

**PORTLAND TOWNSHIP BOARD OF TRUSTEES**  
**Resolution No. 7-11-18 A**

**RESOLUTION TO ADOPT AMENDMENTS TO PART 3 (ZONING ORDINANCE) OF  
THE PORTLAND TOWNSHIP CODE OF ORDINANCES REGARDING  
ZONING ORDINANCE TEXT AMENDMENTS TO ARTICLES 2, 5, 7, 8, 10 and 15.**

At a regular meeting of the Township Board of Portland Township (the "Township"), Ionia County, Michigan, held at the Township Hall in said Township on this 11th day of July, 2018 at 7:00 p.m.

Present: Chris Jensen, Charlene Keilen, Mark Simon, Leanne Simon

Absent: Sue Vanlente

The following resolution was offered by Mark Simon and supported by Leanne Simon:

**WHEREAS**, the Zoning Enabling Act authorizes a township board to adopt and amend zoning ordinances that regulate the public health, safety and general welfare of persons and property; and,

**WHEREAS**, the Township Board has determined that amendments to Part 3 of the Portland Township Code of Ordinances (the "Zoning Ordinance") are necessary and proper to change the ZBA Board member requirements to be consistent with the Michigan Zoning Enabling Act, and

**WHEREAS**, the Portland Township Planning Commission held a public hearing for comment on the proposed amendments to the Zoning Ordinance Text on July 2, 2018; and

**WHEREAS**, the Planning Commission recommended that the Township Board adopt the amendments to the Zoning Ordinance Text; and

**WHEREAS**, the Ionia County Planning Commission has waived their rights to review rezoning applications; and

**WHEREAS**, the Board of Trustees has determined that amending the Zoning Ordinance Map is in the best interest of the public health, safety and welfare of Township residents.

**NOW THEREFORE**, be it resolved by the Board of Portland Township, Ionia County, Michigan, as follows:

1. Ordinance No. 100-7-18 A, Amendments to Part 3 (Zoning Ordinance) of The Portland Township Code of Ordinances to Amend the Zoning Ordinance Text attached to this Resolution, is hereby adopted.
2. This Ordinance shall be filed with the Township Clerk.
3. The Township Clerk shall publish notice of adoption of this Ordinance in a newspaper of general circulation in the Township within 15 days after adoption.
4. Any and all resolutions that are in conflict with this Resolution are hereby repealed.

**ADOPTED:**

**Yeas:** 4

**Nays:** 0

**Absent:** 1

**STATE OF MICHIGAN**            )  
   )  
**COUNTY OF IONIA**                )

I, the undersigned, the duly elected Clerk of Portland Township, Ionia County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete representation of certain proceedings conducted by the Board of Trustees of said Township at a meeting held on this 11<sup>th</sup> day of July, 2018.

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Charlene Keilen  
 Portland Township Clerk

*\*Note – original is signed*

**PORTLAND TOWNSHIP  
ORDINANCE NO. 100-7-18 A**

**Adopted Date: 7-11-18  
Effective Date: August 5, 2018**

**AN ORDINANCE TO ADOPT AMENDMENTS TO PART 3 (ZONING ORDINANCE) OF THE PORTLAND TOWNSHIP CODE OF ORDINANCES REGARDING TEXT AMENDMENTS TO ARTICLE 2 DEFINITIONS, ARTICLE 5 AGRICULTURE DISTRICT, ARTICLE 7 R-1 DISTRICT, ARTICLE 8 R-2 DISTRICT, ARTICLE 10 COMMERCIAL DISTRICT AND ARTICLE 15 SPECIAL LAND USES AS SHOWN BELOW IN ITS ENTIRETY.**

**THE TOWNSHIP OF PORTLAND ORDAINS:**

**SECTION 1:**

**Add the following definitions to Section 3.2.02**

**FAMILY CHILD CARE HOME:** means a private home in which 1 but fewer than 7 minor children are received for care and supervision for compensation for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family child care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year. A family child care home does not include an individual providing babysitting services for another individual. As used in this subparagraph, "providing babysitting services" means caring for a child on behalf of the child's parent or guardian when the annual compensation for providing those services does not equal or exceed \$600.00 or an amount that would according to the internal revenue code of 1986 obligate the child's parent or guardian to provide a form 1099-MISC to the individual for compensation paid during the calendar year for those services.

**GROUP CHILD CARE HOME:** means a private home in which more than 6 but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group child care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year

**SECTION 2:**

**Add the following to the Special Use Section 3.15.06**

(k) Group child care home

- (1) The minimum lot size shall conform to the minimum lot size regulations applicable in the district in which the group child care is located.
- (2) A group child care home shall not be located closer than 1,500 feet (measured along a road, street or other public thoroughfare) to any of the following: another child or adult group child care home (i.e., another facility of the same type); an adult foster care small group home or large group home, licensed by the State of Michigan; a facility offering substance abuse treatment and rehabilitation service to 7 or more people, licensed by the State of Michigan; or a community correction center, resident home, halfway house, or other similar facility which houses an inmate population under the jurisdiction of the State Department of Corrections.
- (3) A drop off/pick up site area shall be provided for motorists to be off the public street, which permits vehicles to exit the property without backing into the street. One (1) parking space is required for each two (2) beds, plus one (1) space for each employee and owner.
- (4) The yard area must have appropriate fencing for the safety of all children at least 4 feet high but not more than 6 feet high. The Planning Commission may waive this requirement after determining whether fencing is needed.
- (5) Operating hours of the group day-care home shall not exceed 16 hours during any 24-hour period and shall be limited from 6 a.m. to 10 p.m. daily unless specifically approved by the Planning Commission based upon a finding under the particular circumstances of no detriment to the surrounding area.
- (6) Signs shall conform to the sign regulations for home businesses applicable in the district in which the group child care home is located.
- (7) The property shall be maintained consistent with the visible characteristics of the neighborhood.
- (8) The group child care home shall be registered and licensed as required for such group child care homes by the State of Michigan.

**SECTION 3:**

**Add the following to the Agriculture District Section 3.5.03**

A Agriculture District 3.5.03 Special Land Uses

- (t) Group Child Care Home
- (u) Child care centers and nursery schools. A special land use shall not be required if such use is located within a principal building such as a church or school or similar public or institutional building.

**SECTION 4:**  
**Add the following to the R-1 District Section 3.7.03**

R-1 Low Density Residential District 3.7.03 Special Land Uses

- (k) Group Child Care Home

**SECTION 5:**  
**Add the following to the R-2 District Section 3.8.03**

R-2 Medium Density Residential District 3.8.03 Special Land Uses

(section refers to 3.7.03)

**SECTION 6:**  
**Add the following to the Commercial District Section 3.10.02**

C Commercial District 3.10.02 Permitted Uses

(cc) Child care centers and nursery schools. A special land use shall not be required if such use is located within a principal building such as a church or school or similar public or institutional building.

**SECTION 7:**  
Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

**SECTION 8:**  
Repealer Clause. Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**SECTION 9:**  
Effective Date. This Ordinance shall be effective eight (8) days after publication.

**ADOPTED:**

**Yeas:** 4

**Nays:** 0

**Absent:** 1

**STATE OF MICHIGAN**            )  
  )  
**COUNTY OF IONIA**            )

I, the undersigned, the duly elected Clerk of Portland Township, Ionia County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete representation of certain proceedings conducted by the Board of Trustees of said Township at a meeting held on this 11th day of July 2018.

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Charlene Keilen  
Portland Township Clerk

*\*Note – original is signed*