

ORDINANCE NO. 2026-06

ZONING CODE ADOPTION

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES ADOPTED BY ALLENDALE CHARTER TOWNSHIP, COUNTY OF OTTAWA, STATE OF MICHIGAN, ADOPTING A CODIFICATION AND REVISION OF THE ZONING ORDINANCES PREVIOUSLY ADOPTED BY ALLENDALE CHARTER TOWNSHIP; MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. Codification of Previously Adopted Ordinances as Section 470.

The existing previously adopted Zoning Ordinances of Allendale Charter Township, as revised, codified and consolidated by General Code, shall become Chapter 470 of the Code of Ordinances adopted by Allendale Charter Township, upon final adoption and publication according to law. The Articles contained in the Zoning section include:

- Article 1 – Title;
- Article 2 – Purpose, Scope and Interpretation;
- Article 3 – General Provisions;
- Article 4 – Mapped Districts;
- Article 5 – AG Agricultural and Rural District;
- Article 6 – RE Rural Estate District;
- Article 7 – R-1 Low Density One-Family Residential District;
- Article 8 – R-2 Medium Density One-Family Residential District;
- Article 9 – R-3 Low Density Multiple Family Residential District;
- Article 10 – R-4 Medium Density Multiple Family Residential/Office District;
- Article 11 – R-5 Mobile Home Park District;
- Article 12 – PUD Planned Unit Development District;
- Article 13 – Reserved;
- Article 13(A) – O Office District;
- Article 14 – GC General Commercial District;
- Article 15 – C-3 Service Commercial District;
- Article 16 – I – Industrial District
- Article 17 – Reserved;
- Article 18 – Reserved;
- Article 19 – Floodplain Regulations;
- Article 20 – Special Use Permits;
- Article 21 – Parking and Loading Regulations;

Article 21(A) – Landscaping Requirements;
Article 22 – Signs and Billboards;
Article 23 – Standards for Specific Use;
Article 24 – Site Plan Review;
Article 25 – Wireless Communications Towers and Antennas;
Article 25(A) – Small Cell Wireless Communications Facilities;
Article 26 – Nonconforming Uses, Structures, and Lots;
Article 27 – Administration and Enforcement;
Article 28 – Zoning Board of Appeals;
Article 29 – Amendments and District Changes; Procedures;
Article 30 – Penalties for Violation;
Article 31 – Severability Clause;
Article 32 – Terminology;
Article 33 – Adoption.

Section 2. Copy of Chapter 470 on file. A copy of Chapter 470 in loose-leaf form has been filed in the Office of the Allendale Charter Township Clerk and shall remain there for use and examination by the public until final action is taken on this Ordinance; and If this Ordinance shall be adopted, such copy shall be certified by the Allendale Charter Township Clerk by impressing thereon the seal of the Charter Township, as provided by law, and such certified copies shall remain on file in the office of the Clerk to be made available to persons desiring to examine the same during all times while the Code is in effect.

Section 3. Chapter 470 is also available online. In addition to the copy made available at the Office of the Allendale Charter Township Clerk pursuant to Section 2 of this Ordinance, the Township Clerk shall take such actions as are necessary to make Chapter 470 available on-line on the website of Allendale Charter Township.

Section 4. Publication; Filing. The Allendale Charter Township Clerk, pursuant to law, shall cause to be published, in a manner required, a copy of this adopting Ordinance in a newspaper of general circulation in the Charter Township. Sufficient copies of the Section 470 shall be maintained in the Office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this adopting Ordinance, coupled with availability of copies of Chapter 470 for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of Chapter 470 for all purposes.

Section 5. Severability of Chapter 470 Provisions. Chapter 470 and the various parts, sections, subsections, paragraphs, sentences, phrases, and clauses thereof are hereby declared to be severable. If any part, section, subsection, paragraph, sentence, phrase, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, it is hereby provided that the remainder of the Chapter shall not be affected thereby and shall remain in effect and valid.

Section 6. Severability of Ordinance Provisions. Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

Section 7. Repealer. All ordinances or parts of ordinances of a general and permanent nature adopted and in force on the date of the adoption of this ordinance and not contained in Chapter 470 are hereby repealed as of the effective date of this Adopting Ordinance, except as hereinafter provided.

Section 8. Provisions deemed continuation of existing ordinances. The provisions of Chapter 470, insofar as they are substantially the same as ordinances previously adopted by the Charter Township relating to the same subject matter, shall be construed as restatements and continuations thereof and not as entirely new enactments.

Section 9. Effect on prior offenses or rights.

- A. Nothing in Chapter 470 (or the ordinance adopting Chapter 470) affects any offense or act committed or done, any penalty or forfeiture incurred, or any contract or right established before the effective date of this Ordinance.
- B. The adoption of Chapter 470 does not authorize any use or the continuation of any use of a structure, building, or premises in violation of any Charter Township ordinance on the effective date of this Ordinance.

Section 10. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for adoption and revision as part of the Code, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the Township Board that all such changes be adopted as part of Chapter 470 as if the ordinances so changed had been previously formally amended to read as such.
- B. Global revisions; nomenclature changes.
 - (1) Throughout the Chapter, references to MSA are deleted.
 - (2) References to the Department of Environmental Quality (DEQ) are changed to refer instead to the Department of Environment, Great Lakes, and Energy (EGLE).
 - (3) References to the Subdivision Control Act are changed to instead refer to the Land Division Act.

Section 11. Administrative Liability. No officer, agent, or employee of the Township shall be personally liable for any damages the Township may accrue to any person as a result of any act required or permitted in the discharge of duties under and in the enforcement of this Ordinance.

Section 12. Severability and Captions. This Ordinance and its various sections, subsections, sentences, phrases, and clauses are declared to be severable. If any section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected. Pronouns shall be read as masculine, feminine, or neuter as may be appropriate. Captions appearing at the beginning of any section shall not be deemed as part of this Ordinance and shall have no independent significance.

Section 13. 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 _____, 2026, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on _____, 2026, 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 _____, 2026, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Text Amendment Ordinance in the _____ 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.

ALLENDALE CHARTER TOWNSHIP

Dated: _____, 2026

By: _____
Adam Elenbaas
Its: Supervisor

By: _____
Jody Hansen
Its: Clerk

CERTIFICATE

I, Jody Hansen, the Clerk for Allendale Charter Township, Ottawa County, Michigan, certify that the foregoing Allendale Charter Township Zoning Code Adoption was adopted at a regular meeting of the Township Board held on _____, 2026. 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 _____ 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 _____, 2026.

Jody Hansen, Clerk
Allendale Charter Township