

**WEBBER TOWNSHIP**  
**LAKE COUNTY, MICHIGAN**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE WEBBER TOWNSHIP ZONING ORDINANCE; TO AMEND SECTION 2.13 TO ADD A NEW DEFINITION, TO AMEND SECTION 2.14 TO ADD A NEW DEFINITION. TO AMEND SECTION 5.01(A) TO ADD LIVE./WORK UNITS AND MIXED USE DEVELOPMENT TO THE TABLE OF PERMITTED AND SPECIAL LAND USES; TO AMEND SECTIONS 12.03 AND 13.03 TO PERMIT LIVE/WORK UNITS AND MIXED USE DEVELOPMENTS BY SPECIAL LAND USE IN THE LC AND C DISTRICTS, RESPECTIVELY; TO AMEND ARTICLE 18 TO INCLUDE NEW SECTIONS 18.22 AND 18.23 TO INCLUDE ADDITIONAL STANDARDS FOR LIVE/WORK UNITS AND MIXED USE DEVELOPMENTS; AND TO AMEND SECTION 16.03 TO PROVIDE PARKING REQUIREMENTS FOR LIVE/WORK AND MIXED USE DEVELOPMENTS

WEBBER TOWNSHIP, LAKE COUNTY, MICHIGAN, HEREBY ORDAINS:

**Section 1. Amendment of Section 2.13** Section 2.13 of the Webber Township Zoning Ordinance is amended to include a new definition in alphabetical order, which reads as follows:

Live/Work Unit: A structure, or a part of a structure, used both as a residence and for any nonresidential use permitted in the zoning district in which the unit is located.

**Section 2. Amendment of Section 2.14** Section 2.14 of the Webber Township Zoning Ordinance is amended to include a new definition in alphabetical order, which reads as follows:

Mixed Use Development: A development of a tract of land, building, or structure with a variety of complementary and integrated uses as permitted by the applicable zoning district.

**Section 3. Amendment of Section 5.01(A).** The table titled “List of Permitted and Special Land Uses – Webber Township Zoning Ordinance” in Section 5.01(A) of the Webber Township Zoning Ordinance is amended to include the following new rows (except for the headings), which shall be inserted in alphabetical order:

Uses	AG	RE	R-2	R-1	MH	RT	LC	C	LI
	Agricultural	Recreational	Residential-2	Residential-1	Manufactured Housing Community	Resort	Limited Commercial	Commercial	Light Industrial
Live Work Unit							SU	SU	
Mixed Use Development							SU	SU	

**Section 4. Amendment of Section 12.03.** Section 12.03 of the Webber Township Zoning Ordinance is amended to include the following new special land uses, which are inserted in alphabetical order and read as follows:

- Live/Work Unit
- Mixed Use Development

**Section 5. Amendment of Section 13.03.** Section 13.03 of the Webber Township Zoning Ordinance is amended to include the following new special land uses, which are inserted in alphabetical order and read as follows:

- Live/Work Unit
- Mixed Use Development

**Section 6. Amendment of Article 18.** Article 18 is amended to include a new section 18.22 which reads as follows:

**Section 18.22 Live/Work Unit**

Live/Work Units shall be subject to the following requirements:

- A. Space devoted to non-residential uses shall be accessible from the dwelling area.
- B. The floor area of the dwelling unit shall be at least four hundred (400) square feet in area.
- C. The Planning Commission may limit hours of operation of the nonresidential use to protect the character of the neighborhood.
- D. The Planning Commission may require measures to abate nuisances associated with the live/work unit, including sound and odor transmission, and any hazardous or regulated materials and processes.
- E. Any change in the nature or activities of a nonresidential use shall be regarded as a new use and shall require a new application.

**Section 7. Amendment of Article 18.** Article 18 is amended to include a new section 18.23 which reads as follows:

**Section 18.23           Mixed Use Development**

Mixed Use Developments shall be subject to the following requirements:

- A. The mixing of uses will be compatible with adjacent land uses, the natural environment, and the capacities of affected public services and facilities, and such use shall be consistent with the public health, safety, and welfare of the Township.
- B. The nature of the mixed use development shall be generally consistent with the policies set forth in the Webber Township Land Use Plan.
- C. The applicant shall demonstrate that the proposed development will not constitute a nuisance to future inhabitants or users of the development or the Township in general.
- D. Off-street parking facilities for such mixed uses may be provided collectively as provided in Article XVI.
- E. A proposed mixed use development shall be designed in such a manner that will lead to compatible, efficient, and attractive uses of property in the Township, and shall:
  - 1. Encourage unique retail, office, and residential use alternatives.
  - 2. Facilitate economic development that will define and strengthen Township and encourage entrepreneurial activity in the Township.
  - 3. Provide for the redevelopment of vacant, abandoned, dilapidated, or otherwise underutilized properties.
  - 4. Facilitate pedestrian oriented development where appropriate using design options such as sidewalk cafes, rear parking, dwelling units above or adjacent to small-scale service or retail uses, and enhanced landscape open spaces
- F. Vehicular and pedestrian circulation within the development and access to the development shall be safe, convenient, uncongested, and well defined. Shared access to parking areas may be required, where appropriate.
- G. A mixed use development shall not infringe unreasonably on any neighboring uses.

**Section 8. Amendment of Section 16.03(C).** Section 16.03(C) of the Webber Township Zoning Ordinance is amended to read in its entirety as follows:

- C. Two (2) or more buildings or uses may collectively provide the required off-street parking, in which case the required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately. The maximum joint requirements will be less than the total cumulative individual requirements if the peak needs for the uses occur at distinctly different times of the day

from the peaks of the other uses, as determined by the Zoning Administrator or Planning Commission.

In the case of live/work units or mixed use developments, the required number of parking spaces may be reduced to not less than 60% than the sum of the requirements for the several individual uses computed separately, and may be further modified by the Planning Commission as outlined in Section 16.05. However, each dwelling unit shall be provided with at least one (1) parking space.

**Section 9 Severability and Captions.** This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared severable. If any part, section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. The captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

**Section 10. Repeal.** Any existing ordinance or resolution that is inconsistent or conflicts with this Ordinance is hereby repealed to the extent of any such conflict or inconsistency.

**Section 11. Effective Date.** This Ordinance is ordered to take effect upon the expiration of seven (7) days following publication of adoption in the Lake County Star, a newspaper having general circulation in the Township, under the provisions of 2006 Public Act 110, except as may be extended under the provisions of such Act.

ROLL CALL VOTE:

YES:

NO:

Declared adopted on: [\_\_\_\_\_].

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Ernie Wogatzke, Township Supervisor

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Kathryn Young, Township Clerk