

MUSKEGON CHARTER TOWNSHIP
COUNTY OF MUSKEGON
STATE OF MICHIGAN
AN ORDINANCE TO AMEND THE ZONING ORDINANCE
FOR THE CHARTER TOWNSHIP OF MUSKEGON TOWNSHIP
BY IMPLEMENTING A NEW ZONING DISTRICT, TINY HOME DEVELOPMENT (THD)

Ordinance 24-03

THE CHARTER TOWNSHIP OF MUSKEGON ORDAINS:

Section 1. Purpose.

This amendment is intended to add a new zoning district called Tiny Home Development (THD) to provide an underlying zoning district for residential Planned Unit Developments (PUD) for tiny homes as well as provide guidance and parameters for tiny homes within the THD PUD.

Section 2. That a new division be added to the Muskegon Charter Township Code of Ordinances as follows:

DIVISION 17. – TINY HOME DEVELOPMENT (THD)

Section 3. That a new Section 58-330 be added within the new Division 17 TINY HOME DEVELOPMENT (THD) to the Zoning Ordinance of Muskegon Township titled “Purpose” by adding thereto new language to read as follows:

Sec. 58-330. - Purpose.

The THD district allows the development of tiny home residential communities which are consistent with and promote the general health, safety, convenience and welfare of the citizens residing in tiny home residential developments.

Section 4. That a new Section 58-331 be added within the new Division 17 TINY HOME DEVELOPMENT (THD) to the Zoning Ordinance of Muskegon Township titled “Permitted Uses” by adding thereto new language to read as follows:

Sec. 58-331. - Permitted uses.

There are no permitted uses in the THD district.

Section 5. That a new Section 58-332 be added within the new Division 17 TINY HOME DEVELOPMENT (THD) to the Zoning Ordinance of Muskegon Township titled “Special Uses” by adding thereto new language to read as follows:

Sec. 58-332. - Special uses.

The following are special uses in the THD district:

Tiny home developments approved subject to Section 58-72 Planned Unit Developments of the Muskegon Charter Township Code of Ordinances. Tiny homes are not permitted outside of THD communities.

Section 6. That a new Section 58-333 be added within the new Division 17 TINY HOME DEVELOPMENT (THD) to the Zoning Ordinance of Muskegon Township titled "Use Requirements" by adding thereto new language to read as follows:

Sec. 58-333. – Use Requirements.

Use requirements are adjusted in accordance with Section 58-72 "Planned unit developments" however shall not be adjusted below the following thresholds:

- (1) Tiny homes, in accordance with this Division, are the only permitted dwelling units within a THD District.
- (2) Minimum lot area: 4,600 square feet.
- (3) Minimum lot frontage: 40 feet.
- (4) Maximum percentage of building coverage: 20 percent.
- (5) Yard Setbacks
 - a. Front: 25 Feet
 - b. Rear: 25 Feet (40 Feet if adjacent to existing and developed Residential Zoned property including Residential Site Condominiums and Residential PUD's)
 - c. Side: 8 Feet
- (6) Maximum building height: 1 and ½ story above grade or 20 feet to the peak.
- (7) Section 58-72 (c) (8) of the Muskegon Township Code of Ordinances Open space requirement is adjusted for THD PUD's to the area of common open space within a THD PUD shall not be less than 10 percent of the total land area of a PUD containing tiny homes.
- (8) Each lot within the development must have a deed restriction that the dwelling unit upon the lot must be owner occupied. No rentals. Further this requirement must be described within any home owners association document if created and in the development agreement. Further, violations of this requirement will result in \$500 per day state civil infraction penalties.

- (9) Detached Accessory structures within a THD PUD are limited as follows:
 - a. Shall be limited to one (1) per developed lot.
 - b. Shall be limited to 120 square feet or smaller.
 - c. Must be built in the same manner as the dwelling and match in appearance to the dwelling.
 - d. The development agreement must dictate the location on the individual lots where the detached accessory structure can be placed. If the development agreement and Planning Commission approve it in the front yard, it can not be closer than fifteen (10) feet from the road right of way.
 - e. Must be at least six (6) feet from dwelling and at least three (3) feet from side or rear property line.

Section 7. That a new Section 58-334 be added within the new Division 17 TINY HOME DEVELOPMENT (THD) to the Zoning Ordinance of Muskegon Township titled "Tiny Home Requirements" by adding thereto new language to read as follows:

Sec. 58-334 - Tiny Home requirements.

- (1) Tiny homes must be at least 240 square feet and less than 500 square feet.
- (2) Tiny home walls must be made of either solid wood or metal and the roof must be metal.
- (3) Tiny homes must have double-paned windows and the doors must be insulated.
- (4) Tiny homes must have a smoke and carbon monoxide detector in compliance with the International Fire Code (IFC).
- (5) Tiny homes must be connected to municipal water and sewer as required for all PUD's.
- (6) Tiny homes must have running water, flushing toilets, bathing facilities and electricity.
- (7) Tiny home must be constructed on a permanent concrete foundation and built in accordance with Michigan Residential Code. No basements.
 - (a) Tiny homes on wheels and approved under the Michigan Vehicle Code are strictly prohibited.
 - (b) Tiny homes constructed using shipping containers is strictly prohibited.
- (8) All tiny homes shall comply with the Michigan Residential Code and Michigan Tiny Home regulations as amended, and any amendatory acts and regulations that become applicable.

Section 8. That a new Section 58-335 be added within the new Division 17 TINY HOME DEVELOPMENT (THD) to the Zoning Ordinance of Muskegon Township titled: “Power to make additional requirements.,” by adding thereto new language to read as follows:

Sec. 58-335. – Power to make additional requirements.

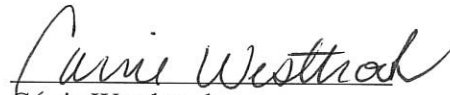
Nothing contained herein shall restrict the power of the planning commission and township board under state law or other pertinent provisions of this chapter from making requirements set forth in section 58-333 more stringent.

Section 9. Severability.

The provisions of this Ordinance are declared to be severable, and the holding of any court of competent jurisdiction that any section hereof is invalid shall not impair or invalidate any other section.

Section 9. Repeal of Conflicting Ordinances: All Ordinances in conflict with this Ordinance to the extent of such conflict are hereby repealed.

Section 10. Effective Date. This ordinance shall be effective ten (10) days after adoption.


Carrie Westbrook
Muskegon Charter Township Clerk

Introduced: June 17, 2024

Adopted:

Published:

Effective: