

NOTICE OF ADOPTION OF A PROPOSED ZONING TEXT AMENDMENT ORDINANCE

PLEASE TAKE NOTICE that a Tallmadge Charter Township Text Amendment Ordinance was adopted at a meeting of the Tallmadge Charter Township Board on December 13, 2022 after its first reading at a meeting of the Tallmadge Charter Township Board held on November 15, 2022.

The Zoning Text Amendment Ordinance will revise Section 10.06(a)4 – Development standards, Required Conditions to allow the Zoning Administrator to approve alterations to an existing building and an increase to the floor area of an existing building without considering it reconstruction, and allow the Zoning Administrator to defer proposed alterations to the Planning Commission; will revise Section 11.06(a)4 – Development standards, Required Conditions to allow the Zoning Administrator to approve alterations to an existing building and an increase to the floor area of an existing building without considering it reconstruction, and allow the Zoning Administrator to defer proposed alterations to the Planning Commission; will revise Section 12.06(a)5 – Development standards, Required Conditions to allow the Zoning Administrator to approve alterations to an existing building and an increase to the floor area of an existing building without considering it reconstruction, and allow the Zoning Administrator to defer proposed alterations to the Planning Commission of the Tallmadge Charter Township Zoning Ordinance, to provide for severability, to provide for repeal, and to provide for an effective date.

PLEASE TAKE FURTHER NOTICE that the Ordinance has been posted in the office of the Tallmadge Charter Township Clerk, Tallmadge Charter Township, 0-1451 Leonard Road, N.W., Grand Rapids, Michigan (telephone: 616-677-1248), and on the Township website at www.tallmadge.com.

Dated: December 20, 2022

Lenore Cook, Clerk
Tallmadge Charter Township

The following Zoning Text Amendment Ordinance was adopted at the Tallmadge Charter Township Board meeting on December 13, 2022.

ORDINANCE NO. 111522-1

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE TALLMADGE CHARTER TOWNSHIP ZONING ORDINANCE BY REVISING SECTION 10.06(A)4 – DEVELOPMENT STANDARDS, REQUIRED CONDITIONS; BY REVISING SECTION 11.06(A)4 – DEVELOPMENT STANDARDS, REQUIRED CONDITIONS; BY REVISING SECTION 12.06(A)5 – DEVELOPMENT STANDARDS, REQUIRED CONDITIONS; TO PROVIDE FOR SEVERABILITY, TO PROVIDE FOR REPEAL, AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. Development Standards, Required Conditions. Section 10.06(a)4 of the Tallmadge Charter Township Zoning Ordinance shall be amended tin its entirety as follows.

Section 10.06(a)4 – Required Conditions

The provisions of Section 10.06(a)2 and Section 10.06(a)3 shall not apply to an existing building unless it is reconstructed.

The Zoning Administrator may approve alterations to an existing building that do not increase the floor area when the proposed alterations include materials permitted by Section 10.06(a)2; the alterations shall not be considered a reconstruction of the building in this event.

The Zoning Administrator may also approve alterations to an existing building that increase the floor area as permitted by Section 18.08 of this Ordinance when the alterations comply with Section 10.06(a)2 and Section 10.06(a)3; the alterations shall not be considered a reconstruction of the building in this event.

The Zoning Administrator may refer any proposed building alterations to the Planning Commission for review and possible approval.

Section 2. Development Standards, Required Conditions. Section 11.06(a)4 of the Tallmadge Charter Township Zoning Ordinance shall be amended tin its entirety as follows.

Section 11.06(a)4 – Required Conditions

The provisions of Section 11.06(a)2 and Section 11.06(a)3 shall not apply to an existing building unless it is reconstructed.

The Zoning Administrator may approve alterations to an existing building that do not increase the floor area when the proposed alterations include materials permitted by Section 11.06(a)2; the alterations shall not be considered a reconstruction of the building in this event.

The Zoning Administrator may also approve alterations to an existing building that increase the floor area as permitted by Section 18.08 of this Ordinance when the alterations comply with Section 11.06(a)2 and Section 11.06(a)3; the alterations shall not be considered a reconstruction of the building in this event.

The Zoning Administrator may refer any proposed building alterations to the Planning Commission for review and possible approval.

Section 3. Development Standards, Required Conditions. Section 12.06(a)5 of the Tallmadge Charter Township Zoning Ordinance shall be amended in its entirety as follows.

Section 12.06(a)5 – Required Conditions

The provisions of Section 12.06(a)3 and Section 12.06(a)4 shall not apply to an existing building unless it is reconstructed.

The Zoning Administrator may approve alterations to an existing building that do not increase the floor area when the proposed alterations include materials permitted by Section 12.06(a)3; the alterations shall not be considered a reconstruction of the building in this event.

The Zoning Administrator may also approve alterations to an existing building that increase the floor area as permitted by Section 18.08 of this Ordinance when the alterations comply with Section 12.06(a)3 and Section 12.06(a)4; the alterations shall not be considered a reconstruction of the building in this event.

The Zoning Administrator may refer any proposed building alterations to the Planning Commission for review and possible approval.

Section 5. 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 6. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

Section 7. Effective Date. This amendment to the Tallmadge Charter Township Zoning Ordinance was approved and adopted by the Township Board of Tallmadge Charter Township, Ottawa County, Michigan on December 13, 2022, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on November 15, 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 December 28, 2022, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning 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.

Mark Bennett
Township Supervisor

Lenore Cook
Township Clerk

CERTIFICATE

I, Lenore Cook, the Clerk for the Charter Township of Tallmadge, Ottawa County, Michigan, certify that the foregoing Tallmadge Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on December 13, 2022. The following members of the Township Board were present at that meeting: T. Bronkema, J. Bronkema, Cook, Schwallier, Terpstra, Eppink, and Bennett. No members of the Township Board were absent. The Ordinance was adopted by the Township Board with members of the Board T. Bronkema, J. Bronkema, Cook, Schwallier, Terpstra, Eppink, and Bennett voting in favor and no members of the Board voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Rapid Press* on December 20, 2022.

Lenore Cook, Clerk
Tallmadge Charter Township

AFFIDAVIT OF POSTING
(Zoning Text Amendment Ordinance)

STATE OF MICHIGAN)

)ss

COUNTY OF OTTAWA)

The undersigned, Lenore Cook, the Tallmadge Charter Township Clerk, being first duly sworn, deposes and says as follows:

1. That she posted a proposed Zoning Text Amendment Ordinance for Tallmadge Charter Township, after its first reading at a meeting of the Tallmadge Charter Township Board held on November 15, 2022 and its second reading on December 13, 2022 in the Township Clerk's office and on the Township's website at www.tallmadge.com on December 20, 2022.

Lenore Cook, Clerk
Tallmadge Charter Township

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

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