

NOTICE OF POSTING OF PROPOSED ZONING TEXT AMENDMENT ORDINANCE AND PROPOSED
ORDINANCE TO AMEND THE SUBDIVISION ORDINANCE

PLEASE TAKE NOTICE that a Jamestown Charter Township Zoning Text Amendment Ordinance had its first reading at a meeting of the Jamestown Charter Township Board held on December 20, 2021 and is scheduled for a second reading on January 17, 2022.

The Zoning Text Amendment Ordinance to the Jamestown Charter Township Zoning Ordinance will amend Section 3.29A17 – Private Roads to require all lots on private roads and related outlots to be served by public water, will create Section 3.38 – Public Water Required to require connection to public water for all new and expanded residential developments subject to review by the Planning Commission, will amend Section 6.4R2 – Special Uses to clarify the required connection to public water and sanitary sewer, will amend Section 9.4A – Additional Standards for Special Uses in the R-3 Residential District to clarify the required connection to public water and sanitary sewer, will create Section 19.3D – Planned Developments – Project Design Standards to require connection to public water for Planned Developments, will amend Section 27.3B9 – Review of Preliminary Plans by the Planning Commission – Standards and Required Improvements to clarify connection to a sewer system and require connection to public water, will repeal Section 27.9 – Moratorium for Certain Developments, and will amend Section 28.6A – Open Space Preservation Projects – Development Requirements to require connection to public water.

PLEASE TAKE FURTHER NOTICE that an ordinance to amend the Jamestown Charter Township Subdivision Ordinance had its first reading at a meeting of the Jamestown Charter Township Board held on December 20, 2021 and is scheduled for a second reading on January 17, 2022.

The Ordinance to amend the Jamestown Charter Township Subdivision Ordinance will amend Section 3.2(1)(b)(14) – Preliminary Plat (Tentative and Final Preliminary) Requirements to eliminate reference to public water systems, will amend Section 4.6(10)(b) – Lots, Lot Division to require connection to public water, and will amend Section 5.3(1)(g) – Required Improvements to require connection to public water.

PLEASE TAKE FURTHER NOTICE that the Ordinances have been posted in the office of the Jamestown Charter Township Clerk Jamestown Charter Township Hall, 2380 Riley Street, Hudsonville, Michigan, 49426, (Phone 616-896-8376), and on the Township website at www.twp.jamestown.mi.us.

Dated: December 28, 2021

Candy DeHaan, Clerk
Jamestown Charter Township

The following Zoning Text Amendment Ordinance was introduced and a first reading completed at the Jamestown Charter Township Board meeting on December 20, 2021.

ORDINANCE NO. 21-011

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE JAMESTOWN CHARTER TOWNSHIP ZONING ORDINANCE BY AMENDING SECTION 3.29A17 – PRIVATE ROADS, BY CREATING SECTION 3.38 – PUBLIC WATER REQUIRED, BY AMENDING SECTION 6.4R2 – SPECIAL USES, BY AMENDING SECTION 9.4A – ADDITIONAL STANDARDS FOR SPECIAL USES IN THE R-3 RESIDENTIAL DISTRICT, BY CREATING SECTION 19.3D – PLANNED DEVELOPMENTS – PROJECT DESIGN STANDARDS, BY AMENDING SECTION 27.3B9 – REVIEW OF PRELIMINARY PLANS BY THE PLANNING COMMISSION – STANDARDS AND REQUIRED IMPROVEMENTS, BY AMENDING SECTION 28.6A – OPEN SPACE PRESERVATION PROJECTS – DEVELOPMENT REQUIREMENTS, BY REPEALING SECTION 27.9 – MORATORIUM FOR CERTAIN DEVELOPMENTS, AND TO PROVIDE FOR SEVERABILITY PROVISIONS, REPEAL PROVISIONS, AND AN EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. Section 3.29A17 – Private Roads. Section 3.29A17 of the Zoning Ordinance will be amended to read in its entirety as follows.

Section 3.29A17 – Private Roads

All lots served by the private road and any newly created front lots abutting the public street shall connect to the public water system. All lots served by the private road and any newly created front lots abutting the public street shall connect to the public sanitary sewer system, when any of (a) – (c) apply:

- a. Extension and connection is required under the terms of the Township sewer ordinance; or
- b. Extension and connection is required under the terms of the Township subdivision ordinance, applied as if the property served by the private road were developed as a subdivision; or
- c. An existing sewer main is located in the public right of way or utility easement which abuts any one of the following (i) any portion of the lands proposed to be served by the private road; or (ii) any front lots abutting the public road

- created in connection with the private road; or (iii) any land crossed by the private road easement. In applying subsection (c), the Planning Commission may ignore transfers of ownership occurring during the previous five years which have the effect of avoiding the application of subsection (c).
- d. Any required water or sewer mains and facilities, up to the point of connection with an individual lot or unit, shall be constructed to Township specifications at the developer's expense and dedicated to the public along with easements allowing for the operation, maintenance and repair of those facilities.

Section 2. Section 3.38 – Public Water Required. Section 3.38 of the Zoning Ordinance will be added to read in its entirety as follows.

Section 3.38 – Public Water Required

Connection to the public water system is required for all new and expanded residential developments subject to site plan review by the Planning Commission.

Section 3. Section 6.4R2 – Special Uses. Section 6.4R2 of the Zoning Ordinance will be amended to read in its entirety as follows.

Section 6.4R2 – Special Uses

Is served by the public sanitary sewer system and public water system;

Section 4. Section 9.4A – Additional Standards for Special Uses in the R-3 Residential District. Section 9.4A of the Zoning Ordinance will be amended to read in its entirety as follows.

Section 9.4A – Additional Standards for Special Uses in the R-3 Residential District

No special use shall be authorized on sites without service by the public sanitary sewer system and public water system.

Section 5. Section 19.3D – Planned Developments – Project Design Standards. Section 19.3D of the Zoning Ordinance will be added to read in its entirety as follows.

Section 19.3D – Planned Developments – Project Design Standards

Connection to public water is required.

Section 6. Section 27.3B9 – Review of Preliminary Plans by the Planning Commission – Standards and Required Improvements. Section 27.3B9 of the Zoning Ordinance will be amended to read in its entirety as follows.

Section 27.3B9 – Review of Preliminary Plans by the Planning Commission – Standards and Required Improvements

Proposed arrangements for connection to the public water system and public sanitary sewer system or other means for addressing sanitary sewer needs (e.g., septic). Connection to the public water system is required.

Section 7. Section 28.6A – Open Space Preservation Projects – Development Requirements. Section 28.6A of the Zoning Ordinance will be amended to read in its entirety as follows.

Section 28.6A – Open Space Preservation Projects – Development Requirements

Open Space Preservation projects shall be served by either (1) the public water system and public sanitary sewer system OR (2) by the public water system and septic systems, subject to the approval of the Ottawa County Health Department.

Section 8. Section 29.7 – Moratorium for Certain Developments. Section 29.7 of the Zoning Ordinance is repealed.

Section 9. 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 10. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance, including but not limited to Ordinance 21-005, are hereby expressly repealed.

Section 11. Effective Date. This amendment to the Jamestown Charter Township Zoning Ordinance was approved and adopted by the Township Board of Jamestown Charter Township, Ottawa County, Michigan on _____, 2022, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on _____, 2021, 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 _____, 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.

Laurie Van Haitzma, Township Supervisor

Candy DeHaan, Township Clerk

CERTIFICATE

I, Candy DeHaan, the Clerk for the Charter Township of Jamestown, Ottawa County, Michigan, certify that the foregoing Jamestown Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2022. 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 *Grand Rapids Press* on _____, 2022.

Candy DeHaan, Clerk
Jamestown Charter Township

The following Ordinance to amend the Subdivision Ordinance was introduced and a first reading completed at the Jamestown Charter Township Board meeting on December 20, 2021.

ORDINANCE NO. 21-012

ORDINANCE TO AMEND THE SUBDIVISION ORDINANCE

AN ORDINANCE TO AMEND THE JAMESTOWN CHARTER TOWNSHIP SUBDIVISION ORDINANCE BY AMENDING SECTION 3.2(1)(B)(14) – PRELIMINARY PLAT (TENTATIVE AND FINAL PRELIMINARY) REQUIREMENTS, BY AMENDING SECTION 4.6(10)(B) – LOTS – LOT DIVISION, BY AMENDING SECTION 5.3(1)(G) – REQUIRED IMPROVEMENTS, AND TO PROVIDE FOR SEVERABILITY PROVISIONS, REPEAL PROVISIONS, AND AN EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. Section 3.2(1)(b)(14) – Preliminary Plat (Tentative and Final Preliminary) Requirements. Section 3.2(1)(b)(14) of the Subdivision Ordinance will be amended to read in its entirety as follows.

Section 3.2(1)(b)(14) – Preliminary Plat (Tentative and Final Preliminary) Requirements

A site report as described in the rules of the State Department of Public Health, as amended, shall be provided if the proposed subdivision will not be served by public sewer.

In addition, the preliminary plat shall show the location and depth of soil borings and the location of percolation test holes if the proposed subdivision will not be served by public sewer.

Section 2. Section 4.6(10)(b) – Lots, Lot Division. Section 4.6(10)(b) of the Subdivision Ordinance will be amended to read in its entirety as follows.

Section 4.6(10)(b) – Lots, Lot Division

Application for Permission: Any proprietor who desires to partition or divide a lot, outlet or other parcel of land located in a recorded plat shall first make

application to the Township Board in writing on such application form or forms as shall be provided by the Township. Such application shall be filed with the Township Clerk and shall include a detailed statement of the reasons for the requested partition or division, a sketch map or maps prepared in scale showing the proposed division or partition and all adjoining lots, streets and parcels of land and a statement from the Ottawa County Health Department indicating the effect of the proposed division or partition upon the safe operation of necessary septic tanks and connection to the public water system.

Section 3. Section 5.3(1)(g) – Required Improvements. Section 5.3(1)(g) of the Subdivision Ordinance will be amended to read in its entirety as follows.

Section 5.3(1)(g) – Required Improvements

With respect to every new plat, the developer shall install a water distribution system and connect such water distribution system to the public water system including, if necessary the construction of an extension to the public water system to serve the development.

The water distribution system for the development shall include valves, hydrants, and other appurtenances, and laterals to each buildable lot from the water line to the edge of the street right-of- way. This water distribution system shall be designed and constructed in accordance with all requirements of the Township, Ottawa County, and the State of Michigan, and any requirements imposed by any contract which the Township has for the operation and maintenance of its water system, including Township policies concerning the pressure of system and the manner of connection.

The plans and specifications for the water distribution system shall be approved in advance of construction in writing by the Township.

- a. The water distribution system provided shall be constructed and connected to the public water system by the developer at the developer's sole expense.
- b. Any required extension of the public water system to serve the development shall be sized as reasonably required by the Township. The Township and the developer shall enter into a contract on reasonable terms pertaining to the design, acquisition, construction, and completion of this public water extension, reimbursement to the developer as other parties connect to this public water extension and other pertinent matters. After such extension is completed, the water system shall be connected to the public water extension.

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

Section 6. Effective Date. This amendment to the Jamestown Charter Township Subdivision Ordinance was approved and adopted by the Township Board of Jamestown Charter Township, Ottawa County, Michigan on _____, 2022, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on _____, 2021, 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 _____, 2022, which date is 30 days 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.

Laurie Van Haitsma, Township Supervisor

Candy DeHaan, Township Clerk

AFFIDAVIT OF POSTING
(Zoning Text Amendment Ordinance)

STATE OF MICHIGAN)

)ss

COUNTY OF OTTAWA)

The undersigned, Candy DeHaan, the Jamestown Charter Township Clerk, being first duly sworn, deposes and says as follows:

1. That she posted a proposed Zoning Text Amendment Ordinance for Jamestown Charter Township, after its first reading at a meeting of the Jamestown Charter Township Board held on _____, 2021 and its second reading at a meeting of the Jamestown Charter Township Board held on _____, 2022, in the Township Clerk's office and on the Township's website at www.twp.jamestown.mi.us on _____, 2022.

Candy DeHaan, Clerk
Jamestown Charter Township

Subscribed and sworn to before this
_____ day of _____, 2022.

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

AFFIDAVIT OF POSTING

(Ordinance to Amend the Subdivision Ordinance)

STATE OF MICHIGAN)

)ss

COUNTY OF OTTAWA)

The undersigned, Candy DeHaan, the Jamestown Charter Township Clerk, being first duly sworn, deposes and says as follows:

1. That she posted a proposed Ordinance to amend the Subdivision Ordinance for Jamestown Charter Township, after its first reading at a meeting of the Jamestown Charter Township Board held on _____, 2021 and its second reading at a meeting of the Jamestown Charter Township Board held on _____, 2022, in the Township Clerk's office and on the Township's website at www.twp.jamestown.mi.us on _____, 2022.

Candy DeHaan, Clerk
Jamestown Charter Township

Subscribed and sworn to before this
_____ day of _____, 2022.

Notary Public, Ottawa County, Michigan
Acting in Ottawa County, Michigan

My commission expires: _____