

ORDINANCE NO. 2022-01

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF ALLENDALE CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN BY AMENDING SECTION 24.06H – WASTE DISPOSAL FACILITIES AND; BY AMENDING SECTION 24.06J – BUILDING APPEARANCE, AND PROVIDING FOR REPEAL AND SEVERABILITY PROVISIONS AND THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. Waste Disposal Facilities. Section 24.06H of the Allendale Charter Township Zoning Ordinance shall be amended to state in its entirety as follows.

A site plan shall identify the location of solid waste disposal facilities and provide details for each solid waste disposal facility showing compliance with the following requirements.

1. Dumpsters, Containers. All solid waste including recycling materials shall be placed in a dumpster or other appropriate container for pickup. Every dumpster or container shall be equipped with a lid or other top covering unless the enclosure adequately screens the contents above the dumpster opening.
2. Enclosures. All dumpsters and other appropriate containers shall be placed in an enclosure constructed as follows:
 - a. An enclosure shall be constructed with durable materials that compliment and match the materials used in the principal structure. Chain link with slats is prohibited.
 - b. An enclosure shall provide a solid visual screen on all four (4) sides. An enclosure containing separate pedestrian access from the gate opening shall ensure the same solid visual screen when viewed from a public or private street.
 - c. The front of the enclosure shall be gated and shall include proper hardware to secure the gate in a stationary position when open and closed. The bottom of the gate shall be installed at least six (6) inches above grade level. The gate shall be affixed to steel bump guard posts of no less than six (6) inches in diameter and which are completely filled with concrete.
 - d. The interior back wall of the enclosure shall be protected with steel bump guard posts located at least one (1) foot from the interior of the side and back walls. The bump guard posts shall be spaced three (3) feet

apart. All steel bump guard posts shall be no less than six (6) inches in diameter and completely filled with concrete.

- e. For any enclosure containing a dumpster or other appropriate container, the minimum interior width of the enclosure and its opening shall be ten (10) feet and shall be clear of obstructions, including the gate, its hinges, and steel bump guard posts. In addition, at least two (2) feet of clearance from the side walls of the enclosure shall be provided. Where enclosures contain more than one (1) dumpster or container, the minimum interior width shall equal the combined widths of the dumpster/container plus a minimum of two (2) feet clearance from each side. The minimum interior length for all enclosures containing a dumpster shall be at least two (2) feet greater than the length of the dumpster or dumpsters it contains.
 - f. Any enclosure constructed prior to the adoption of this language shall only be replaced pursuant to this Section, to the extent practicable as determined by the Zoning Administrator, and may not be restored or repaired in accordance with Section 26.04.
3. All enclosures shall be located in the rear yard or the side yard. When located within an approved outdoor storage area, any dumpster may be absent an enclosure only if the outdoor storage area achieves the same or greater visual screening on all four (4) sides of the dumpster and meets the provisions of Section 24.06H2d and Section 24.06H2e, as if an enclosure was present, and shall meet Section 24.06H4 through Section 24.06H6.
 4. Access Lane. The site plan shall provide an open space as an access lane to an enclosure containing a dumpster. Such access lane shall be paved and shall be parallel with and the same width as the outside width of the enclosure extending for a length of sixty (60) feet from the front of the enclosure.
 5. Turning Lane. The site plan shall also provide an open space connected to and more or less perpendicular to the access lane to provide an area in which waste hauling vehicles may maneuver to change direction in order that vehicles shall not back into or back out of the site from a road right-of-way. Such turning lane shall be paved and shall be a minimum of fourteen (14) feet in width and thirty five (35) feet in length.
 6. Parking Restrictions. No parking spaces shall be permitted in the access lane or the turning lane.

Section 2. Building Appearance. Section 24.06J of the Allendale Charter Township Zoning Ordinance shall be amended to state in its entirety as follows.

Section 24.06J. Building Appearance.

In granting site plan review approval, the Zoning Administrator or Planning Commission shall require certain designs, textures, colors, or architectural treatments for buildings or structures, which in its judgment produce a

harmonious, substantial, distinctive, and inviting appearance with beauty of materials and architectural design creating a strong, sturdy, adaptable and lasting environment. The following materials represent and advance the intent and objective of the above descriptions.

1. Commercial and Mixed Use Buildings: That portion of the building which faces a public or private street, parking lot, or residential zoning district shall be finished with brick, architectural masonry block, stone, glass or a combination of these materials. A minimum of ten percent (10%) of the building which faces a public or private street or customer parking lot shall contain glass windows or a similar glass product, such as spandrel glass, or completely or partially opaque glass.
2. Multi-Family dwellings: Brick, architectural masonry block, cement board and stone. These materials shall be used for a minimum of fifty (50%) percent of all exterior wall areas in combination with dryvit, stucco, vinyl, EFIS, metal with enclosed fasteners, and similar materials.
3. Industrial: A minimum of 50 percent of that portion of the building which faces a public or private street or a residential zoning district shall be finished with brick, architectural masonry block, cement board, glass, stone or combination of those materials.

The remaining exterior walls if not finished with the materials noted in the preceding paragraph shall be finished with stucco, EFIS, architectural metal panels consisting of a minimum of 24-gauge metal with a minimum rib height of 1¼ inches or a combination of these materials or similar materials. Exposed fasteners shall match the color of the metal finish.

4. In recognition of developing technologies in building materials, the Planning Commission may agree to approve other materials provided that they meet the intent of this Section, are compatible with surrounding properties, and further provided that such materials shall comply with the architectural, safety and other requirements of the Township building codes, fire code and other applicable Township Ordinances.

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

Section 4. Severable Provisions. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Effective Date. This amendment to the Allendale Charter Township Zoning Ordinance was approved and adopted by the Township Board of Allendale Charter Township, Ottawa County, Michigan on February 14, 2022, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on January 24, 2022, 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 February 28, 2022, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Text Amendment Ordinance in the Grand Rapids Press 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.



Adam Elenbaas, Township Supervisor



Jody Hansen, Township Clerk

CERTIFICATE

I, Jody Hansen, the Clerk for the Charter Township of Allendale, Ottawa County, Michigan, certify that the foregoing Allendale Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on February 14, 2022. The following members of the Township Board were present at that meeting:

Mr. Zeinstra; Ms. Kraker; Ms. Hansen; Mr. Vander Wall; Mr. Murillo and Mr. Elenbaas. (6)

The following members of the Township Board were absent:

Ms. Vander Veen (1).

The Ordinance was adopted by the Township Board with members of the Board Mr. Zeinstra; Ms. Kraker; Ms. Hansen; Mr. Vander Wall; Mr. Murillo and Mr. Elenbaas (6) voting in favor and members of the Board None (0) voting in opposition. Notice of Adoption of the Ordinance was published in the Grand Rapids Press on February 20, 2022.



Jody Hansen, Clerk
Allendale Charter Township