

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE FOR
THE VILLAGE OF SHEPHERD MICHIGAN
April 2015**

An ordinance to amend the Village of Shepherd Zoning Ordinance to include a section on zoning for Assisted Living Residences

THE VILLAGE OF SHEPHERD ORDAINS:

SECTION 1306 ASSISTED LIVING RESIDENCES/STATE LICENSED RESIDENTIAL FACILITIES

1. PURPOSE

The purpose of this section is to provide for Assisted Living Residences in the Village of Shepherd. Assisted Living is a combination of housing and personalized care to provide a homelike setting for adults who require help with daily living activities but do not require skilled medical care.

2. LOCATION

Assisted Living Residences for 6 or fewer persons shall be permitted in all residential Districts in the Village in accordance with the requirements for a residence in each zone and Assisting Living Residences for 7 or more persons shall be permitted in all residential districts in the village but only by Special Exception in accordance with the requirements set forth in this Section.

3. APPLICATION REQUIREMENTS

In addition to all other permit application requirements of the Village Zoning Ordinance the application for an assisted living residence shall include the following information:

- a. The type of persons, which the residence is intended to serve.
- b. The maximum number of occupants
- c. The hours of operation
- d. Support services provided on-site
- e. Projected staffing levels

4. LOCATION STANDARDS

- a. There shall be no adverse impacts on adjoining properties or land uses from operation of the Assisted Living Residence
- b. The development of the residence will not be a hazard to the occupants.
- c. Operation of the residence will not harm the health, safety or general welfare of the surrounding neighborhood
- d. The residence shall be located with access to public transportation
- e. The residence shall be accessible to necessary support services
- f. The residence shall be separated by at least 30 feet from all other housing in the zone where it is located

5. OPERATION OF THE ASSISTED LIVING RESIDENCE

- a. The Assisted Living Residence shall be integrated into the existing terrain and surrounding landscape and shall be designed to protect abutting properties and community amenities and shall be consistent with the character of the neighborhood where it is located.
- b. Off-street parking shall be provided pursuant to the requirements of Article XIV, Section 1411 and as otherwise may be required through the permit process. The precise number of parking spaces required will be determined based upon the characteristics of each Assisted Living Residence but shall be a minimum of one parking space for every three beds.
- c. Both indoor and outdoor open areas should be provided on site.
- d. All lighting fixtures shall be directed away from adjacent properties and public right-of-ways. The height of light poles shall be determined through the permit process.
- e. The Assisted living Residence shall meet all requirements of such use made by the County of Isabella Building Inspector.
- f. The Assisted Living Residence shall comply with all Federal Laws and Regulations and with all laws of the State of Michigan and all rules and regulations of the Michigan Department of Human Services.
- g. The Assisted Living Residence shall be set back at least 20 feet from every property line and shall not be located within any front yard.
- h. The Village Planning Commission or Village Council, on appeal, may modify any of the above requirements if a finding is made that such modifications will not be detrimental to the health and safety of the residents of the Assisted Living Home or the surrounding residents.

6. EFFECTIVE DATE

This ordinance shall be effective fifteen (15) days after publication by the Shepherd Village Council.

WE certify that the foregoing amendment of this ordinance was duly enacted by the Village Council of the Village of Shepherd, Isabella County, Michigan on the 10 day of April, 2015.


Lee Coughlin, Village President

Attests:

Gina L. Gross, Village Clerk