

**ZONING ORDINANCE
CITY OF GRAND BLANC
GENESEE COUNTY, MICHIGAN**

TITLE

An **ORDINANCE** enacted under Act 207, Public Acts of 1921, as amended, governing the incorporated portions of the City of Grand Blanc, Genesee County, Michigan, to regulate and restrict the location and use of buildings, structures and land for trade, industry, residence and for public and semi-public or other specified uses; and to regulate and limit the height and bulk of buildings and other structures; to regulate and to determine the size of yards, courts, and open spaces; to regulate and limit the density of population; and for said purposes, to divide the municipality into districts and establishing the boundaries thereof; providing for changes in the regulations, restrictions and boundaries of such districts; defining certain terms used herein; providing for enforcement; establishing a Board of (Zoning) Appeals; and imposing penalties for the violation of this Ordinance.

PREAMBLE

Pursuant to the authority conferred by the Public Acts of the State of Michigan in such case, made and provided and for the purpose of promoting and protecting the public health, safety, peace, morals, comfort, convenience, and general welfare of the inhabitants of the City of Grand Blanc, by protecting and conserving the character and social and economic stability of the residential, commercial, industrial and other use areas; by securing the most appropriate use of land; preventing overcrowding of the land and undue congestion of population; providing adequate light, air, and reasonable access; and facilitating adequate and economical provision of transportation, water, sewers, schools, recreation, and other public requirements, and by other means, all in accordance with a comprehensive plan. It is further the intent of this Ordinance publication to include all uses, special approval uses, and procedures to be permitted in the City of Grand Blanc. Any land use not listed in this Ordinance is not permitted unless determined to be a similar use following the procedure described in Article III, General Provisions.

ENACTING CLAUSE

The City of Grand Blanc Ordains:

ARTICLE I

SHORT TITLE

SECTION 100 SHORT TITLE

This Ordinance shall be known and may be cited as the City of Grand Blanc Zoning Ordinance.

SECTION 101 PURPOSE

This Zoning Ordinance is based on the City of Grand Blanc Master Plan adopted by the Planning Commission which provides goals, objectives and a future land use map for the City. This Ordinance is intended to implement the Master Plan by regulating the use of land, buildings and structures to promote the public health, safety and general welfare by accomplishing the following:

- a. Establish zoning districts and uniform regulations applicable to each district governing the use of the land, and dimensions for building and site development with such minimum regulations as are deemed necessary to carry out the provisions of this Ordinance.
- b. Accommodate and promote land uses which are compatible with the City's character and conserve the property values and long term stability of resident neighborhoods, community facilities, the downtown area, commercial districts and industrial areas.
- c. Encourage use of the lands and natural resources in accordance with their character and capability. The Ordinance acknowledges the importance of these features on the long term economic climate of all uses in the City and the overall quality of life for City residents.
- d. Limit or prohibit improper use of land.
- e. Reduce hazards to life and property.
- f. Facilitate adequate and cost effective infrastructure systems, and protect the substantial public investment in those systems, including: transportation, sewage disposal, safe and adequate water supply, education and recreational facilities.
- g. Establish controls over potential conflicting land uses and uses which may need special regulations as Special Land Uses to be compatible with surrounding development patterns and zoning.
- h. Promote the gradual elimination of uses, buildings and structures which do not conform with the regulations and standards of this Ordinance.
- i. Provide for administering this Ordinance, including resolving conflicts with other ordinances, collection of fees, procedures for petitions, hearings and appeals; and to provide for any other matters authorized by the City or Village Zoning Act.
- j. Balance the City's right to compatible and quality development consistent with the future land use plan with the property owners' right to a reasonable rate of return on investment.

SECTION 102(a) CONFLICTING REGULATIONS (amended 11/2010)

1. Where any provision of this Ordinance imposes either greater or lesser restrictions, limitations, conditions, standards or requirements upon the use of buildings, structures or land; the height of buildings or structures; lot coverage; lot areas; yards, wetlands, woodlands or other open spaces; or any other use or activity which is regulated by this Ordinance, the provision or standard which is more restrictive or limiting shall govern.
2. Except as otherwise provided in this section, every building and structure erected; every use of any lot, building or structure established; every structural alteration or relocation of an existing building or structure and every enlargement of, or addition to, an existing use, building or structure occurring after the effective date of this section shall be subject to all regulations of this section which are applicable in the zoning district in which such use, building or structure is located.
3. No setback area or lot existing at the time of adoption of this section shall be reduced in dimensions or area below the minimum requirements set forth herein. Yards or lots created after the effective date of the section shall meet at least the minimum requirements established herein.
4. This Ordinance shall not abrogate or annul any easement, bylaw, master deed, deed restriction, covenant or private agreement, except that the regulations or provisions of this Ordinance shall govern if determined by the Board of Zoning Appeals to be more restrictive or impose a higher standard.
5. Uses, buildings and structures that were nonconforming under the previous Zoning Ordinance gain no new rights through the adoption of the standards of this Ordinance unless they become conforming or more conforming by the regulations of this Ordinance.

SECTION 102(b) CONFLICTING LAWS (amended 11/2010)

1. Uses that are contrary to or in violation of local, state or federal law, ordinances or other regulations are prohibited.
2. The regulations herein established shall be the minimum regulations for promoting and protecting the public health, safety and general welfare; any conflicting laws of a more restrictive nature shall supersede the appropriate provisions of this Ordinance.

SECTION 103 VESTED RIGHTS: EFFECTS ON PROJECTS WHERE SIGNIFICANT CONSTRUCTION HAS BEGUN, AND SITE PLANS APPROVED PRIOR TO EFFECTIVE DATE

1. Nothing in this Ordinance shall be deemed to require any change in the plans, construction or designated use of any building upon which actual construction was begun prior to the enactment of this Ordinance, provided significant construction has lawfully begun, is being diligently carried on and shall be completed within one (1) year of the effective date of this Zoning Ordinance. The Board of Zoning Appeals may permit one (1) extension of up to one (1) year.

2. If a lot has an approved site plan within twelve (12) months prior to the effective date of this Zoning Ordinance, such site plan shall remain valid if construction is begun within one (1) year and completed within two (2) years of the effective date of this Zoning Ordinance.
3. If the conditions of this section are not met, the standards and provisions of this Zoning Ordinance shall govern.
4. Except as noted above, nothing in this Ordinance should be interpreted or construed to provide any permanent vested rights in the continuation of any particular use, district, zoning classification of any permissible activities therein, and they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary for the preservation or protection of public health, safety and welfare.

SECTION 104 VALIDITY AND SEVERABILITY CLAUSE

This Ordinance and the various components, articles, sections, subsections, sentences and phrases are hereby declared to be severable. If any court of competent jurisdiction shall declare any part of this Ordinance to be unconstitutional or invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in said ruling. Further, if any court of competent jurisdiction shall declare unconstitutional or invalid the application of any provision of this Ordinance to a particular parcel, lot, use, building or structure, such ruling shall not affect the application of said provision to any other parcel, lot, use, building or structure not specifically included in said ruling.

SECTION 105 REPEAL OF PRIOR ORDINANCE

The Zoning Ordinance adopted by the City of Grand Blanc, and all amendments thereto, are hereby repealed. The repeal of the above Ordinance and its amendments does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time enforced, prosecuted or inflicted.

SECTION 106 CERTIFICATION AND EFFECTIVE DATE

The Public Hearing has been held as required by the City or Village Zoning Act (Act 207 of the Public Acts of 1921, as amended). The provisions of this Ordinance are hereby given immediate effect upon publication of its summary.

Made and passed by the City Council of the City of Grand Blanc, Genesee County, Michigan on this day of August 11, 1993.

1. Date of Public Hearing: June 15, 1993
2. Date of Adoption by City Council: August 11, 1993
3. Date of Publication: August 29, 1993
4. Date Ordinance shall take effect: August 31, 1993