

**AMENDMENTS TO ARTICLE 12
PLANNED UNIT DEVELOPMENTS**

*As Recommended to the Township Board
by the Allendale Township Planning Commission
Following a Public Hearing on
December 16, 2013*

**ALLENDALE CHARTER TOWNSHIP
ORDINANCE NO. 2013 - _____
ZONING ORDINANCE AMENDMENT**

AN ORDINANCE TO AMEND SECTION 12.03, 12.04, 12.05, and 12.07.C OF THE ZONING
ORDINANCE OF THE CHARTER TOWNSHIP OF ALLENDALE

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

SECTION 1

Section 12.03 of the Allendale Charter Township Zoning Ordinance, Qualifying Conditions, is hereby AMENDED to read as follows:

Sec. 12.03 QUALIFYING CONDITIONS (New language in bold)

A. Minimum Size. The property proposed for rezoning to PUD shall consist of a minimum of three contiguous acres although the Township Board after receiving a recommendation from the Planning Commission may approve a PUD with less acreage if the Board determines that approval of the PUD on a parcel of less than three acres is not a means to circumvent the Zoning Ordinance development standards and procedures which would normally apply to the proposed use and that the PUD will satisfy one or more of the following standards:

- (1) The PUD proposes amenities which are not typically provided by uses allowed on parcels of less than three acres in the ~~underlying~~ zoning district **recommended by the Master Plan** or by similar existing uses in the Township;
- (2) The PUD will result in a living environment which is more or equally desirable than if the PUD were to be built on a site of three acres or more;
- (3) The PUD could not be built without some modification of the standards of the ~~underlying~~ zoning district **recommended by the Master Plan** as they apply to the proposed parcel and the proposed use and design of the development are not typical of the uses which would otherwise be allowed in the ~~underlying zone~~ zoning district **recommended by the Master Plan**.

SECTION 2

Section 12.04 of the Allendale Charter Township Zoning Ordinance, Permitted Uses, is hereby AMENDED to read as follows:

Sec. 12.04 PERMITTED USES

Existing Language

The property uses permitted within a PUD zone shall be as regulated by the zoning which is in place for the parcel or parcels requested for PUD rezoning. For example, if an R-1 zoned parcel is requested for rezoning then only the uses, both permitted and special uses of the R-1 zone would apply to the PUD zone. The existing zoning is considered to be the underlying zone.

However, the Township Board (the Board) after receiving a recommendation from the Planning Commission may permit other property uses not otherwise permitted in the underlying zone but only if the property is also developed in conjunction with uses permitted in the underlying zone.

For example, in a mixed use development proposed for an underlying commercial zone, residential uses (which are not permitted in commercial zones) may be permitted as long as commercial uses are also proposed in the mixed use development. The board may also allow in a PUD uses which are recommended by the Township Master Plan.

The Board shall base this determination on how well the other proposed property uses satisfy the objectives of this article; how well the operational characteristics, building design and effects of the other proposed uses are compatible with the permitted uses of the underlying zone and the existing and proposed property uses nearby; and how well the other proposed property uses meet the intent of the Master Plan.

Proposed Language

The use or uses of land permitted within a PUD shall be in accordance with the uses allowed for that zoning district recommended by the current Master Plan of Allendale Charter Township for the parcel or parcels requested for PUD rezoning.

However, the Township Board (the Board) after receiving a recommendation from the Planning Commission may permit other land uses not otherwise permitted in that zoning district recommended by the Master Plan if, in the opinion of the Board, the other uses: complement and are compatible with the permitted uses; are not the primary use of the property; are compatible with nearby existing and permitted land uses; and meet the intent of the PUD chapter and the intent of the Master Plan.

SECTION 3

Section 12.05 of the Allendale Charter Township Zoning Ordinance, Development Requirements for all PUD's, is hereby AMENDED to read as follows:

Sec. 12.05 DEVELOPMENT REQUIREMENTS FOR ALL PUD'S (New language in bold)

The lot area, lot width, building height, setback and yard requirements, general provisions, signs, landscaping and screening requirements, lighting and parking regulations contained in this Ordinance for the ~~underlying zone zoning district recommended by the Master Plan~~ shall be met except that the Township Board after receiving a recommendation from the Planning Commission

may modify these regulations, in order to achieve the objectives of this Article. In making its recommendation and its decision respectively, the Planning Commission and Township Board shall each consider the following standards:

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SECTION 4

Section 12.07.C of the Allendale Charter Township Zoning Ordinance, Step 3 Preliminary PUD Site Plan Review, is hereby AMENDED to read as follows:

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Sec. 12.07.C. Step 3 Preliminary PUD Site Plan Review (New language in bold)

1. The Township Planning Commission ~~shall~~ **may** schedule a public hearing on the PUD rezoning request and the Preliminary PUD site plan in accordance with the requirements of Section 29.01 herein.

2. The Planning Commission shall review the Preliminary PUD site plan at the public hearing **if one is held or at a regular meeting** and make a recommendations to the applicant to assist in preparing a Final PUD site plan. The Final PUD site plan shall then be processed according to STEP 4 below

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SECTION 5.

Effective Date. That the foregoing amendments to the Allendale Charter Township Zoning Ordinance were approved and adopted by the Township Board of Allendale Charter Township, Ottawa County, Michigan, on _____, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended, and after introduction and a first reading on _____, and publication after such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on _____, which date is more than 7 days after publication of the ordinance as is required by Section 401 of Act 110 of 2006, as amended, provided that the effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110 of 2006, as amended.

Township Supervisor

Township Clerk

CERTIFICATE

We, Jerry Alkema and Candy Kraker, the Supervisor and Clerk, respectively, for the Charter Township of Allendale, Ottawa County, Michigan, do hereby certify that the foregoing Allendale Charter Township No. 2014 - __ Zoning Ordinance Amendment was adopted at a _____ meeting of the Allendale Charter Township Board held on _____, 2014.

The following members of the Township Board were present at that meeting:

_____. The following members of the Township Board