

ORDINANCE NO. 2019-5

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF ALLENDALE CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN BY AMENDING THE INTRODUCTION TO SECTION 3.14 – CONDOMINIUM PROJECT APPROVAL; SECTION 3.14Q – CONDOMINIUM PROJECT APPROVAL – PUBLIC WATER AND SEWER; BY ADDING SECTION 3.14R CONDOMINIUM PROJECT APPROVAL – PUBLIC HEARING; BY AMENDING SECTION 21.06B – TABLE OF OFF-STREET PARKING REQUIREMENTS – INDUSTRIAL, SECTION 21A.03E – GENERAL REGULATIONS, SECTION 23.06C – DESIGN STANDARDS FOR MAJOR RESIDENTIAL DEVELOPMENTS – EXPOSED GROUND SURFACES, SECTION 24.05F7 – FINAL SITE PLAN CONTENTS AND PROCEDURES – LANDSCAPE PLAN, AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. Condominium Project Approval. The introduction of Section 3.14 of the Allendale Charter Township Zoning Ordinance shall be amended to state in its entirety as follows.

Pursuant to authority conferred by Section 141 of the Condominium Act, Act 59 of 1978, (MCL 559.101 et.seq.) as amended, all condominium subdivision plans must be approved by the Township Board after receiving a recommendation from the Planning Commission. In determining whether to approve a condominium subdivision plan, the Township Board shall consult with the Zoning Administrator, Township Attorney, and Township Engineer regarding the adequacy of the master deed, deed restrictions, utility systems and streets, subdivision layout and design, and compliance with all requirement of the Condominium Act.

Section 2. Condominium Project Approval – Public Water and Sewer. Section 3.14Q of the Allendale Charter Township Zoning Ordinance shall be amended to state in its entirety as follows.

Public water and sewer service shall be provided to all condominium projects according to the requirements of Section 5.3.1.g of the Allendale Charter Township Subdivision Ordinance, as amended.

Section 3. Condominium Project Approval – Public Hearing. Section 3.14R of the Allendale Charter Township Zoning Ordinance shall be added to state in its entirety as follows.

The Planning Commission shall hold a public hearing on the proposed condominium project. At least fifteen (15) days in advance of such hearing, notice

shall be published in a local newspaper of general circulation and shall be sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. The notice of public hearing must contain the following information: time and place of the hearing, description of the property in question, the use being proposed, and when and where written comments may be accepted.

Section 4. Table of Off-Street Parking Requirements – Industrial. Section 21.06B – Industrial of the Allendale Charter Township Zoning Ordinance shall be amended to state in its entirety as follows.

INDUSTRIAL

Industrial or manufacturing establishments, research establishments	1	Per each 1 employee computed on the basis of the greatest number of persons employed at any one time, day or night, or
	1	Per each 1,000 square feet UFA (whichever is greater)
Warehouses and storage buildings	1	Per each 1 employee computed on the basis of the greatest number of persons employed at any one time, day or night, or
	1	Per each 1,500 square feet UFA (whichever is greater)

Section 5. General Regulations. Section 21A.03E of the Allendale Charter Township Zoning Ordinance shall be amended to state in its entirety as follows.

All landscaping areas shall be kept free of refuse and debris and shall be provided with irrigation sufficient to maintain such areas in a healthy and growing condition. In particular, an underground irrigation system shall be installed and operated to serve all grass areas, including grassed landscape islands, to ensure that all areas are maintained in a healthy and growing condition. Underground irrigation systems shall comply with the requirements of Section 24.05F7.

Section 6. Design Standards for Major Residential Developments – Exposed Ground Surfaces. Section 23.06C of the Allendale Charter Township Zoning Ordinance shall be amended to state in its entirety as follows.

Exposed ground surfaces must be seeded or sodded in all parts of the development site. All seeded or sodded ground surfaces must include installation and utilization of an automatic underground irrigation system. Underground irrigation systems shall comply with the requirements of Section 24.05F7.

Section 7. Final Site Plan Contents and Procedures – Landscape Plan. Section 24.05F7 of the Allendale Charter Township Zoning Ordinance shall be amended to shall state in its entirety as follows.

The location, type and other pertinent information related to the irrigation system.

- a. The irrigation system shall be designed for the efficient use of water by reducing runoff, low head drainage, overspray, and other similar conditions where irrigation water flows onto areas not intended for irrigation, such as adjacent property, hardscapes, roadways, or structures.
- b. Bedrock Aquifer wells may be used only when connection to a public water system or a natural water source system utilizing rain water, surface water, or Glacial Aquifer well water capable of providing sufficient volume, is not reasonably available.
- c. The irrigation system shall be designed utilizing current soil and groundwater data to employ optimal watering and fertilization techniques that ensure landscaping is provided in accordance with Article 21A herein. Soil additives shall not increase the sodium chloride levels of the groundwater.
- d. All irrigation systems shall be equipped with automatic irrigation controllers utilizing weather or soil-moisture data to prevent overwatering.
- e. Flow sensors that detect high flow conditions created by system damage or malfunction are required to be installed.
- f. Dedicated landscape water meters shall be required for landscape areas greater than 1,000 square feet.
- g. When required by the Township, all owners of underground irrigation systems shall document weekly meter reads for early identification of leaks, stuck valves, or any abnormalities in the irrigation system. Documented meter reads are subject to inspection by the Township at any time. The Township may require documented meter reads to be submitted.
- h. Irrigation systems shall be kept in good working condition and repair to prevent leaks or public health hazards. Any owner, manager, or person responsible for the day-to-day operation of any premises shall, within seventy-two (72) hours after such person first learns of a leak, break, or defect, repair any irrigation system.

Section 8. Severability. This Ordinance and its various parts are hereby declared to be severable. If any portion of this Ordinance is declared to be invalid such declaration shall not affect the validity of the remainder of this Ordinance.

Section 9. 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 _____, 2019, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on March 11, 2019, 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 _____, 2019, 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 Sunday Edition 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

Laurie Richards, Township Clerk

CERTIFICATE

I, Laurie Richards, 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 _____, 2019. 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 _____ on _____, 2019.

Laurie Richards, Clerk
Allendale Charter Township

AFFIDAVIT OF POSTING
(Zoning Text Amendment Ordinance)

STATE OF MICHIGAN)

)ss

COUNTY OF OTTAWA)

The undersigned, Laurie Richards, the Allendale Charter Township Clerk, being first duly sworn, deposes and says as follows:

1. That she posted a proposed Zoning Text Amendment Ordinance for Allendale Charter Township, after its first reading at a meeting of the Allendale Charter Township Board held on _____, 2019 and its second reading at a meeting of the Allendale Charter Township Board held on _____, 2018, in the Township Clerk's office and on the Township's website at www.allendale-twp.org on _____, 2019.

Laurie Richards, Clerk
Allendale Charter Township

Subscribed and sworn to before this
_____ day of _____, 2019.

Notary Public, Ottawa County, Michigan
Acting in Ottawa County, Michigan
My commission expires: _____