



NOTICE OF PUBLIC HEARING
GEORGETOWN TOWNSHIP
1515 Baldwin Street, Jenison, Michigan

The Georgetown Township Planning Commission will hold a public hearing on Wednesday, October 6, 2021, at 7:00 p.m., or after, at the Georgetown Township Office.

The hearing is called for Zoning Ordinance amendments:

1. **(REZ2105) Ordinance 2021-05:**

Sec. 3.4 Accessory Building and Uses

- (E) Maximum Floor Area. **For all detached accessory buildings, the floor area shall include any area that has a roof supported by columns (i.e. a lean-to), as per the definition of a building in Chapter 2.**
- (N) One (1) freestanding gazebo of one hundred forty four (144) square feet or less may be permitted in addition to accessory buildings permitted in subsection 3.4(E), (I), and (K) and shall meet requirements in Chapter 3 for location on a parcel. (revised 9-26-2005) **The additional 144 square feet or less of a gazebo structure may be in the form of a detached structure or may be attached to an existing structure.**
- (P) One (1) freestanding pool **or lake** accessory building may be permitted in addition to accessory buildings permitted in subsection 3.4(E), (I), (K) and (N) provided that the square footage of the pool **or lake** accessory building does not exceed 200 square feet in area. The pool **or lake** accessory building shall meet the requirements in Chapter 3 for location on the parcel and shall only be allowed for swimming pools with at least 500 square feet in area **or for a lot adjacent to a lake that is at least 40 acres in area.** The pool accessory building shall be removed immediately if the pool is removed. (revised 8/10/09) **The additional 200 square feet or less of pool or lake accessory building may be in the form of a detached structure or may be attached to an existing structure.**
- (G) No detached accessory building in a Residential District (excluding AG and RR and accessory buildings for nonresidential principal uses) shall exceed fourteen (14) feet in mean height **except it may be up to 16 feet in height if evidence is provided that the additional height would make the accessory building more architecturally similar to the principal building,** or have a door opening greater than twelve (12) feet in height. No detached accessory buildings in an (AG) Agriculture or (RR) Rural Residential district (excluding buildings accessory to an agricultural operation) and no detached accessory building for a nonresidential principal use in a Residential District shall exceed sixteen (16) feet in mean height, or have a door opening greater than fourteen (14) feet in height. (revised July 25, 2011)

Sec. 26.8 Table of Off-Street Parking Requirements

USE	PARKING SPACE PER UNIT OF MEASUREMENT AS FOLLOWS
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Motels, hotels and tourist homes (revised 6-8-1999)	3 <u>1</u>	Per two guest bedrooms <u>unit</u> plus <u>one per each employee working at a given time during the most intense time, plus</u> the amount required for each accessory uses including restaurants, lounges and gift shops <u>at 50% of the requirement as listed.</u>
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Sec. 2.29 Dwelling, Dwelling Unit

A dwelling unit is any building or portion thereof having cooking facilities which is occupied wholly as the home, residence or sleeping place of one family, either permanently or transiently, but in no case shall a motor home, trailer coach, automobile chassis, tent, or portable building be considered a dwelling. In case of mixed occupancy, where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purpose of this ordinance and shall comply with the provisions thereof relative to dwellings. **If a dwelling unit has an attached independent space which includes cooking facilities and a sleeping space, and has its own separate entrance (even if it includes an entrance from the other dwelling structure), it shall be deemed a two-family dwelling unit and is only allowed in districts where a two-family dwelling unit is allowed. This includes the typical description of a “mother-in-law” suite where a person could live independently. For purposes of this ordinance cooking facility means kitchen amenities including, but not limited to, refrigerators, stoves, ovens, and kitchen-type sink. Amenities limited to a microwave, mini-refrigerator, and/or an appliance designed to produce coffee or tea do not constitute “cooking facilities” for purposes of this definition. An exception is a dwelling unit which has cooking facilities in a basement or lower level which is not considered to be a totally independent living area (such as a lake house).**

Sec. 2.55 Lot

A parcel of land occupied or intended for occupancy by a use permitted in this Ordinance, including one (1) main building with its accessory buildings, and providing the open spaces, parking spaces, and loading spaces required by this Ordinance. The word “lot” shall include plot or parcel. A lot need not be a “lot of record”. A lot may also mean a portion of a condominium project, as regulated by Public Act 59 of 1978, as amended, designed and intended for separate ownership and use. **For purposes of determining area use requirements, including the special use standards in Chapter 20, for a parcel having more than one zoning classification, the term “lot” is that portion of the parcel consisting of only the zoning classification which encompasses the proposed development.** All lots shall abut upon and have permanent access to a public or private street.

Sec. 2.65 Lot Width

The shortest distance separating the side lot lines at any point between the required front setback line and a line forty (40) feet to the rear of and parallel to the required front setback line. (revised August 1996) **For a horseshoe lot or U-shaped lot of which two portions of land within the parcel abut the same street, the lot width is determined by the single widest section. In no instance shall the sum of both portions of land be used to determine lot width.**

Sec. 20.4(H) Commercial Soil Removal

- (1) No soil, sand, gravel, or other earth material shall be removed from any land within the township without special land use approval, with the following exceptions:
 - a. When the earth removal is incidental to an operation for which a building permit has been issued by the township;

- b. When the earth removal involves any normal landscaping, driveway installation and repairs, or other minor projects;
 - c. The earth removal involves less than 100 cubic yards;
 - d. The earth removal is for the purpose of constructing a swimming pool;
 - e. ~~The earth removal will not be in violation of any other section of this ordinance, other Township ordinance, Soil Erosion and Sedimentation Control Act of 1972, or any other applicable state or federal law.~~
 - f. A mineral mining license has been approved by the Mineral Mining Board and the operation complies with the terms and provisions of the mining license. (revised 4-27-06)
- (2) **The earth removal will not be in violation of any other section of this ordinance, other Township ordinance, Soil Erosion and Sedimentation Control Act of 1972, or any other applicable state or federal law.**

Sec. 22.12 Changes To An Approved PUD

- (A) Notify Zoning Administrator: The holder of an approved PUD ~~final~~ development plan shall notify the Zoning Administrator of any desired change to the approved PUD.
- (B) Minor Change Determination: Minor changes may be approved by the Zoning Administrator upon determining that the proposed revision(s) will not alter the basic design and character of the PUD, nor any specific conditions imposed as part of the original approval. Minor changes shall include the following:
 - 1. Reduction of the size of any building and/or sign.
 - 2. Movement of buildings and/or signs by no more than ten (10) feet.
 - 3. Landscaping approved in the final development plan that is replaced by similar landscaping to an equal or greater extent.
 - 4. Changes in floor plans, of up to five (5) percent of the total floor area, which do not alter the character of the use or increase the amount of required parking.
 - 5. Internal rearrangement of a parking lot that does not affect the number of parking spaces or alter access locations or design.
 - 6. Changes required or requested by the Georgetown Township, Ottawa County, and other State or Federal regulatory agency in order to conform to other laws or regulations.
- (C) Major Change Determination: A proposed change not determined by the Zoning Administrator to be minor shall be submitted as an amendment to the PUD ~~and shall be processed in the same manner as the original PUD application for the final development plan.~~ **as follows:**
 - 1. **If the major change includes a change of a use category or includes substantial nonconformance with the conditions of approval of the initial preliminary development plan, the amendment shall be reviewed in accordance with Sec. 22.5 – 22.7 of this ordinance, including revised PUD rezoning.**
 - 2. **If the PUD zoning has already been established and the change does not include a change of a use category or substantial nonconformance with the conditions of approval of the initial preliminary plan, the preliminary development plan shall be reviewed only by the Planning Commission and approval shall be based on the standards for approval for the preliminary development plan. The original PUD zoning shall remain in effect.**

Sec. 20.4(V) Kennels

- (1) ~~For kennels, the minimum lot size shall be two (2) acres for the first four (4) animals and an additional one third (1/3) acre for each additional animal.~~

- ~~(2) Buildings wherein animals are kept, runs, and/or exercise areas shall not be located nearer than one hundred (100) feet to any adjacent occupied dwelling or any adjacent building used by the public, and shall not be located in any required front, rear or side yard setback area.~~
- (1) The minimum lot size shall be one (1) acre.**
 - (2) The maximum number of animals occupying the facility shall be four animals for the first one acre and an additional animal for each additional 1/3 acre.**
 - (3) All animals shall be kept within a completely enclosed building at all times, with the exception that animals may be placed in an outdoor area for limited periods of time, under personal supervision by staff of the facility.**
 - (4) Buildings wherein animals are kept, runs, and/or outdoor exercise areas shall not be located nearer than one hundred (100) feet to any adjacent residential district. Outdoor runs and/or exercise areas shall not be located in any front (including required and non-required), required rear or required side yard setback area and, in any case, shall not be located closer than 25 feet to any property line.**
 - (5) All outdoor runs and/or exercise areas shall be enclosed by a six (6) foot high fence or other suitable barrier that is completely opaque and shall be screened by a greenbelt which meets the minimum standards of Sec. 3.11(A) for the extent of the exercise or other outdoor area.**
 - (6) The Planning Commission may request any additional information deemed necessary to ensure compliance with all Township ordinances.**
 - (7) The Planning Commission may impose any conditions of approval necessary to ensure compliance with Township ordinances and to mitigate any potential negative impacts related to the use to protect the health, safety, and general welfare of the surrounding area.**
 - (8) Kennels shall comply with all applicable County, State, and Federal regulations.**
 - (9) If public sewer is available, the facility shall be connected to the public sewer.**
 - (10) In all districts where kennels are allowed, except for the AG and RR districts, sidewalks shall be installed adjacent to all public and private streets.**

Chapter 16 – HS-Highway Service Commercial

Sec. 16.2 PERMITTED USES.

Land and/or buildings in this District may be used for the following purposes by right, PROVIDED, that where applicable, the design standards defined in Chapter XX for these specific uses shall apply.

- (C) Veterinary/animal hospitals, clinics, and kennels **(kennels subject to the standards in Chapter 20).**

Chapter 17 – I-Industrial

Sec. 17.2 PERMITTED USES.

Land and/or buildings in this District may be used for the following purposes by right:

- (E) Trade or industrial schools and veterinary/animal hospitals or clinics or kennels **(kennels subject to the standards in Chapter 20).**

Sec. 27.4 Reconstruction Of Damaged Non-Conforming Building And Structures

Nothing in this Ordinance shall prevent the reconstruction, repair or restoration and the continued use of any non-conforming building or structure damaged by fire, collapse, explosion, acts of God or acts of public enemy, subsequent to the effective date of this Ordinance, wherein the expense of such reconstruction does not exceed fifty (50) percent of the fair valuation of the entire building or structure at the time such damage occurred. The valuation of the proposed construction shall be

subject to the approval of the Zoning Administrator whose decision may be appealed to the Board of Appeals.

If the reconstruction exceeds fifty (50) percent, the reconstruction may take place provided that:

- 1. The reconstructed building or structure does not exceed 125% of allowable floor area and height in the district it is located in;**
- 2. The location on the lot complies with at least 75% of each setback requirements (front, side, rear) for the district it is located in;**
- 3. The reconstruction is not detrimental to the public health, safety, and general welfare of the Township, as determined by the Zoning Administrator whose decision may be appealed to the Board of Appeals.**

~~, and provided that~~ Such restoration and resumption shall take place within six (6) months of the time of such damage and that it be completed within one (1) year from the time of such damage, and provided further, that said use be identical with the non-conforming use permitted and in effect directly preceding said damage. Where pending insurance claims require an extension of time, the Zoning Administrator may grant a time extension of six (6) months, provided that the property owner submit a certification from the insurance company attesting to the delay. Until such time as the debris from the damage is fully removed, the premises shall be adequately fenced or screened from access by children who may be attracted to the premises.

The zoning ordinance can be examined at the Township Office during regular office hours and until close of said hearing. Written comments will be received at the Township Office during regular office hours prior to the date of hearing. The Georgetown Township Board will hold a meeting on October 25, 2021 to review and consider the Zoning Ordinance amendments. Email comments to contact@georgetown-mi.gov to allow time for reading and review of your comments.

Signed: Ryan Kidd, Clerk
Georgetown Charter Township