

RUTLAND CHARTER TOWNSHIP

BARRY COUNTY, MICHIGAN

NOTICE OF ORDINANCE SUBMITTAL

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE CHARTER TOWNSHIP OF RUTLAND, BARRY COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE proposed Ordinance #2023-190 appended hereto was introduced for first reading by the Rutland Charter Township Board at its September 13, 2023 meeting.

This proposed ordinance will be considered for adoption by the Township Board at its scheduled regular meeting on October 11, 2023 commencing at 7:00 p.m. at the Charter Township Hall.

Rutland Charter Township will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to Rutland Charter Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township.

Format note---this proposed ordinance is prepared in "legislative format": new verbiage proposed to be added is shown in bold type; any existing verbiage proposed to be deleted is shown lined-through.

CHARTER TOWNSHIP OF RUTLAND

BARRY COUNTY, MICHIGAN

ORDINANCE NO. 2023-190 (PROPOSED)

ADOPTED:

EFFECTIVE:

An Ordinance to amend Chapter 220 (Zoning) of the Rutland Charter Township Code to include provisions for a new I/PU Institutional/Public Use District; to amend the Zoning Map of Rutland Charter Township as made part of Chapter 220 of the Rutland Charter Township Code by § 220-3-2 so as to rezone several parcels in various land sections of the Township to the I/PU Institutional/Public Use District or the PRC Park/Recreation/Camps District; and to amend § 220-5-2 pertaining to permitted uses in CR Country Residential District.

THE CHARTER TOWNSHIP OF RUTLAND

BARRY COUNTY, MICHIGAN

ORDAINS:

SECTION 1

**AMENDMENT TO ADD NEW ARTICLE XIV TEXT FOR NEW I/PU
INSTITUTIONAL/PUBLIC USE DISTRICT**

Chapter 220 of the Rutland Charter Township Code is hereby amended to add as Article XIV the text for a new I/PU Institutional/Public Use District reading as follows:

ARTICLE XIV

I/PU Institutional/Public Use District

§ 220-14-1. Purpose of District.

This zoning district is derived from the Institutional/Public Future Land Use classification in the Master Plan. This District is primarily intended to accommodate the existing institutional and governmental land uses identified with this planning classification in the Master Plan, including the Hastings City/Barry County Airport in Sections 10 and 11, Kellogg Community College in Section 14, the Rutland Charter Township Hall/Offices in Section 14, the Barry County Fairgrounds/Expo Center in Section 5, and potentially other institutional/public land uses.

§ 220-14-2. Permitted Uses.

The following uses are designated as permitted uses in this District:

- A. Governmental administration or service building.**
- B. County/Municipal Public Airport.**
- C. Community College.**
- D. Publicly-owned cemetery.**
- E. Essential services.**
- F. Accessory uses/buildings/structures; provided, however, that the keeping or raising of livestock and other agricultural uses are not allowed in this District as an accessory use or otherwise. Also see §220-16-13.B. for potential implications of Michigan Right To Farm Act siting guidelines for new and expanding commercial livestock production facilities.**

G. Signs, in accordance with the applicable provisions of Article XVIII.

§ 220-14-3. Special land uses.

The following uses are designated as special land uses in this District, subject to special land use approval and site plan approval in accordance with this Chapter:

- A. County Fairgrounds/Expo Center.
- B. Other uses similar in character, nature and intensity to a designated permitted use or special land use in this District, and therefore compatible with such uses, as determined by the Zoning Administrator.

§ 220-14-4. Density, area, height, bulk and placement regulations.

In accordance with Article XV, except as otherwise specified in this Article or Chapter.

§ 220-14-5. Site plan review.

Site plan review is required for all special land uses, and for other uses as specified in § 220-21-1.B.

SECTION 2

AMENDMENT OF § 220-15-1 (ARTICLE XV, SCHEDULE OF REGULATIONS) TO ADD REGULATIONS FOR NEW I/PU INSTITUTIONAL/PUBLIC USE DISTRICT

§ 220-15-1. of the Rutland Charter Township Code (Article XV, Schedule of Regulations) is hereby amended to add at the end of the existing Schedule a new line (and footnote 5) specifying the regulations for the new I/PU Institutional/Public Use District reading as follows:

Schedule of Regulations

§ 220-15-1. Schedule of Regulations

Schedule of Regulations									
District	Minimum Lot Area (square feet or acres)	Minimum Lot Width (feet)	Maximum Lot Coverage	Minimum Yard Requirements (feet) (6)			Maximum Height (5)		Minimum Dwelling Unit Size (square feet)
				Front (1)	Side (1)	Rear (1)	Stories	Feet	
I/PU	1 acre	125	20%	40	15	25	2 ½	35	N/A

(5) The maximum building height limitations in this schedule and in § 220-15-2, Table R-4, are intended to generally apply, unless superseded by another provision of this chapter providing a different maximum height limitation for a specific use or in a

particular context. See, for example, § 220-17-11.A, specifying other building height limitations that may be applicable to buildings in the specified circumstances. **The maximum height limitation in this Schedule also does not apply to Airport structures required or allowed by federal law or regulations to exceed the specified limitation.**

SECTION 3

AMENDMENT OF § 220-18-6 PERTAINING TO SIGNS IN NEW I/PU INSTITUTIONAL/PUBLIC USE DISTRICT

§ 220-18-6 pertaining to permitted signs in the AG/OS, CR, MDR, HDR, and PRC districts, is hereby amended to also apply that section to signs in the new I/PU Institutional/Public Use District, as applicable to the uses allowed therein, thus causing the section to read as follows:

§ 220-18-6. Permitted signs in the AG/OS, CR, MDR, HDR, and PRC and I/PU districts.

In these districts the following signs are allowed, **for a land use that is otherwise allowed in the district**, upon issuance of a sign permit pursuant to § 220-18-10:

- A. Signs allowed in all zoning districts pursuant to § 220-18-5.
- B. Signs for churches, schools, and public facilities: one ground-mounted sign not exceeding four feet in height, and one wall sign (only one of which may be illuminated, but with the aggregate area of all such signage not exceeding 50 square feet).
- C. Signs for campgrounds, golf courses, stables, nurseries, and similar open space activities:
 - 1. One wall sign not exceeding an area of 50 square feet.
 - 2. One ground-mounted sign not exceeding an area of 32 square feet and six feet in height.
 - 3. Two directional signs not exceeding an area of three square feet and three feet in height.
- D. Signs for subdivisions or other forms of concentrated residential development: one ground-mounted identification sign per entrance, not exceeding an area of 32 square feet and six feet in height.
- E. Signs for farm markets (in the AG/OS and CR districts only): one sign not more than eight square feet in area and six feet in height.
- F. Signs for a lawful commercial use for which no other provision of this Article specifically authorizes signage: one sign not more than eight square feet in area and six feet in height.

Notwithstanding the foregoing, an otherwise permissible sign in any of these districts shall not include any electronic message board; except one electronic message board is allowed to advertise events/activities on the premises of a county fairgrounds/expo center in the AG/OS District (**or I/PU District**), only, subject to the design standards and use limitations specified in § 220-18-8.H.

SECTION 4

AMENDMENT OF CHAPTER 220 TABLE OF CONTENTS TO INCLUDE CONTENT PERTAINING TO NEW I/PU INSTITUTIONAL/PUBLIC USE DISTRICT

The existing Table of Contents for Chapter 220 of the Rutland Charter Township Code is hereby amended to include therein new content corresponding with preceding Sections 1-3 of this Ordinance pertaining to the new I/PU Institutional/Public Use District, as applicable.

SECTION 5

AMENDMENT OF ZONING MAP (REZONING OF PARCEL NO. 13-002-001-20)

The Zoning Map of Rutland Charter Township, as made part of Chapter 220 of the Rutland Charter Township Code by § 220-3-2, is hereby amended so as to rezone parcel no. 13-002-001-20 from the CR Country Residential District to the PRC Park/Recreation/Camps District.

SECTION 6

AMENDMENT OF ZONING MAP (REZONING OF PARCEL NOS. 08-13-028-008-00, 08-13-028-009-00, 08-13-029-006-00, 08-13-029-007-00)

The Zoning Map of Rutland Charter Township, as made part of Chapter 220 of the Rutland Charter Township Code by § 220-3-2, is hereby amended so as to rezone the following Boys & Girls Club of Kalamazoo property from the AG/OS Agricultural/Open Space Preservation District to the PRC Park/Recreation/Camps District, consistent with the planning designation for these parcels in the Rutland Charter Township Master Plan (as amended):

- Parcel no. 08-13-028-008-00
- Parcel no. 08-13-028-009-00
- Parcel no. 08-13-029-006-00
- Parcel no. 08-13-029-007-00

SECTION 7

AMENDMENT OF ZONING MAP (REZONING OF PARCEL NOS. 08-13-010-031-00, 08-13-011-007-00, 08-13-011-007-10, 08-13-011-905-55)

The Zoning Map of Rutland Charter Township, as made part of Chapter 220 of the Rutland Charter Township Code by § 220-3-2, is hereby amended so as to rezone the following property used for the Hastings City/Barry County Airport from the ACLI Airport Commercial/Light Industrial District to the new I/PU Institutional/Public Use District (which designates “airport” as a permitted use therein), consistent with the planning designation for these parcels in the Rutland Charter Township Master Plan (as amended):

- Parcel no. 08-13-010-031-00
- Parcel no. 08-13-011-007-00
- Parcel no. 08-13-011-007-10
- Parcel no. 08-13-011-905-55

SECTION 8

AMENDMENT OF ZONING MAP (REZONING OF PARCEL NO. 08-13-014-054-00)

The Zoning Map of Rutland Charter Township, as made part of Chapter 220 of the Rutland Charter Township Code by § 220-3-2, is hereby amended so as to rezone Kellogg Community College property (parcel no. 08-13-014-054-00) from the CR Country Residential District to the new I/PU Institutional/Public Use District (which designates “Community College” as a permitted use therein), consistent with the planning designation for this parcel in the Rutland Charter Township Master Plan.

SECTION 9

AMENDMENT OF ZONING MAP (REZONING OF PARCEL NO. 08-13-014-034-10)

The Zoning Map of Rutland Charter Township, as made part of Chapter 220 of the Rutland Charter Township Code by § 220-3-2, is hereby amended so as to rezone the Rutland Charter Township Hall/Office property (parcel no. 08-13-014-034-10) from the MDR Medium Density Residential District to the new I/PU Institutional/Public Use District (which designates “governmental administration or service building” as a permitted use therein), consistent with the planning designation for this parcel in the Rutland Charter Township Master Plan.

SECTION 10

AMENDMENT OF ZONING MAP (REZONING OF PARCEL NOS. 08-13-014-054-00, 08-13-009-016-00)

The Zoning Map of Rutland Charter Township, as made part of Chapter 220 of the Rutland Charter Township Code by § 220-3-2, is hereby amended so as to rezone the Rutland Charter Township Cemeteries (parcel nos. 08-13-004-011-00; 08-13-009-016-00) from any existing zoning classification to the new I/PU Institutional/Public Use District (which designates “Publicly-Owned Cemetery” as a permitted use therein), consistent with the planning designation for this parcel in the Rutland Charter Township Master Plan.

SECTION 11

**AMENDMENT OF § 220-5-2 PERTAINING TO PERMITTED USES IN
CR COUNTRY RESIDENTIAL DISTRICT**

§ 220-5-2 of the Rutland Charter Township Code pertaining to the permitted uses in the CR Country Residential District is hereby amended to add a subsection M. reading as follows:

- M. Existing two-family dwelling, lawfully existing as of (date of adoption by Township Board to be inserted here); provided such dwelling shall not be enlarged beyond the spacial footprint or height of the existing building, and may only be reconstructed or replaced within the spacial footprint and height of the existing building.

SECTION 12

REPEAL OF CONFLICTING ORDINANCES; EFFECTIVE DATE

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed. This Ordinance shall take effect on the eighth day after publication or on such later date as may be required by law.

Robin Hawthorne, Clerk
Charter Township of Rutland