

**An ordinance to amend Chapter 8 C-1 General Commercial District to revise the intent and purpose; to add certain permitted uses; to amend the design standards; to add parking requirements for certain uses; and to add requirements for the enlargement of lawfully existing special land uses.
As recommended to the Township Board by the Planning Commission following a public hearing held on February 11, 2020.**

**ZEELAND CHARTER TOWNSHIP
COUNTY OF OTTAWA, MICHIGAN**

At a regular meeting of the Township Board for the Charter Township of Zeeland, Ottawa County, Michigan, held in the Zeeland Charter Township Hall, 6282 Byron Road, on the 5th day of May, 2020 at 7:00 p.m.

PRESENT: Members: Nykamp, Veldheer, Overweg, Brink and Salisbury

ABSENT: Members: Kraak and Riemersma

The following ordinance was offered for adoption by Trustee Brink and supported by Trustee Overweg.

ORDINANCE NO. 404

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF ZEELAND CHARTER TOWNSHIP BY AMENDING CHAPTER 8 C-1 GENERAL COMMERCIAL DISTRICT TO AMEND SECTION 8.01 INTENT AND PURPOSE; TO AMEND SECTION 8.02 TABLE OF USES; TO AMEND SECTION 8.03 DEVELOPMENT REQUIREMENTS; TO ADD NEW SECTIONS 8.03 E. (reserved for future use); AND TO ADD NEW SECTION F. LAWFULLY EXISTING USES.

THE CHARTER TOWNSHIP OF ZEELAND (the "Township") ORDAINS:

SECTION 1 Amend Section 8.01 to read as follows:

SECTION 8.01 INTENT AND PURPOSE

The C-1 General Commercial District is intended to provide appropriate locations to accommodate land uses meeting the office, personal service, retail, and other business needs of the residents of the Township, of residents of surrounding communities, and to the traveling public. Managing access to individual properties will receive strong consideration during the review of individual sites. The use of combined drives, service drives, and spacing of access points. may be required as a condition of site plan approval.

SECTION 2 Amend Section 8.02 to read as follows:

SECTION 8.02 TABLE OF USES

A. Permitted Uses: Land and/or Buildings in this Zoning District may be used for the purposes listed by right. Site plan approval is necessary **required**.

Table of Uses	C-1
Accessory Buildings and uses subject to 3.12	P
Bank or other financial institution without Drive-Through facility	P
Health or exercise Club	P
Hospitals	P
Laundromat	P
Medical office, including Clinic	P
Municipal and public service uses and structures that are not essential public service structures and buildings	P
Nursing or convalescent homes	P
Personal service establishment (e.g., salon, tailor, dry cleaning drop-off site, etc.)	P
Professional offices	P
Recreation facility, indoor (e.g., arcades, bowling, billiards)	P
Restaurants and cafes with no Drive-Through	P
Retail establishments	P
Video rental and sales (except that video rentals are permitted as an Accessory Use)	P
Essential public service equipment	P
Park and ride lots operated by a public agency	P

B. Special Land Uses: The following uses may be permitted by obtaining Special Land Use approval when all applicable standards cited in Chapter 16 are met.

Table of Uses	C-1
Amusement Parks, Fairgrounds and Flea Markets	SLU
Banquet hall, catering establishment	SLU
Commercial Day Care Facility	SLU
Commercial Kennels	SLU
Commercial Mini-Storage	SLU
Contractor's office and storage Yard	SLU
Drive-Through facility other than a restaurant (e.g., bank, credit union, pharmacy)	SLU
Drive-Through restaurants	SLU

Fraternal or social Club or lodge	SLU
Funeral homes and mortuary establishments	SLU
Hotels and Motels	SLU
Open Air Businesses	SLU
Outdoor recreation developments	SLU
Places of worship/churches and associated facilities	SLU
Private schools and colleges	SLU
Vehicle body and repair shops	SLU
Vehicle Service Stations	SLU
Vehicle Wash Establishments, either self-serve or automatic	SLU
Veterinary Clinics and Hospitals	SLU
Essential public service structures and buildings	SLU

SECTION 3 Amend Section 8.03 to read as follows:

SECTION 8.03 DEVELOPMENT REQUIREMENTS

A. Lot, Yard, and Building Requirements

Requirement		C-1 Commercial	
Lot Requirements	Area	20,000 sq. ft.	
	Minimum Width	125 ft.	
	Maximum Width-to-depth ratio	1:4	
	Maximum Coverage	85%	
Setback Requirements	Front-Front setbacks shall be taken from each front lot line of a Corner or Through Lot*		
	Side**	Side Yard adjacent to Residential or Agricultural District	25 ft.
		Adjacent to C-1	15 ft.
	Rear	35 ft.	
Building Requirements	Maximum Height	35 ft.	

* Parcels fronting on M-21, Adams Street, Byron Road, 48th Avenue, 64th Avenue, 96th Avenue, New Holland, Ransom, Quincy, Riley, Perry, 88th, 84th, and 56th are subject to the access management provisions of Chapter 13.

** Zero Lot Line provisions may be used for Main Buildings of the Principal Use adjacent to other commercial and industrial uses provided:

1. A zero Lot Line is approved by the Planning Commission.
2. The Building has an approved fire rating for zero-Lot Line development under the Building Code.
3. The Building has adequate fire access preserved pursuant to fire code requirements.
4. The zero Lot Line side is not adjacent to a Street.
5. A maintenance access Easement among properties is approved by the Township and recorded with the County Register of Deeds.

B. Design Standards

All commercial uses shall comply with the following architectural guidelines:

1. The applicant shall use quality architecture to ensure that Buildings protect the investment of adjacent landowners, blend harmoniously into the streetscape, and maintain a positive image for the Township.
2. Building materials and colors shall be compatible with the surrounding area.
3. Any side of a commercial Building facing a public or private street, public or private parking area, or private access drive shall be covered with, or constructed of, at least eighty percent (80%) of the following materials:
 - a. Brick.
 - b. Decorative concrete block.
 - c. Vinyl or wood siding.
 - d. Cut or simulated stone.
 - e. Logs.
 - f. Glass
 - g. Stucco or stucco-like material
 - h. Metal siding (corrugated) provided that exposed fasteners shall match the color of the metal finish.
 - i. In recognition of developing technologies, the Planning Commission may permit the use of building materials other than those listed in Section 8.03 B. if, in the judgement of the Planning Commission, the materials are compatible with surrounding properties, and that such materials comply with the architectural, safety, and other requirements of the Zeeland Charter Township building code, fire code, and other applicable Township ordinances.
 - j. In determining if the requirements of Section 8.03 B. shall be required for that portion of a building facing upon a private access drive, the Planning Commission shall consider the following:
 - 1) The visibility of the building served by the access drive to clients, visitors, and the general public;

- 2) The intended use of the access drive in regard as to whether the drive will be primarily utilized by clients, visitors and the general public; or whether the drive will be utilized primarily by employees, delivery vehicles, and refuse transport vehicles.
4. Exterior walls over one hundred (100) feet in length shall be broken up with varying building lines, windows, and architectural accents. The Planning Commission shall determine the extent of the required architectural features based upon the following:
 - a.
 - 1) The character of the proposed use and future uses of the building.
 - 2) The existing and future uses of the surrounding area.
 - 3) The existing and proposed exterior building materials.
 - b. For exterior walls over one hundred (100) feet in length, landscaping shall abut the walls so that the vegetation combined with the architectural features significantly reduce the visual impact of the building mass as viewed from the street. Landscaping shall be as approved by the Planning Commission.
 - c. Building entrances shall utilize windows, canopies, awnings, or other architectural features. They shall provide unity of scale, texture, and color.

C. Parking Requirements

1. The amount of required off-Street Parking Spaces for individual uses shall be determined in accordance with the following table and shall meet the dimensional requirements of Chapter 15, in addition to all lighting, Loading Spaces and landscaping standards.
2. Parking requirements for uses not listed. The minimum parking space requirements for all uses shall be as required by Section 8.03 C. herein. For uses not specifically listed, the Zoning Administrator shall establish the parking requirement by making the determination that the proposed use is similar in parking requirements to a use which is listed in Section 8.03 C. The Zoning Administrator may refer to engineering or planning manuals, publications and reports, or to the parking requirements required by other similar municipalities for similar uses in determining the minimum parking requirement.

Use	Parking Requirement Spaces per unit of measurement GFA = Gross Floor Area, UFA = Usable Floor Area
Art studio/craft shop	1 space per 500 sq. ft. UFA
Amusement parks, fairgrounds and flea markets	2 spaces per 3 seats on amusement rides or 20 spaces per ride or attraction with no specific or defined seating
Bank or other financial institution without Drive-Through facility	1 space per 400 sq. ft. of UFA
Banquet hall and/or conference center	1 space for every 4 persons permitted in the Structure by fire code
Commercial Day Care Facility	1 space per each 3 clients computed on the basis of the greatest number of clients on-site at a given time
Commercial Kennels	1 space per 400 sq. ft. of Gross Floor Area, but no fewer than 4 spaces
Commercial min-storage	1 space for each storage unit (adjacent to each unit) plus one per each employee on-site
Contractor's office	1 per each employee
Drive-Through facility other than a restaurant (e.g., bank, credit union, pharmacy)	Space for 3 cars between the sidewalk area and the service window, and 1 space for every 200 sq. ft. of Usable Floor Area
Drive-Through restaurants	Space for 5 cars between the sidewalk area and the pick-up window plus 1 space per each 100 sq. ft. of UFA
Fraternal or social Club or lodge	1 space for every 4 persons permitted in the Structure by fire code
Funeral home or mortuary	1 space per each 50 sq. ft. of UFA
Gas Station/convenience store	2 spaces for each pump plus one space per every 400 ft. UFA
Health or exercise Club	1 space for every 4 persons permitted in the Structure by fire code
Hospitals	1 space per 4 patient beds plus 1 space for each employee
Hotel or Motel	1 space for each guest room, plus 1 additional space for every 2 employees
Laundromat	1 space for each 2 machines
Medical office, including Clinic	1 space per each 400 sq. ft. of UFA
Municipal and public service activities	1 space per each 300 sq. ft. of Gross Floor Area, not including parking areas for municipal vehicles
Nursing or convalescent homes	1 space per each 3 beds or 2 rooms, whichever is less, plus 10 spaces marked for visitors
Open Air Business	1 space per each 800 sq. ft. of Lot Area used of the Open Air Business, plus parking for any main use Building and associated Accessory Uses
Golf courses	5 spaces per hole
Golf courses par three and miniature	2 spaces per hole

Use	Parking Requirement Spaces per unit of measurement GFA = Gross Floor Area, UFA = Usable Floor Area
Golf driving ranges	One and one-half spaces per tee
Batting cage facilities	3 spaces per cage
Stadiums and sports arenas	1 space per each four seats or eight feet of bench plus one per each employee
Outdoor recreation developments	Parking will be required as demonstrated by the applicant to meet industry standards, and as specifically permitted as a condition of special land use approval.
Park and ride lots operated by a public agency	As proposed by the public agency, subject to approval by the Planning Commission
Private schools, trade schools, and colleges	Elementary and middle schools: Two spaces per classroom, plus one space for each three seats of maximum seating capacity for any indoor place of assembly. High schools, trade schools, and colleges: one space for each two students based on maximum occupancy load of UFA as established by state, county, or local fire, health or construction codes; plus one space for each three seats of maximum seating capacity for any indoor place of assembly or accessory use.
Professional office	1 space per each 300 sq. ft. of UFA
Recreation facility, indoor (e.g., arcades, bowling, billiards)	1 space for every 3 persons permitted in the Structure by fire code
Restaurants and cafes with no Drive-Through	One space per every 3 persons allowed within the maximum occupancy load as established by state, county, or local fire, health or construction codes; plus one per each 3 employees; plus one additional space per each drive-up or take out space.
Retail establishment	1 space per each 500 sq. ft. of UFA
Vehicle body and repair shops	1 per employee plus one per service bay
Vehicle Service Stations	1 per employee plus one per service bay
Vehicle Wash Establishments, either self-serve or automatic	3 spaces for each washing stall, in addition to, the stall itself
Veterinary Clinics and Hospitals	1 per examination room plus one per employee
Video rental and sales	1 space per each 300 sq. ft. of UFA

E. *(Reserved)*

F. Lawfully existing uses which are currently required to obtain approval as a special land use by this Chapter, and for which no record exists of such approval as a special land use, shall not be enlarged, increased, extended to occupy a greater area of land, or increased in intensity of use except as required by the procedures for approval of a special land use in Chapter 16 of this Ordinance.

SECTION 4 SEVERABILITY:

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance will not be affected thereby, and shall remain in full force and effect.

SECTION 5 EFFECTIVE DATE:

This Ordinance shall take effect upon the expiration of seven (7) days after the date of publication of the Ordinance or a summary of its provisions in a local newspaper of general circulation in accordance with the law.

The vote in favor of this Ordinance was:

YEAS: Nykamp, Veldheer, Overweg, Brink and Salisbury

NAYS: None

ABSENT: Kraak and Riemersma

ORDINANCE DECLARED ADOPTED.

CERTIFICATION

STATE OF MICHIGAN)
) ss.
COUNTY OF OTTAWA)

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Charter Township of Zeeland at a regular meeting held on the date first stated above, and I further certify that the public notice of such meeting was given as provided by law.

Kate Kraak
Kate Kraak, Township Clerk