

ORDINANCE NO. 376

ZONING TEXT AND MAP AMENDMENT ORDINANCE

AN ORDINANCE TO RESTATE THE ALLOWABLE SIZES ACCORDING TO THE ZEELAND CHARTER TOWNSHIP ZONING ORDINANCE (THE "ZONING ORDINANCE") FOR ACCESSORY BUILDINGS, BASED ON LOT SIZE; TO RESTATE CHAPTER 9 OF THE ZONING ORDINANCE, CONCERNING THE MIXED USE VILLAGE DISTRICT; TO REZONE CERTAIN PROPERTY FROM THE AGRICULTURAL DISTRICT TO THE MIXED USE VILLAGE DISTRICT; AND TO ESTABLISH AN EFFECTIVE DATE.

THE CHARTER TOWNSHIP OF ZEELAND, COUNTY OF OTTAWA, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Accessory Buildings. The accessory building table in Section 3.12.E of the Zoning Ordinance shall be restated in its entirety as follows.

Lot size	Total Number of Buildings	Square footage of Accessory Buildings	Height (feet)
Less than 15,000 sq. ft.	1	364	12
15,000 – 30,000 sq. ft.	1	576	14
30,001 sq. ft. – 1 acre	1	864	16
Over 1 acre – 1.33 acres	1	1,080	18
Over 1.33 – 2 acres	1	1,440	20
Over 2 acres – 3.5 acres	2	2,000	22
Over 3.5 acres – 5 acres	2	2,800	24
Over 5 acres	2	600 sq. ft. per acre	24

Section 2. Chapter 9 MUV - Mixed Use Village District. Chapter 9 of the Zoning Ordinance shall be restated in its entirety as follows.

CHAPTER 9
MUV - MIXED USE VILLAGE DISTRICT

SECTION 9.01 INTENT AND PURPOSE

The Mixed Use Village District is intended to permit a creative mix of land uses in close proximity to one another. The centers of these small districts are intended to be the historic settlements of Beaverdam, Vriesland and Drenthe. The district shall be pedestrian oriented with small-scale developments interconnected with one another in terms of non-vehicular and vehicular traffic. Businesses are intended to be small scale, village-like in nature and serving the immediate area. Accessory apartments are encouraged above storefronts and offices.

Home/work studios and offices are also encouraged. Small scale Multiple Family Dwellings are encouraged near business uses for easy pedestrian access. The accommodation of foot traffic is important in this district as is the de-emphasis on vehicular parking. Site and Building design are key components of any mixed use village ("MUV") development. The district is intended to be limited to approximately one-quarter mile from the centers of the Beaverdam, Vriesland and Drenthe settlement areas.

SECTION 9.02 TABLE OF USES

A. Any Development consisting of five (5) acres or more shall be a Planned Unit Development. A Planned Unit Development may include any Permitted Use, any Special Land Use, or any other use which the Township finds to be substantially similar to a Permitted Use or a Special Land Use.

B. The following abbreviations apply to the Table of Uses:

P: Permitted Use: Land and/or Buildings in this Zoning District may be used for the purposes listed by right. Site plan approval may be necessary.

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

NP: Not Permitted: The use is not permitted in the Zoning District, along with any other uses not listed as permitted by right or by Special Land Use.

Table of Uses	MUV
Accessory apartments as part of a business use (not on the first floor)	SLU
Single-Family Dwellings on Lots of less than 10,000 square feet. Single-Family Dwelling developments shall be limited to 20 total Dwellings	P
Single-Family Dwellings, together with businesses which are separately allowed in this Table of Uses, on Lots of 2 acres or more	SLU
Agricultural Service Establishments	SLU
Accessory Buildings and uses subject to 3.12	P
Art studio/craft shop of up to 2,000 square feet	SLU
Banquet hall or catering establishment	NP
Bank or other financial institution with or without Drive-Through facility	SLU
Bed and Breakfast Establishment	SLU
2-Story Two-Family Dwellings on single Lots provided there is not another such use within 500 lineal feet (not including accessory apartments)	SLU
Commercial Day Care Facility	SLU
Contractor's office (no outdoor storage)	SLU
4-unit multiple Family townhouse or row house Structures on a single Lot provided there is not another such use within 500 lineal feet (not including accessory apartments)	SLU

Table of Uses	MUV
Elderly Housing of up to 20 units	SLU
Libraries, museums, community centers, and similar uses which are owned and operated by a governmental agency or a noncommercial organization	SLU
Municipal and public service activities	SLU
Schools, elementary, middle and high school (public, private and parochial)	SLU
Medical office, including Clinics of up to 3,000 sq. ft. in area	SLU
Nursing or convalescent homes	SLU
Open Air Business	SLU
Personal service establishment (e.g., salon, tailor, dry cleaning drop-off site, etc.) of up to 3,000 square feet in area	SLU
Professional offices of up to 3,000 square feet in area	SLU
Recreation facility, indoor (e.g., arcades, bowling, billiards)	SLU
Restaurants and cafes with or without Drive-Through	SLU
Retail establishments of up to 5,000 square feet	SLU
Vehicle body and repair shops with no more than 2 service bays	SLU
Vehicle Service Stations	SLU
Vehicle Wash Establishments with no more than 3 service bays	SLU
Video rental and sales (except that video rentals are permitted as an Accessory Use) of up to 3,000 square feet	SLU
Any other use not specifically listed in this table but substantially identical to another use allowed by right	P
Any other use not specifically listed in this table but substantially identical to another use allowed by Special Land Use	SLU

SECTION 9.03 DEVELOPMENT REQUIREMENTS

A. Lot, Yard, and Building Requirements

Requirement		Mixed Use Village	
Lot Requirements	Minimum Lot Area	5,000 sq. ft.	
	Minimum Lot Width	50 ft.	
	Maximum width-to-depth ratio	1:4	
	Maximum coverage	85%	
Setback Requirements	Front *	15 ft.	
	Side	Side Yard adjacent to a Residential or Agricultural District	25 ft.
		Corner Lots	20 ft.
		Adjacent to MUV**	10 ft.
	Rear	25 ft.	

Requirement		Mixed Use Village
Building Requirements	Maximum Height	35 ft.
<p>* Parcels fronting on M-21, Adams Street, Byron Road, 48th Avenue, 64th Avenue, 72nd Avenue through Beaverdam, 96th Avenue, New Holland, Ransom, Quincy, Riley, Perry, 88th, 84th, and 56th are subject to additional Setbacks and the access management provisions of Chapter 13.</p> <p>** Zero Lot Line provisions may be used for Main Buildings provided:</p> <ol style="list-style-type: none"> 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 proposed development shall comply with the following architectural guidelines:

1. Accessory apartments shall only be permitted on the top floor of a two (2) Story Building.
2. The applicant shall use quality architecture to ensure that Buildings are compatible with surrounding uses, protect the investment of adjacent landowners, blend harmoniously into the streetscape, and maintain a positive image for the Township.
3. Building materials and colors shall relate well and be harmonious with the surrounding area. Subtle colors should be used for Building and roofing material.
4. Buildings may possess architectural variety, but enhance the overall cohesive community character. Architectural Features of the Buildings may include details such as lintels, archways, colonnades, and cornices.
5. Any side of a commercial or Multiple Family Dwelling facing a Street shall be covered with, or constructed of, at least fifty percent (50%) of the following materials:

- a. Brick.
 - b. Decorative concrete block.
 - c. High quality vinyl or wood siding
 - d. Cut or simulated stone.
 - e. Logs.
 - f. Other materials approved as part of the site plan.
6. Building entrances should utilize windows, Canopies and Awnings. They should provide unity of scale, texture, and color.
 7. Maximum Building width shall be limited to Side Yard setback requirements.
 8. Maximum height for commercial Buildings shall be thirty-five (35) feet.
 9. Outdoor cafes and seating areas are encouraged, provided:
 - a. The area devoted to outdoor seating must be ancillary to the main use of an indoor restaurant, bakery, coffee shop, delicatessen, specialty food store, or similar establishment.
 - b. Pedestrian circulation and access to the Building entrance shall not be impaired. A minimum of three (3) feet of sidewalk along the curb and leading to the entrance to the establishment must be maintained free of tables, chairs, and other encumbrances.
 - c. The seating area shall be limited to the area directly in front of the permitted use to which the seating area is accessory and shall not extend into adjoining sites.
 - d. Tables, chairs, umbrellas, Canopies, planters, waste receptacles, and other elements of Street furniture shall be compatible with the architectural character of the Main Building.
 - e. Outdoor amplification shall be prohibited.
 - f. The area devoted to outdoor service shall not encroach upon or extend over any public Right-of-Way.
 - g. A site plan shall clearly depict the seating area and location and style of tables and chairs, reflecting ample aisles for pedestrian traffic.

- h. The outdoor seating area shall not obstruct visibility of on-coming pedestrians or vehicular traffic.
 - i. All outdoor furnishings shall be completely removed from sidewalk areas December 1 through March 1 of each year.
 - j. The area devoted to such outdoor dining area shall be maintained in a safe, clean, and sanitary manner.
 - k. Roof seating shall comply with the Building Code.
10. Sidewalks and other non-motorized links are encouraged between and among uses.

C. Parking Requirements

- 1. Parking areas adjacent to an agricultural or residential zone shall be a minimum of ten (10) feet from side and rear property lines, which shall be developed as a Buffer Zone for the entire length of the parking area. The Buffer Zone shall comply with the standards of Section 15.05(D) of the Ordinance.
- 2. 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 Section 15.01.B, in addition to lighting, Loading Spaces and landscaping standards. The requirements of the following table may be reduced according to a parking study submitted by an applicant, or according to other documentation from an applicant which establishes a reduced need for parking.

Use	Parking Requirement Spaces per unit of measurement GFA = Gross Floor Area, UFA = Usable Floor Area
Accessory apartments as part of a business use	1 per Dwelling Unit
Agricultural Service Establishment	1 per each 200 sq. ft. of UFA, and 1 space for each service vehicle
Art studio/craft shop	1 space per 800 sq. ft. GFA
Bank or other financial institution without Drive-Through facility	1 space per 400 sq. ft. of UFA
Bed and Breakfast Establishment	2 plus 1 per guest room
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
Elderly Housing	.75 per unit
Laundromat	1 space for each 2 machines
Medical office, including Clinic	1 space per each 400 sq. ft. of GFA
Nursing or convalescent homes	1 space per each 3 beds or 2 rooms, whichever is less, plus 10 spaces marked for visitors

Use	Parking Requirement
	Spaces per unit of measurement GFA = Gross Floor Area, UFA = Usable Floor Area
Personal service establishment	2 spaces per service provider or 1 space per 400 square feet of UFA, whichever is greater
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
Retail establishment	1 space per each 500 sq. ft. of GFA
Single or Multiple Family Dwellings	2 spaces per unit
Veterinary Clinics and Hospitals	1 per examination room plus 1 per employee

D. Signs

1. The following Signs are permitted in the MUV District:

- a. Signs shall pertain exclusively to the business carried on at the property.
- b. Signs may be illuminated, provided that the source of light is directed in a manner that will prevent light from shining directly onto traffic or neighboring properties.
- c. One (1) Monument Sign for a Business Center not exceeding thirty two (32) square feet in area and eight (8) feet in height. Signs shall be Setback from the Street Right-of-Way a minimum of ten (10) feet and from side property lines a minimum of five (5) feet.
- d. Individual business may only have a wall, Awning or bracket Sign which shall not exceed fifteen percent (15%) of the surface area of the commercial or industrial portion of the front Building face. Wall Signs may be placed on any wall.
- e. Signs shall be placed against the Main Building or on a Canopy.
- f. Canopy Signs shall be considered Wall Signs.
- g. A Sign attached to a mansard shall be considered a Wall Sign.
- h. Signs shall not project above the Roof Line or cornice.
- i. Sign design shall respect the rural character of the Zoning District. As examples, Sign colors should be natural and subdued and Sign materials should be natural looking (e.g. wood and field stone vs. glossy metals and plastics).

2. Signs not requiring a zoning permit:

- a. Political Signs of up to six (6) square feet provided they are removed within ten (10) days after the election to which they pertain.
- b. Non-illuminated Real Estate Signs of up to six (6) square feet provided they are removed within ten (10) days after consummation of lease or sale of property.
- c. Non-illuminated trespassing, safety, directional, caution or announcement Signs each not exceeding two (2) square feet in area or Signs announcing the sale of produce each not exceeding six (6) square feet in area.
- d. Name plates of fewer than two (2) square feet.
- e. Signs that comply with this Ordinance and have been approved in conjunction with a valid zoning compliance permit for any Principal Use as detailed in a plot plan or site plan.
- f. Street name Signs and other Signs established by State, County, or Township units of government when necessary for giving proper directions or otherwise safeguarding the public in any Zoning District.
- g. Non-advertising Signs under two (2) square feet Erected by any organization, firm, or corporation that are needed to warn the public of dangerous conditions and unusual hazards including: caving ground, drop-offs, high voltage, fire danger, explosives, severe visibility limits, etc.

Section 3. Zoning Map Amendment. The Zoning Ordinance and Map, the map being incorporated by reference in the Zoning Ordinance pursuant to Chapter 4, shall be amended so that the following lands shall be rezoned from the Agricultural District to the Mixed Use Village District. The lands are in the Township and are described as follows:

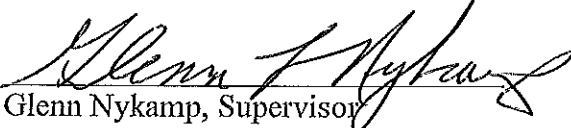
Permanent Parcel No.: 70-17-04-200-022; 4511 - 72nd Avenue:

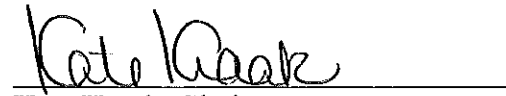
PART SE 1/4 OF NE 1/4 COM 525.05 FT N OF E 1/4 COR, TH W 700.06 FT, N 240 FT, E 700 FT M OR L TO E SEC LI, TH S 240 FT TO BEG. SEC 4 T5N R14W 3.86 A

Property description to be rezoned Ag to Mixed Use Village

Section 4. Effective Date. This amendment to the Zeeland Charter Township Zoning Ordinance was approved and adopted by the Township Board of Zeeland Charter Township, Ottawa County, Michigan on June 21, 2016, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on May 17, 2016, and after posting and publication following such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on July 15, 2016, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Text Amendment Ordinance in the Zeeland Record, as

required by Section 401 of Act 110, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.


Glenn Nykamp, Supervisor
Zeeland Charter Township


Kate Kraak, Clerk
Zeeland Charter Township