

## ARTICLE XX

### SPECIAL USE PERMITS

#### **Sec. 20.01 Purpose:**

Until recent years, the regulation of all uses of land and structures through zoning has been accomplished by assigning each use to one or more use districts. However, the functions and characteristics of an increasing number of new kinds of land uses combined with conclusive experience regarding some of the older, more familiar kinds of uses call for a more flexible and equitable procedure for properly accommodating these activities in the community. It should be recognized that the forces that influence decisions regarding the nature, magnitude, and location of such types of land use activities are many and varied depending upon functional characteristics, competitive situations and the availability of land. Rather than assign all uses to special, individual, and limited zoning districts, it is important to provide controllable and reasonable flexibility in requirements for certain kinds of uses that will allow practicable latitude for the investor, but that will, at the same time, maintain adequate provision for the security of the health, safety, convenience and general welfare of the community's inhabitants.

In order to accomplish such a dual objective, provision is made in this Ordinance not only for flexibility in individual district regulations, but also for a more detailed consideration of certain specified activities as each may relate to proposed conditions of location, design, size, operation, intensity of use, generation of traffic and traffic movements, concentration of population, processes and equipment employed, amount and kind of public facilities and services required, together with many other possible factors. Land and structure uses possessing these particularly unique characteristics are designated as SPECIAL USES and may be authorized by the issuance of SPECIAL USE PERMIT with such conditions and safeguards attached as may be deemed necessary for the protection of the public welfare. The following sections, together with previous references in other ARTICLES, designate what uses require a Special Use Permit. With any exception noted, the procedures for obtaining such a permit apply to all special uses indicated.

#### **Sec. 20.02 Application Procedures:**

- A. Applicant: Any person owning or having an interest in the subject property may file an application for one or more special use permits provided for in this Ordinance in the zoning district in which the land is situated.
- B. Application: Applications shall be submitted through the Zoning Administrator to the Planning Commission. Each application shall be signed by the property owner and accompanied by the payment of a fee in accordance with the duly adopted "Schedule of Fees" to cover costs of processing the application. No part of any fee shall be refundable.
- C. Data Required in Application: Every application shall be accompanied by ten (10) copies of the following information and data:
  - (1) Special form supplied by the Zoning Administrator filled out in full by the applicant.
  - (2) Site plan, plot plan, or development plan, drawn to a readable scale, and containing that information specified in Sec. 21.03.
  - (3) Preliminary plans and outline specifications of the proposed development, if applicable.
  - (4) A statement with supporting evidence regarding the required findings specified in Sec. 20.04.
- D. The property owner shall transmit one (1) copy of the application to each of the following agencies considered to be impacted or affected by the land use request for their review and comment (e.g. county drains - Montcalm County Drain Commissioner; road access - Montcalm County Road Commission, etc.):
  - (1) Montcalm County Road Commission
  - (2) District Health Department

- (3) Montcalm County Drain Commissioner
- (4) Michigan Department of Transportation
- (5) School District - Superintendent of Schools
- (6) Fire Chief
- (7) County Sheriff

The property owner shall have these agencies forward their review and comments directly to the Planning Commission. The Planning Commission, upon receiving the comments of the above affected agencies shall proceed with a public hearing on the request.

**Sec. 20.03 Review and Findings:**

- A. Planning Commission Public Hearing: The Planning Commission shall review the application at its next regular meeting following filing and shall set a date for public hearing within forty-five (45) days thereafter. Notice of such hearing shall be given according to Section 22.07.
- B. Planning Commission Recommendation: Upon conclusion of such hearing procedures, the Planning Commission shall transmit a written recommendation within thirty (30) days to the Township Board. The Planning Commission's recommendation on a special land use application shall be incorporated in a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed. In arriving at its decision, the Planning Commission shall refer to and be guided by the general special land use standards set forth in Section 20.04 and the specific special land use standards, requirements and conditions set forth elsewhere in this Zoning Ordinance including Article XX, and the site plan standards set forth in Section 21.04. Such recommendation shall be forwarded to the Township Clerk.
- C. Township Board Action: Upon receipt of the Planning Commission recommendation, the Township Board shall consider the special use permit application at its next regular meeting. The Township Board shall deny, approve, or approve with conditions the application for special land use including the site plan. The use and site plan shall be viewed as inseparable and shall be acted upon through a single motion. The Township Board's decision on a special land use application shall be incorporated, in verbal and written form, in a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed. In arriving at its decision, the Township Board shall refer to and be guided by the general special land use standards set forth in Section 20.04 and the specific special land use standards, requirements and conditions set forth elsewhere in this Zoning Ordinance including Article XX, and the site plan standards set forth in Section 21.04. The Township Board's actions shall be forwarded to the Township Clerk. Following favorable action by the Township Board, the Clerk shall issue a Special Use Permit, subject to any conditions as have been placed on such permit by the Township Board. All conditions shall be clearly specified in writing.

**Sec. 20.04 General Standards for Making Determinations:**

The Planning Commission shall review the particular facts and circumstances of each proposal in terms of the following standards and shall find adequate evidence showing that the proposed use:

- A. Will be harmonious with and in accordance with the general objectives or with any specific objectives of the Master Land Use Plan of current adoption;
- B. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area;
- C. Will not be hazardous or disturbing to existing or future neighboring uses;
- D. Will be a substantial improvement to property in the immediate vicinity and to the community as a whole;
- E. Will be served adequately by essential public facilities and services; such as highways, streets, police and fire protection, drainage structures, refuse disposal, or schools; or that the persons or agencies responsible for

the establishments of the proposed use shall be able to provide adequately any such service;

F. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

G. Will not involve uses, activities, processes, materials and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

H. Will be consistent with the intent and purposes of this Ordinance.

**Sec. 20.05 Conditions and Safeguards:**

A. Prior to granting any Special Use Permit, the Township Board may impose any additional conditions or limitations upon the establishment, location, construction, maintenance or operation of the use authorized by the Special Use Permit as in its judgment may be necessary for the protection of the public interest. Conditions imposed shall further be designed to protect natural resources, the health, safety and welfare, as well as the social and economic well-being of those who will utilize the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity and the community as a whole; and be consistent with the general standards as established in this Ordinance and therefore be necessary to meet the intent and purpose of the regulations contained therein.

B. Conditions and requirements stated as part of Special Use Permit authorization shall be a continuing obligation of Special Use Permit holders. The Zoning Administrator shall make periodic investigations of developments authorized by Special Use Permit to determine compliance with all requirements.

C. Special Use Permits may be issued for time periods as determined by the Township Board. Special Use Permits may be renewed in the same manner as originally applied for.

D. In authorizing a Special Use Permit, the Township Board may require that a cash deposit, certified check, bond or other financial guarantee acceptable to the Township, of ample sum be furnished by the developer to insure compliance with such requirements as drives, walks, utilities, parking, landscaping and the like. The financial guarantee shall be deposited with the Township Clerk at the time of issuance of the permit authorizing the use or activity. As work progresses, the Township Board may authorize a proportional rebate of the financial guarantee upon completion of significant phases or improvements.

E. Continuance of a Special Use Permit by the Township Board shall be withheld only upon a determination by the Zoning Administrator to the effect that:

- (1) Such conditions as may have been prescribed in conjunction with the issuance of the original permit included the requirement that the use be discontinued after a specified time period.
- (2) Violations of conditions pertaining to the granting of the permit continue to exist more than thirty (30) days after an order to correct has been issued.

F. All plans, specifications and statements submitted with the application for a Special Use Permit shall become, along with any changes ordered by the Township Board, a part of the conditions of any Special Use Permit issued thereto.

G. No application for a Special Use Permit which had been denied wholly or in part of the Township Board shall be resubmitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions found to be sufficient to justify consideration by the Township Board.

H. The foregoing general standards are basic to all special uses; and the specific requirements accompanying the following Sections relating to particular uses are in addition to and shall be required in all applicable situations.

**Sec. 20.06 Appeals:**

Recourse for a person considering himself aggrieved by a decision of the Township Board in the granting or denial of a Special Use Permit shall be to the Circuit Court of Montcalm County as provided by law.

**Sec. 20.07 Planned Unit Developments (PUD):**

A. Intent: It is the intent of this Section to provide for an added degree of flexibility in the placement and interrelationship of buildings incorporating a variety of residential dwellings, and encouraging a more creative approach to development. Such criteria are further intended to:

- (1) Result in a more efficient development pattern with shorter streets and utility networks.
- (2) Preserve existing natural assets, such as stands of trees, floodplain, open fields and the like.
- (3) Accomplish a more desirable residential environment than would be possible through the strict application of minimum requirements of the Zoning Ordinance.
- (4) Encourage the utilization of open space and the development of recreational facilities generally located within a reasonable distance of all living units.
- (5) Such development may consist of individual lots or common building sites. Common land and open space are essential elements of the plan related to affecting the long-term aesthetic and economic values of the entire development.

B. General PUD Requirements. Restrictions and Standards:

- (1) Minimum Project Area: Minimum project area allowable for a PUD shall be fifteen (15) acres.
- (2) Location: PUDs may be located in those districts as designated and upon approval of the Township Board.
- (3) Uses Permitted: Only the following land and/or building uses may be permitted under the provisions of this Section:
  - (a) All uses permitted in the district for which the PUD is approved.
  - (b) Any additional uses which can be shown to be compatible with the general objectives of the Township's Master Land Use Plan as well as integral to the specific PUD scheme in which they are contained. For the purpose of this Section, an integral use shall be defined as a use which has a specific functional relationship with other uses contained in the development, as for example, a Day Care Center which serves primarily the needs of residents of the development.
- (4) Performance Objectives:
  - (a) Yard, setback, lot size, type of dwelling unit, height, and frontage requirements restrictions are waived for the PUD, PROVIDED, HOWEVER, that the spirit and intent of this Section, as defined in the intent clause, are incorporated within the total development plan. The Planning Commission may determine that certain setbacks be established within all or a portion of the perimeter of the site, and shall determine the suitability of the total development plan in accordance with the intent clause of this Section.
  - (b) Access: Every structure or dwelling unit shall have access to a public street, walkway or other areas dedicated to common use.
  - (c) Land Usage: The approximate location of structures, shown on the conceptual development plan, shall be so arranged as not to be detrimental to existing or proposed structures within the development or surrounding neighborhood.
  - (d) Privacy: Each development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, walls, barriers, and landscaping shall be used, as appropriate, for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable views or uses, and reduction of noise.

- (e) **Off-Street Parking:** Parking convenient to all dwelling units and other uses, shall be provided pursuant to the minimum requirement of ARTICLE XVIII of this Ordinance. Common driveways, parking areas, walks and steps may be required together with appropriate lighting, in order to insure the safety of the occupants and the general public. Screening of parking and service areas may be required through use of trees, shrubs, hedges or screening walls.
- (f) **Development Concept:** All of the elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of plot, the character of adjoining property, and the type and size of buildings. Arrangement of buildings shall be done in such a way to utilize natural topography, existing vegetation and views within and beyond the site.
- (g) **Utilities:** PUD's shall, where feasible, provide for underground installation of utilities (including electricity and telephone) in both public ways and private extensions thereof. Provisions shall be made for construction of storm sewer facilities including grading, gutters, piping, and treatment of turf to handle storm waters, and to prevent erosion and the formation of dust. This could include the establishment of retention basins in order to minimize storm water runoff.
- (h) **Pedestrian Circulation:** The pedestrian circulation system and its related walkways shall be insulated as completely and as reasonably as possible from vehicular movement.
- (i) **Recreation Areas:** Recreational facilities for the resident of the project, not impairing the view and privacy of the living units, shall be provided in easily accessible locations.
- (j) **Planting:** The appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features; additional new landscaping shall be added for privacy, shade, beauty of buildings and ground and to screen out objectional features.

(5) **Density:** The density (dwelling units per acre) of a PUD shall not exceed the density of the zone in which it is located. When more than one zone is involved, the density of the project will be the average of the zones, weighted in direct proportion to the size of the property within the project in each zone. Only one-half (1/2) of the total portion of the site comprised of floodplain, swamps, (wetland) or a water body, may be used in the calculation of densities of a project.

(6) **Bonus Densities:** The Township Board may approve PUD's developed at densities in excess of the allowed maximum, when the developer can compensate for the increased densities by providing unique and extraordinary amenities, incorporating special site planning and landscape design techniques or preserving substantial areas of natural assets. Increased densities permitted through various bonus density provisions shall be cumulative, but not exceed forty (40) percent. Criteria for reviewing bonus density requests shall include:

- (a) **Design** - ten (10) percent density increase for distinctiveness and desirable variations in design including: landscaping, siting and design features.
- (b) **Common Open Space** - One (1) percent increase in density for each one and a half (VA) percent increase in Common Open Space above the minimum area required, but not to exceed twenty (20) percent density increase.
- (c) **Natural Assets** - ten (10) percent density increase for preservation or provision of unique Common Open Space amenities, including twenty (20) percent for woodlot preservation or provision of a permanent pond, both of which must be one acre or larger in size.

(7) Common Open Space: "Common Open Space" is defined as a parcel or parcels of land or an area of water or a combination of land and water designed and intended for the use or enjoyment of the residents of the PUD or of the general public. "Common Open Space" does not include proposed street rights-of-way, open parking area, or commercial areas. Common Open Space may contain accessory structures and improvements necessary or desirable for religious, educational, non-commercial, recreational or cultural uses. A variety of open space and recreational areas is encouraged such as: children's informal play areas in close proximity to individual dwelling units, according to the concentration of dwellings; formal parks, picnic areas; playgrounds; and scenic open areas and communal non-commercial, recreational facilities.

- (a) The area of Common Open Space within a PUD project may not be less than fifteen (15) percent of the total land area of the project.
- (b) All Common Open Space shown on the final development plan must be reserved or dedicated by lease or conveyance of title to a corporation, association or other legal entity, or by reservation by means of a restrictive covenant. The terms of such lease or other instrument must include provisions guaranteeing the continued use of such land for the purposes intended and for continuity of proper maintenance of those portions of the open space land requiring maintenance.

(8) Circulation Facilities: The arrangements of public and common ways for pedestrian and vehicular circulations shall be coordinated with other existing or planned streets in the area.

C. Procedures for PUD Special Use Permit:

- (1) Applications: Applications shall be submitted through the Township Clerk to the Planning Commission. (See Sec. 20.02).
- (2) Preliminary Review for Special Use Permit:
  - (a) In addition to those requirements set forth in Sec. 20.02, the developer must submit the following, for the initial phase of project review.
    - (1) A development plan, drawn to a readable scale, of the total property involved showing its location in the Township and its relationship to adjacent property.
    - (2) A site plan indicating the proposed types and location of dwelling units and the anticipated population density associated with each type as well as the entire project.
    - (3) A site plan indicating the location and purpose of all non-residential structures, traffic circulation, parking layout and pedestrian pathways.
    - (4) A site plan showing the acreage, nature and location of common open space, and a general statement as to the means by which the developer will guarantee its continuity and maintenance.
    - (5) Plans and data as may be required under ARTICLE XV.
  - (b) Following receipt and review of the application, the Planning Commission shall hold a legally advertised public hearing on the proposed development. Upon conclusion of the public hearing, the Planning Commission shall transmit a recommendation to the Township Board, as provided in Sec. 20.03.
- (3) Secondary Review for PUD Special Use Permit:
  - (a) Prior to receiving secondary approval, the developer must submit the following to the Planning Commission for their review.
    - (1) A site plan indicating engineering recommendations for water, sanitary sewer, storm drainage, natural gas, electric and telephone systems.
    - (2) A site plan indicating recommendations for road alignments with provisions for dealing with topography and soil conditions.

- (3) A site plan indicating existing contours and the final topographic conditions proposed for the site after grading.
- (4) A detailed landscaping plan.
- (5) A specific schedule of the intended development and construction details, including phasing or timing as they relate to open space, recreational features, common use areas, utilities and screening requirements.

(b) The Township Board will make a final decision to approve or deny the project based on Planning Commission review of final detailed information specified above. The Township Board shall state verbally and in written form its reasons for approval or denial of the project.

(4) Commencement and Construction: The applicant shall commence construction for an approved PUD within one (1) year following recording of approved final plat or Special Use Permit if no plat is necessary. Failure to do so will invalidate the permit. The applicant may request one (1) extension for not more than one (1) year from the Township Board, providing request is received prior to the expiration of the original permit.

**Sec. 20.08 Automobile Service Stations and Commercial Garages:**

A. Intent: It is the intent of this Section to provide standards for automobile service stations and commercial garages. Generally, automobile service stations will be located adjacent to arterial or collector streets and intended to serve residential neighborhoods. Commercial garages shall be located near high volume arterial highways.

B. Permitted Uses:

- (1) The following uses may be permitted in conjunction with automobile service stations:
  - (a) Retail sales of gasoline, oil and similar products.
  - (b) Retail sales of convenience items.
  - (c) Automobile washing.
  - (d) Automobile maintenance, including minor mechanical repairs.
- (2) The following use may be permitted in conjunction with commercial garages:
  - (a) Automobile towing, including parking of a wrecker and operative vehicles waiting for immediate repair.
  - (b) Parking and storage of inoperative vehicles, provided that such parking or storage area shall be within an enclosed building or shall be screened by an opaque fence not less than six (6) feet in height.
  - (c) Automobile body repairs.

C. Site Development Standards:

- (1) The Township Board shall only issue Special Use Permits for automobile service stations and commercial garages which comply with the following site development standards:
  - (a) The minimum site size shall be fifteen thousand (15,000) square feet and, in addition, the following:
    - (1) Gasoline service station shall have five hundred (500) square feet of site area for each additional pump over four (4), and one thousand (1,000) square feet of site area for each additional vehicle storage space.
    - (2) Commercial garages shall have one thousand (1,000) square feet of site area for each additional service bay over two (2). There shall also be three hundred (300) square feet of additional site area for each space intended for storage of inoperable vehicles.

- (b) The minimum site width shall be one hundred fifty (150) feet.
- (c) All points of entrance or exit for motor vehicles shall be no closer than thirty (30) feet from the intersection of the right-of-way lines for those streets on which it fronts. Points of entrance or exit for motor vehicles shall be no closer than twenty (20) feet from any adjacent property line. The minimum driveway width at the curb line shall be twenty-two (22) feet and the maximum driveway width at the curb line shall be thirty (30) feet. The minimum width of access drive shall be twenty- two (22) feet. The angle of intersection of the centerline of any drive-way with the centerline of the street shall not be less than sixty (60) degrees unless separate acceleration and deceleration lanes are provided.
- (d) A buffer strip not less than twenty five (25) feet wide shall be developed adjacent to all automobile service station and commercial garage site property lines. This buffer strip shall be graded with a berm at least three (3) feet above the highest ground elevation within twenty five (25) feet of the buffer strip. Berm slopes shall be sufficiently gradual to prevent erosion. The berm shall be continuous along that portion of the buffer strip which abuts adjacent property, except that it need be developed only along thirty (30) percent of the buffer strip laying adjacent to thoroughfare rights-of-way. The berm shall be designed and located so as not to interfere with the safety of persons or vehicles entering or leaving the area.
- (e) All equipment including hydraulic hoist, pits, and oil lubrication, greasing and automobile washing, repairing equipment and body repair shall be entirely enclosed within a building. Any such portion of a building containing auto body shop or washing areas shall consist of a solid masonry wall or equivalent, approved by the Zoning Administrator, with no openings other than those required for access. There shall be no outdoor storage of merchandise such as tire, lubricants and other accessory equipment except that outdoor trash storage may be provided in a properly screened container.
- (f) All activities, except those required to be performed at the fuel pump, shall be carried on inside a building between the hours of 7:00 P.M. and 7:00 A.M. All vehicles upon which work is performed shall be located entirely within a building during these hours.
- (g) There shall be no above ground tanks for the storage of gasoline, liquified petroleum gas, oil or other inflammable liquids or gas. All underground storage tanks shall be of double containment construction as well as conforming to all applicable federal and state laws.

**Sec. 20.09 Drive-in or Fast Food Restaurants:**

- A. Intent: It is the intent of this Section to provide development regulations for drive-in or fast food restaurants which potentially present special problems in their relationships to adjacent uses and traffic patterns in the districts in which they are permitted.
- B. Site Development Standards:
  - (1) The Township Board shall only issue Special Use Permits for drive-in restaurants which comply with the following site development standards:
    - (a) The minimum site size shall be twenty thousand (20,000) square feet.
    - (b) The minimum lot width shall be one hundred fifty (150) feet.
    - (c) All points of entrance or exit for motor vehicles shall be no closer than thirty (30) feet from the intersection of the right-of-way lines of two streets and no closer than twenty (20) feet from an adjacent property line. The minimum driveway width at the curb line shall be thirty (30) feet. No more than two driveway approaches shall be permitted on any street frontage.
    - (d) The outdoor space used for parking and vehicle stacking shall be hard surfaced and adequately drained.

- (e) All areas used for the storage of trash and rubbish shall be enclosed on at least three sides by a structure, with the fourth side or access point having a view-obstructing door.
- (f) Drive-in restaurant management shall provide adequate trash and litter containers, and policing for the parking lot and the shoulders of adjacent roadways. These areas shall be completely cleared of accumulated debris as often as necessary.

**Sec. 20.10 Public or Private Junkyards:**

- A. Intent: It is the intent of this Section that certain minimum standards of operation be established for junkyards as uses that because of prior functional characteristics have a high potential of impact surrounding properties or the aesthetic quality of the community as a whole.
- B. Such uses shall be established and maintained in accordance with all applicable State of Michigan statutes and regulations.
- C. The minimum site area allowable for a junkyard, shall be ten (10) acres.
- D. Shall be fenced around the entire periphery of the property in use with a solid screen of sound construction, painted, or otherwise finished neatly and inconspicuously.
- E. All activities shall be confined within the fenced areas. No equipment, material, or lighting shall be used or stored outside the fenced area.
- F. Fences shall be set back from any property line at least a distance equal to the height of the fence, unless the fence faces a public street, in which case it shall be set back at least one hundred (100) feet.
- G. No burning beyond the limited amount normally associated with a residence shall be permitted.
- H. Junk, automobiles or other debris may not be stacked in any manner such that it could be visible outside the site. Junk yards shall not be located in areas which are impossible to screen from view from adjacent properties or public streets.

**Sec. 20.11 Public or Private Sanitary Landfills:**

- A. Intent: It is the intent of this Section that as with other special uses, certain minimum standards of construction and operation be established for sanitary landfills. Said standards are those required by the State of Michigan, adopted herein by reference. Given the significant potential impacts of such a use, the township Board reserves the option of imposing additional, reasonable requirements or safeguards.
- B. All landfills shall be established and maintained in accordance with all applicable State of Michigan statutes and regulations.
- C. Approval of the site plan and site geologic suitability must be obtained from the appropriate regulatory division within the Department of Natural Resources prior to review of a Special Use Permit application.
- D. All minimum conditions, safeguards and operating procedures as specified within Act 641 of the Public Acts of 1978, (Solid Waste Management Act) as amended or rules and regulations promulgated thereto, shall be complied with. The Township Board may impose such additional conditions, safeguards or operating procedures deemed necessary for the public health, safety and general welfare; the protection of individual properties; and for insuring the intent and purpose of this Ordinance.

**Sec. 20.12 Mobile Home Parks:**

A. Intent: It is the intent of this Section to provide for the establishment in a district of comparable intensity of land use, well designed mobile home parks. The regulations and conditions contained in this Section are designed to ensure that mobile home parks will provide a comfortable and pleasing environment for persons who seek mobile home residence. Regulations and conditions contained in this Section are intended to ensure that mobile home park developments will be served adequately by essential public facilities and services such as access streets, public water, sanitary sewer and storm drainage facilities, refuse disposal, schools, and police and fire protection. The Township Board may, by the issuance of a Special Use Permit, authorize the establishment of a mobile home park in the Urban Residential District. Authorization shall be granted only when all the applicable procedures and requirements stated wherein are complied with.

B. General Requirements, Restrictions and Standards:

- (1) Minimum Project Area: Minimum project area for a mobile home park development shall be ten (10) acres.
- (2) Location: Mobile home parks may be located only in the Urban Residential District, upon approval of the Planning Commission and in accordance with the following standards:
  - (a) The site shall be adjacent to and serviced by a major arterial or county primary street.
  - (b) The site shall be serviced by existing essential public facilities and services, if available, such as access streets, public water, sanitary sewer and storm drainage facilities, and police and fire protection.
- (3) Uses Permitted: Only the following land and/or building uses may be permitted under the provisions of this Section:
  - (a) Mobile homes as defined in this Ordinance.
  - (b) One office building exclusively for conducting the business operations of the mobile home park.
  - (c) Utility buildings for laundry facilities and auxiliary storage space for mobile home tenants.
  - (d) Recreation areas, community building, playground and open space for use by mobile home park tenants.
  - (e) New or used mobile homes located on lots within the mobile home development to be used and occupied within the mobile home park may be sold by a licensed dealer and/or broker. This section shall not prohibit the sale of a new or used mobile home by a resident of the mobile home development provided the development permits the sale. The business of selling new and/or used mobile homes as a commercial operation in connection with the operation of a mobile home development is prohibited.
  - (f) Signs pertaining exclusively to the mobile home park.
- (4) General Development Standards:
  - (a) The design and development of mobile home parks shall be subject to all current provisions of the Mobile Home Commission General Rules as adopted by the Michigan Mobile Home Commission, which are hereby incorporated by reference as a part of this Ordinance.
  - (b) The mobile home park shall be developed with sites averaging 5,500 square feet per mobile home unit. This 5,500 square feet for any one site may be reduced by 20 percent provided that the individual site shall be equal to at least 4,400 square feet. For each square foot of land gained through the reduction of a site below 5,500 square feet, at least an equal amount of land shall be dedicated as open space.

(5) Operating Standards:

- (a) The operation and business practices of mobile home parks shall be subject to all current provisions of the Mobile Home Commission General Rules as adopted by the Michigan Mobile Home Commission, which are hereby incorporated by reference as a part of this Ordinance.
- (b) No part of any mobile home park shall be used for non-residential purposes, except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of mobile home parks.
- (c) Home occupations shall be prohibited from mobile home parks.
- (d) The keeping of livestock shall be prohibited from mobile home parks.

**Sec. 20.13 Accessory Apartment of "Echo" Housing:**

A. Intent: It is the intent of this Section to provide standards that will allow extended family living in what have traditionally been single-family only, zoning districts and neighborhoods. Such provisions will permit the conversion of a single-family dwelling to include an accessory apartment, as a means of accommodating an elderly parent or other family member, or extending the economic life of a large, older home. Also permitted will be the placement of detached, removable, self-contained residential units designed for installation on the same lot as the principal dwelling - usually in the back yard. It is intended that by providing housing opportunities for the elderly or an extended household - allowing independence, yet close contact to younger family members - a vital need can be met, yet without diminishing the quality of affected neighborhoods.

B. Accessory Apartment: In addition to those requirements set forth in Sec. 20.02, the following provisions shall be met.

- (1) Only owner-occupiers are permitted to install or rent accessory apartments.
- (2) There shall be no visible change in the exterior appearance of the dwelling containing the accessory apartment.
- (3) All improvements associated with construction of the accessory apartment shall meet current, applicable codes.
- (4) Any additional parking as needed or required by this ordinance shall be provided in off-street space.
- (5) Adequate provision for wastewater disposal, either by public sanitary sewer or expanded private on-site facilities, shall be required.

C. Elder Cottage Housing Opportunities (ECHO): In addition to those requirements set forth in Sec. 20.02, the following provisions shall be met.

- (1) Only owner-occupiers of the principal dwelling are permitted to install echo housing units.
- (2) Said echo housing units shall be temporary in nature and are to be removed upon cessation of the occupancy for which they are intended. Special Use Permits for echo housing may be issued for time periods as determined by the Township Board.
- (3) The front and side yard requirements applicable to the principal dwelling shall be complied with in placement of the echo housing unit. The Township Board shall determine rear yard requirements upon consideration of lot size and placement of surrounding structures or uses.
- (4) The echo housing unit shall meet all applicable codes for manufactured housing or mobile home dwelling.
- (5) Any additional parking as needed or required by this ordinance shall be provided in off-street space.
- (6) The Township Board may impose any other reasonable conditions including lot coverage, landscaping, skirting of mobile home units and similar requirements deemed necessary to protect adjoining properties and the public welfare.

*(Sec. 20.14 and 20.15 amended 5-1-11)*

*(Sec. 20.03 amended 8-20-12)*

*(Sec. 20.14 and 20.15 deleted 6-16-14)*