

RUTLAND CHARTER TOWNSHIP

BARRY COUNTY, MICHIGAN

**NOTICE OF ADOPTION/SUMMARY OF ORDINANCE AMENDING CHAPTER 220
(ZONING) OF THE RUTLAND CHARTER TOWNSHIP CODE**

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

PLEASE TAKE NOTICE that Ordinance No. 2017-161 was adopted by the Rutland Charter Township Board at its June 14, 2017 meeting. The sections of this Ordinance amend various provisions of Chapter 220 (zoning) of the Rutland Charter Township Code of ordinances, as summarized below:

SECTION 1: AMENDMENT OF § 220-9-9.A PERTAINING TO BUILDING DESIGN AND ARCHITECTURAL STANDARDS (BUILDING HEIGHT) APPLICABLE IN MU MIXED USE DISTRICT--- clarifies the intended generally applicable maximum building height limitation in the MU Mixed Use District is the lesser of 35' or 3 ½ stories; and deletes from the existing criteria for the Planning Commission to approve a building height of the lesser of 45' or 4 stories a provision presently requiring a combination of commercial/residential space.

SECTION 2: AMENDMENT OF § 220-9-9.C PERTAINING TO BUILDING DESIGN AND ARCHITECTURAL STANDARDS (ARCHITECTURAL STANDARDS/FAÇADE MATERIALS) APPLICABLE IN MU MIXED USE DISTRICT---revises the permissible or otherwise approvable façade materials requirements for buildings in the MU Mixed Use District with a footprint under 25,000 square feet, and over 25,000 square feet, respectively.

SECTION 3: AMENDMENT OF § 220-15-1 PERTAINING TO SCHEDULE OF REGULATIONS (MINIMUM LOT AREA/MINIMUM LOT WIDTH IN AG/OS DISTRICT)--changes the minimum lot area and minimum lot width requirements for a buildable lot in the AG-OS Agricultural/Open Space Preservation District from 10 acres and 325 feet to one acre and 220 feet, respectively.

SECTION 4: REPEAL OF CONFLICTING ORDINANCES; EFFECTIVE DATE--- repeals conflicting ordinances/parts of ordinances; provides for the ordinance to take effect on the 8th day after publication or on such later date as may be required by law.

This ordinance in its entirety has been posted in the office of the Township Clerk and on the Township website (www.rutlandtownship.org).

A copy of the ordinance may also be purchased by contacting the Township Clerk as indicated below during regular business hours of regular working days, and at such other times as may be arranged.

Robin J. Hawthorne, Clerk
Charter Township of Rutland
Rutland Charter Township Hall
2461 Heath Road
Hastings, Michigan 49058
Telephone: (269) 948-2194

CHARTER TOWNSHIP OF RUTLAND

BARRY COUNTY, MICHIGAN

ORDINANCE NO. 2017-161

ADOPTED: JUNE 14, 2017

EFFECTIVE: JUNE 30, 2017

An Ordinance to amend § 220-9-9 and § 220-15-1 of Chapter 220 (Zoning) of the Rutland Charter Township Code of ordinances.

THE CHARTER TOWNSHIP OF RUTLAND

BARRY COUNTY, MICHIGAN

ORDAINS:

SECTION 1

AMENDMENT OF § 220-9-9 PERTAINING TO BUILDING DESIGN AND ARCHITECTURAL STANDARDS (BUILDING HEIGHT) APPLICABLE IN MU MIXED USE DISTRICT

§ 220-9-9 of the Rutland Charter Township Code, pertaining to Building Design and Architectural Standards applicable in the MU Mixed Use District, is hereby amended to correct a typographical error in subsection A.1., and to delete sub-part b of subsection of A.1., thus causing that paragraph to read as follows:

“A. Building Height:

1. The maximum building height in the Mixed Use District is 35 feet or 3½ stories, whichever is less. However, building height may be increased up to 45 feet or 4 stories, whichever is less, if all of the following criteria are met as determined by the Planning Commission:
 - a. The proposed development is designed to provide for shared parking and/or cross access easements with adjacent parcels.
 - b. Access to the proposed development will be derived from a local county road (not a state highway) or internal access road serving multiple lots.
 - c. The height of the building shall be designed to blend with adjacent development and shall not create a dramatic height increase causing detrimental impacts to existing structures.

- d. The local fire chief has approved the height of any building over 35 feet.”

SECTION 2

AMENDMENT OF § 220-9-9 PERTAINING TO BUILDING DESIGN AND ARCHITECTURAL STANDARDS (ARCHITECTURAL STANDARDS/FAÇADE MATERIALS) APPLICABLE IN MU MIXED USE DISTRICT

§ 220-9-9 of the Rutland Charter Township Code, pertaining to Building Design and Architectural Standards applicable in the MU Mixed Use District, is hereby amended to change the provisions in subsection C.1. regulating architectural standards/façade materials to read as follows:

“C. Architectural Standards:

- 1. Façade materials. At least 80% of the “façade” of a building with a footprint under 25,000 square feet, which for purposes of this provision is defined as that portion or portions of such a building which either fronts on a public street or which faces an on-site parking lot, shall be constructed of one or more of the following materials:
 - a. traditional hard coat stucco.
 - b. brick.
 - c. natural or cast stone.
 - d. tinted and/or textured masonry block.
 - e. glass.
 - f. architectural pre-cast panels.
 - g. wood, except materials such as T-71, plywood or particle board, or similar processed wood materials.
 - h. other materials, as approved by the Planning Commission based on the visual compatibility of such other materials with existing buildings on adjacent properties and within 500 feet in the MU District.

All of the above façade materials requirements (C.1.a.-h.) shall also apply to a building with a footprint of 25,000 square feet or more, and steel is also a permissible façade material for such buildings in this District.”

SECTION 3

**AMENDMENT OF § 220-15-1 PERTAINING TO SCHEDULE OF REGULATIONS
(MINIMUM LOT AREA/MINIMUM LOT WIDTH IN AG/OS DISTRICT)**

§ 220-15-1 of the Rutland Charter Township Code, pertaining to the Schedule of Regulations applicable in the various zoning districts, is hereby amended to change the Minimum Lot Area and Minimum Lot Width requirements for a buildable lot in the AG/OS Agricultural/Open Space Preservation District from 10 acres and 325 feet to one acre and 220 feet, respectively.

SECTION 4

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