



CITY OF MUSKEGON HEIGHTS | GUIDE TO DEVELOPMENT



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Inspection Department..... 4

 Name: **Karey Marrow** 4

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KEY CONTACTS

Assessing/Property TAX

Name: **Robert Jackson**
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City Clerk

Name: **Sharon Gibbs**
Number: (231) 733-8800
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Number: (231) 733-8870
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Email: jfranklin@cityofmuskegonheights.us

Fire Department

Name: **Chris Dean, Chief**
Number: (231) 733-8812
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Finance Department

Name: **Ubdain Ndoye**
Number: (231) 733-8812
Email: undoye@cityofmuskegonheights.us

Income Tax Department

Number: 231-733-8800

Inspection Department

Name: **Karey Marrow**
Number: 231-733-8860
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Planning/Zoning

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Name: **Julie Aaron-Shyne**
Number: (231) 733-8860
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Police

Name: **Chief Maurice Sain**
Email: msain@cityofmuskegonheights.org

Public Works

Name: **John Allen**
Number: (231) 332-6762
Email: jallen@muskgonheights.us



Boards & Commissions Schedule

City Council
Meets at 5:30 pm every 2 nd Monday for Work Session. Meets at 5:30 pm every 3 rd Monday for General Session.
Planning Commission
Meets at 5:15 pm every 3 rd Thursday of the month.
Zoning Board of Appeals
Meets at 5:15 pm every 1 st Tuesday of the month.
Housing Commission
Meets at 5:30 pm every 2 nd Tuesday of the month.
Downtown Development Authority
Meets as needed.

Approval Authorities

It is important that developers and residents understand the different local authorities who approve, or decline submitted applications. While the applicant and approval process will be discussed with the zoning administrator at the pre-application meetings, this table provides a general view of what local authorities will be reviewing their applications.

Approval Authorities Table	Zoning Administrator	Planning Commission	Zoning Board of Appeals	City Council	Building Department
Minor Site Plan Review (under 10,000 sf addition)	X				
Major Site Plan Review (over 10,000 sf addition)		X			
Special Use Permit		X			
Rezoning		X		X	
Planned Unit Development		X		X	
Alley/Street Vacation		X		X	
Variance			X		
Zoning Appeal			X		
Building Permits					X



PLANNING & ZONING

The following information is made available to assist you throughout the development process and help you obtain approval for your project. Please review the different resources we have available and contact the Planning & Community Development Department with any questions.

Conceptual Meetings

The City of Muskegon Heights offers free conceptual meetings to those who seek guidance before submitting for their permits. Depending on the circumstances, the meeting may involve the City Manager, Building Official, Zoning Administrator, Fire Chief, Police Chief, Engineer, or any other relevant staff.

Those interested in setting up a conceptual meeting should contact the City Manager's Office at (231) 724-8870.

A checklist on what items to bring to the conceptual meeting can be found below:

- Address
- Project Description
- Any renderings
- Site Plan

Zoning Ordinance

The zoning ordinance regulates the usage of properties and buildings while determining the parameters for new construction or installation in the City of Muskegon Heights. Regulations can apply city-wide or be specific to the designated zoning district. Please consult with the Zoning Administrator if you have any questions regarding the zoning ordinance.

The zoning ordinance can be found here: <https://muskegonheights.us/downloads/muskegon-heights-zoning-ordinance-9-2019/?wpdmdl=10863&refresh=62543b7e418061649687422>

Zoning Map

The zoning map displays the different zoning districts that are established in the City of Muskegon Heights. Zoning districts regulate specific uses, designs and layouts for developments. Please consult the zoning map to determine what uses may be permitted at your site.

The zoning map can be found here: <https://muskegonheights.us/downloads/zoning-18x24-map-muskegon-heights-2012-19-10/?wpdmdl=752&refresh=62543b7e4687e1649687422>

Master Plan

The City of Muskegon Heights Master Plan serves as an extension of the community's vision and goals for planning and land use. The document provides insight into what improvements or projects residents and business owners desire to see in their community.



The Master Plan can be found here: <https://muskegonheights.us/downloads/comprehensive-master-plan-final?wpdmdl=85776&refresh=62547edd57f3b1649704669>

Fee Schedule

The Fee Schedule can be found near the [end of this document](#).

Site Plan Review

Any construction or building addition of less than 10,000 square feet is required to obtain approval from staff.

Any new development located on a parcel over 2 acres in size or construction of a new structure or building addition of over 10,000 square feet is required to go before the Planning Commission for site plan approval.

Any new development valued at over \$1,000,000 is eligible for an expedited site plan review and a free special Planning Commission meeting if necessary.

For a site plan review request, you are required to apply, fee and 15 copies of the full site plan. See also the separate checklist packet for more assistance with site plan review.

Site plans reviews for projects involving a permitted use by right do not require a public hearing.

Rezoning

This is the process by which a property is changed from one zoning district designation to another. For a rezoning request you are required to submit an application, fee and a legal description of the property involved in the request. The owner of the property must sign the application unless a signed purchase agreement is in place, giving the purchaser permission to apply for zoning changes. The Planning Commission makes a recommendation on rezoning cases to the City Council.

Special Use Permit

Many of the uses permitted in zoning districts are only allowed under a Special Use Permit (SUP). These uses are those which could have a greater impact on the property and the surrounding area and therefore require PC review and approval.

For a SUP request, you are required to submit an application, fee, a legal description of the property involved in the request, and 15 copies of a full site plan.

Alley/Street Vacation

This is the process by which the city vacates its interest in a public street or alley. When a street or alley is vacated, the property automatically is split between all adjoining property owners. The City usually retains easement rights for any utilities which may be located in the street or alley right-of-way. No structure is allowed to be built on top of a vacated street or alley.

For a street or alley vacation request, you are required to submit an application and fee.



Zoning Ordinance Amendment

Most of these cases are staff-initiated, but there are times when someone will apply to have the ordinance amended.

For an amendment request, you are required to submit an application, fee and a description of what change you would like to see made in the ordinance.

Planned Unit Development

Planned Unit Developments (PUDs) are generally mixed-use developments which require special attention. A PUD usually allows for greater flexibility in ordinance requirements but does allow the City to have more oversight than it generally would for a non-PUD development.

For a PUD request, you are required to submit an application, fee and 15 copies of a full site plan.

Dimensional Variances

Dimensional Variances are permissions or approvals of specific features and measurements on a property that are not aligned with the standards set in the zoning ordinance.

For a dimensional variance request, you are required to submit an application, fee and 15 copies of a full site plan.

Use Variances

Use variances are granted by the Zoning Board of Appeals for properties that cannot be used for purposes as permitted in the zoning district.

For a dimensional variance request, you are required to submit an application and fee.

Building Permits

All permitting and inspections regarding construction and utilities are approved and scheduled by the Muskegon Heights Inspections Department. Certain documents and information are required to be submitted with the building permit application. Information required for all building permits include the address of the job site, zoning approval, a complete signed application, a set of construction plans and permits including electrical, plumbing and mechanical.

Lot Sales

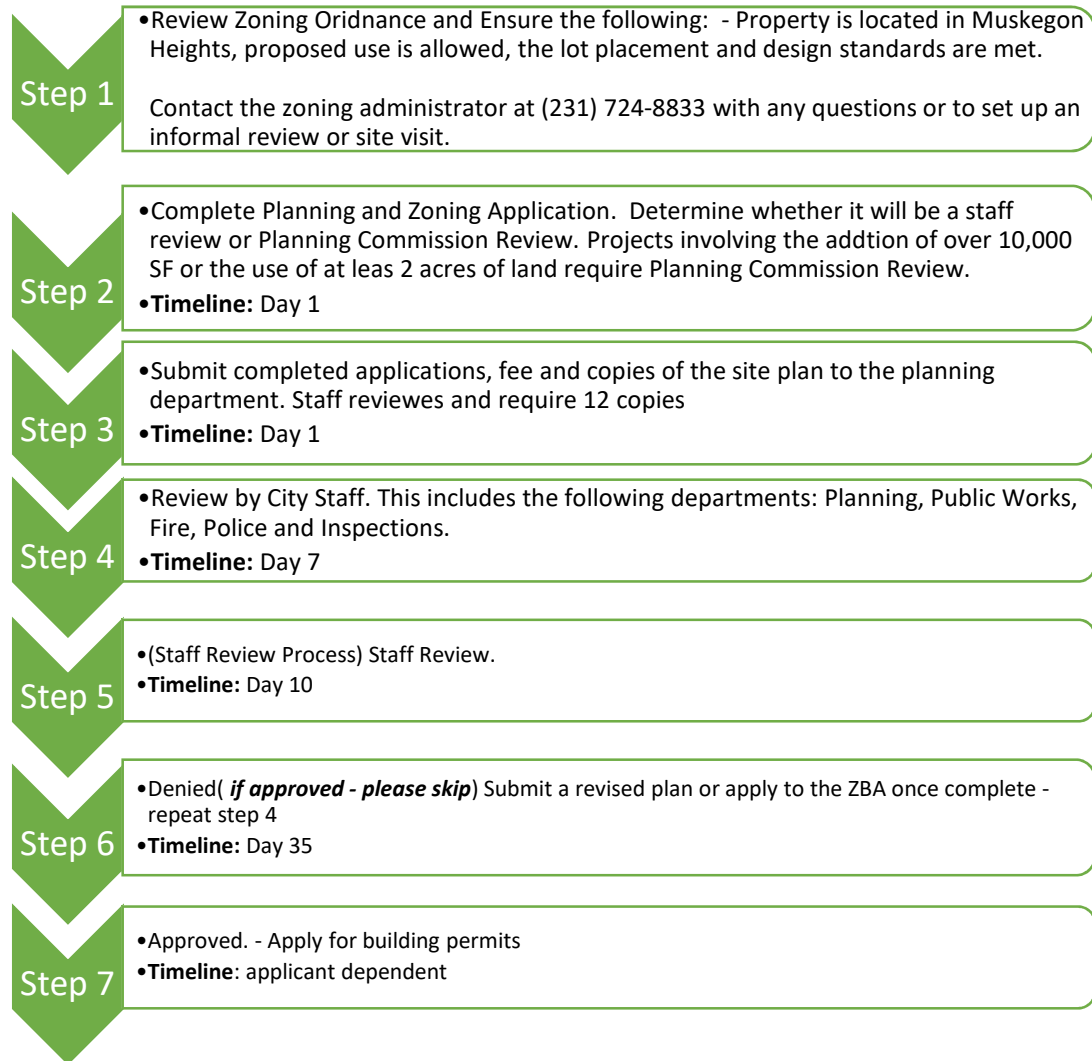
To purchase a city-owned lot, you may apply to the Buildings and Land Committee, who will then make a recommendation to City Council. The City will expedite the sale of city-owned vacant lots to those who meet the following conditions: 1) Applicant must commit to build on the property within three years. 2) The applicant must commit to maintaining the property before, during and after construction. 3) The applicant must prepay all property taxes for three years in advance. 4) The applicant must agree that the



property will revert back to the City if any of these conditions are not met. Those who meet these conditions may forego the Buildings and Land Committee meeting and present their case directly to the City Council.

PROCESS CHARTS

City of Muskegon Heights Staff Site Plan Review Application Process



Contact Planning:

Name: **Mike Franzak**
 Number: (231) 733-8860
 Email: mfranzak@cityofmuskegonheights.us

Address:

Muskegon Heights City Hall
 2724 Peck Street
 Muskegon Heights,
 Michigan 49444





City of Muskegon Heights PC Site Plan Review Application Process

- Step 1**
 - Review Zoning Ordinance and Ensure the following: - Property is located in Muskegon Heights, proposed use is allowed, the lot placement and design standards are met.
 - Contact the zoning administrator at (231) 724-8833 with any questions or to set up an informal review or site visit.
- Step 2**
 - Complete Planning and Zoning Application. Determine whether it will be a staff review or Planning Commission Review. Projects involving the addition of over 10,000 SF or the use of at least 2 acres of land require Planning Commission Review.
 - Timeline:** Day 1
- Step 3**
 - Submit completed applications, fee and copies of the site plan to the planning department. Staff reviews and require 12 copies
 - Timeline:** Day 1
- Step 4**
 - Review by City Staff. This includes the following departments: Planning, Public Works, Fire, Police and Inspections. Comments will be sent to applicant before the Planning Commission meeting.
 - Timeline:** Day 7
- Step 5**
 - (Staff Review Process) Planning Commission Review - meets monthly
 - Timeline:** Day 15-30
- Step 6**
 - Denied(*if approved - please skip*) Submit a revised plan or apply to the ZBA once complete - repeat step 4
 - Timeline:** Day 35
- Step 7**
 - Approved with conditions (*if just approved please skip*). - submit revised plans as directed.
 - Timeline:** applicant dependent
- Step 8**
 - Approved: Apply for building permit.
 - Timeline:** within 5 days of receiving complete application

Contact Planning:

Name: **Mike Franzak**

Number: (231) 733-8860

Email: mfranzak@cityofmuskegonheights.us

Address:

Muskegon Heights City Hall
2724 Peck Street
Muskegon Heights,
Michigan 49444





Required Site Plan Information to be Submitted with Applications.

If you have any questions about your site plan or would like to review before submitting a final copy please don't hesitate to contact the zoning administrator at (231) 724-8833 with any questions or to set up an informal review or site visit. Items to bring can be found below.

Pre-Conceptual Application Checklist**:

- Name of the site plan preparer
- Property name and address and legal description
- Project description (may be on application).
- Property boundaries, dimensions, and lot size

Full Site Plan Application Checklist:

- | | |
|--|--|
| <input type="checkbox"/> North Arrow | <input type="checkbox"/> Road right-of-way line(s) |
| <input type="checkbox"/> Scale | <input type="checkbox"/> Name(s) of the street(s) the property fronts on |
| <input type="checkbox"/> Name of the site plan preparer | <input type="checkbox"/> Building footprint(s) for all existing structures |
| <input type="checkbox"/> Property name and address and legal description | <input type="checkbox"/> Building footprints for proposed additions or new buildings |
| <input type="checkbox"/> Project description (may be on application). | <input type="checkbox"/> Building setbacks from all property lines and the road ROW |
| <input type="checkbox"/> Property boundaries, dimensions, and lot size | <input type="checkbox"/> Existing/proposed utilities within a property. |

District Requirements:

Each zoning district has basic dimensional requirements to check. Requirements for each zoning district are listed in the district's regulations in the Zoning Ordinance.

- Percentage of lot coverage by _____ buildings and _____ pavement
- Percentage of usable open space (if applicable, associated with residential developments only)
- Width to depth ratios (a lot can't be more than 3 times deeper than its width)
- Maximum and minimum building heights (some downtown areas require at least 2 stories)
- Maximum setbacks (some areas have a maximum setback to prevent large expanses of unused parking)

Please note that a zero-lot line may be used for buildings (i.e., no setback) on the rear property line and/or one side property line under certain conditions.



Development Data:

Engineering and Utility Information

- Spot grades or topographic lines and finished grades.
- Stormwater runoff calculations and a stormwater management plan. If possible, stormwater should be retained in an on-site detention area. Required setbacks can be swelled to hold stormwater.
- Site-specific utility service info. Such as on-site manholes, clean-outs, connection points, etc.

Parking, Access and Circulation (to be sure site circulation is efficient and safe)

- Sidewalks** are required to be provided both within the development and along the road right-of-way (generally only for commercial and residential developments)
- Adequate numbers of parking spaces** must be provided. Provide number of employees and usable floor space for parking calculations. Shared parking agreements must be included if used for parking allotments. They need to be irrevocable to protect everyone's current and future interests.
 - Check to see if the property is located in the Downtown Parking Overlay District
 - Parking requirements vary according to the proposed use, see Section 2326 for details.
- The **minimum size for all parking spaces** is 8 feet by 18 feet.
- Safe and well-marked drives** cannot be too close to neighboring drives. Shared drives may be required, and if so, a permanent access easement tied to the land must be provided.
- Maneuvering** lanes are required to be a minimum of 22 feet in width for two-way traffic and 12 feet in width for one-way (angled parking) traffic.
- Parking and loading areas must be **paved and striped**. A site plan note acknowledging the requirement helps. Parking areas should also be defined by curbing or curb stops. Curbing extends the life of pavement, can help direct stormwater, and prevents damage to landscaped areas and fences.
- Fire lanes** and adequate hydrant access are required. Note fire lanes and hydrant or standpipe locations.
- Landscaping islands or bump-outs** are required for each 5,000 square feet of parking lot. Creative design of parking lot landscaping is encouraged. Landscape islands/bump-outs must have 1 canopy tree and 3 shrubs per island.
- Stacking spaces** for drive-thru facilities need to be provided.

Natural features, Landscaping, Screening and Lighting

- The site plan needs to show an indication of where prominent **natural features** are, such as existing trees, streams & hills.
- The **floodplain** line and elevation above floodplain needs to be noted on the site plan.
- Existing vegetation** must be marked as either to be preserved or to be removed. Existing vegetation is required to be saved if practical, and can reduce new landscaping obligations
- All sites are required to be **landscaped** with 1 canopy tree, 2 understory or evergreen trees and 2 shrubs for every 30 feet of frontage. Landscaping should be staggered or clustered and may located in any setback area on the property. Native species are recommended for durability, as is mixing up the species of landscaping materials. Staff can provide a reference list upon request.



- At least 50% of the required **front setback** must be landscaped and adjacent to the road right of way (it may meander to allow for design flexibility for drives and parking but remember to keep larger plants away from drive entrances and signs, so they don't block views).
- All required **rear and side setbacks** must be landscaped unless zero-lot line is used for the building or a fire lane.
- Canopy trees need to be at least 12 feet high and a **minimum caliper** of 2 inches at 4 ½ feet above the ground. Evergreen and understory trees need to be at least 6 feet high at planting.
- Landscaped areas are required to be **irrigated**.
- If adjacent to a residential use or zone, commercial or industrial uses (especially parking and loading areas) must be **screened** by a fence, wall and/or heavy landscaping. Chain-link fence with vinyl slats is an acceptable screening method. It is recommended to put curbing or curb stops by fences and required setbacks to keep cars from damaging them.
- Fencing** for screening must be at least 4 feet tall and may be required up to 6 feet. Fencing can't be over 8 feet high and barbed wire is prohibited in the city. Front yard fencing over 4 feet must be behind the required front setback. Fences can go right on the property line. Fences may not be in the waterfront setback area.
- Outdoor and rooftop **mechanical equipment and outdoor storage** must be screened unless an industrial use abuts another industrial use.
- Dumpsters** must be at least 5 feet from a building, out of public view, and screened.
- Provide information on **outdoor lighting** indicating height, fixture type and locations. Fixtures and poles may be no more than 25 feet high and should be "cut-off" type to prevent light from bleeding or glaring onto roadways or adjacent properties.

Notification Procedures

For public hearings, the City of Muskegon Heights will publish notifications in a newspaper of general circulation and mail/hand deliver notification to the subject property and all persons owning property within 300 feet of the boundary of the subject at least 15 days before the hearing.

Special Meeting Procedures

City Council

A special meeting may be called by the Mayor or any of three or more members of Council with at least twenty-four (24) hours notice to each member.

Planning Commission/Zoning Board of Appeals

An applicant may request a special meeting for Planning Commission or Zoning Board of Appeals as long as the following requirements are met:

- a. Staff can confirm with the Board members that a quorum will be possible on the requested date.
- b. The public notification requirements for the case are met.
- c. The Special Meeting fee is paid along with the standard application fee.



FINANCIAL INCENTIVES

To encourage residential, commercial, and industrial development, the City of Muskegon Heights will consider and review applications for all State-run tax abatements. Some of the incentives are listed below. For application instructions and more abatement information, please see the Muskegon Heights Tax Abatement Policy, which can be located here: <https://muskegonheights.us/downloads/tax-abatement-policy/?wpdmdl=95709&refresh=6303b3f4c9c7a1661187060>

Industrial Facilities Tax Abatements (PA 198)

PA 198 of 1974, as amended, provides a tax incentive to manufacturers to enable renovation and expansion of aging facilities, assist in the building of new facilities and to promote the establishment of high-tech facilities. An Industrial Development District or a Plant Rehabilitation District must be created prior to initiating a project. An Industrial Facilities Exemption certificate entitles the facility to exemption from ad valorem real property taxes for 12 years. Applications should be filed at the Clerk's Office and a public hearing date will be set. After approval by the City Council, the application is sent to the State of Michigan and reviewed by the Property Services Division and the Michigan Economic Development Corporation. The State Tax Commission is ultimately responsible for final approval and issuance of certificates. Exemptions are not effective until approved by the State Tax Commission.

Obsolete Property Rehabilitation Act (PA 146)

The Obsolete Property Rehabilitation Act, PA 146 of 2000, as amended, provides tax exemptions for commercial and commercial housing properties that are rehabilitated and meet the requirements of the Act. Properties must meet eligibility requirements including a statement of obsolescence by the assessor. The property must be located in an established Obsolete Property Rehabilitation District. Exemptions are approved for a term of 1-12 years as determined by City Council. The property taxes for the rehabilitated property are based on the previous year's (prior to rehabilitation) taxable value. The taxable value is frozen for the duration of the exemption. Additionally, the State Treasurer may approve reductions of half of the school operating and state education taxes for a period not to exceed six years for 25 applications annually. Applications are filed with the Clerk's Office and a public hearing date will be set. After approval by the City Council, the application is sent to the State of Michigan and reviewed by the Property Services Division. The State Tax Commission is responsible for final approval and issuance of OPRA certificates. Exemptions are not effective until approved by the State Tax Commission.

Commercial Rehabilitation Act (PA 210)

The Commercial Rehabilitation Act, PA 210 of 2005, as amended provides a tax exemption for property of which the primary purpose and use is the operation of a commercial business



enterprise, multifamily residential or qualified retail food establishments. Types of commercial business enterprises may include but are not limited to, office, engineering, research and development, warehousing, parts distribution, retail sales, and other commercial activities. Multifamily residential is housing that consists of five or more units. Qualified retail food establishments are primarily retail supermarkets, grocery stores, produce markets or delicatessens that offer fresh USDA inspected meat and poultry, fresh fruits and vegetables, and dairy products for sale. Applications are filed with the Clerk's Office and a public hearing date will be set. After approval by the City Council, the application is sent to for review by the State Tax Commission.

Commercial Redevelopment Act (PA 255)

The Commercial Redevelopment Act, (known as the Commercial Facilities Exemption) PA 255 of 1978, as amended, affords a tax incentive for the redevelopment of commercial property for the primary purpose and use of a commercial business enterprise. The property must be located within an established Commercial Redevelopment District. Exemptions are approved for a term of 1-12 years as determined by the City Council. For restored facilities, the property taxes are based upon the previous year's (prior to restoration) taxable value and 100% of the mills levied. The taxable value is frozen for the duration of the certificate. For new or replacement facilities, the property taxes are based upon the current year's taxable value and 50% of the mills levied. Applications are filed with the Clerk's Office and a public hearing date will be set. Certificates are also filed with the State Tax Commission.

Neighborhood Enterprise Zone (PA 147)

The Neighborhood Enterprise Zone (NEZ) Act, PA 147 of 1992, as amended, provides tax exemptions for the development and rehabilitation of residential housing located within eligible distressed communities. The city can designate areas as Neighborhood Enterprise Zones. Only facilities located within these established NEZs are eligible for NEZ certificates. New and rehabilitated facilities applications are filed, reviewed and approved by the City, but are also subject to review at the State level by the Property Services Division. The State Tax Commission is responsible for final approval and issuance of new and rehabilitated facility certificates. Exemptions for new and rehabilitated facilities are not effective until approved by the State Tax Commission.



Licensing

Business Licenses

Business licenses are required prior to a business operating in the City of Muskegon Heights. Business licenses can be obtained through the City Clerk's Office. The City Clerk can be reached from 7:30 am to 5:30 pm Monday through Thursday.

Liquor Licenses

Liquor licenses are required for businesses that seek to sell or serve alcoholic beverages. Applications for a liquor license must be filed to both the City of Muskegon Heights and the Michigan Liquor Control Commission.

Marihuana Licenses

Marihuana licenses are required for businesses that seek to grow, sell, process or transport marihuana. Applications for a marihuana license must be filed to both the City of Muskegon Heights and the Michigan Department of Licensing and Regularity Affairs.

All Business, Liquor and Marihuana License questions and applications can be directed to the City Clerk's Office:

Phone: (231) 733-8820

Email: sgibbs@cityofmuskegonheights.org



Applications:

All applications can be found online under the planning and zoning webpage:

<https://muskegonheights.us/planning-community-development/>

Specific applications can be found here:

- Planning + Zoning Application: <https://muskegonheights.us/downloads/planning-zoning-application/?wpdmdl=85780&refresh=6154a31de46f31632936733>
- Building Permit Application: <https://muskegonheights.us/downloads/building-permit-application/?ind=1590111497867&filename=doc02124420200520082524.pdf&wpdmdl=12269&refresh=6154a54bb65c81632937291>

Additional Resources:

Its important when applying for a site plan or getting a building permit to understand the requirements and expectations from the municipality. The resources below will help guide on decisions and next steps that should be identified in order to get a site plan/building permit approved:

- [Master Plan: https://muskegonheights.us/downloads/comprehensive-master-plan-final/?wpdmdl=85776&refresh=6154a31dea43c1632936733](https://muskegonheights.us/downloads/comprehensive-master-plan-final/?wpdmdl=85776&refresh=6154a31dea43c1632936733)
- [Zoning Ordinance: https://muskegonheights.us/downloads/muskegon-heights-zoning-ordinance-9-2019/?wpdmdl=10863&refresh=6154a5fcef1861632937468](https://muskegonheights.us/downloads/muskegon-heights-zoning-ordinance-9-2019/?wpdmdl=10863&refresh=6154a5fcef1861632937468)