

Ordinance 2022-03
ALLENDALE CHARTER TOWNSHIP
ZONING ORDINANCE AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE ZONING ORDINANCE OF ALLENDALE CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN (“THE ZONING ORDINANCE”), CONCERNING THE ESTABLISHMENT OF A MORATORIUM FOR CERTAIN SPECIAL USES PERMITTED IN THE GC, GENERAL COMMERCIAL DISTRICT, AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

1. **Amendment of Article 14 of the Zoning Ordinance.** Article 14 of the Allendale Charter Township Zoning Ordinance is hereby amended to add a new Section, Section 14.07, which shall state in its entirety as follows:

SECTION 14.07. MORATORIUM

A. Section 14.07(a). Findings.

The Township Board has determined that:

i. In accordance with the Michigan Zoning Enabling Act, 2006 PA 110, as amended (the “MZE”), the Charter Township of Allendale (the “Township”) has the authority to establish reasonable land use regulations to protect the public health, safety and welfare and in a manner consistent with applicable Michigan law.

ii. Article 14, Section 14.03(O), permits the construction of mini warehouse and self-storage facilities as a special use in the GC, General Commercial District.

iii. In reviewing the Master Plan, it has been determined that there is a potential for a negative impact on the long-term health and sustainability of the community if such developments are permitted to proliferate within certain areas of the General Commercial District.

iv. The Township Board has submitted a request to the Planning Commission to review the language contained in Section 14.03 of the Zoning Ordinance to determine whether or not it is reasonable to continue to permit mini warehouse and self-storage facilities as a special use in the GC General Commercial District, or whether the use should be authorized in another area of the Township.

v. Imposing a Moratorium, on a limited temporary basis, is reasonable and necessary in order to allow time for review of and potential amendments to the Zoning Ordinance.

vi. A Moratorium should be imposed upon the issuance of any and all permits or licenses for the development of mini warehouse and self-storage facilities for a period of 12 months or until an amendment of the applicable Zoning Ordinance provision is adopted, whichever occurs first.

B. Section 14.07(2). Moratorium.

There is hereby imposed a Moratorium upon the issuance of any and all permits or licenses for the development of mini warehouse and self-storage facilities as a special use in the

GC General Commercial District Zone within the Township. This moratorium shall not apply to requests for electrical permits or other permits necessary for routine maintenance of existing facilities.


C. Section 14.07. Term.

The moratorium imposed by this Ordinance shall expire the earlier of 12 months from its effective date or the effective date of an amendment to the Zoning Ordinance.


Section 2. Severability. If any provision or part of this ordinance is declared invalid or unenforceable by a court of competent jurisdiction, the validity or enforceability of the balance of the ordinance is not affected and remains in full force and effect.

Section 3. Repeal. All ordinances or parts thereof which are in conflict in whole or in part with any of the provisions of this Ordinance as of the effective date of this Ordinance are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance was approved and adopted by the Township Board of the Allendale Charter Township, Ottawa County, Michigan, on February 28, 2022, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on February 14, 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 March 14, 2022, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Map 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 Map Amendment Ordinance was adopted at a regular meeting of the Township Board held on February 28, 2022. The following members of the Township Board were present at that meeting: Mr. Zeinstra; Ms. Kraker; Mr. Vander Wall; Ms. Hansen; Mr. Murillo; and Mr. Elenbaas. The following members of the Township Board were absent: Ms. Vander Veen. The Ordinance was adopted by the Township Board with members of the Board Mr. Zeinstra; Ms. Kraker; Mr. Vander Wall; Ms. Hansen; Mr. Murillo; and Mr. Elenbaas voting in favor and no members of the Board voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Rapids Press* on March 6, 2022.



Jody Hansen, Clerk
Allendale Charter Township