

*The following Zoning Amendment Ordinance was adopted at the Holland Charter Township Board meeting held on December 21, 2023.*

**ORDINANCE NO. 648**

**ZONING TEXT AND MAP AMENDMENT  
ORDINANCE**

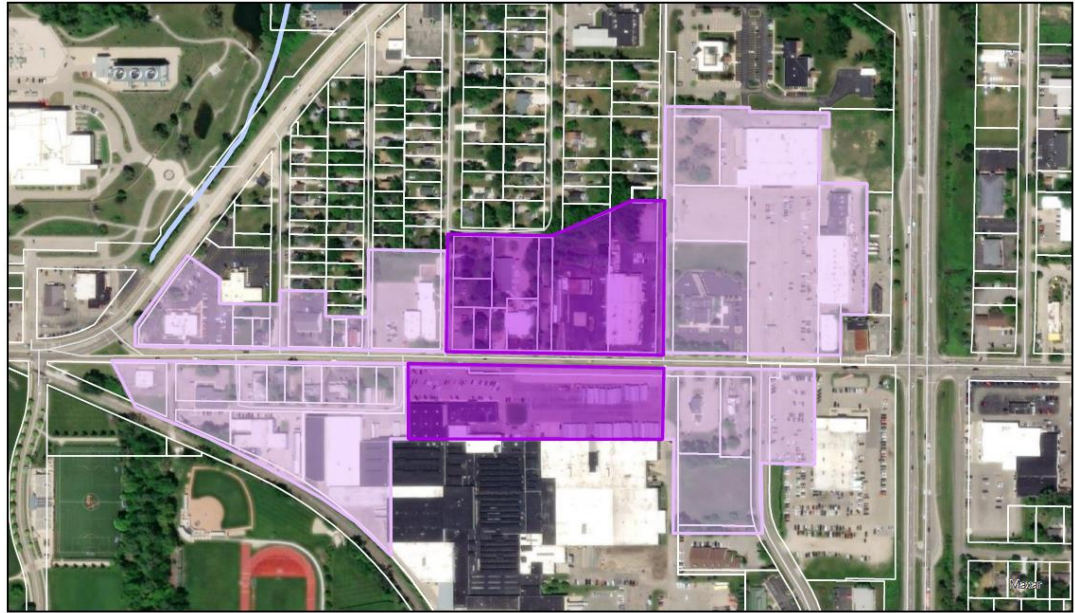
AN ORDINANCE TO AMEND THE HOLLAND CHARTER TOWNSHIP ZONING ORDINANCE BY ADDING THE FEDERAL DISTRICT OVERLAY DISTRICT TO ARTICLE 7; BY PROVIDING FOR THE BOUNDARIES OF THE FEDERAL DISTRICT OVERLAY DISTRICT; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. Intent and Purpose. Section 7.1 of the Holland Charter Township Zoning Ordinance (the “Zoning Ordinance”) shall be amended by adding subsection D regarding the Federal District Overlay District (the rest of Section 7.1 shall remain unchanged).

*D. Federal District Overlay District (FD). The FD zoning district is intended to accommodate a more compact development pattern along the 8th Street Corridor where a mixture of connected uses encourage a pedestrian-oriented environment that is an attractive, vibrant place creating nodes of activity for visitors and residents alike. Retail, restaurants, and other permitted commercial activities should be located to create a complementary concentration of uses within buildings at the street level where shop entries and window displays invite exploration within the district. Residential and non-retail office uses may co-exist on the second floor with higher floors being dedicated to a collection of residential dwellings with distinctive balconies and terraces that are subtly placed between the canopies of street trees. The Overlay shall be divided into two sub-districts, which are designated on the Overlay Map:*

- 1. Core: The Core district is intended to create a walkable business district and gathering place for the Federal District neighborhood.*
- 2. Edge: The Edge district is intended to allow for flexible redevelopment, including the provision of additional housing, while improving the pedestrian environment on 8th Street.*



**Federal District Overlay**

Holland Charter Township, Michigan

**LEGEND**

- Core
- Edge



Section 2. Federal District Overlay District. Section 7.4, regarding the Federal District Overlay District, shall be added to the Zoning Ordinance to read in its entirety as follows.

- A. *Applicability. All establishment of new land uses, the construction of new structures, including additions, within the Overlay shall abide by the requirements of the Overlay. For all regulations included in this Section, the Overlay shall supersede the underlying Zoning District. For all regulations not specifically included in this section, the standards of the underlying Zoning District shall apply.*
- B. *Impact on Existing Uses and Structures. Change of use alone shall not trigger the requirements of Sections D-O below. Any structure existing at the time of the adoption of this Overlay may be rebuilt, repaired, or remodeled if damaged as described in Section 20.9.*
- C. *Land Uses. The table below shows the permitted land uses, and land uses allowable by Special Use permit, within the Overlay. Multiple uses shall be permitted on a single lot, provided all requirements of the Overlay, and this Ordinance generally, are met. No non-residential use shall be located on a higher floor than a residential use in the same building.*

*Permitted Use (P). This use is authorized by-right, subject to all other applicable provisions of the Zoning Ordinance.*

*Special Land Use (S). This use is subject to review and permitting in accordance with Article 15.*

*Not Permitted. A blank cell indicates that a use is not permitted.*

*Other Requirements. See referenced section for additional requirements.*

	<b>FD-Core</b>	<b>FD-Edge</b>	<b>Other</b>
Banquet hall	S	S	
Community cultural facility	P	P	
Day care, child care center	P	P	
Food processing, small scale	S	S	
Government facility	P	P	
Hotel/motel	S	S	
Medical services, clinics and medical offices	P	P	
Meeting facility	P	P	
Offices and services	P	P	
Offices and services with a drive through facility		S	
Parking facility, public or commercial	S	S	
Place of worship	S	S	
Dwelling, multi-family, single-family attached	P	P	
Recreation facility, commercial, indoor	S	S	
Recreation facility, community-based, public, indoor	P	P	
Restaurant	P	P	
Restaurant with drive-through		S	
Restaurant with micro-brewery, small distillery, or small winery	S	S	
Retail	P	P	
School - college, university, private, and specializing training, with or without farm animals	S	S	9.14
Solar energy collector, building-mounted	P	P	9.26
Theater	S	S	
Wireless communications, collocation	P	P	9.29
Wireless communications	S	S	9.29

*D. Residential Units.*

- 1. Density. There shall be no limit to the number of residential units on a given parcel, provided that all requirements of this Overlay, including, but not limited to, setbacks, building height, and minimum dwelling unit size, are met.*
- 2. Size. The minimum size of a dwelling unit in the Overlay shall be consistent with the R-3 District, as shown in Table 4.3B.*

*E. First Story Use. Within the Edge District, all land uses listed in Section C may be located on the first story of a building. Within the Core District,*

*the Residential Exclusion Zone, described below, shall apply.*

1. *Residential Exclusion Zone Definition. The Residential Exclusion Zone shall exist on the ground floor of the building, and shall extend for the entire width of the building, and from the front wall back to a line 25% of the distance between the front wall and back wall. The “front wall” shall be considered the wall facing the primary front lot line. For buildings with an irregular or inconsistent front wall, the Residential Exclusion Zone shall apply along all front walls. Construction Requirements.*

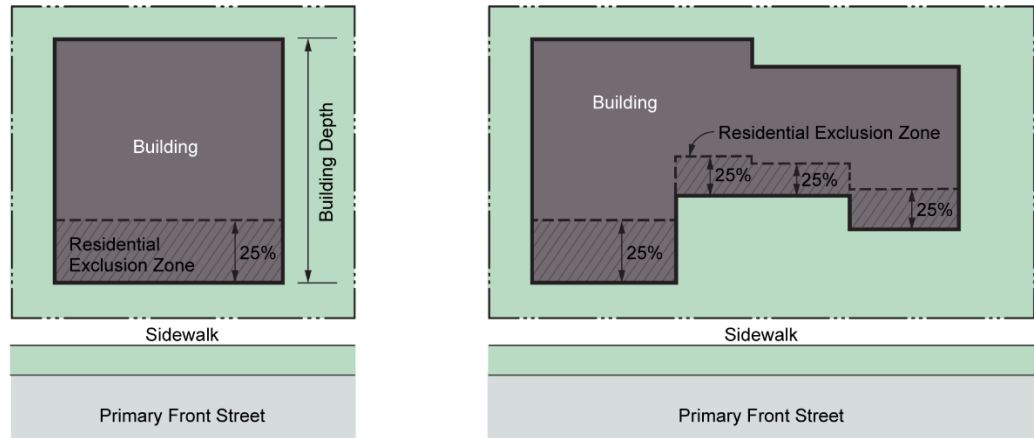


Figure 7.4.E.1 Residential Exclusion Zone

2. *Prohibited Uses in the Residential Exclusion Zone. No dwelling unit shall be established, partially or completely, within the Residential Exclusion Zone.*
3. *Permitted Accessory Uses in the Residential Exclusion Zone. The Residential Exclusion Zone may include accessory uses to residential units elsewhere in the building, such as a lobby, gathering space, recreation space, reception area, resident service space, or exercise space.*
4. *Exemption. Buildings located, in their entirety, 200 feet or more from the 8th Street right-of-way shall be exempt from the Residential Exclusion Zone requirement.*

**F. First Story Façade Transparency Requirement.**

1. *Core District: At least 60% of the area of the first story façade, and at least 40% of each upper story façade, facing the primary front lot line, must be glass windows and doors.*
2. *Edge District: At least 40% of the area of the first story façade, and at least 40% of each upper story façade, facing the primary front lot line, must be glass windows and doors.*

**G. Façade Base Building Materials. At least two feet at the bottom of each exterior**

*wall must be a water resistant, hard surface such as brick, masonry, or other cement-based cast product. Wood and vinyl shall not be deemed to meet this standard. Other materials may be approved by the Township.*

#### *H. Dimensional Requirements.*

##### *1. Front Setback.*

- a. For all lots abutting 8th Street, the building setback from 8th Street shall be 51 feet from the centerline of the right-of-way. The load-bearing element of the building closest to 8th Street must be exactly 51 feet from the right-of-way centerline.*
  - i. Private Walkway: If the required setback creates 10 feet or more of space between the right-of-way line and the front of the building, a walkway shall be created between the public sidewalk and the front door.*
  - ii. Outdoor Dining Option – Core Only. In the Core District, the front of the building may be set back an additional 20 feet to create a space for outdoor dining. The space must be landscaped, paved with decorative block or similar treatment as approved by the Township. It must also be surrounded by a decorative knee wall or fence 30 inches in height. The decorative knee wall or fence may have gates for access from the public sidewalk or other parts of the site.*
- b. The setback from all streets other than 8th Street shall be no larger than 10 feet.*
- c. The Township may allow maximum front setbacks to be exceeded if necessary to accommodate existing utility easements.*
- d. Parking Setback Line. The parking setback line shall be defined as a straight line, even with the load bearing element of the principal building that is closest to 8th Street, and extending across the entire width of the lot. No parking shall be established closer to any street than the Parking Setback Line.*

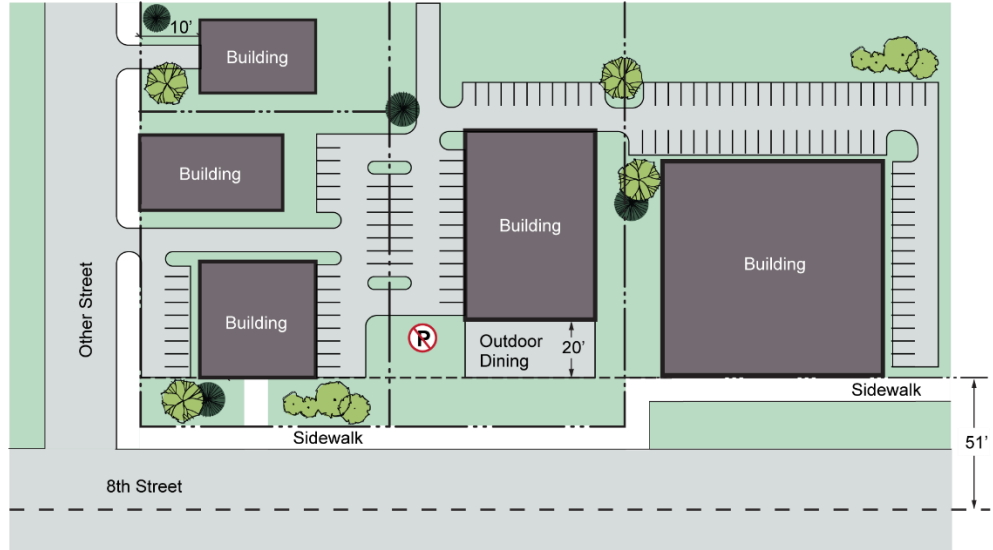


Figure 7.4.H.1 8th Street Setbacks

2. *Side Setback. For all lots abutting 8th Street, the building setback from at least one side lot line shall be 0 feet. The building setback on the opposite side of the lot, if the building is not built to the lot line, shall be no more than necessary to accommodate a driveway, pedestrian sidewalk (at least 5 feet in width), and any required landscape buffer.*
3. *Rear Setback.*
  - a. *Adjacent to a Residential Zoning District: The minimum rear setback shall be 30 feet.*
  - b. *Not Adjacent to a Residential Zoning District: The minimum rear setback shall be 10 feet.*
4. *Building Coverage. The area of a lot covered by buildings shall not exceed 80%.*
5. *Building Height. The maximum building height, in feet, shall be consistent with the C-2 District as described in Table 5.3B. Within the allowable building height, the following habitable stories requirements must be met.*
  - a. *Determination of Number of Habitable Stories. A story shall be defined as habitable indoor space with a floor and a ceiling. A building level dedicated entirely to parking shall not be considered a habitable story, and shall not count towards the minimum and maximum standards in Subsections b and c.*
  - b. *Minimum Number of Habitable Stories:*
    - i. *Core: 3*

- ii. *Edge: 2*
  - c. *Maximum Number of Habitable Stories: 4*
  - d. *Minimum First Story Height: The first story shall have a floor-to-floor height of at least 12 feet.*
  - e. *Fourth Story Step-Back: The fourth story shall step back at least 10 feet (as measured from the front wall of the first story) to reduce the massing of the building along the street.*
- I. *Residential Amenities. All sites within the Overlay containing more than one residential dwelling unit (including renovations to buildings existing before the adoption of the Overlay) must contain at least two of the following:*
- 1. *Balconies: Balconies that project 4-6 feet from the wall of the building and are accessible from residential dwelling units. Balconies may project into the front setback provided they are at least 14 feet above grade. The required Fourth Story Step-Back shall not be considered a balcony.*
  - 2. *Rooftop Patio: Rooftop patio space that is either accessible from all of the dwelling units, or included as part of a restaurant. This space could be on the open rooftop created by the required Fourth Story Step-Back, or could be at the very top of the building.*
  - 3. *Ground Level Patio: An outdoor, ground level patio, which may be restricted to residents only, or may serve as outdoor dining space for a restaurant.*
  - 4. *Green Space: Preserving or providing at least 10% of the lot as natural, landscaped, and/or recreational space for the enjoyment of the residents. Examples of recreation space include, but are not limited to a swimming pool, fitness equipment, playground, or sport courts.*
- J. *Access Management. Lots in the Overlay shall make reasonable efforts to provide drive aisle connections to all adjoining lots that are also in the Overlay, and to provide cross access agreements allowing for ingress and egress to all connected lots. Such agreements shall be subject to review and approval by the Township during the Site Plan Approval process.*
- 1. *Core District Driveway Prohibition: For improved pedestrian circulation and safety, no new driveway from 8th Street shall be established within the Core District and the Township may require the closure of an existing driveway and/or may require a new driveway to be connected to a street other than 8th Street.*

- a. *Exception to Prohibition: In the event that the lot in question does not border a public road other than 8th Street and efforts to create a cross access connection and shared driveway have failed, the driveway prohibition shall be waived by the Township.*
  - 2. *Edge District Driveway Placement: Within the Edge District, no new driveway from 8th Street shall be established fewer than 150 feet from another driveway or street intersection and the Township may require the closure of an existing driveway and/or may require a new driveway to be constructed in a conforming location.*
    - a. *Exception to Prohibition: In the event that the lot in question does not border a public road other than 8th Street and efforts to create a cross access connection and shared driveway have failed, the driveway spacing requirement shall be waived by the Township.*
- K. *Sidewalks. If they do not already exist, 6 foot minimum width concrete sidewalks shall be constructed along all public roads within the Overlay, and shall thereafter be maintained by the adjacent property owner.*
- L. *Parking. The parking requirements in Article 10 shall apply within the Overlay, except as stated below:*
  - 1. *The minimum number of parking spaces for residential dwelling units shall be:*
    - a. *Core: 1 space per dwelling unit.*
    - b. *Edge: 1.5 spaces per dwelling unit.*
  - 2. *The maximum number of parking spaces on any lot shall be 150% of the minimum parking required by this Ordinance.*
  - 3. *On-street parking spaces may be constructed, at the expense of the applicant, and with the permission of the Road Commission. On-street parking spaces constructed in conjunction with a development within the Overlay shall count towards the minimum parking requirement for that development.*
  - 4. *Bicycle Parking: Bicycle parking (including racks, lockers, or other security measures) shall be provided for at least one bicycle per five automobile parking spaces included on the site. The bicycle parking may be indoors, but a storage room that is not specifically designed for bicycles shall not count for this requirement.*
- M. *Signage. The sign regulations of Article 13 shall apply, except at described below.*



1. *Ground signs shall be no larger than 32 square feet and no taller than 6 feet.*
  2. *Each business with an entrance facing the primary front lot line shall be permitted to have a projecting sign.*
    - a. *The projecting signs shall not exceed 6 feet in area.*
    - b. *The projecting signs shall not exceed 3 feet in height*
    - c. *The projecting signs shall not project farther than 36 inches from the face of the building and shall not project into the right-of-way.*
    - d. *The bottom of the projecting signs must be at least 8 feet above grade.*
- N. *Landscaping. The landscaping regulations of Article 11 shall apply to the site, except as described below and elsewhere in this Section.*
1. *Front Yard Landscaping Exceptions:*
    - a. *If the required front building setback creates 10 feet or more of space between the right-of-way line and the front of the building, and the area is not occupied by an outdoor dining area, the landscaping described in Section 11.6 shall be installed between the building and the sidewalk or street when planting within the right-of-way is approved by the Ottawa County Road Commission.*
  2. *Buffers Exceptions:*
    - a. *Between a lot within the Overlay and any abutting lot in a residential zoning district, Buffer Type A as described in Section 11.7.B shall be established, except that the berm option shall not be permitted in the Overlay, and the width of the required buffer zone shall be 20 feet.*
    - b. *Between lots within the Overlay, no side yard buffer shall be required adjacent to buildings utilizing a building setback of five (5) feet or less, or where shared parking lots or drive aisles are proposed along the lot line in question.*
    - c. *Between lots within the Overlay, no rear yard buffer shall be required where shared parking lots or drive aisles are proposed along the lot line in question.*
  3. *Parking Lot Landscaping Exemptions:*
    - a. *Lots serving a principal use within the Overlay with 24 spaces or fewer shall be exempt from the Parking Lot Landscaping requirements in Section 11.9.*
    - b. *Covered or underground parking shall not be subject to the requirements*

*of Section 11.9, and shall not be counted when determining requirements under Section 11.9.*

*O. Lighting. The lighting regulations of Article 12 shall apply to the site, except that the Planning Commission may require a decorative lamp-post design, to be determined in conjunction with the utility provider, to be used, in order to create a unified theme for light fixtures within the Overlay.*

*1. If required by the Planning Commission for some or all light fixtures on a given site, the decorative design requirement shall supersede all light fixture design requirements in Article 12.*

*2. This section shall not be construed to exempt light levels within the Overlay, or on lots abutting the Overlay, from standards governing light levels, light trespass, or glare.*

Section 3. Effective Date. The foregoing amendment to the Holland Charter Township Zoning Ordinance was approved and adopted by the Township Board of Holland Charter Township, Ottawa County, Michigan on December 21, 2023, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended, and after a first reading on December 7, 2023. This Ordinance shall be effective on January 6, 2024, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

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Terry Nienhuis, Township Supervisor

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Michael Dalman, Township Clerk