

**NOTICE OF ADOPTION FOR**

**ORDINANCE # A-4-2012**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF BARRY COUNTY TO ADD TO THE FOLLOWING ARTICLES – ARTICLE 7, 11, 12, 13, 14, 15, & 23.**

**BARRY COUNTY, MICHIGAN HEREBY ORDAINS:**

**A-4-2012**

Under **Article 7, Section 704 – Table of Land Uses** – Add the following:

Include nursing homes as a use permitted by Right (“R”) in the MDR, HDR and MU zoning districts and as a use permitted by Special Use (“S”) in the LDR and RR zoning districts.

Under **Article 23, Special Uses - Add New - Section 2353**

**Section 2353 - Nursing Homes**

- A. Definition. A residential care facility providing long term care for elderly, infirm, terminally ill, physically, emotionally and/or developmentally disabled person, licensed in accord with Article 17 of Public Act 368 of 1978, as amended.
- B. Regulations and Conditions.
1. The area of the proposed site shall be at least two (2) acres and shall front on a major street as defined by Section 220 of this Ordinance.
  2. Must comply with all health regulations concerning well and sewage disposal per the Barry-Eaton District Health Department.
  3. The emergency entrance and the delivery area shall be obscured from the general view.
  4. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate. Any disposal of bio-hazardous waste shall be in conformance with state and local requirements.
  5. Building in the LDR and RR zoning districts shall have a mandatory 40 foot side yard setback and a mandatory 50 foot rear yard setback.
  6. All exterior lighting shall be in accordance with Section 523 hereof.
  7. All signs shall be in compliance with the provisions of Article 25 of this Ordinance.
  8. All off street parking shall be in compliance with Section 527 of this Ordinance.
  9. Landscaping shall be provided in accordance with Section 521 of this Ordinance.
  10. A Detailed Site Plan pursuant to Section 2701.B shall be required.

Under the following:

**Article 11, Section 1102 – RR zoning district – Special Land Uses – Add “Nursing Homes”**

**Article 12, Section 1202, LDR zoning district – Special Land Uses – Add “Nursing Homes”**

**Article 13, Section 1301, MDR zoning district – Permitted Uses – Add “Nursing Homes”**

**Article 14, Section 1401, HDR zoning district – Permitted Uses – Add “Nursing Homes”**

**Article 15, Section 1501, MU zoning district – Permitted Uses – Add “Nursing Homes”**

**BARRY COUNTY, MICHIGAN**

Date: August 14, 2012

By: Craig A. Stolson  
Craig Stolsonburg, Chairperson  
Barry County Board of Commissioners

Date: August 14, 2012

By: Pamela A. Jarvis  
Pamela A. Jarvis,  
Barry County Clerk

Published Date: August 23, 2012

The above named ordinance becomes effective August 30, 2012. Copy of this ordinance is available for purchase or inspection in the Barry County Planning Office at 220 W. State St., Hastings, Michigan between the hours 8:00 A.M. - 5 P.M. (closed between 12-1 p.m.), Monday thru Friday. Please call (269)945-1290 for further information.