

**CHARTER TOWNSHIP OF COMSTOCK**

**ORDINANCE NO. 505**

**ADOPTED:** \_\_\_\_\_

**EFFECTIVE: EIGHT DAYS FOLLOWING  
PUBLICATION AFTER ADOPTION**

An Ordinance to amend the Comstock Charter Township Zoning Ordinance to allow for agricultural labor housing, to clarify the application of those provisions, and to repeal all ordinances or parts of ordinances in conflict herewith.

**CHARTER TOWNSHIP OF COMSTOCK  
KALAMAZOO COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**  
**AMENDMENT OF SECTION 9.75,**  
**AGRICULTURAL LABOR HOUSING OVERLAY HOUSING DISTRICT**

Subsection 9.75.1 of the Comstock Charter Township Zoning Ordinance is hereby amended to read as follows:

Section 9.75.1 Statement of purpose.

The numerous greenhouses and farms throughout the Township are an important part of the Comstock community. The agriculture industry employs a substantial number of migrant workers in planting, cultivating, harvesting, and packaging the many labor-intensive products grown in Comstock Township. Good housing is an essential element in securing an adequate supply of seasonal agricultural workers and the success of the industry in the Township. It is the intent of the following provisions to allow for the establishment of dwellings for migrant laborers serving the agriculture industry in the Township while protecting the short-term and long-term interests of the community by limiting establishment of this housing to properties or parts thereof in this overlay zoning district with underlying zoning of AGR, Agriculture-Residential District or A-H, Agriculture-Horticulture District. It is likewise the intent of the following that agricultural labor housing is available to and can serve any or all types of agricultural laborers.

**SECTION II**  
**AMENDMENT OF SECTION 9.75,**  
**AGRICULTURAL LABOR HOUSING OVERLAY HOUSING DISTRICT**  
**USES PERMITTED ONLY BY SPECIAL EXCEPTION**

Subsection 9.75.3.A.11 of the Comstock Charter Township Zoning Ordinance is hereby amended to read as follows:

Section 9.75.3.A.11

If an ALH dwelling is not occupied by an itinerant or migrant worker during two consecutive years, within six months following the end of the second year, the Township may rezone the property thereby removing the overlay zone in part or whole causing the special exception use approval to terminate in part or whole. The property owner shall then remove the building or with Planning Commission approval convert it to another use allowed in the underlying zoning district when said structure satisfies the State Construction Code requirements for the proposed use or can be altered to achieve compliance.

The remainder of Section 9.75.3.A.11 is unchanged.

**SECTION III**  
**AMENDMENT OF SECTION 9.75,**  
**AGRICULTURAL LABOR HOUSING OVERLAY HOUSING DISTRICT**  
**USES PERMITTED ONLY BY SPECIAL EXCEPTION**

Subsection 9.75.3.A.13 of the Comstock Charter Township Zoning Ordinance is hereby amended to read as follows:

Section 9.75.3.A.13

All ALH dwelling units shall comply with the Agricultural Labor Camp Rules of the State of Michigan Public Health Code (Part 124 of Act 368 of 1978); notwithstanding that said Act applies to living quarters for five or more migratory workers. Evidence of such compliance shall be provided to the Township each year that an ALH dwelling will be occupied by migratory workers. Failure to maintain compliance with such standards shall be grounds for revocation of special exception use approval and overlay zoning for Agricultural Labor Housing by the Planning Commission and Township Board.

All ALH dwelling units shall be designed to accommodate all types of agricultural labor. The construction and use of ALH dwelling units shall not have the effect of preferring one type of agricultural labor or serving only one type of agricultural labor. All ALH dwelling units shall be capable of conversion in order to be able to serve any type of agricultural labor.

**SECTION IV**  
**SEVERABILITY**

Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the enforceability of the balance of this Ordinance which shall remain in full force and effect.

**SECTION V**  
**REPEAL**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION VI**  
**EFFECTIVE DATE**

This Ordinance shall take effect eight days following publication after adoption.

Michelle Mohney, Clerk  
Charter Township of Comstock