

ARTICLE 9
OFFICIAL ZONING MAP AND ZONING DISTRICTS

SECTION 9.1: PURPOSE

9.1.1 Purpose: The purpose of this Article is to establish zoning districts within the Village of Port Sanilac, to establish and define the Official Zoning Map that shows the location of zoning districts, and to create a framework for the interpretation of the Official Zoning Map and related district boundaries. Furthermore, this Article delineates permitted uses and uses permitted by Special Use Permit within each zoning district.

SECTION 9.2: ZONING DISTRICTS & MAP

9.2.1 Establishment of Districts: To achieve the purposes of this Ordinance, the Village of Port Sanilac is hereby divided into the following zoning districts:

	Zoning District	Article Reference
A-R	Agricultural-Residential	Article 10
R-1	Residential	Article 11
R-2	Residential	Article 11
MFR	Multiple Family Residential	Article 11
MHS	Mobile Home Subdivision	Article 12
C	Commercial	Article 13
CBD	Central Business District	Article 13
I	Industrial	Article 14
HRE	Flood Hazard and High Risk Erosion Overlay	Article 15

9.2.2 Official Zoning Map: The boundaries of the respective zoning districts are defined and established as depicted on the map entitled "Village of Port Sanilac Zoning Map," which is an integral part of this Ordinance, and which, with the accompanying explanatory notes, shall be published as part of this Section and is incorporated by reference.

- A. If in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matters portrayed on the official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the Village Council. No amendment to this Ordinance which involves matters portrayed on the Official Zoning Map shall become effective until such change and entry has been made on the map.
- B. Regardless of the existence of copies of the Official Zoning Map which may be made or published, the Official Zoning Map shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the Village.

9.2.3 Interpretation of District Boundaries: Where a question arises with respect to the boundary of any district the following shall govern:

- A. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow the center lines.
- B. Where boundaries follow the shore line of a stream, lake or other body of water, the boundaries shall follow such shoreline, and in the event of change in the shoreline, the boundaries shall be the actual shoreline. Where boundaries follow the centerline

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of streams, rivers, canals or other bodies of water, such shall follow the centerlines thereof.

- C. A boundary indicated as approximately following a recorded lot line or the line bounding a parcel shall be construed as following the lot line.
- D. A boundary indicated as following the municipal boundary line of a City, Village, or Township shall be construed as following the boundary line.
- E. A boundary indicated as following a railroad line shall be construed to be midway between the main tracks or in the center of the right-of-way if the tracks have been removed.
- F. Boundaries indicated as parallel to, or extensions of features indicated in subsections A-E above, shall be so construed. A distance not specifically indicated in the Official Zoning Map shall be determined by the scale of the map to the nearest foot.
- G. The Village Council shall, upon application or upon its own motion, determine the location of boundaries in cases where uncertainty exists.

Should the above rules not fully explain a question of boundaries, the Zoning Board of Appeals shall have the authority to make an interpretation on appeal based upon the aforementioned standards.

9.2.4 Land Uses, Buildings, Structures, and Premises Subject to Regulation:

- A. Every building or structure erected, any use of land, building, structure or premises, any structural alteration or relocation of an existing building or structure and any enlargement of, or addition to, an existing use of land, building, structure or premises occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance which are applicable within the zoning district in which such land use, building, structure or premises shall be located.
- B. Only uses permitted in particular districts per the provisions of this Article may be established on a parcel. All other uses may be permitted only if the Ordinance has been amended to permit them.
- C. All zoning approvals granted under this Ordinance run with the land. All future owners are subject to the terms and conditions of any permit issued under this Ordinance prior to their ownership, unless such a permit is no longer valid as determined by the Zoning Administrator.
- D. Uses for enterprises or purposes that are contrary to federal, state, or local laws or Ordinances are prohibited.

9.2.5 Unlisted Uses: A use of land, buildings, or structures not specifically mentioned in the provisions of this Ordinance, or in the Zoning Administrator's opinion, is not nearly enough similar to a listed use per the standards in Section 9.2.6, shall be classified upon appeal or by request of the Zoning Administrator by the Zoning Board of Appeals pursuant to Article 5 of this Ordinance.

9.2.6 Similar Use Interpretations:

- A. The following considerations are examples of the factors that may be evaluated by the Zoning Administrator in making similar use interpretations (see also Section 5.4.6, on an appeal).
 - 1. The actual or projected characteristics of the activity in relationship to the stated characteristics of a use.
 - 2. The relative amount of site area or floor space and equipment devoted to the activity.

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3. Relative amounts of sales from each activity.
 4. Hours of operation.
 5. Building and site arrangement.
 6. Vehicles used with the activity.
 7. The relative number of vehicle trips generated by the use.
 8. How the use advertises itself.
 9. Any other relevant considerations.
- B. The Zoning Administrator shall keep a log of all use interpretations indicating the use, the options considered, and the selection made, along with the reasons for that decision.

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