

MARTIN TOWNSHIP, ALLEGAN COUNTY, MICHIGAN

AMENDMENT TO THE MARTIN TOWNSHIP ZONING ORDINANCE - Ordinance No. 134

Adopted:

Effective: _____

AN ORDINANCE TO AMEND THE OFFICIAL MARTIN TOWNSHIP ZONING ORDINANCE TO CLARIFY STANDARDS FOR SPECIAL USE PERMIT APPROVALS

MARTIN TOWNSHIP, ALLEGAN COUNTY, MICHIGAN, ORDAINS:

At a regular meeting of the Township Board for the Township of Martin, Allegan County, Michigan, held at the Township Hall on 12/14/2022, the following amendment to the Martin Township Zoning Ordinance was offered for adoption by Township Board Member Schipper and seconded by Township Board Member Tremeyer.

Yeas: Sipple, Schipper, Smit, Tremeyer, Keep.

Nays: _____, _____, _____, _____.

Motion Passed _____ Failed

ARTICLE I. AMEND SECTION 13.1 OF THE MARTIN TOWNSHIP ZONING ORDINANCE IN ITS ENTIRETY TO READ AS FOLLOWS:

SECTION 13.1 SPECIAL EXCEPTION USE STANDARDS. In order to make this Ordinance a flexible zoning control to simultaneously protect the general health, safety and welfare of the community, and also facilitate orderly and compatible development of property within the Township, the Township Planning Commission, in addition to its other functions, is authorized to approve the establishment of certain uses designated as Special Exception Uses within the various zoning districts set forth in this Ordinance.

Such Special Exception Uses have been selected because of the unique characteristics of the use which, in the particular zoning district involved, under certain physical circumstances and without proper controls and limitations, might cause it to be incompatible with the other uses permitted in such zoning district and accordingly be detrimental thereto. Special Exception Uses also require site plan approval under Section 4.28 of this Ordinance. With all of this in mind, a Special Exception Use is not allowed within the particular zoning district in which it is proposed unless and until the Township Planning Commission, under the conditions, controls, limitations, circumstances and safeguards proposed, and imposed by said Commission, determines that the proposed use will meet all of the following standards:

1. The use will be constructed, operated and maintained in a manner that is harmonious and consistent in appearance, size, intensity, scope and scale with the existing or intended essential character of the general vicinity (which includes the adjoining lots and all other lots and uses within 1,000 feet of the lot involved);


2. The use will be adequately served by existing public services and facilities, such as highways, streets, sheriff, state police, fire protection, drainage, water and sewer facilities, and will not cause unreasonable traffic congestion or otherwise burden the public roads, streets and utilities in the area;
3. The use will avoid adversely affecting the public health, safety, and general welfare of the community by incorporating uses, activities, processes, materials, equipment or conditions of operation that are reasonable and appropriate as determined by the Planning Commission;
4. The use will be consistent with the intent and purpose of the zoning district in which such use will be located and not set precedents for development which could adversely affect the long term plans and policies of the Township;
5. The use will be reasonable as determined by the Planning Commission; and,
6. The use will be compatible and in accordance with the Martin Township Master Plan

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.



Rachelle Smit, Martin Township Clerk

Date: 12/14/22

Publication date: _____

Effective date: _____