

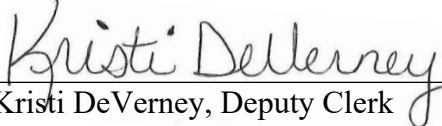
GRAND HAVEN CHARTER TOWNSHIP
NOTICE OF POSTING OF PROPOSED ORDINANCE

NOTICE IS HEREBY GIVEN that the following Ordinance has been proposed for adoption by the Charter Township of Grand Haven, Ottawa County, Michigan:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF GRAND HAVEN CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN, CONCERNING R-1 SIDE YARD SETBACKS FOR LAWFULLY NON-CONFORMING LOTS, EXEMPTING THE AGRICULTURAL (AG) & RURAL PRESERVE (RP) DISTRICTS FROM THE DOUBLE LOT WIDTH REQUIREMENT, BOTH OF WHICH ARE IN THE ZONING DISTRICTS CHAPTER; ANIMAL WAIVER PROCEDURES IN THE GENERAL PROVISIONS CHAPTER; AND BY PROVIDING FOR AN EFFECTIVE DATE.

The proposed Ordinance has been posted at the office of the Township Clerk, 13300 - 168th Avenue, Grand Haven, Michigan and on the Township's web site: www.ghc.org.

The proposed Ordinance was first introduced at a regular meeting of the Township Board on September 28, 2020. Copies of the proposed Ordinance are available upon request at the office of the Township Clerk.


Kristi DeVerney, Deputy Clerk
Grand Haven Charter Township

Posted Legal Ad: October 6, 2020

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF GRAND HAVEN CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN, CONCERNING R-1 SIDE YARD SETBACKS FOR LAWFULLY NON-CONFORMING LOTS, EXEMPTING THE AGRICULTURAL (AG) & RURAL PRESERVE (RP) DISTRICTS FROM THE DOUBLE LOT WIDTH REQUIREMENT, BOTH OF WHICH ARE IN THE ZONING DISTRICTS CHAPTER; ANIMAL WAIVER PROCEDURES IN THE GENERAL PROVISIONS CHAPTER; AND BY PROVIDING FOR AN EFFECTIVE DATE.

GRAND HAVEN CHARTER TOWNSHIP, COUNTY OF OTTAWA, AND STATE OF MICHIGAN ORDAINS:

Section 1. Zoning Districts – Schedule of Dimensional Regulations. Section 2.08 of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

Section 2.08

SCHEDULE OF DIMENSIONAL REGULATIONS.

No building shall be erected, nor shall an existing building be altered, enlarged, or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity with the regulations below for the district in which the building or use is located.

The US-31 Character Overlay shall supersede this section in the event of a conflict between the regulations.

District	Lot Dimensions		Maximum Structure Height		Minimum Required Setback (feet)			Maximum Lot Coverage
	Minimum Area (acres & square ft)	Minimum Width (feet)	Feet	Stories	Front Yard	Rear Yard	Each Side Yard	Impervious Surface (%)
Footnotes	A, E, I, M	F	B		L	K	C, N	D, J
AG	20 acres	330	35	2½	50	50	25	70
RP	5 acres	250	35	2½	50	50	20	40
RR	45,000 sf	150	35	2½	50	50	20	40
R-1	15,000 sf	100	35	2½	50	50	15	40
R-2	13,000 sf	80	35	2½	50	50	10	40
R-3	G	100	40	3	50	30	15	40

R-4	See Section 2.14							
C-1	25,000 sf	100	35	2½	50	25	10	70
C-2	35,000 sf	110	35	2½	50	20	10	70
I-1	1 acre	110	35	2½	75	25	20	70

Maximum Lot Coverage refers to the total square footage of the lot covered in impervious surface, as defined in [Chapter 2](#).

- (A) **Lot Area.** “Net Lot Area,” as defined in [Chapter 2](#), shall be used to determine compliance with lot area requirements. No new parcel shall be created unless the parcel has adequate usable lot area, such that the parcel can be built upon in compliance with Zoning Ordinance standards.
- (B) **Exception to Height Standards.** The height limitations of this Ordinance shall not apply to agricultural structures, chimneys, church spires, flag poles, public monuments, or wireless transmission or reception towers, provided, however, that the Planning Commission may specify a height limit for any such structure when such structure requires authorization as a special land use and such height limit is reasonably required for public safety or otherwise to comply with the standards set forth in this Ordinance.
- (C) **Setback on Side Yards Facing a Street.** The required minimum setback for setbacks on side yards that abut a public or private road shall be twenty-five (25) feet.
- (D) **Maximum Lot Coverage – Buildings and Structures.** All buildings and structures shall count towards the lot coverage maximum. In addition, detached accessory buildings shall comply with the requirements in [Section 10.01](#).
- (E) **Lot Depth and Proportions.** Lot depths of newly created lots shall be no greater than four times the lot width. The township may permit lot splits that vary from these proportions where such action would reduce existing nonconformance with these requirements.
- (F) **Lot Width along Major Roads.** Along the roads designated on the map on the following page, the lot width in the table in [Section 2.08](#) shall not apply. Instead, along “Double Width Roads,” the lot width must be at least double the width listed in the table in [Section 2.08](#), and along “150 Foot Lot Width Roads”, the lot width must be at least one-hundred-fifty (150) feet. See map in [Section 21.1.102](#). **All land zoned Agricultural (AG) and Rural Preserve (RP) shall be exempt.**
- (G) **R-3 District Standards.** In the R-3 district, no lot shall be created which is less than 7,500 square feet in net area. The number of dwelling units permitted on a lot shall be one per 3,250 square feet of gross lot area.
- (H) In multi-family housing complexes containing more than one building, all buildings must be set back at least twenty (20) feet from each other.
- (I) **Legal Lots of Record.** All lots existing at the time of adoption of this Ordinance shall be considered buildable lots.
- (J) **Green Roofs.** For the purposes of calculating lot coverage, only 50% of the footprint of a building with a green roof shall be considered impervious surface.
- (K) **Setback Reduction for Natural Preservation.** In the C-1, C-2, and I-1 districts, a twenty (20) foot deep area adjacent to the rear property line must be maintained in a naturally wooded state, with no trees or other vegetation removed unless they are determined to be dead.
- (L) **Reduced Front Yard Setback.** If a lot in the R-1, R-2, or R-3 is in a subdivision, site condominium project, or condominium development that received final approval pursuant to all applicable state statutes, after June 1, 1998 AND is served by public water and sewer, the minimum front setback shall be thirty-five (35) feet.
- (M) **Shape of New Lots.** Newly created lots shall be rectangular, with lot lines meeting at right angles, unless that shape is rendered impossible by natural features, legal restrictions, or other factors out of the control of the applicant for a lot split.
- (N) **Side Yard Setback for Narrow Lots.** **Lots in the R-1 District that are lawfully non-conforming in lot width shall be allowed to have a reduced side yard setback in accordance with the following chart.**

Side Yard Setback	
Lot Width	Minimum Side Setback (feet)
100	15
95 – 99	14
90 – 94	13.5
85 – 89	13
80 – 84	12
75 – 79	11
70 – 74	10.5
< 70	10

Section 2. General Regulations – Keeping of Animals. Section 14.02.D of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

(D) **Waivers.** The Planning Commission may approve a property owner to keep animals that would not otherwise be permitted by this Section. In order to approve, the property owner shall submit a Special Land Use application and be subject to a public hearing. The Planning Commission must make affirmative findings for Section 12.04 – Special Land Use Criteria as well as the following:

- (1) The animal does not meet the definition of “Exotic or Wild Animal” in Section C.
- (2) The animal(s) are unlikely to cause negative impacts on neighboring properties, either because of the character of the animals, or the physical layout of the site in question.
- (3) The site has appropriate facilities for the keeping of the animal(s) and is an appropriate size.
- (4) At least one of the following criteria is met:
 - (a) The property owner can show a legitimate need for the animal(s) to be on the property, such as a medical or service need,
 - (b) The owner could not practically keep the animal(s) on another site; or
 - (c) Removing the animal(s) from the site would cause harm to the animal(s).

Section 3. Effective Date. This amendment to the Grand Haven Charter Township Zoning Ordinance was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan on _____, 2020, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on September 28, 2020, 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 _____, 2020, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Text Amendment Ordinance in the *Grand Haven Tribune*, 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.

Mark Reenders, Township Supervisor

Laurie Larsen, Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on October 12, 2020. The following members of the Township Board were present at that meeting: _____. The following members of the Township Board were absent: _____. The Ordinance was adopted by the Township Board with members of the Board _____ voting in favor and _____ members of the Board voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Haven Tribune* on _____, 2020.

Laurie Larsen, Clerk
Grand Haven Charter Township