be permitted only upon lots that meet the requirements of the underlying zoning district.
- c. **Setbacks on Substandard Lots of Record.**
 1. For existing lots of record that do not comply with the minimum lot area requirements of the underlying zoning district, the minimum setback requirements may be reduced by the same

percentage as the difference between the area of the lot and the required zoning district minimum lot area in Section 9.140, Schedule of Regulations, provided that:

- i. No lot shall be less than forty (40) feet in width.
 - ii. No side yard setback shall be less than seven (7) feet.
 - iii. No rear yard setback shall be less than twenty (20) feet; however, no waterfront lot shall have a rear yard setback for the principal structure of less than forty (40) feet.
 - iv. No front yard setback shall be less than twenty (20) feet, or the average established setback of the houses on the same block as determined in accordance with Section 3.310, “Basis of Determining Front Yard Requirements and Averaging of Setback”; however, no dwelling is required to be set back further than the minimum front yard setback requirement in Section 9.140, “Schedule of District Standards”.
 - v. The above minimums shall also apply to projections, as otherwise permitted by Section 3.60, a) through d). A low level rear yard deck may be located within the rear yard, as permitted by Section 3.60, e).
2. For existing lots of record that meet minimum lot area requirements but do not meet minimum lot width requirements, the front and rear yard setback requirements of Section 9.140, “Schedule of Regulations,” and Section 3.310, “Basis of Determining Front Yard Requirements and Averaging of Setback” shall be met; however, minimum side yard setbacks may be reduced by the same percentage as the difference between the width of the lot and the required zoning district minimum lot width in Section 9.140, provided that no side yard setback shall be less than seven (7) feet. The minimum seven (7) foot side yard setback shall also apply to projections, as otherwise permitted in Section 3.60, a) through d). A low level rear yard deck may be located within the rear yard, as permitted by Section 3.60, d).
 3. For corner lots that meet minimum lot area requirements but do not meet minimum lot width requirements, both the interior side yard and the front yard adjacent to the side street may be reduced by the same percentage as above; however, the interior side yard shall not be less than seven (7) feet and the front yard adjacent to the side street shall conform to the requirements of Section 9.130, g), 2), c), 1, iv, above.

Example: A lot of record within the underlying RG-1 District is 6,000 square feet in area. RG-1 Minimum Lot Area: 10,000 square feet
Percentage Difference: lot is 40 percent less than minimum (10,000 - 6,000) /10,000 = 40%); therefore, setback requirements may be reduced by 40 percent or the minimums in paragraph g) 2) c, above, whichever is larger.

Requirement	RG-1 Minimum	IL-O Permitted	Calculation
Front Yard	25 ft.	20 ft.	25 – (40% of 25 ft.) = 15; cannot be less than 20 feet*
Side Yard	10 ft.	7 ft.	10 ft. – (40% of 10 ft.) = 6 ft.; cannot be less than 7 feet
Rear Yard	40 ft.	24 ft.	40 ft. – (40% of 40 ft) = 24 ft.

*or the average established setback of the houses on the same side of the block; see Sec. 9.130, g), 2), c, above.

- d. **Corner Lots.** On corner lots, no structure over forty (40) inches in height may be placed or constructed within the clear vision area as described in Section 3.90, g).

3)Contiguous Vacant Lots. If contiguous vacant lots of record, which individually do not meet the lot area and/or lot width requirements of the underlying zoning district are available for combination, and are owned in common, then a proper lot combination shall be made to achieve or to bring the property closer to conformance with the minimum required lot size, in compliance with Section 3.50, b). Lots so combined that still do not meet the minimum district regulations may be granted the exemptions in Section 9.130, g), 2), c, above.

4)Reconstruction. Notwithstanding the applicable requirements of Article 10, Nonconforming Uses and Structures, and because of the historic cottage nature of dwellings within the IL-O Overlay District and the unique nature of the neighborhood, a nonconforming dwelling on an existing lot of record, which exists on and after the date of adoption of this Section, may be replaced by a new structure upon the same building footprint with the same setbacks as the original dwelling, provided that:

- a. A building permit must be obtained and construction on the new dwelling begun within one (1) year after demolition of the original dwelling.
- b. Along any portion of the dwelling abutting a side lot line that does not meet the setback requirement of the underlying zoning district, there shall be no increase in height above the height of the original structure; however, the replacement structure may not exceed the height requirements for the underlying zoning district.
- c. The new residence does not increase any nonconformity or result in any new nonconformity.
- d. Notwithstanding the location of the original dwelling footprint, if the original dwelling was located seven (7) feet or less from any side lot line, no portion of the new structure may be less than seven (7) feet from any side lot line.

e. Notwithstanding the location of the original dwelling footprint, front yard setback requirements shall conform to Section 9.130, g), 2) c, 1, iv.

f. All other district regulations for the underlying zoning district, as outlined in Section 9.140, shall apply.

[Ordinance No. 256, 07/06/09]

Section 9.140 Schedule of District Standards, City of Ferrysburg [1]

[Refer also to Section 9.140(b) for Minimum Floor Area Requirements of Residential Units]

Standard	RD	RG1	RG2	RG3	S	CC & GC	I-1, I-2 & I-3	PI
Minimum Lot Area	12,000 sqft-Res. 20,000 sqft-Other	10,000 sqft-Res. 20,000 sqft-Other	7,000 sqft [2] 20,000 sqft-Other	7,000 sqft [3] 20,000 sqft-Other	12,000 sqft	8,712 sqft	15,000 sqft	22,500 sqft
Minimum Lot Width	100ft.	100ft.	70ft. [4]	70ft [5]	100ft.	66ft.	100ft.	100ft.
Minimum Front Yard	25ft.	25ft.	25ft.	25ft.	25ft.	20ft.	40ft.	40ft.
Minimum Side Yard	10ft.	10ft.	10ft.	10ft.	10ft.	7ft. [8]	25ft.	25ft.
Minimum Rear Yard	40ft.	40ft.	30ft.	30ft.	30ft.	25ft.	25ft.	25ft.
Maximum Building Height [9]	35ft	35ft.	35ft.	35ft.	35ft.	35ft.	50ft. or 2 Stories [10]	50ft. or 2 Stories [14][15]
Maximum Lot Coverage	35%	35%	40%	40%	60% [16]	60% [16]	60% [16]	60% [16]
Density	NA	NA	6/acre [11]	6/acre [12]	NA	NA	NA	NA

Notes:

[1] Standards reflect principal permitted and special land uses, unless otherwise provided for by this Ordinance.

[2] Required lot area per dwelling unit.

[3] Required lot area per dwelling unit.

[4] Lot frontage required for first unit. Additional thirty-five (35) feet required per unit thereafter.

[5] Lot frontage required for first unit. Additional thirty-five (35) feet required per unit thereafter.

[6] Refers to setback from public streets. Internal front yard setbacks to be determined by Planning Commission.

[7] Refers to setback from public streets. Internal front yard setbacks to be determined by Planning Commission.

[8] Total of both side yards shall be no less than seventeen (17) feet.

[9] Single-family dwelling unit not to exceed 2 ½ stories. Refer to Definition of Building Height for Maximum Height Limit for Single and Two Family Dwellings.

[10] Whichever is less.

[11] Maximum number of dwelling units per acre of land.

[12] Maximum number of dwelling units per acre of land.

[13] Maximum number of dwelling units per acre of land.

[14] The height of material storage silos may be increased one (1) foot per each instance in which required front, side, and rear yard setbacks have all been increased by one (1)

foot. Provided, however, no silo shall exceed a total height of one hundred fifteen (115) feet. [Ordinance No. 177, 11/22/99]

[15] Permitted outdoor storage piles shall not exceed eighty (80) feet in height. [Ordinance No. 177, 11/22/99]

[16] Amended; Ordinance No. 212, 5/3/04

Section 9.140 Schedule of District Regulations – Minimum Floor Area Requirements

a) **Minimum Floor Area Requirements for Residential Dwelling Units** – All dwellings, exclusive of a basement or attic, shall contain a minimum dwelling unit floor area according to the following table. For single-family dwellings, at least one-half (1/2) of the dwelling unit floor area shall be locate on the first floor.

Minimum Area in Square Feet (Gross Area)			
Unit Type	Single-Family Detached	Single-Family Attached Townhouse Duplex (Per Unit)	Multiple-Family (Per Unit – Three or More Units per Apartment Complex)
Efficiency	Not Applicable	Not Applicable	360
One Bedroom	960	720	500
Two Bedroom	960	864	700
Three Bedroom	960	1,000	900
More than Three Bedrooms	960	1,000 plus 200 per each additional bedroom (in excess of 3 bedrooms)	900 plus 200 per each additional bedroom (in excess of 3 bedroom)