

Part I Introduction

Article 1 Title and Purpose

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Article 1. Title and Purpose

Section 1.1 Title

This ordinance shall be known and may be cited as the "Holland Charter Township Zoning Ordinance." It is also referred to as the "Zoning Ordinance" or the "ordinance" throughout this document.

Section 1.2 Intent and Purpose

- A. *Intent.* This ordinance is based on the Holland Charter Township Comprehensive Plan and is intended and designed to:
1. Regulate land development practices; and
 2. Provide for the establishment of zoning districts in the township which regulate the use of land and structures.
- B. *Purpose.* The purpose of the Zoning Ordinance is to establish a regulatory framework to:
1. Protect and ensure public health, safety, and welfare;
 2. Allow areas for economic growth and places of employment;
 3. Ensure development is served by public infrastructure and utilities;
 4. Provide for areas of recreation for enjoyment and to promote public health;
 5. Ensure an efficient transportation network and safe walking and biking routes;
 6. Limit the continuation of improper use of land;
 7. Protect natural resources; and
 8. Provide for orderly development based on the Holland Charter Township Comprehensive Plan.

Section 1.3 Applicability

- A. *Applicability.* Zoning applies to all lots of record and to every building, structure, and use. No lot of record shall be used except in conformance with this ordinance. No existing or new building or structure shall be located, erected, altered, re-occupied, or re-used except in conformity with this ordinance.
- B. *Division of Lots.* No lot of record shall be divided, altered, or reduced by sale, gift or other disposition in a way that impacts conformance to setback, area, width, parking, and other spatial and dimension requirements of this ordinance. A division of a lot of record shall not increase the degree of nonconformity of any existing nonconforming lot of record, building, or structure.
- C. *Holland Charter Township.* The provisions of this ordinance shall not be applicable to and enforceable against Holland Charter Township itself.

Section 1.4 Organization

- A. *Applicability.* The Zoning Ordinance is divided into five (5) parts. The ordinance begins with an introduction to set the legal basis for the regulation. The second part addresses the zoning districts and land use regulation for lots of record in the township. The third part outlines general requirements for all lots of record, specific use requirements, and requirements for the development of land. Part four includes the processes for reviewing development and township approval standards. Lastly, part five includes administrative authorities and provisions and definitions for terms used throughout the ordinance.

1. Part I Introduction.
2. Part II Zoning Districts.
3. Part III Development Provisions.
4. Part IV Review Processes and Standards.
5. Part V Administration.

Section 1.5 Figures and Graphics

Graphics are provided as “figures” throughout this ordinance to illustrate the intent of regulatory language. When there is an apparent discrepancy between the text and a figure, the text shall supersede. Any text within a table is a requirement.

Section 1.6 Interpretation and Conflict

- A. *Minimum Requirements.* The provisions of this ordinance are determined to be the minimum requirements for the promotion of the public health, safety, and general welfare in the township.
- B. *Conflict.* This ordinance shall not repeal, annul in any way, impair, or interfere with existing provisions of other laws, ordinances, or regulations, except those repealed within this ordinance by specific reference, or with private restrictions placed upon property by covenant, deed, or other private agreement, or with restrictive covenants running with the land to which the township is a party. Where this ordinance imposes greater restrictions, limitations, or requirements upon the following, the provisions of this ordinance shall control the use and development of land.
- C. *Enforcement of Private Agreements.* In no case shall the township be obligated to enforce the provisions of any easements, covenants, or agreements between private parties. All applicants and landowners shall be responsible for obligations and restrictions applicable to subject properties by private agreements.
- D. *County, State, and Federal Laws.* The township shall not enforce county, state, or federal laws. However, township approvals of development may be conditioned upon securing all applicable outside governmental agency approvals. When state and federal laws preempt local zoning authority, the township recognizes that zoning regulations are superseded by those regulations.

Section 1.7 Legal Basis

This ordinance is enacted pursuant to P.A. 110 of 2006, the Michigan Zoning Enabling Act, M.C.L. 125.3101 et. seq., as amended.

Section 1.8 Validity and Severability

If any court of competent jurisdiction shall declare any part of this ordinance to be invalid, the ruling shall not affect any other provisions of this ordinance not specifically included in the ruling. If any court of competent jurisdiction shall declare invalid the application of any provision of this ordinance to a particular land, lot of record, district, use, building, or structure, such ruling shall not affect the application of the provision to any other lot of record, district, use, building, or structure not specifically included in the ruling.

Section 1.9 Effective Date

- A. *Adoption and Effective Date.* This ordinance, is a restatement of the Holland Charter Township Zoning Ordinance, and was adopted by the Holland Charter Township Board, Ottawa County, Michigan, at a meeting held on May 3, 2018, and a notice of publication ordered published on May 9, 2018, in the Holland Sentinel, a newspaper having general circulation in the township, and has an effective date of May 17, 2018.

- B. *Repeal of Ordinance.* The Holland Charter Township Zoning Ordinance adopted and effective on September 16, 1976, and its subsequent amendments, are repealed as of the effective date of this ordinance.
- C. *Pending Applications.* All applications for permits, appeals, and variance requests pending before the Zoning Administrator, Planning Commission, Township Board, or the Zoning Board of Appeals on the effective date of this ordinance shall be acted upon only in conformance with the Zoning Ordinance in effect at the time the application for the request was determined to be complete.

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