

The following Zoning Amendment Ordinance was adopted at the Holland Charter Township Board meeting on August 15, 2019

**ORDINANCE NO. 596**

**ZONING TEXT AMENDMENT ORDINANCE**

AN ORDINANCE TO AMEND THE HOLLAND CHARTER TOWNSHIP ZONING ORDINANCE BY PROVIDING THE FOLLOWING AMENDMENTS; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. Spatial Requirements in Residential Districts.

- (a) Table 4.3B (Principal Building Requirements: Residential Districts) of Section 4.3 (Spatial Requirements) of the Holland Charter Township Zoning Ordinance (the “Zoning Ordinance”) shall be amended to read as follows.

<b>Table 4.3B Principal Building Requirements: Residential Districts</b>					
<b>Requirement</b>		<b>R-1</b>	<b>R-2</b>	<b>R-2A</b>	<b>R-3</b>
Min. Front Setback (ft.)	Single-Family	35	35	35	-
	Two-Family	-	35	35	35
	Multi-Family	-	-	35	35
	Non-Residential <sup>1</sup>	35	35	35	35
Min. Side Setback (ft.)	Single-Family	7	7	20	-
	Two-Family	-	7	7	5
	Multi-Family	-	-	20	20
	Non-Residential <sup>1</sup>	20	20	20	20
Min. Rear Setback (ft.)	Single-Family	35	25	25	-
	Two-Family	-	25	25	25
	Multi-Family	-	-	25	25
	Non-Residential <sup>1</sup>	50	50	50	50
Macatawa Waterfront		See Section 8.10 D			
Maximum Building Coverage	<b>Residential</b>	35%			
	Non-Residential <sup>1</sup>	35%			
Maximum Lot Coverage	<b>Residential</b>	50%			
	Non-Residential <sup>1</sup>	65%			
Maximum Front Yard Driveway Coverage		50%			
Min. Floor Area (s.f.)	Single-Family total	1,200	864	864	-
	Single-Family first floor	900	645	645	-

	Two-Family first unit	-	864	864	864
	Two-Family second unit	-	720	720	720
	<b>Multi-Family per unit (Studio)</b>	-	-	<b>550</b>	<b>550</b>
	Multi-Family per unit (1 bdrm. or more)	-	-	720 plus 150 square feet per bdrm over 1	640 plus 150 square feet per bdrm over 1
	Non-Residential <sup>1</sup>	-	-	-	-
Max. Height (ft.)		35	35	45	60

Section 2. Access.

(a) Paragraph 2. of Subsection C. (Non-Residential Private Streets) of Section 8.2 (Access) of the Holland Charter Township Zoning Ordinance (the “Zoning Ordinance”) shall be amended to read as follows.

2. The street surface shall be improved with asphalt or concrete pavement, constructed in accordance with the requirements of this section.

Section 3. Accessory Buildings.

(a) Subsection A. (Residential Principal Use) of Section 8.3 (Accessory Buildings) of the Holland Charter Township Zoning Ordinance (the “Zoning Ordinance”) shall be amended to omit Paragraph 6 (Oversized Accessory Buildings).

Section 4. Household Domestic Animals.

(a) Section 8.7 (Household Domestic Animals) shall be amended to read as follows.

Keeping household domestic pets is expressly permitted as an accessory use. No more than four (4) adult dogs or cats or any combination thereof shall be kept or housed in one (1) dwelling unit. Keeping of wild animals is prohibited.

Section 5. Walls and Fences.

(a) Subsection C. (Height) of Section 8.15 (Walls and Fences) shall be amended to read as follows.

*C. Height.*

1. Agricultural and Residential. No fence exceeding six (6) feet in height shall be erected or maintained in the Agricultural and Residential Zoning Districts.
2. Non-Residential. No fence exceeding eight (8) feet in height shall be erected or maintained in any non-residential district.
3. Screening. Any fence erected on top of a deck or patio serving as a screen or security function shall be no more than six (6) feet above the average surrounding grade or alternatively be no more than four (4) feet above the surface of the deck.
4. Waterfront. Fences and walls, including pool fences, shall not exceed four (4) feet in height within Lake Macatawa waterfront yards.

Section 5. (Dwelling, Multi-Family, Single-Family Attached).

- (a) Subsection A. (R-2A Requirements) of Section 9.7 (Dwelling, Multi-Family, Single-Family Attached) shall be amended to read as follows.
  - A. *R-2A Requirements*. The principal means of ingress and egress to the site is from a street classified as a Primary Road by the Ottawa County Road Commission.

Section 6. (Dwelling, Single-Family and Two-Family).

- (a) Paragraph 1. of Subsection I. (Additional Requirements for Two-Family Dwellings) of Section 9.8 (Dwelling, Single-Family and Two-Family) shall be amended to read as follows.
  1. R-2. Two family dwellings are permitted if each dwelling unit is provided with an attached private garage; the lot of record has frontage on a street classified as a Primary Road by the Ottawa County Road Commission; and the dwelling is aesthetically compatible in design and appearance with other dwellings in the vicinity.

Section 7. (Exempt Signs).

- (a) Paragraph 13. of Subsection B. (Sign Types) of Section 13.4 (Exempt Signs) shall be amended to read as follows.
  13. Temporary Ground Signs on Construction Sites.

- (b) Subsection B. (Sign Types) of Section 13.4 (Exempt Signs) shall be amended to add the following as Exempt Signs.

15. Temporary Ground Signs on properties for sale in Commercial and Office (Article 5) and Industrial (Article 6) Districts.

- a. Signs shall be limited to one (1) per street frontage.
- b. Each sign shall not exceed 32 square feet in area.
- c. Signs shall be subject to a 10-foot setback from any property line and right-of-way.
- d. Signs shall not exceed eight (8) feet in height.
- e. Signs shall be removed once the property is sold.

Section 8. (Prohibited Signs).

- (a) Subsection A. (Prohibited Sign Types) of Section 13.5 (Prohibited Signs) shall be amended to add the following as prohibited sign types.

- 5. All off-site signs, including portable signs, unless specifically permitted as billboards by this Ordinance.

Section 9. (Billboards).

- (a) Paragraph 1. Of Subsection B. (Requirements) of Section 13.8 (Billboards) shall be amended to read as follows.

- 1. Be located more than 1,000 feet from any State Trunkline or Primary Road as classified by the Ottawa County Road Commission intersections or from expressway access or exit ramps.

Section 10. (General Standards of Approval for Special Uses).

- (a) Subsection A. (Standards of Approval) of Section 15.3 (General Standards of Approval) shall be amended to read as follows.

*A. Standards of Approval.* The Planning Commission shall review the particular circumstances and facts applicable to each proposed special land use with respect to the following standards:

1. The use will be harmonious and appropriate with the existing or intended character and land uses in of the general vicinity.
2. The use will be served adequately by public services and facilities, including, but not limited to, streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities, and schools.
3. The use will not involve operations, materials and equipment that will be detrimental, hazardous, or disturbing to any persons, property or the general welfare due to traffic, noise, smoke, fumes, glare, vibration, or odors.
4. The use will be consistent with the intent and purposes of this ordinance and the Holland Charter Township Comprehensive Plan.
5. The use will ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal and topographic modifications, which result in maximum harmony with adjacent areas.
6. The use will not result in traffic congestion, nor have an adverse impact on roads, nor cause hazards.
7. There is need for the proposed use within the township, and the use will not be detrimental to the community.

Section 11. (Definitions).

- (a) Section 22.2 shall be amended to include the following revised definitions.

**Building.** A permanent independent structure with a roof, supported by walls, columns or other supports that is designed for the shelter, housing or enclosure of persons, animals, possessions or property of any kind, or to conduct business activities. Shipping containers, cargo containers, semi-trailers, and soft-sided structures shall not be permitted as temporary or permanent structures, whether accessory or principal.

**Floor Area.** The area of a building measured around the exterior of a building foundation and the perimeter measurements of upper stories. Floor area below the first floor shall be counted as part of the total floor area if at least one-half of its height is above finished grade and its construction is such that it meets all requirements for use as a living area by the applicable code requirements. Floor area below the first floor shall not be considered in determining the minimum first floor square footage requirement.

*Offices and Services*

4. *Personal Services.* Establishments providing non-medical services to individuals, including, but not limited to: barber and beauty shops, commercial health and fitness facilities, tattoo parlors, dry cleaners, small appliance repair, laundromats, massage therapists, pet grooming with no boarding, shoe repair shops, and tanning salons. These uses may include incidental retail sales related to the services they provide.

*Recreation Facility*

3. ***Commercial.***

2. ***Indoor.*** A facility providing a variety of indoor recreational opportunities and entertainment services, often for a fee, including, but not limited to: gymnasium, swimming pool, tennis, racquetball and/or handball courts, batting cages, bowling alleys, coin-operated arcades, movie theaters, ice skating and roller skating rinks, pool and billiard rooms as primary uses. Any establishment with four or more electronic games or amusement devices is considered an indoor recreation facility.
  - a. This use does not include adult-oriented businesses.
  - b. Facility may include bars and restaurants as accessory uses.

***Sign, Portable.*** Any sign designed to be moved easily and not permanently affixed to the ground, a building or a structure. Portable signs shall include, but are not limited to, trailer mounted signs, A-frame signs, sandwich board signs, etc., but not including signs on a motor vehicle. For purposes of this Ordinance, a Portable Sign is also referred to as a Temporary Sign.

Section 12. Effective Date. The foregoing amendment to the Holland Charter Township Zoning Ordinance was approved and adopted by the Township Board of Holland Charter Township, Ottawa County, Michigan on August 15, 2019, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended, and after a first reading on August 1, 2019. This Ordinance shall be effective on August 30, 2019, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

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Terry Nienhuis, Township Supervisor

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Michael Dalman, Township Clerk

**CERTIFICATE**

We, Terry Nienhuis and Michael Dalman, the Supervisor and Clerk, respectively, for the Charter Township of Holland, Ottawa County, Michigan, certify that the foregoing Amendments to the text of the Holland Charter Township Code of Ordinances, Appendix A - Zoning was adopted at a regular meeting of the Township Board held on August 15, 2019. The following members of the Township Board were present at the meeting: Nienhuis, Dalman, Bush, Becker and Nykamp. The following members of the Township Board were absent: Church and TeSlaa. The Ordinance was adopted by the Township Board with 5 voting in favor and 0 voting in opposition. The Notice of Adoption of the Ordinance was published in the *Holland Sentinel* on August 21, 2019.

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Terry Nienhuis, Township Supervisor

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Michael Dalman, Township Clerk