

NOTICE OF ADOPTION AND POSTING OF ZONING TEXT AMENDMENT ORDINANCE

PLEASE TAKE NOTICE that a Jamestown Charter Township Zoning Text Amendment Ordinance was adopted at a meeting of the Jamestown Charter Township Board held on December 19, 2022 after its first reading at a meeting of the Jamestown Charter Township Board held on November 21, 2022.

The Zoning Text Amendment Ordinance to the Jamestown Charter Township Zoning Ordinance will amend Section 2.3 – Accessory Building or Structure to correct old section references and add a subclassification of Solar Energy/Equipment Systems as an accessory building or structure; will add Section 3.2N – Accessory Buildings, Structures and Uses to identify solar energy equipment/system as an accessory building and subject to the size and numerical limitations of accessory buildings; will relocate Section 13.2A15 – Permitted Uses, which allows for accessory uses including customary and incidental retail sales accessory to the permitted uses within Section 13.2A by adding Section 13.2A16 – Permitted Uses; will amend the existing Section 13.2A15 – Permitted Uses to permit offices and showrooms of a plumber, electrician, building contractor, upholsterer, caterer, decorator, taxidermist, exterminator, or similar trade, and to provide for certain conditions; will relocate Section 14.2J – Principal Permitted Uses, which allows accessory buildings and uses customarily incidental to the identified uses within Section 14.2 by adding Section 14.2L – Principal Permitted Uses; will amend the existing Section 14.2J – Principal Permitted Uses to permit offices and showrooms of a plumber, electrician, building contractor, upholsterer, caterer, decorator, taxidermist, exterminator, or similar trade, and to provide for certain conditions and; will add Section 14.2K – Principal Permitted Uses to permit power generation provided by solar energy equipment/systems, wind turbines, coal, or other means to for off-site power consumption only.

PLEASE TAKE FURTHER NOTICE that the Ordinance has 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 27, 2022

Candy DeHaan, Clerk
Jamestown Charter Township

The following Zoning Text Amendment Ordinance was adopted at a Jamestown Charter Township Board meeting on December 19, 2022.

ORDINANCE NO. 22-005

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE JAMESTOWN CHARTER TOWNSHIP ZONING ORDINANCE BY AMENDING SECTION 2.3 – ACCESSORY BUILDING OR STRUCTURE; BY ADDING SECTION 3.2N – ACCESSORY BUILDINGS, STRUCTURES AND USES; BY AMENDING SECTION 13.2A15 – PERMITTED USES; BY ADDING SECTION 13.2A16 - PERMITTED USES; BY AMENDING SECTION 14.2J – PERMITTED USES; BY ADDING SECTION 14.2K – PERMITTED PRINCIPAL USES AND; BY ADDING SECTION 14.2L – PERMITTED PRINCIPAL USES, 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 2.3 – Accessory Building or Structure. Section 2.3 of the Zoning Ordinance is to read in its entirety as follows.

Section 2.3 – Accessory Building or Structure

A Structure, Building or portion of a main building or structure, not involving human occupancy, located on the same lot or parcel of land as the main building or buildings, the use of which is of a nature customarily and clearly incidental and subordinate to that of the main building or structure. Where an accessory building is attached to the main building the accessory building shall be considered a part of the main building for purposes of determining compliance with the yard area and setback requirements of the zoning district in which it is located.

For further purposes of this Ordinance, accessory buildings are classified and defined as follows:

Non-residential Accessory building: A building accessory to the principal commercial, industrial, public or semi public structure and use of a lot or parcel and which is not classified as a farm building as defined in Section 2.38.

Residential Accessory building: A building accessory to the principal residential dwelling and use of a lot or parcel or a building that is accessory to a farm dwelling as defined in Section 2.28 and which is not classified as a farm building as defined in Section 2.38.

Solar Energy Equipment/System: Solar energy equipment/systems shall be considered an accessory building for purposes of this Ordinance, and are defined to include solar collectors, controls, energy storage devices, heat pumps, heat exchangers and other materials, hardware or equipment necessary to the process by which solar radiation is collected, converted into another form of energy, stored, protected from unnecessary dissipation and distributed. Solar systems include solar thermal, photovoltaic and concentrated solar.

Section 2. Section 3.2N – Accessory Buildings, Structures and Uses. Section 3.2N of the Zoning Ordinance is to read in its entirety as follows.

Section 3.2N – Accessory Buildings, Structures and Uses

Solar Energy Equipment System. For the purposes of applying this Section 3.2, a solar energy equipment/system shall be considered an accessory building, and is therefore subject to same size and numerical limitations that apply to accessory buildings.

Section 3. Section 13.2A15 – Permitted Uses. Section 13.2A15 of the Zoning Ordinance is to read in its entirety as follows.

Offices and showrooms of a plumber, electrician, building contractor, upholsterer, caterer, decorator, taxidermist, exterminator, or similar trade subject to the following conditions:

- a. All services performed on the premises, including fabrication, repair, cleaning or other processing of goods, shall be sold at retail on the premises where produced.
- b. The ground floor premises facing upon and visible from any abutting streets shall be used only for entrances, offices, sales, or display.
- c. There shall be no outside storage and/or display of materials or goods of any kind.

Section 4. Section 13.2A16 – Permitted Uses. Section 13.2A16 of the Zoning Ordinance is to read in its entirety as follows.

Accessory uses including customary and incidental retail sales accessory to the foregoing permitted uses.

Section 5. Section 14.2J – Principal Permitted Uses. Section 14.2J of the Zoning Ordinance is to read in its entirety as follows.

Offices and showrooms of a plumber, electrician, building contractor, upholsterer, caterer, decorator, taxidermist, exterminator, or similar trade subject to the following conditions:

- a. All services performed on the premises, including fabrication, repair, cleaning or other processing of goods, shall be sold at retail on the premises where produced.
- b. The ground floor premises facing upon and visible from any abutting streets shall be used only for entrances, offices, sales, or display.
- c. There shall be no outside storage and/or display of materials or goods of any kind.

Section 6. Section 14.2K – Principal Permitted Uses. Section 14.2K of the Zoning Ordinance is to read in its entirety as follows.

Power generation provided by solar energy equipment/systems, wind turbines, coal, or other means for off-site power consumption only.

Section 7. Section 14.2L – Principal Permitted Uses. Section 14.2L of the Zoning Ordinance is to read in its entirety as follows.

Accessory buildings and uses customarily incidental to the above permitted uses.

Section 8. 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 9. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

Section 10. 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 December 19, 2022, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on November 21, 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 January 4, 2023, 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 Haitsma, 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 December 19, 2022. The following members of the Township Board were present at that meeting: VanHaitsma, DeHaan, McCormick, Miedema, Miller and Tacoma. The following members of the Township Board were absent: Brouwer. The Ordinance was adopted by the Township Board with members of the Board DeHaan, VanHaitsma, Miedema and Tacoma voting in favor and members of the Board McCormick and Miller voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Rapids Press* on December 27, 2022.



Candy DeHaan, Clerk
Jamestown Charter Township

