

GUN PLAIN CHARTER TOWNSHIP, ALLEGAN COUNTY, MICHIGAN
AMENDMENT TO THE GUN PLAIN CHARTER TOWNSHIP ZONING ORDINANCE
Ordinance No. 195

Adopted: _____

Effective: _____

AN ORDINANCE TO AMEND THE GUN PLAIN CHARTER TOWNSHIP ZONING ORDINANCE TO PERMIT AND REGULATE ACCESSORY DWELLING UNITS.

GUN PLAIN CHARTER TOWNSHIP, ALLEGAN COUNTY, MICHIGAN, ORDAINS:

At a regular meeting of the Township Board for the Charter Township of Gun Plain, Allegan County, Michigan, held at the Township Hall on _____, the following amendment to the Gun Plain Charter Township Zoning Ordinance was offered for adoption by Township Board Member _____ and seconded by Township Board Member _____.

Yeas: _____,
_____, _____,
_____.

Nays: _____,
_____, _____.

Motion _____ Passed _____ Failed

ARTICLE I. Add the following Section to the Gun Plain Charter Township Zoning Ordinance to Read as Follows:

1. **Amend Section 3.02(Definitions) to add the following terms:**
 - a. **IN-LAW SUITE.** A room, suite or set of rooms that provide secondary living quarters to extend the space, size or privacy of a single-family dwelling, connected through finished living space.
 - b. **DWELLING UNIT, ACCESSORY.** A secondary dwelling unit upon a parcel that has an existing principal residence. An Accessory Dwelling Unit may also be referred to as a Guest House.
2. **Amend Section 4.03. USES PERMITTED BY SPECIAL USE PERMIT (within the AG Agricultural Zoning District) to add 4.03.J: Accessory Dwelling Units subject to Section 17.36**
3. **Amend Section 5.03. USES PERMITTED BY SPECIAL USE PERMIT (within the R-1 Very Low Density Zoning District) to add 5.03.M: Accessory Dwelling Units subject to Section 17.36**

4. **Amend Section 6.03. USES PERMITTED BY SPECIAL USE PERMIT (within the R-2 Low Density Residential Zoning District) to add 6.03.G: Accessory Dwelling Units subject to Section 17.36**

5. **Amend Section 7.03. USES PERMITTED BY SPECIAL USE PERMIT (within the R-3 Medium Density Residential Zoning District) to add 7.03.H: Accessory Dwelling Units subject to Section 17.36.**

6. **Add Section 17.36. ACCESSORY DWELLING UNITS, to read as follows:**

17.36. ACCESSORY DWELLING UNITS.

A. Purpose and Intent.

Gun Plain Charter Township recognizes a need to provide alternative housing arrangements to support changing trends in housing needs as well as more efficient use of existing properties within its bounds. The Township has identified accessory dwelling units as an opportunity to provide for smaller and more affordable housing options that may support housing needs for smaller households, seniors, and persons with disabilities that may otherwise have reduced access to traditional affordable dwellings available within the Township. Further, the Township finds that by providing an option for additional dwellings to be created upon existing residentially used parcels, the ability to allow for population growth may be served with less negative impact or reduction of valuable agricultural lands.

B. Regulations.

One accessory dwelling unit and one in-law suite may be permitted on a parcel occupied by a principal dwelling in the Agricultural, R-1, R-2 or R-3 zoning district where dwelling units are permitted. Attached accessory dwelling units shall be permitted by right and detached accessory dwelling units shall be permitted by special use, subject to the following standards as well as the general standards for special uses in Section **22.01.E** of the Gun Plain Charter Township Zoning Ordinance.

C. In-law suites.

In-law suites shall be permitted by right wherever residential dwelling units are permitted, however they must be located within or connected to the principal dwelling by finished living space. In-law suites are not considered Accessory Dwelling Units and may not be used as a separate dwelling space. See *Definitions* in Section 3.02 for additional information.

D. Dimensional Standards.

1. A detached accessory dwelling unit shall not be located closer to the front lot line than the existing principal dwelling unit. In the case of corner lots, the detached accessory dwelling unit shall not be located closer than the required front setback to the adjacent right-of-way that is used as a side yard by the principal dwelling. Minimum side and rear yard requirements of underlying zoning district for principal dwellings shall be met.
2. Minimum usable floor area of accessory dwelling units shall be 200 square feet. Maximum usable floor area shall not exceed 75% of the total above-grade floor area of the principal dwelling upon the parcel nor exceed 1,200 square feet, whichever is the lesser amount.

3. Minimum permitted lot area for establishment of an accessory dwelling unit shall be two acres.
4. Detached accessory dwelling units must be located not less than 10 or more than 100 feet from the existing principal dwelling unit.
5. Attached Accessory Dwelling Units shall share a common wall with the existing dwelling unit.

E. Additional Standards.

1. The accessory dwelling unit may not be sold separately from the single-family dwelling on the lot unless it is sold as a principal dwelling as part of a lot meeting all minimum standards for lot and dwelling unit bulk standards effective at the date of approved land division.
2. The owner must occupy and maintain one dwelling unit (either the principal dwelling or the accessory dwelling unit) on the parcel as their principal residence.
3. The accessory dwelling unit, whether attached or detached, shall comply with current State of Michigan Construction standards and Public Service Commission requirements through issuance of an approved building permit and any other such approvals required by applicable authoritative agencies to qualify as a residential dwelling unit. No occupation of any principal or accessory dwelling is permitted until a Certificate of Occupancy is granted by the Building Official.
4. A minimum of one (1) off street parking space per accessory dwelling unit shall be provided on the parcel which serves it in addition to the minimum two (2) parking spots required to serve the existing single-family home. Access to accessory dwelling units via existing or proposed driveways and existing or proposed sidewalk connections shall be subject to review and approval by the Planning Commission.
5. The proposed Accessory Dwelling Unit must be pre-approved by the Allegan County Health Department for septic and well use- whether new or connected to an existing or upgraded system or be eligible to connect to municipal water and sewer and approved by the corresponding authority.
6. A detached accessory dwelling unit shall be firmly attached to a permanent foundation constructed onsite in accordance with State of Michigan residential building code. Use of tents, yurts, shipping containers, campers, motorhomes, or other recreational vehicles or temporary or permanent accessory structures outside of the regulations listed herein is prohibited.
7. Except for as specifically provided for within this section, all minimum standards for dwelling units as required in Section 19.04 herein shall apply to all accessory dwelling units.

ARTICLE II. SEVERABILITY:

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and shall remain valid and in effect.

ARTICLE III. REPEAL AND EFFECTIVE DATE:

This Ordinance is ordered to take effect the eighth day following publication of notice of its adoption in accordance with the Michigan Public Act 110 of 2006 as amended. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

_____ *Date:* _____
Martha Meert, Gun Plain Charter Township Clerk

Publication date: _____

Effective date: _____