

ORDINANCE NO. 246

AN ORDINANCE TO AMEND ORDINANCE NUMBER 116, BEING THE ZONING ORDINANCE OF THE TOWNSHIP OF LARKIN, COUNTY OF MIDLAND, MICHIGAN.

The Township of Larkin, County of Midland, Michigan ordains, pursuant to the authority vested in it by Act 184 of 1943 of the Public Acts of the State of Michigan as amended, the following Zoning Ordinance Amendments to the Larkin Township Zoning Ordinance.

SECTION 1.

Article 2, Definitions, is amended by the addition of the following defined terms which shall read as follows.

Bed and Breakfast - a residence occupied by the owner or owner's representative which has guest room units available for short term overnight occupancy and breakfast, not exceeding thirty consecutive days per guest.

Retreat Center - a facility for short term stays, hospitality, educational activities, training activities, conferences, contemplative activities, and other short term functions. It strives to preserve natural features and the open space character of its setting.

SECTION 2.

Article 4, Zone I - Residential A, at Section 4.1, Uses Permitted, is amended by the addition of Sub-Section 4.1.1.I, within Principal uses and buildings, which shall read as follows.

- I. Bed & Breakfast establishments.
 1. Two guest room units are allowed for a residence meeting the minimum lot area for the zone. One additional guest room unit is allowed for each one acre by which the residential parcel exceeds the minimum, up to a maximum of six (6) total guest units for any Bed & Breakfast.
 2. Bed & Breakfast establishments shall meet any other requirements specified in any Federal, State of Michigan or Midland County standards, rules, or codes.

3. Bed & Breakfast establishments shall be subject to and comply with the Site Plan Review provisions of Article 17. In its review of site plans for Bed & Breakfast establishments, the approving officials shall prioritize ensuring compliance with the guest room limitations and minimum lot area herein and to maintaining the residential character of the establishment and surrounding area. If relief from application detail or any specific site plan requirements of Article 17, e.g., driveway or lighting, are necessary to that end they may be waived by the approving officials. Parking for Bed & Breakfast establishment guests shall be as provided in Article 14.

SECTION 3.

Article 8, Zone V - Agricultural, at Section 8.3, Uses Allowed by Special Use Permit, is amended by the addition of sub-section 8.3.3 which shall read as follows:

3. Retreat Centers.

SECTION 4.

Article 10, Zone VII (Commercial "A"), at its Section 10.2 Uses Permitted, is amended at its Section 10.2.5 which shall hereafter read as follows.

- 10.2.5 Assembly buildings, including fraternal organizations, auditoriums, private clubs and retreat centers.

SECTION 5.

Article 16, Special Use Permits, is amended by the addition of Section 16.14 Specific Standards for Retreat Centers, which shall read as follows.

16.14 Specific Standards for Retreat Centers - In addition to the general application, filing and operation requirement for all special use permit applications and special use operations, the following regulations shall be met by all retreat centers.

1. Specific Filing Regulations - In addition to the general filing regulations, applications for special use permit for retreat centers shall include:
 - A. The site plan shall include a drawing, in a consistent scale of not less than one inch equals three hundred (1" = 300') feet, setting

forth the site involved and its property lines, together with existing and proposed structures, buildings, natural features, and permitted accessory uses and including the following:

1. Property lines for all properties lying within 300 feet of the property lines of the subject parcel as well as all buildings, structures, improvements and natural barriers or vegetation within 300 feet of the property lines of the subject parcel.
 2. Anticipated traffic volumes into the site during normal and anticipated operations and detailing the capability of the roads to the site to handle the traffic to the site.
 3. Areas for parking of patron vehicles, employee vehicles, maintenance vehicles and equipment and for deliveries.
 4. All exterior lighting.
2. Ownership and Management - At least the owner or one full time staff member must reside on the Retreat Center premises. The residence may include family quarters and up to eight guest room units. The Retreat Center premises may also include housing facilities for additional Retreat Center staff members.
3. Minimum parcel size - All retreat centers shall be situated upon a parcel or group of contiguous parcels containing no less than 40 acres owned by the same entity or individual. For each additional acre over 40 in the parcel or group of contiguous parcels owned by the same entity or individual, one additional guest unit is allowed. For every ten guests or fraction thereof attending pre-registered and invited guest functions, there shall be a minimum of one additional acre required over 40 in the parcel or group of contiguous parcels owned by the same entity or individual.
4. Site Location - Retreat Centers shall have immediate and direct ingress and egress access to no less than one publicly dedicated road under the jurisdiction of the Midland County Road Commission. If access is through a different legally described parcel than the one on which the Retreat Center is located, that parcel must be under the same ownership as the Retreat Center Parcel. Patron, delivery and service access to the site shall be from such ingress and egress access.

5. Accessory Uses - Group gathering facilities, food service for guests, short term overnight facilities and retail sales are permitted accessory uses, subject to the following.

A. Group gathering facility - Any structure or meeting site within the Retreat Center property shall be located at least 100 feet from any property line.

B. Food service - Food and beverage service shall be for registered and invited individuals and groups only. The use or providing of any alcoholic beverages within the Retreat Center shall be validly licensed by the Michigan Liquor Control Commission for the type of service provided and alcoholic beverages shall not be served or provided in violation of applicable Liquor Control Commission regulations.

C. Overnight facilities may be included within the Retreat Center property in one or more structures, however the total number of overnight guest units and permanent residences shall not exceed the allowable residential density of the zoning district.

D. Retail sales - Retail sales shall be limited to items or services typical of Retreat Center facilities as described herein.

6. Lighting - Lighting shall be shielded and directed away from all adjoining properties.

7. Off Street Parking - Off street parking shall be provided in required in Article 14. In addition, circulation and access shall be adequate and necessary for normal operations of the Retreat Center. All parking areas shall be located at least 100 feet from all property lines and road rights of way.

8. Use of any part of an Agricultural parcel as a Retreat Center does not prohibit any other use permitted in an Agricultural zone. Minimum acreage requirements set forth for this use shall not be cumulative for such additional uses.

9. Upon request by an applicant, the Zoning Board of Appeals may grant a variance to the requirements of this Section 16.14.

SECTION 5.

Article 14, Required Off Street Parking and Access, at its Section 14.2, Parking Spaces Required, Sub-Sections 14.2.4 and 14.2.10, is amended to hereafter read as follows.

14.2.4. Dance Halls, Private Clubs, Lodges, Fraternal Lodges, Retreat Centers and other such places of frequent public assembly - 1 space for each 100 square feet of floor area, plus 1 space for each overnight guest unit.

14.2.10 Motels, Tourist Homes, Bed & Breakfast establishments and Trailer Courts - 1 space for each guest room, cabin or trailer parking space.

SECTION 6.

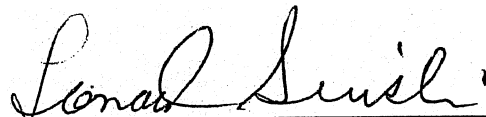
All ordinances and amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 7.

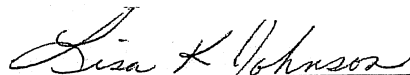
This ordinance shall become effective on the eight (8th) day following publication thereof.

Adopted by the Township Board, Township of Larkin, Midland County, Michigan, at a meeting of the Township board held on the 10 day of January, 2005.

Dated: 1-10, 2005



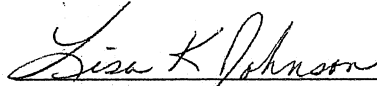
Leonard Servinski, Supervisor



Lisa K. Johnson, Clerk

CERTIFICATION

The above Ordinance No. 246 was adopted at a meeting of the Larkin Township Board on the 10 day of January, 2006, and published in the Midland Daily News, a newspaper of general circulation in the Township of Larkin, on the 6 day of January, 2006.



Lisa K. Johnson, Clerk
Larkin Township