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\_\_\_\_\_ TOWNSHIP

WEXFORD COUNTY, MICHIGAN

ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO AMEND THE WEXFORD JOINT ZONING ORDINANCE EFFECTIVE DECEMBER 31, 2016 BY AMENDING THE DEFINITIONS AND GENERAL REGULATIONS TO ADD PROVISIONS FOR ACCESSORY DWELLING UNITS AND ADDITIONAL LIVING UNITS IN SELECT ZONING DISTRICTS TO AMEND THE WEXFORD JOINT ZONING ORDINANCE, EFFECTIVE DECEMBER 31, 2016 AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH

THE TOWNSHIP OF \_\_\_\_\_ ORDAINS:

**Section 1. Purpose**

The purpose of this ordinance is to: Provide for various housing accommodations by recognizing the challenges facing the jurisdiction of the Wexford Joint Planning Commission in Wexford County by addressing the relatively homogeneous housing stock which is typified by ‘single-family dwelling units’, and to address and allow higher density residential uses where the land will otherwise support it recognizing the lack of installed water and sewer systems while protecting natural resources and the environment.

**Section 2. Amendment to Article 5, Section 505 Definitions of Uses**

Article 5, Section 505 is hereby amended to add the following definitions inserted in alphabetical order:

**Accessory Dwelling Unit (ADU) means** a smaller, independent dwelling unit located on the same lot or parcel of land as a stand-alone (i.e., detached) single-family dwelling or duplex. ADU’s include but are not limited to accessory apartments, secondary suites, granny flats, etc. ADU’s can be converted portions of existing homes, additions to new or existing homes, (i.e., attached ADU’s), or new stand-alone accessory structures (i.e., detached ADU’s).

25 **Additional Living Unit (ALU) means** the use of space withing an existing dwelling for additional  
26 separate living quarters.

27 **Section 3. Amendment to Article 10, Section 1081**

28 Article 10, Section 1081 is hereby amended in its entirety to read as follows:

29 1081. Accessory Dwelling Units and Additional Living Units

30 A. The purpose of this section is to provide additional affordable housing opportunities while at  
31 the same time protecting the character of a dwelling and single-family neighborhoods.

32 B. Regardless of regulations elsewhere in this Ordinance, one (1) ALU or ADU may be  
33 permitted on a parcel of land in any zoning district if the following conditions are met:

34 1. The ADU/ALU shall be clearly incidental to the principal residential use.

35 Accordingly, the following conditions shall be met:

36 a. The ALU remains an accessory use to the dwelling, and does not result in the creation  
37 of an apartment building.

38 b. The total floor area of an ADU shall not exceed the square footage of the first  
39 floor of the primary structure.

40 c. The ALU and ADU may be rented by the month, or sold, or leased, so the  
41 tenants or owners are permanent residents rather than transients.

42 e. An ADU / ALU shall not be used for purposes of a short-term rental (i.e., less than 30 days).

43 f. Only one (1) front entrance to an ALU shall be visible from the front yard, so  
44 there is no external evidence of occupancy by more than one living unit family.

45 g. The ALU/ADU has been permitted by all other relevant agencies. The sewer  
46 capacity is found to be adequate for the site and area by the respective health department.

47 h. The ALU/ADU is on a parcel with frontage on a public road, with a  
48 driveway adequate to provide off-road parking, which has access to a public road  
49 or alley.

50 i. Parking and Access - In addition to required parking for the principal residence,  
51 one (1) additional parking space shall be provided for an ADU and ALU.

52 2. Compatibility with Surrounding Land Use - The design and use of the ALU or ADU  
53 shall not detract from the single-family character and appearances of the principal  
54 residence or the surrounding neighborhood as determined by the reviewing official. When an  
55 ALU is viewed from the outside, it shall appear that only one household occupies the site.

56 Section 4. Severability:

57 Should any provisions of this Ordinance or any part thereof be held unconstitutional or invalid,  
58 such holding shall not be construed as affecting the validity of any of the remaining provisions  
59 hereof or of any other provisions of the Wexford Joint Zoning Ordinance.

60 Section 5. Repeal:

61 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby  
62 repealed.

63 Section 6. Effective date:

64 This Ordinance shall be effective at 12:01 a.m. on the 8th day following its adoption and  
65 publication as required by law.