

**VILLAGE OF HOLLAND, LUCAS COUNTY, OHIO
ORDINANCE NO. 1-2024**

**ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE VILLAGE OF HOLLAND**

WHEREAS, the Village of Holland is a charter municipality located in Lucas County, Ohio, with powers of local self-government pursuant to Ohio Constitution Article XVIII, section 3, and

WHEREAS, The Village of Holland has adopted the Village of Holland, Ohio, Zoning Ordinance and corresponding map, (the “Ordinance”), for the general purpose of promoting the public health, safety, comfort and welfare of the residents of the Village of Holland, to protect and promote public health, safety, convenience, comfort and general welfare of the village and its residents; to prevent overcrowding; to conserve and protect property and facilitate adequate but economical provision of public improvements; to avoid congestion in the public streets and highways; and for any other purpose as set forth in the Ordinance, and

WHEREAS, the Village of Holland Planning Commission has certified to the Village Council, by motion at a meeting open to the public, certain changes to the Ordinance, citing public health, safety, convenience, comfort, and general welfare. Specifically, the Planning Commission has recommended changes to Ordinance sections 2200, 2444, 3010 and 3119, and the addition of section 3015, and

WHEREAS, the Village Zoning Administrator published notice of a Village Council public hearing on said proposed zoning change at least ten days before the public hearing, and.

WHEREAS, this Council held, after properly published notice, a public hearing to consider the recommended changes to the Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Holland:

1. That the Zoning Ordinance of the Village of Holland, Chapter 2200, Definitions, defines Junk Motor Vehicle. Junk Motor Vehicle, presently defined as:

Any motor vehicle that is inoperable, and/or is not capable of starting or traveling under its own power, including a vehicle with a flat tire or tires, or any vehicle not bearing current registration, or if bearing such current registration is extensively damaged, including but not limited to any of the following: missing wheels, tires, engine, doors, or any other essential parts, or a vehicle which remains stationary or unused for more than thirty (30) consecutive days, or any motorized bicycles, mini-bikes, all-terrain vehicles, road rollers, traction engines, power shovels, power cranes, and any other equipment used in construction work, which is not capable of starting or traveling under its own power, or is missing essential parts, or remains stationary for more than thirty (30) consecutive days.

shall be amended to read as follows:

Any motor vehicle that meets one or more of the elements set forth at ORC 4513.63 (B) to (E), or a motor vehicle that is inoperable, and/or is not capable of starting or traveling under its own power, including a vehicle with a flat tire or tires, or any vehicle not bearing current registration, or, if bearing such current registration, is extensively damaged, including but

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not limited to any of the following: missing wheels, tires, engine, doors, or any other essential parts, or a vehicle which remains stationary or unused for more than fifteen (15) of any thirty (30) consecutive day period, or any motorized bicycles, mini-bikes, all-terrain vehicles, road rollers, traction engines, power shovels, power cranes, and any other equipment which is not capable of starting or traveling under its own power, or is missing essential parts, and remains stationary for more than fifteen (15) of any thirty (30) consecutive day period.

2. That the Zoning Ordinance of the Village of Holland, Section 2444, which presently reads as follows:

Whenever the Zoning Administrator determines that there is a violation of any provision of this Ordinance, a notice of violation shall be issued. The notice of violation shall indicate the ordinance section violated and the corrective action required. The Zoning Administrator shall mail this notice to the property owner, business, or resident in violation, and keep a record of this violation in her/his office.

shall be amended to read as follows:

Whenever the Zoning Administrator determines that there is a violation of any provision of this Ordinance, a notice of violation shall be issued. The notice of violation shall indicate the ordinance section violated and the corrective action required. The Zoning Administrator shall, except in response to the existence of a Junk Motor Vehicle, mail this notice to the property owner, business, or resident in violation, and keep a record of this violation in her/his office. In the case of the existence of a Junk Motor Vehicle in violation of this Ordinance, notice may be placed securely upon said Junk Motor Vehicle in lieu of mailing.

3. That the Zoning Ordinance of the Village of Holland, Section 3010, which presently reads as follows:

The accumulation or storage of junk disabled or inoperative machinery or equipment, vehicles or machinery parts, rags, or any other discarded objects or debris shall be prohibited outside of an approved junk yard, in order to protect residents from the conditions conducive to the infestation and breeding of vermin, insects and rodents.

shall be amended to read as follows:

The accumulation or storage of junk disabled or inoperative machinery or equipment, vehicles or machinery parts, Junk Motor Vehicles, rags or any other discarded objects or debris shall be prohibited outside of an approved junk yard, in order to protect residents from the conditions conducive to the infestation and breeding of vermin, insects and rodents.

4. That the Zoning Ordinance of the Village of Holland, Section 3119, which presently reads as follows:

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Only one commercial vehicle per lot, which does not exceed one and one half ton in capacity, may be stored or parked in residential districts. These vehicles shall be parked on the rear yard of the lot/property and must be properly licensed.

shall be amended to read as follows:

Parking and Storage of Commercial Vehicles.

(1) For purposes of this Section, "Commercial Vehicle" means any motor vehicle or trailer that is registered with the Ohio Bureau of Motor Vehicles as a commercial motor vehicle or a commercial trailer pursuant to Chapter 4503 of the Ohio Revised Code.

(2) With the exception of the vehicles listed in A below, no Commercial Vehicle shall be parked in any residential district unless for temporary parking for the purpose of delivery to or the receiving of goods or other articles, or when directly connected with the current construction, repair or other services being performed.

A. The following commercial vehicles may be parked in a residential district. Such vehicles shall be parked in a garage or on an improved impervious surface in a location least intrusive; there shall be no more than one commercial vehicle per residential lot:

i. Vehicles associated with legally established home occupations;

ii. Vehicles with a GVWR (Gross Vehicle Weight Rating) less than three thousand pounds (3,000 lbs);

iii. Any vehicle required to respond on an emergency basis for public health, safety and welfare, and that has received a certificate of exemption from the Village Administrator.

5. That the following shall be added to the Zoning Ordinance of the Village of Holland, as section 3015:

SECTION 3015: NATIVE PLANT GARDENS

The planting of native plant gardens in residential districts is subject to all of the following regulations:

1. Property Owners shall obtain a permit from the zoning administrator prior to planting a native plant garden. There shall be no fee for this permit. A drawing indicating the planned location of, and the plants proposed to be contained in, the native garden shall be provided to the zoning administrator with the permit request. Further, properties within a homeowner's association subdivision shall secure the written approval for the native plant garden, and such written approval shall be provided to the zoning administrator with the permit request. No permit shall be issued unless all requirements contained herein have been satisfied. Failure by the property owner/permit holder to maintain the native plant garden in compliance with this section shall be a violation of the Zoning Ordinance of the Village of Holland, subject to sanctions and remedies permitted therein.

2. In the event a permit is issued:

a. Native plant gardens shall not be planted in any right of way area.

b. Native plant gardens shall not be planted in any front yard.

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- c. Native plants and native plant gardens in a rear yard shall:*
- i. Be contained within a defined border constructed of landscape timbers, plastic borders, stone, or other suitable materials to deter the encroachment of native plants outside of the defined border;*
 - ii. Be located at least five feet from side and rear property lines;*
 - iii. Shall not cover more than 30% of yard area.*
6. All provisions of the Zoning Ordinance of the Village of Holland not repealed, replaced, or amended herein shall remain in force and effect.
7. The Village Clerk-Treasurer is hereby directed to publish this Ordinance once per week for two consecutive weeks in a newspaper of general circulation in the Village, and to publish this Ordinance on the Village website.
8. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and or any other committees that results in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Revised Code of Ohio.

Vote On Measure: Ayes _____ Nays _____ Abstain _____

Passed this _____ day of _____, 2024.

MAYOR

PRESIDENT. OF COUNCIL

ATTEST:

CLERK-TREASURER