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**NOTICE
OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

**Work Session
Thursday, April 26, 2018
6:00 p.m.
AGENDA**

1. Call to Order
2. Public Comment on Non-Agenda Items
3. Zoning Ordinance Re-Organization
 - a. Agriculture and Residential Districts
 - b. Conditional and Special Land Uses
4. Any Other Business
5. Adjournment

**Regular Meeting
Thursday, April 26, 2018
7:00 p.m.
AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Public Comment on Non-Agenda Items
5. Approval of Minutes: April 12, 2018
6. Old Business
7. Any Other Business
 - a. Continued discussion of Zoning Ordinance Re-Organization
8. Planning Commissioner Comments
9. Adjournment

Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

- a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official to respond at a later date.
- b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be board discussion prior to call for a motion.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name; it is not required unless the speaker wishes to have their comment recorded in the minutes.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment or Citizen Comment on Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.

(adopted 5/9/2000)
(revised 5/14/2013)

Policy for Public Comment
6:00 p.m. "Public Comment"/Portion of Township Board Meetings

At the commencement of the meeting, the Supervisor shall poll the members of the public who are present to determine how many persons wish to make comments. The Supervisor shall allocate maximum comment time among persons so identified based upon the total number of persons indicating their wish to make public comments, but no longer than ten (10) minutes per person. Special permission to extend the maximum comment time may be granted in advance by the Supervisor based upon the topic of discussion.

While this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official to respond at a later date.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name; it is not required unless the speaker wishes to have their comment recorded in the minutes.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.

(adopted 2/27/2001)
(revised 5/14/2013)

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A MEETING HELD APRIL 12, 2018

Agenda

**PUBLIC HEARING: KALAMAZOO CHRISTIAN MIDDLE SCHOOL
CONSIDERATION OF AN APPLICATION FROM AVB CONSTRUCTION ON BEHALF
OF KALAMAZOO CHRISTIAN SCHOOL FOR A SPECIAL EXCEPTION USE AND
SITE PLAN REVIEW OF THE ADDITION OF TWO CLASSROOMS TO THE
EXISTING MIDDLE SCHOOL, PURSUANT TO SECTION 20.403 OF THE TOWNSHIP
ZONING ORDINANCE. THE SUBJECT PROPERTY ADDRESS IS 3800 SOUTH 12TH
STREET, IN THE RR: RURAL RESIDENTIAL DISTRICT. PARCEL NO. 3905-36-280-
010.**

OLD BUSINESS

- a. DRIVE AISLE WIDTHS

ANY OTHER BUSINESS

- a. SCHEDULE OF REGULATIONS
-

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, April 12, 2018, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

ALL MEMBERS
WERE PRESENT:

Cheri Bell, Chairperson
Fred Antosz
Ollie Chambers
Dusty Farmer, Secretary
Micki Maxwell
Mary Smith
Bruce VanderWeele, Vice Chairperson

Also present were Julie Johnston, Planning Director, James Porter, Township Attorney and Martha Coash, Meeting Transcriptionist, and one other interested party.

Call to Order and Pledge of Allegiance

Chairperson Bell called the meeting to order at approximately 7:00 p.m. The "Pledge of Allegiance" was recited.

Agenda

Chairperson Bell asked if there were any additions or deletions to the proposed agenda. Hearing none, she asked for a motion to approve the agenda.

Mr. VanderWeele made a motion to approve the agenda as presented. Mr. Antosz supported the motion. The motion passed unanimously.

Public Comment on Non-Agenda Items

Chairperson Bell asked whether anyone in the audience cared to comment regarding non-agenda items. Hearing none, she moved to the next agenda item.

APPROVAL OF THE MINUTES OF A WORK SESSION AND THE REGULAR MEETING OF MARCH 22, 2018

Chairperson Bell asked if there were any additions, deletions or corrections to either the Work Session or Minutes of the Regular Meeting of March 22, 2018.

Mr. Antosz offered a correction to both sets of minutes to change the listed title of Vice Chairperson from Mr. Antosz to Mr. VanderWeele.

The Chair asked for a motion.

Ms. Farmer made a motion to approve the minutes of the Work Session and the Regular Meeting of March 22, 2018 with the corrections as requested. Ms. Maxwell supported the motion. The motion was approved unanimously.

Chairperson Bell moved to the next agenda item.

PUBLIC HEARING: KALAMAZOO CHRISTIAN MIDDLE SCHOOL CONSIDERATION OF AN APPLICATION FROM AVB CONSTRUCTION ON BEHALF OF KALAMAZOO CHRISTIAN SCHOOL FOR A SPECIAL EXCEPTION USE AND SITE PLAN REVIEW OF THE ADDITION OF TWO CLASSROOMS TO THE EXISTING MIDDLE SCHOOL, PURSUANT TO SECTION 20.403 OF THE TOWNSHIP ZONING ORDINANCE. THE SUBJECT PROPERTY ADDRESS IS 3800 SOUTH 12TH STREET, IN THE RR: RURAL RESIDENTIAL DISTRICT. PARCEL NO. 3905-36-280- 010.

The Chairperson asked Ms. Johnston to present the Staff report regarding the application from AVB Construction on behalf of Kalamazoo Christian Middle School.

Ms. Johnston reported the applicant, was requesting a special exception use and site plan review for the addition of two classrooms to the existing middle school. She

explained Kalamazoo Christian School Association (KCSA) would like to add two new classrooms to their existing facility located at 3800 12th Street, the current site for both the elementary and middle school located on over 77 acres of property. KCSA also owns an adjacent 17-acre parcel, for a total of 95 contiguous acres at this location.

She explained Section 20.403 of the RR: Rural Residential District indicates that private schools are a Special Exception Use. Section 60.207: Special Exception Uses indicates that any expansion, alteration, or change of a Special Exception Use must receive Planning Commission approval.

She said the request would add two classrooms, totaling 2,428 square feet, to an existing wing of the middle school. The increase of 2,428 square feet represents a 2.6 percent increase in building area. The exterior of the addition will match the height, roofline and building materials of the current middle school wing. It is intended that the addition would blend seamlessly into the existing building.

Ms. Johnston noted special exception use was approved in 1999 for the elementary school and 2012 for the middle school; she felt required Special Exception Use Considerations from the Zoning Ordinance are met by the proposed plan. Both the Public Works and Fire Departments are satisfied with the proposed plan. However, while doing research into the approval of the middle school, Staff found that a condition of approval was the submittal of a Landscape Plan. At the time of approval, the Township had just amended the Landscape Ordinance so additional time was allotted to the applicant to complete a Landscape Plan. The condition approved by the Planning Commission on November 29, 2012 stated:

An escrow shall be established for the landscape requirements that have yet to be illustrated on a Landscape Plan, and a Landscape Plan shall be submitted and approved administratively. The escrow funds will be released upon installation of the required landscape materials.

Based on research, neither an escrow account nor a complete Landscape Plan was provided to the Township. In order to ensure the proper landscaping is included on the site, staff would recommend conditions be placed on this application as well.

She recommended the Planning Commission grant Special Exception Use and site plan approval for the addition to the Kalamazoo Christian Middle School, subject to the following conditions:

1. A Landscape Plan be submitted to the Township by April 30, 2018 to be reviewed and approved administratively.
2. All required landscaping to be planted on site prior to the Certificate of Occupancy for the middle school addition.

Chairperson Bell thanked Ms. Johnston for her report and determined there were no questions from Board Members. She asked whether the applicant wished to address the Board.

Mr. Curt Aardema, AVB, 4200 W. Centre Street, Portage, said AVB is excited to continue the expansion of Kalamazoo Christian Schools. (KCS) Other expansions that may follow are in the planning stage. An additional gymnasium is shown on an internal concept plan. He assured the Board the landscape plan was not intentionally left out in 2012 and that it would be done as part of this expansion.

Ms. Johnston explained KCS wishes to consolidate all of their schools in this location at some point. The gymnasium will likely be added in the near future.

The Chair moved to Board Deliberations at this point.

Both Mr. Antosz and Ms. Farmer expressed their support for this application with the conditions suggested by Staff.

Ms. Farmer made a motion to approve the application from AVB on behalf of Christian Middle School Association as requested, contingent on the two conditions as described by Staff. Mr. VanderWeele supported the motion. The motion was approved unanimously.

OLD BUSINESS

a. Drive Aisle Widths

Chairperson Bell moved to the next item on the agenda and asked Ms. Johnston for her presentation.

Ms. Johnston said based on the Planning Commission discussion of circulation aisles at the March 8, 2018 meeting and assistance from Commissioner Vanderw, staff updated the recommendation and presented new language. She provided the new language as well as a copy of the full Ordinance section.

She indicated the revised language provides more specific criteria for future Planning Commissions to base their decision on whether circulation aisles may be reduced from the required width. After discussion, one minor edit was made.

It was the consensus of the Board that the revised language for 68.300, Off-Street Parking and Site Circulation Requirements, provides definition and clarity for future Planning Commissions regarding what can be considered for exception and that it should be on the agenda for public hearing at the May 24 meeting.

Mr. VanderWeele made a motion to approve the revised language with the one edit as discussed and to include it for public hearing at the May 24 meeting. Ms. Farmer supported the motion. The motion was approved unanimously.

ANY OTHER BUSINESS

a. Schedule Of Regulations

Chairperson Bell moved to the next item on the agenda and asked Ms. Johnston for her presentation.

Ms. Johnston said on March 22, 2018, the Planning Commission forwarded a recommendation of approval to the Township Board for the Residential Condominium Development Standards. In reviewing associated ordinances related to residential development, Staff would like to recommend changes to the Schedule of Area, Frontage, and/or Width Requirements (Section 66.200).

Currently, she said, Section 66.200 outlines different area requirements for one and two-family dwellings. For example, if a project has public water and sewer, a single-family dwelling requires 10,560 square feet where a two-family dwelling requires 13,200 square feet. In a platted subdivision or site condominium, this ordinance actually incentivizes two-family dwellings. The density for single-family would equate to 4.12 dwelling units per acre while the density for two-family increases to 6.60 dwelling units per acre.

Ms. Johnston explained density is determined by dividing the total required square footage per lot into an acre (43,560 square feet). The increase seen for two-family is that on every 13,200 square foot lot or building site, two dwelling units are permitted.

She recommended changing the table from “Area Requirements” to “Area Requirements per Dwelling Unit.” This would stipulate that each individual unit have the same amount of area, regardless of the number planned for the parcel or lot. A two-unit with public water and sewer would be required to have a lot that is 21,120 square feet. This change will align with the densities allowed in the Residential Condominium Development Standards Ordinance and ensure a level playing field for density regardless of the number of attached or detached units planned.

After Board discussion and some clarification, it was agreed the changes to the table should progress to public hearing.

Ms. Johnston noted it could be included on the agenda for the meeting of May 10 and that the public hearing for the revised language for 68.300, Off-Street Parking and Site Circulation Requirements should also be on the May 10 agenda rather than May 24 as approved earlier in the meeting.

Mr. VanderWeele made a motion to approve the proposed revised language in the 66.200 Schedule of Regulations table and that it, as well as the approved revisions to Off-Street Parking and Site Circulation Requirements, be included on the May 10 agenda for public hearing. Ms. Farmer supported the motion. The motion was approved unanimously.

PLANNING COMMISSIONER COMMENTS

Chairperson Bell invited Commissioners to attend two events, one featuring a visiting Nobel Laureate from Liberia and a non-partisan conversation of local women elected officials including Ms. Farmer.

Ms. Johnston said following the joint meeting regarding the Village Theme Development Plan, she wanted to assure Commissioners the plan has not been shelved, but given other priorities will likely move more slowly than anticipated. The partnership with the DDA in this effort has been integral; now it is time for the Planning Commission to make decisions. She expects to be calling the sub-committee together in the near future to determine how to move the project forward.

ADJOURNMENT

Hearing no further comments, Chairperson Bell adjourned Planning Commission meeting at approximately 8:01 p.m.

Minutes prepared:
April 14, 2018

Minutes approved:
_____, 2018



April 19, 2018

Mtg Date: April 26, 2018
To: Planning Commission
From: Julie Johnston, AICP
Subject: Agribusiness, Agritourism and Accessory Dwelling Units

Based on the March Work Session, Planning staff has provided some updates to the Agricultural and Rural Residential Districts with regard to agribusinesses and agritourism. Both conditional and special land uses have been added for these use categories. In addition, some new definitions for your consideration have been provided. For agritourism, staff developed regulatory control based on the size and intensity of the tourism use. More passive and low traffic volume agritourism is classified as Category 1 with larger agritourism centers classified as Category 2. Agribusinesses, which are defined as those businesses that generally cater to other agricultural uses, were also regulated as a conditional land use.

In addition to the agritourism, new language has been provided for accessory dwelling units. The regulations were designed to allow a family to build an additional unit on their lot or parcel for other family members. Deed restrictions would be required indicating that only "family" as defined by our Zoning Ordinance, could utilize the accessory dwelling unit.

In an effort to help the Planning Commission differentiate between the previously proposed amendments and the new language presented at this meeting, all of the new language is in **bold purple**. The previously proposed amendments remain in **red**.

Thank You.

ARTICLE 4
AGRICULTURAL DISTRICT

4.10 STATEMENT OF PURPOSE

This district classification is designed for areas where the principal use of land is for farming operations as defined in the Michigan Right to Farm Act. The district is intended to preserve the farming operations historically present in the Township and allow additional operations in keeping with the Township character. Activities within the district are to be carefully managed so as to achieve conservation of soil, water and nutrients.

4.20 PERMITTED LAND USES

- A Farm operations as defined in the Michigan Right to Farm Act when conducted in conformance with the generally-accepted agricultural and management practices adopted by the Michigan Commission of Agriculture.
- B Dwelling, single family.
- C Places of worship.
- D Essential services, excluding buildings and regulator stations.
- E Family day care homes.
- F Accessory buildings for uses customarily incidental to the primary permitted use.

4.30 CONDITIONAL LAND USES

Due to the nature of the following uses, additional regulations have been developed to ensure compatibility and mitigate impacts on adjacent properties. The procedures and standards for approval can be found under Article 43: Conditional Land Uses.

- A Farm labor housing.
- B Home occupations.
- C Agribusiness.
- D Agritourism, category 1.
- E Accessory dwelling unit.
- F Temporary outdoor events not lasting more than ~~three~~ one days.
- G Accessory buildings for uses customarily incidental to the primary conditional use.

4.40 SPECIAL LAND USES

Due to the unique characteristics of the following land uses and their likely impacts on neighboring properties, additional deliberation is needed by the Planning Commission. Special land uses are considered to be more intense compared to other uses permitted within the district. The procedures and standards for approval can be found under Article 44: Special Land Uses.

- A Public buildings for governmental purpose.
- B Buildings and regulator stations for essential services.
- C Group day care homes.
- D ~~Riding stables, including boarding.~~
- E Kennels, pet day care.
- F Temporary outdoor events lasting more than ~~three~~ one days.
- G Bed and Breakfast Inns.
- H Veterinarian clinics, general.
- I Agribusinesses.
- J Solar energy systems.
- K Wind energy systems.
- L Agritourism, category 2.
- M Accessory buildings for uses customarily incidental to the primary special use.

ARTICLE 5
RURAL RESIDENTIAL DISTRICT

5.10 STATEMENT OF PURPOSE

This district is intended to protect the quality of the overall environment of Oshtemo Township while satisfying the desire for a semi-rural residential lifestyle within areas which are not considered suitable for agricultural uses or traditional residential subdivisions as a result of soil limitation, land fragmentation, utility system limitations, street capacity, or topography or other natural features. Use of nontraditional land development options, such as the Open Space Community provisions of Article 38 to conserve open space, fallow land, wooded areas, and wetlands, is encouraged.

5.20 PERMITTED LAND USES

- A Dwelling, single family.
- B Places of worship.
- C Essential services, excluding buildings and regulator stations.
- D Family day care homes.
- E Accessory buildings for uses customarily incidental to the primary permitted use.

5.30 CONDITIONAL LAND USES

Due to the nature of the following uses, additional regulations have been developed to ensure compatibility and mitigate impacts on adjacent properties. The procedures and standards for approval can be found under Article 43: Conditional Land Uses.

- A Cemeteries.
- B Home occupations.
- C Accessory dwelling units.
- D Agribusiness.
- E Agritourism, category 1.
- F Temporary outdoor events not lasting more than ~~three~~ one days.
- G Accessory buildings for uses customarily incidental to the primary conditional use.

5.40 SPECIAL LAND USES

Due to the unique characteristics of the following land uses and their likely impacts on neighboring properties, additional deliberation is needed by the Planning Commission. Special

land uses are considered to be more intense compared to other uses permitted within the district. The procedures and standards for approval can be found under Article 44: Special Land Uses.

- A Nonprofit educational, noncommercial recreational and noncommercial business centers.
- B Golf courses, parks, and other **passive** outdoor recreational areas.
- C Private schools.
- D Veterinarian clinics, **general**.
- E Kennels, **pet day care**.
- F ~~Riding stables, with boarding.~~
- G Private **noncommercial** clubs and lodges.
- H **Public buildings for governmental purpose.**
- I Buildings and regulator stations for essential services.
- J Group day care homes.
- K Bed and Breakfast Inns.
- L ~~Agri-businesses.~~
- M Solar energy systems.
- N Wind energy systems.
- O **Agritourism, category 2.**
- P Temporary outdoor events **lasting more than three one days.**
- Q Accessory buildings for uses customarily incidental to the primary special use.

ARTICLE 6
R-1 RESIDENCE DISTRICT

6.10 STATEMENT OF PURPOSE

This district classification is designed to maintain an environment of predominantly low-density single-family dwellings, together with a minimum of other residentially related facilities primarily of service to the residents in the area and provide a transition to higher density suburban residential development in the Township.

6.20 PERMITTED LAND USES

- A Dwelling, single family.
- B Places of worship.
- C Essential services, excluding buildings and regulator stations.
- D Family day care homes.
- E Accessory buildings for uses customarily incidental to the primary permitted use.

6.30 CONDITIONAL LAND USES

Due to the nature of the following uses, additional regulations have been developed to ensure compatibility and mitigate impacts on adjacent properties. The procedures and standards for approval can be found under Article 43: Conditional Land Uses.

- A Home occupations.
- B Accessory dwelling unit.
- C Temporary outdoor events not lasting more than ~~three~~ one days.
- D Accessory buildings for uses customarily incidental to the primary conditional use.

6.40 SPECIAL LAND USES

Due to the unique characteristics of the following land uses and their likely impacts on neighboring properties, additional deliberation is needed by the Planning Commission. Special land uses are considered to be more intense compared to other uses permitted within the district. The procedures and standards for approval can be found under Article 44: Special Land Uses.

- A Public buildings for governmental purpose.
- B Buildings and regulator stations for essential services.

- C Group day care homes.
- D Temporary outdoor events lasting more than ~~three~~ **one** days.
- E Accessory buildings for uses customarily incidental to the primary special use.

ARTICLE 7
R-2 RESIDENCE DISTRICT

7.10 STATEMENT OF PURPOSE

This district classification is designed as a suburban residential district to permit a greater density of residential development than is provided in the rural districts of the Township, together with other residentially related facilities and activities which would serve the inhabitants of the area.

7.20 PERMITTED LAND USES

- A Dwelling, single family.
- B Places of worship.
- C Essential services, excluding buildings and regulator stations.
- D Family day care homes.
- E Accessory buildings for uses customarily incidental to the primary permitted use.

7.30 CONDITIONAL LAND USES

Due to the nature of the following uses, additional regulations have been developed to ensure compatibility and mitigate impacts on adjacent properties. The procedures and standards for approval can be found under Article 43: Conditional Land Uses.

- A Dwelling, two family.
- B Cemeteries.
- C Home occupations.
- D Accessory dwelling unit.
- E Temporary outdoor events not lasting more than ~~three~~ one days.
- F Accessory buildings for uses customarily incidental to the primary conditional use.

7.40 SPECIAL LAND USES

Due to the unique characteristics of the following land uses and their likely impacts on neighboring properties, additional deliberation is needed by the Planning Commission. Special land uses are considered to be more intense compared to other uses permitted within the district. The procedures and standards for approval can be found under Article 44: Special Land Uses.

- A Golf courses, parks, and other passive outdoor recreational areas.

- B Public buildings for governmental purpose.
- C Buildings and regulator stations for essential services.
- D Private schools.
- E Group day care homes.
- F Temporary outdoor events lasting more than ~~three~~ one days.
- G Accessory buildings for uses customarily incidental to the primary special use.

ARTICLE 8
R-3 RESIDENCE DISTRICT

8.10 STATEMENT OF PURPOSE

This district classification is designed to permit residential development together with other facilities that do not generate large volumes of traffic, traffic congestion and parking problems, and are designed so as to be compatible with surrounding residential uses.

8.20 PERMITTED LAND USES

- A Dwelling, single family.
- B Places of worship.
- C Essential services, ~~excluding buildings and regulator stations.~~
- D Family day care homes.
- E Accessory buildings for uses customarily incidental to the primary permitted use.

8.30 CONDITIONAL LAND USES

Due to the nature of the following uses, additional regulations have been developed to ensure compatibility and mitigate impacts on adjacent properties. The procedures and standards for approval can be found under Article 43: Conditional Land Uses.

- A Dwelling, two family.
- B Dwelling, three or four family.
- C Home occupations.
- D Residential conversion ~~of a residence~~ for office uses.
- E Temporary outdoor events not lasting more than ~~three~~ **one** days.
- F Accessory buildings for uses customarily incidental to the primary conditional use.

8.40 SPECIAL LAND USES

Due to the unique characteristics of the following land uses and their likely impacts on neighboring properties, additional deliberation is needed by the Planning Commission. Special land uses are considered to be more intense compared to other uses permitted within the district. The procedures and standards for approval can be found under Article 44: Special Land Uses.

- A Buildings and regulator stations for essential services.

- B Golf courses, parks, and other **passive** outdoor recreational areas.
- C Office buildings.
- D Veterinary clinics, **small animal**.
- E Private schools.
- F Private **noncommercial** clubs and lodges.
- G Child care centers.
- H Group day care homes.
- I **Public buildings for governmental purpose.**
- J Temporary outdoor events **lasting more than ~~three~~ one days.**
- K **Accessory buildings for uses customarily incidental to the primary special use.**

8.50 DEVELOPMENT STANDARDS

These development standards, along with any other applicable ordinance requirements, shall apply to all non-residential uses permitted within the R-3 District.

- A No building shall be more than **25** feet in height.
- B No building shall be larger than 10,000 square feet in area.
- C The total area of all buildings shall not occupy more than 30 percent of the ground area of the lot, parcel or building site on which they are located.
- D No retail activity shall be carried on nor stock of goods maintained for sale upon the premises **unless specifically related and incidental to the primary use. Retail activity may only occupy 10 percent of the gross floor area.**
- E The minimum setback distance between any building and any rear or interior side property line shall be 20 feet or the height of the abutting side of the building at its highest point as measured from the grade of the property line, whichever is greater.
- F Required off-street parking shall be maintained upon the premises but shall be prohibited in the required front and side setback areas.
- G Access to and from the premises by motor vehicles shall be designed to accommodate forward movement in each case and no vehicles shall be permitted to back into the abutting private or public street.

- H Any outdoor lighting shall be **residential** in character and shall be reduced in intensity or eliminated during non-business hours.

- I The **reviewing body** shall have the right and authority to impose additional restrictions and conditions as may be necessary for the protection of the health, safety, and welfare of adjoining property owners and to ensure that any noise, odors, traffic, or other **adverse effects** have a minimum impact upon the neighborhood in which the same is located, including but not limited to hours of operation.

ARTICLE 9
R-4 RESIDENCE DISTRICT

9.10 STATEMENT OF PURPOSE

This district classification is designed to permit the greatest density of residential uses allowed within the Township, together with other residentially related facilities designed to service the inhabitants of the area.

9.20 PERMITTED LAND USES

- A Dwelling, single family.
- B Places of worship.
- C Essential services, excluding buildings and regulator stations.
- D Family day care homes.
- E Accessory buildings for uses customarily incidental to the primary permitted use.

9.30 CONDITIONAL LAND USES

Due to the nature of the following uses, additional regulations have been developed to ensure compatibility and mitigate impacts on adjacent properties. The procedures and standards for approval can be found under Article 43: Conditional Land Uses.

- A Dwelling, two family.
- B Dwelling, three or four family.
- C Dwelling, multiple-family.
- D Nursing, convalescent, and assisted living facilities.
- E Home occupations.
- F Temporary outdoor events not lasting more than ~~three~~ one days.
- G Accessory buildings for uses customarily incidental to the primary conditional use.

9.40 SPECIAL LAND USES

Due to the unique characteristics of the following land uses and their likely impacts on neighboring properties, additional deliberation is needed by the Planning Commission. Special land uses are considered to be more intense compared to other uses permitted within the

district. The procedures and standards for approval can be found under Article 44: Special Land Uses.

- A Private **noncommercial** clubs, fraternities, sororities, and lodges.
- B Buildings and regulator stations for essential services.
- C Public buildings for governmental purpose.**
- D Golf courses, parks, and other **passive** outdoor recreational areas.
- E Private schools.
- F Group day care homes.
- G Child care centers.
- H Temporary outdoor events **lasting more than ~~three~~ one days.**
- I Accessory buildings for uses customarily incidental to the primary special use.**

9.50 **DEVELOPMENT STANDARDS**

These development standards, along with any other applicable ordinance requirements, shall apply to all multiple family uses permitted within the R-4 District.

- A Rehabilitation and/or redevelopment of **an existing** multiple-family legal nonconforming use where the density exceeds the density limitations of Article 45 is permitted. This may not be construed as allowing an increase in density.
- B A dwelling unit may be occupied by more than one family, up to four unrelated individuals, but never more than two persons per bedroom.

ARTICLE 10
R-5 RESIDENCE DISTRICT

10.10 STATEMENT OF PURPOSE

This district classification is intended for the development of mobile **and manufactured** home communities. This district classification is designed to provide for such use under appropriate construction and development standards to promote the health, safety, and general welfare of the residents of such areas as well as the residents of adjoining premises. The area zoned for such purposes should be able to accommodate the increased traffic generated from such developments as well as the sanitary requirements of the same.

10.20 PERMITTED **LAND** USES

- A **Places** of worship.
- B Essential services, **excluding buildings and regulator stations**.
- C Family day care homes.
- D Accessory buildings for uses customarily incidental to the primary permitted use.

10.30 **CONDITIONAL LAND USES**

Due to the nature of the following uses, additional regulations have been developed to ensure compatibility and mitigate impacts on adjacent properties. The procedures and standards for approval can be found under Article 43: Conditional Land Uses.

- A **Mobile/manufactured home subdivisions/site condominiums.**
- B **Home occupations.**
- C **Temporary outdoor events not lasting more than ~~three~~ **one** days.**
- D **Accessory buildings for uses customarily incidental to the primary conditional use.**

10.40 SPECIAL **LAND** USES

Due to the unique characteristics of the following land uses and their likely impacts on neighboring properties, additional deliberation is needed by the Planning Commission. Special land uses are considered to be more intense compared to other uses permitted within the district. The procedures and standards for approval can be found under Article 44: Special Land Uses.

- A **Mobile/**manufactured** home parks.**
- B **Mobile/**manufactured** home sales.**

- C Group day care homes.
- D Buildings and regulator stations for essential services.
- E Public buildings for governmental purpose.
- F Temporary outdoor events lasting more than ~~three~~ one days.
- G Accessory buildings for uses customarily incidental to the primary special use.

Definitions

Accessory Dwelling Unit: A separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to an existing single-family structure, intended to accommodate the rising need of family members living upon a single parcel, but who desire separate quarters.

Agribusiness: Any business catering exclusively to agricultural production, which may include, but is not limited to, supplying services or goods (such as feed or supplies) to producers, or marketable agricultural products, including greenhouses, nurseries, and farm cooperatives.

Agritourism: An agriculturally based operation or activity that brings public to a working farm for the purpose of enjoyment, education, or active involvement in the farm operation. Agritourism enterprises are further classified as follows:

1. **Agritourism, Category 1:** An agritourism enterprise limited to u-pick fruits and vegetable operations, direct on-farm product sales, and farm markets.
2. **Agritourism, Category 2:** An agritourism enterprise that includes education, entertainment, agricultural related uses and products, and limited non-agricultural related uses and products including: educational tours; historical agricultural exhibits; educational classes, lectures and seminars; petting farms, animal display and pony rides; riding stables; greenhouses; outdoor mazes of agricultural origin, such as straw bales or corn; wagon, sleigh and hayrides; nature trails; outdoor picnic areas; the use or rental of farm buildings for periodic special events; and, other similar uses.

Agricultural products: Includes but is not limited to, crops (corn, wheat, hay, potatoes); fruit (apples, peaches, grapes, cherries, berries, etc.); cider; vegetables (sweet corn, pumpkins, tomatoes, etc.); floriculture; herbs; forestry; husbandry; livestock and livestock products (cattle, sheep, hogs, horses, poultry, ostriches, emus, farmed deer, farmed buffalo, milk, eggs, and fur, etc.); aquaculture products (fish, fish products, water plants and shellfish); horticultural specialties (nursery stock, ornamental shrubs, flowers and Christmas trees); maple sap, etc.

Agriculturally related products: Items sold at a farm to attract customers and promote the sale of agricultural products. Such items include, but are not limited to, all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream-based desserts and beverages, jams, honey, food stuffs, and other items promoting the farm and on-site production.

Non-agriculturally related products: Items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts and knick-knacks imported from other states or countries, etc.

Agriculturally related uses: Those activities that predominantly use agricultural products, buildings or equipment, such as pony rides, corn mazes, pumpkin rolling, sleigh/hay rides, and educational events, such as farming and food preserving classes, etc.

Non-agriculturally related uses: Activities that are part of an agricultural tourism operation's total offerings but not tied to farming. Such non-agriculturally related uses include amusement rides, concerts, special events, etc.

Farm Market: The sale of agricultural products directly to the consumer from a site on a working farm or any agricultural, horticultural or agribusiness operation or agricultural land. This definition includes farm stands and roadside stands.

U-Pick: A fruit or vegetable-growing farm that provides the opportunity for customers to pick their own fruits or vegetables directly from the plant.

Seasonal: A recurrent period characterized by certain occurrences, festivities, or crops; harvest, when crops are ready; not all year round.

Conditional Uses – Residential Districts

A. Accessory Dwelling Unit

1. The property owner must occupy either the principal dwelling unit or accessory dwelling unit.
2. Accessory dwelling units shall not be permitted on parcels, lots, or building sites which do not meet the minimum area size or frontage requirements for the zoning district in which it is located.
3. No more than one accessory dwelling unit shall be permitted on a single parcel, lot, or building site.
4. Each accessory dwelling unit shall be connected to a public sewer and water supply or to approved private facilities.
5. The accessory dwelling unit shall include, at a minimum, a kitchen, bathroom, and sleeping area separate from the principal dwelling unit, and shall meet all applicable provisions of the adopted Building Code.
6. The exterior design of an accessory dwelling unit, whether a detached or attached structure, shall be compatible with the principal structure on the lot. The building form, height, construction materials, and landscaping shall remain consistent with the principal structure and in harmony with the character and scale of the surrounding neighborhood.
7. Accessory dwelling units shall have a floor area of not less than 600 square feet and not more than 1,000 square feet. However, in no case shall the accessory dwelling unit be larger than the livable area of the principal dwelling unit.
8. Accessory dwelling units attached to the principal structure shall be in compliance with all regulations applicable to the principal structure. Detached accessory dwelling units shall be in compliance with all regulations applicable to detached accessory structures.
9. Detached accessory dwelling units must be located closer to the principal dwelling unit on the subject lot than a principal dwelling unit on an adjacent property and meet all required setbacks, regardless of size. In no case shall a detached accessory dwelling unit be located further than 200 feet from the principal dwelling unit.
10. One on-site parking space, in addition to the required parking for the principal dwelling unit, shall be provided for an accessory dwelling unit.
11. The principal dwelling unit and accessory dwelling unit shall share the same vehicular access to the property.
12. Deed Restrictions. Before the issuance of a certificate of occupancy for the accessory dwelling unit, the property owner shall file with the Planning Department documentation of recorded deed restrictions, which incorporate the following provisions:

- a. Conditional use approval for the accessory dwelling unit shall be in effect only so long as either the principal dwelling unit or the accessory dwelling unit is occupied as the homestead residence.
- b. The accessory dwelling unit may only house members of the property owner's family.
- c. The accessory dwelling unit is restricted to the approved floor area, setbacks and height.
- d. The accessory dwelling unit shall not be sold separately.
- e. The deed restrictions shall run with the land and are binding upon any successor in ownership.
- f. The deed restrictions shall expire upon the removal of the accessory dwelling unit.

B. Agribusiness

1. Total building floor area for the agribusiness shall not exceed 2,000 square feet.
2. The maximum portion of any building used for agribusiness sales shall not exceed 600 square feet.
3. Access to an agribusiness use must be from the County primary road.
4. On-site vehicle parking shall be provided on agribusiness property as follows:
 - a. The total number of required spaces shall be calculated as one space for every 1,000 square feet of the total building floor area, plus one space for every two employees. This shall not include areas dedicated to agricultural production.
 - b. Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.
 - c. The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.
 - d. Parking and driveway surfaces may be pervious or hard surface.
5. A written narrative will be provided with any application describing the use in detail, including all the types of items, goods and merchandise that are proposed to be sold; the proposed hours of operation; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; and other information describing the use and which will assist the reviewing body in determining whether the application meets the conditional use requirements.
6. If the proposed agribusiness use would cause undue impacts to surrounding properties related to drainage, traffic, noise, or other general health and safety issues, as determined by the

Planning Director, review and approval by the Planning Commission as a Special Land Use shall be required.

C. Agritourism, Category 1

1. Farm markets with a sales area of 100 square feet or less, seasonal in nature, and where no permanent structure exists, are exempt from this ordinance.
2. The maximum floor area for a farm market shall be no greater than 500 square feet. Farm markets larger than 500 square feet shall be a Special Land Use reviewed and approved by the Planning Commission.
3. Farm market buildings equal to or less than 200 square feet in size shall be located not closer than 15 feet from the road right-of-way line or 25 feet from the edge of pavement, whichever is greater. Farm market buildings greater than 200 square feet in size shall comply with the minimum required setback distances for the district in which such building is located.
4. Retail sales.
 - a. At least 75 percent of the products marketed and offered for sale (measured as an average over the farm's marketing season) must be grown or produced on and by the affiliated farm. For purposes of this requirement, affiliated means a farm under the same ownership or control (e.g. leased) as the farm market whether or not the farm market is located on the property where production occurs.
 - b. The remainder 25 percent of products sold must be agriculturally related products as defined by Article 2: Definitions.
 - c. For purposes of determining the percentage of products being marketed, the primary measure will be retail space used to display products offered for retail sale during the affiliated farm's marketing season. If measurement of retail space during the marketing season is not feasible, then the percent of the gross sales dollars of the farm market will be used.
5. Access to an agritourism use must be from the County primary road.
6. On-site vehicle parking shall be provided on agribusiness property as follows:
 - a. The total number of required spaces shall be calculated as one space for every 1,000 square feet of the main public activity area, plus one space for every two employees. This shall not include areas dedicated to agricultural production.
 - b. 24 foot two-way or 20 foot one-way circulation aisles shall be maintained. To ensure drive aisles are maintained, the location of parking spaces shall be defined by providing some type of marker at the center of the space to be placed every 64 feet for two-way traffic and 60 feet for one-way traffic.

- c. **Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.**
 - d. **The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.**
 - e. **Parking and driveway surfaces may be pervious or hard surface.**
7. **A written narrative describing the use in detail, including the proposed hours of operation; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; and other information describing the use and which will assist the reviewing body in determining whether the application meets the conditional use requirements.**
 8. **If the proposed agritourism use would cause undue impacts to surrounding properties related to drainage, traffic, noise, or other general health and safety issues, as determined by the Planning Director, review and approval by the Planning Commission as a Special Land Use shall be required.**

D. Cemeteries

1. Excludes crematories and any retail uses other than the sale of plots.
2. Minimum size shall be five acres for a human cemetery and two acres for a pet cemetery.
3. Any accessory buildings shall meet the setback requirements for the district in which the cemetery is located.
4. Mausoleums, storage vaults, chapels and similar uses must submit a site plan to the Township for approval.

E. **Dwelling, Multiple Family Dwellings**

1. Excludes hotels and motels.
2. **To the extent that parking areas, community buildings or open space recreational areas are located within 200-feet of property zoned AG, RR, R-1, or R-2, such facilities shall be situated and designed as to, in the judgement of the reviewing body at the time of site plan review, minimize adverse effects to owners and occupants of the adjacent properties.**
3. **Dwelling unit density for any multiple family dwelling sites located adjacent to property zoned "AG", "RR", "R-1" or "R-2" shall be limited to a maximum unit density of six units per acre. All other multiple family dwelling sites shall be limited to a maximum unit density of eight units per acre.**
4. All two-way interior drives within a multiple family dwelling development shall be paved with asphalt or a similar hard surface so as to have a paved driving surface with a minimum width of 21 feet exclusive of any area used for parking. All one-way interior drives within a multiple-family

development shall also be paved with asphalt or a similar hard surface so as to have a paved driving surface with a minimum width of 13 feet exclusive of any area used for parking.

5. When an interior drive would service as a connecting link between different land ownerships or different public roads, either currently or within the foreseeable future, it shall, regardless of whether it is a public or private road, be constructed in accordance with the public road specifications of the Kalamazoo County Road Commission and be located upon a reserved right-of-way of not less than 66 feet in width.
6. Sidewalks shall be provided on both sides of any access drive leading into a multi-family development from a public street.
7. A minimum of two access streets connecting the development to a public road is required. The reviewing body may grant one access point if the development is less than 50 units and the additional access would not improve traffic safety because of the particular characteristics of the proposed development.
8. A stop sign shall be provided at every intersection of an access street with a public road.
9. Public water, sanitary sewer and storm drainage facilities shall be provided as part of the site development. All electric and telephone transmission wires shall be placed underground.
10. Open space requirements.
 - a. All multiple-family developments shall be established in such a manner that there is at least one contiguous area of open space suitable for recreational purposes not less than five percent of the total area of the development. The reviewing body shall have the authority to approve an alternate approach to this requirement if a different open space arrangement ensures compliance with the spirit, purpose and intent of this ordinance.
11. The minimum separation between multiple family buildings shall be 40 feet. Separation shall be measured in the same manner as a building setback.

F. Dwelling, Three or Four-Family Dwellings

1. Building height shall be restricted to two-stories and no greater than 25 feet.
2. Dwelling unit density shall be regulated by the underlying zoning district.
3. Public sanitary sewer and water facilities are required as part of the development.

G. Dwelling, Two Family Dwellings

1. Dwelling unit density shall be regulated by the underlying zoning district.
2. Building height shall be restricted to two-stories and no greater than 25 feet.
3. Public sanitary sewer facilities are required as part of the development.

H. Farm Labor Housing:

1. Shall comply with the Michigan Health Code, as amended.
2. Shall only be occupied by employees and their families of the farm operation.
3. All structures must be setback a minimum of 100 feet from all property lines.

I. Home Occupations:

1. The occupation(s) conducted therein is clearly incidental and subordinate to the principal use of the premises for residential purposes.
2. Shall be operated in their entirety within the dwelling and/or within an attached garage and not within any detached garage or accessory building located upon the premises.
3. Shall be conducted by the person or persons occupying the premises as their principal residence.
4. No nonresident on-premises employees are permitted.
5. The dwelling has no exterior evidence to indicate that the same is being utilized for any purpose other than a dwelling.
6. Signs are prohibited.
7. The occupation(s) shall not utilize more than (a) 25% of the interior gross floor area of the premises; or (b) 500 square feet, whichever is less.
8. No goods are sold from the premises, which are not strictly incidental to the principal home occupation conducted therein. Retail sales events shall be regulated the same as garage, yard, and household sales under Article 52.
9. No occupation shall be conducted upon or from the premises which would constitute a nuisance or annoyance to adjoining residents by means of vibrations, noise, smoke, odor, dust, dirt, fumes, glare, heat, electrical disturbance, lighting, or the creation of vehicular traffic in excess of what is characteristic of the area. Vibrations, noise, smoke, odor, dust, dirt, fumes, glare, heat, electrical disturbance, or the source of lighting shall not be discernible beyond the boundaries of the property from which the occupation is conducted. The use and/or storage of hazardous materials in excess of quantities customary to a residential dwelling are not permitted.
10. Outdoor activity, storage, and/or display are prohibited
11. Use of a commercial vehicle is subject to Article 47.
12. The following shall not be deemed home occupations: medical or dental clinics or offices, child care facilities, barbershops and beauty salons (except barbershops and beauty salons limited to one operator), funeral homes, restaurants, veterinarian clinics or offices, kennels, riding stables,

storage facilities, adult regulated uses, or any sale, resale, maintenance, repair, restoration or painting of automobiles, trucks, motorcycles, motorized recreational vehicles, and boats, and other occupations determined by the Planning Commission to be similar to the occupations listed in this subsection.

13. *Medical Marihuana*. A registered primary caregiver, in compliance with the General Rules of the Michigan Department of Community Health, the Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, MCL 333.26423(d) and the requirements of [this] section, shall be allowed as a home occupation in the RR, Rural Residential District. Nothing in this section, or in any companion regulatory provision adopted in any other provision of the Township's general Ordinances are intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with that Act and the General Rules. Also, since Federal law is not affected by that Act or the General Rules, nothing in this section, or in any companion regulatory provisions adopted in any other provision of the Township's general Ordinances are intended to grant, nor shall they be construed as granting immunity from criminal prosecution under Federal law. The Michigan Medical Marihuana Act does not protect users, caregivers or the owners of properties on which the medical use of marihuana is occurring from Federal prosecution, or from having their property seized by Federal authorities under the Federal Controlled Substances Act. The following requirements for a registered primary caregiver shall apply:

- a. The medical use of marihuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.
- b. No registered primary caregiver shall be located:
 - i. Within a one-thousand-foot radius from any school, child care or day care facility, to insure community compliance with Federal "Drug-Free School Zone" requirements.
 - ii. Within a one-thousand-foot radius of another primary caregiver's facility.
 - iii. Within a five-hundred-foot radius from any house of worship.
 - iv. Within a five-hundred-foot radius of a public park.
 - v. Measurements for purposes of this subsection shall be made from parcel/lot/building site unit boundary to parcel/lot/building site unit boundary.
- c. Not more than one primary caregiver shall be permitted to service qualifying patients on a property.
- d. Not more than five qualifying patients shall be assisted with the medical use of marihuana within any given calendar week, and all such assistance shall occur between the hours of 8:00 a.m. and 6:00 p.m.
- e. All medical marihuana shall be contained within the main building in an enclosed, locked facility inaccessible on all sides and equipped with locks or other security devices that permit

access only by the registered primary caregiver or qualifying patient, as reviewed and approved by the Building Official and the Kalamazoo County Sheriff's Department.

- f. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the residential structure in which electrical wiring, lighting and/or watering devices that support the cultivation, growing or harvesting of marihuana are located.
- g. All medical marihuana shall be grown by the primary caregiver in the home from which the primary caregiver operates.
- h. If a room with windows is utilized as a growing location, any lighting methods that exceed usual residential periods between the hours of 11:00 p.m. to 7:00 a.m. shall employ shielding methods, without alteration to the exterior of the residence, to prevent ambient light spillage that may create a distraction for adjacent residential properties.
- i. That portion of the residential structure where energy usage and heat exceed typical residential use, such as a grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Oshtemo Charter Township Fire Department to insure compliance with the Michigan Fire Protection Code.
- j. Nothing in this Ordinance shall be deemed to allow dispensaries, compassion clubs or smoke houses which are strictly prohibited in all zoning districts.
- k. All primary caregivers shall annually be registered, inspected and licensed by the Township in accordance with Ordinance No. 521.

14. Home occupations that cannot meet the criteria for a Conditional Land Use may request Special Land Use approval from the Planning Commission if the conditions established for a Special Land Use can be met.

J. Mobile Home Subdivisions/Site Condominiums

- 1. Mobile home subdivisions/site condominiums shall be established in full compliance with the provisions of the Township Subdivision/Site Condominium Ordinance.
- 2. All mobile homes, single- or two-family dwellings in a mobile home subdivision or site condominium project shall have a minimum living area of 750 square feet for a one and two-bedroom unit plus 150 square feet of additional living area for each bedroom beyond two. Dwellings shall be exempt from the provisions of Section 66.125 subparagraph (b).
- 3. No mobile home in a mobile home subdivision/site condominium shall have exposed wheels, towing mechanism, undercarriage or chassis.
- 4. Each mobile home in a mobile home subdivision/site condominium shall be installed pursuant to the manufacturer's setup instructions and the rules and regulations of the Michigan Mobile Home Commission and shall be secured to the premises by an anchoring system or device also complying with the rules and regulations of the Michigan Mobile Home Commission. In addition, the area between the grade elevation of the lot and the mobile home shall either have a wall of the same

perimeter dimensions of the mobile home and constructed of such materials and type as required in the Township Building Code for single-family dwellings or shall instead have skirting of the same perimeter dimensions of the mobile home, which skirting shall be in compliance with the standards set forth in Rule 604 of the Michigan Mobile Home Code promulgated by the Michigan Mobile Home Commission.

5. All mobile homes and single- or two-family dwellings in a mobile home subdivision/site condominium shall be connected to a public sewer and water supply or to such private facilities approved by the County health department.
6. All mobile homes and single- or two-family dwellings in a mobile home subdivision/site condominium shall contain permanently attached steps connected to exterior door areas or to porches connected to said door area where a difference in elevation requires the same.
7. Each mobile home in a mobile home subdivision/site condominium shall be constructed in compliance with the standards for mobile home construction as contained in the United States Department of Housing and Urban Development (HUD) regulations entitled "Mobile Home Construction and Safety Standards" effective June 15, 1976, as amended.
8. No more than one mobile home or single- or two-family dwelling shall be placed upon an individual lot.

K. Nursing, convalescent and assisted living facilities.

1. A minimum site size of three acres shall be required.
2. A minimum of 500 square feet of outdoor open space shall be required per dwelling unit or bed in the facility, whichever is greater. Common areas (exclusive of corridors, entrance vestibules, and hallways) that are incidental to and/or enhance the living facilities shall be a minimum of 50 square feet per dwelling unit or bed in the facility, whichever is greater.
3. The minimum separation between buildings shall be 30 feet.
4. All studio or efficiency units shall have a minimum floor area of 300 square feet, one-bedroom units shall have a minimum floor area of 400 square feet, and 2 or more-bedroom units shall have a minimum floor area of 550 square feet.
5. A drop off and pick-up area shall be provided separate from the parking area and circulation aisles.
6. Public sanitary sewer and water facilities are required as part of the development.

L. ~~Conversion of a Residence~~ Residential Conversion for Offices Uses

- A. Any such building must remain compatible in size, height, external design, landscaping and surrounding open space as other residential buildings in the area adjacent and nearest to the proposed use within a radius not to exceed one-half mile.

M. Temporary Outdoor Events (~~3 days or less~~ lasting no more than one day)

1. Permitted on an individual property or to an individual vendor no more than once every quarter within a calendar year.
2. Use is incidental to principal use of the property.
3. All activity shall take place on the subject property.
4. Restrooms shall be provided on site (in building or through portable facilities).
5. A site plan shall be submitted for administrative review indicating the following:
 - a. Traffic lanes and on-site parking.
 - b. Fire lanes and emergency vehicle turning areas.
 - c. Location of restrooms.
 - d. Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks.
 - e. Location of fire hydrants.
6. The Fire Chief, or his designee, has approved the placement of vehicles, trailers, and all other equipment associated with the event.
7. All signs must receive a temporary sign permit and comply with all applicable sign ordinances.
8. Property owner must approve and acknowledge the use of the property for the event.

Special Uses – Residential Districts: Only new language

A. Agritourism, Category 2

1. General Standards:

- a. **Parcel size.** Parcels must be a minimum of 10 acres. The Planning Commission may consider a smaller parcel size depending on the agritourism uses planned. Their consideration of a smaller parcel size will be based on the intensity and scale of the proposed agritourism use, compatibility with surrounding property owners, and will be harmonious with the existing character of the area.
- b. **Maximum floor area.** The maximum floor area for all buildings related to the agritourism use shall be 10,000 square feet. Clusters of smaller, architecturally appropriate structures are encouraged to maintain rural character of the agritourism use. This maximum floor area does not include greenhouses.
- c. **Architectural character.** All buildings shall incorporate a rural theme in terms of style and design. This means new agritourism uses involving new structures shall complement and enhance the rural environment. For example, gable or gambrel roofs, roof ornamentation such as cupolas, dormers, porches, and decorative shutters.
- d. **New uses.** New uses shall be located, designed and operated so as not to interfere with normal agricultural practices on and off site. Non-agricultural uses should be limited to lands with poor agricultural soils or lands otherwise not suitable for agricultural purposes.
- e. **Use and product percentages.** Agricultural products produced on site, agriculturally related products and uses, and non-agriculturally related products and uses are permitted based on the following percentages:
 - i. At least 50 percent of the products (measured as an average over the farm's marketing season) and uses marketed and offered must be grown or produced on and by or have a direct relationship with the affiliated farm. For purposes of this requirement, affiliated means a farm under the same ownership or control (e.g. leased) as the farm market whether or not the farm market is located on the property where production occurs.
 - ii. A maximum of 30 percent of the products and uses marketed and offered may be other agriculturally related products and uses as defined by Article 2: Definitions.
 - iii. A maximum of 20 percent of the products and uses marketed and offered may be non-agriculturally related products and uses as defined by Article 2: Definitions.
 - iv. For purposes of determining the percentage of products and uses being marketed and offered, the primary measure will be square footage of space used for each individual product or use. If measurement of retail space during the marketing season is not feasible to determine percentage of product, then the percent of the gross sales dollars will be used.

- f. **Parking.** On-site vehicle parking shall be provided on agribusiness property as follows:
 - i. The total number of required spaces shall be calculated as one space for every 1,000 square feet of the main public activity area, plus one space for every two employees. This shall not include areas dedicated to agricultural production.
 - ii. 24 foot two-way or 20 foot one-way circulation aisles shall be maintained. To ensure drive aisles are maintained, the location of parking spaces shall be defined by providing some type of marker at the center of the space to be placed every 64 feet for two-way traffic and 60 feet for one-way traffic.
 - iii. Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.
 - iv. The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.
 - v. Parking and driveway surfaces may be pervious or hard surface.
- g. **Lighting.** Any exterior lighting installed related to an agritourism use or activity shall be appropriately shielded and directed downwards to minimize light pollution. All lighting shall meet the standards of Article 49: Lighting.
- h. **Trash receptacles.** Trash receptacles shall be provided and shall be completely obscured from view by a screen fence or wall.
- i. **Screening.** Screening, consisting of an earth berm, evergreen screen, or an obscuring wall or fence, shall be provided on those sides abutting or adjacent to a residential use. The Planning Commission may waive the screening requirement in specific cases where cause can be shown that the distance between the agritourism and residential use would not require screening.
- j. **Restroom facilities.** Permanent restroom facilities shall be provided on site. The number of which shall be based on Building Code requirements.
- k. **Maximum capacity.** The Fire Marshall or Building Official shall establish a maximum capacity for meetings, training, educational or similar events which shall be appropriate to the site and facilities in terms of safe capacity in buildings, parking area and sanitation limitations of the site.
- l. **Hours of operation.** The Planning Commission may establish hours of operation for the agritourism uses, or specific elements thereof, consistent with the character of the land uses in the vicinity and may further approve an enforcement mechanism to ensure that the established hours of operation are adhered to.
- m. **Access.** Access to an agritourism use must be from the County primary road.

- n. **Livestock.** The keeping of livestock for agricultural purposes and agriculturally related purposes like riding stables, petting farms, pony rides, etc., shall be subject to the provisions of Article 52: Miscellaneous Protection Requirements.

2. Special Agritourism Events.

- a. A maximum of six special events shall be permitted between May and October. An additional two events shall be permitted between November and April.
- b. Each special event may not last more than three consecutive days, with a minimum of 14 days between events unless otherwise approved by the Planning Commission.
- c. A reserved parking area shall be provided on-site to be utilized for special events. If the agritourism use intends to hold special events, this reserved area must be displayed on a site plan.
- d. The reserved parking area must be of adequate size to accommodate the anticipated additional traffic of the special event. The size of the reserved parking area shall be reviewed and approved by the Planning Commission.
- e. For special events lasting more than one day and with an expected daily attendance exceeding 100 hundred individuals, the on-site manager or owner shall notify all adjacent neighbors bordering the subject property in writing of the date, time, duration and description of the event. Notification shall occur at least five business days prior to the beginning of the event.

- 3. **Narrative.** A written narrative describing the use in detail, including both agriculturally related and non-agriculturally related products and uses; proposed hours of operation; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; special events; and other information describing the use and which will assist the Planning Commission in determining whether the application meets the special land use requirements.

4. Prohibited uses.

- a. **Motorized off-road vehicle racing or other similar motor vehicle activities.**

B. Bed and Breakfast Inns

- 1. **Residency.** The dwelling unit in which the bed and breakfast inn is located shall be the principal residence of the real property owner and operator, and the real property owner and operator shall live on the premises when the bed and breakfast operation is active.
- 2. **Rooms.** The number of rooms available for guests shall be limited to six.
- 3. **Occupancy.** Occupancy shall be of a transient nature for periods not to exceed 14 consecutive days in duration in any one month by any particular guest. A guest registry shall be maintained and could be subject to inspection by the Township upon request.

4. Character. Residences used for bed and breakfast inns shall be suitable in character for the use proposed and shall not be cause for a change in character of the neighborhood.
5. Meals. Meals or other services provided on the premises shall only be available to residents, employees, and overnight guests of the establishment.
6. Licenses. Proof of application for state and county licenses shall be submitted. Required licenses shall be obtained prior to commencement of the use.
7. Sign. A non-animated sign not exceeding six square feet in area may be provided. Such sign may be provided as a ground sign or a wall sign. The location of the sign shall be approved by the Planning Commission at the time of site plan review. **Internally illuminated signs are prohibited.**
8. Parking. Parking shall be provided in accordance with the **below standards, as well as any additional requirements of Article 47.**
 - a. One off-street parking space shall be provided for each lodging room and two off-street spaces shall be provided for the owner. Required spaces may be provided in an enclosed structure.
 - b. No parking shall be permitted in the front yard.
 - c. Parking spaces shall be screened from the road and adjacent properties in accordance with the requirements of **Section 75.140.**
 - d. Parking spaces shall be configured so as not to disturb the residential appearance of the neighborhood. The Planning Commission may require additional landscape buffering to preserve neighborhood appearance.
9. Refuse storage. Exterior refuse storage facilities beyond what might normally be expected for a detached single-family dwelling shall be screened from view in accordance with the standards in **Section 75.160.** Landscape screening may be substituted for the fence or wall required in said section provided it will provide similar, opaque, all-season screening.
10. Annual review. **Bed and Breakfast Inns** shall be subject to annual review with on-site inspections. The review shall be conducted administratively unless significant changes or problems warrant Planning Commission review. Annual approval must be received from local fire and building inspectors for adequate exits, smoke alarms, and general fire prevention and health department code adherence, which may be subject to an inspection fee in accordance with the Township Fee Schedule.

C. Child Care Centers

1. **Shall be located on parcels, lots, or building sites served by public sanitary sewer and water service.**

2. There shall be a contiguous open space of a minimum of five thousand (5,000) square feet provided on the subject parcel. The open space shall not be located within a required front yard. This requirement may be waived by the Zoning Administrator if public open space is available within five hundred (500) feet of the subject parcel.
3. The Child Care Center shall be properly licensed by the State of Michigan, which shall be submitted as part of the Special Land Use application.
4. The Planning Commission may impose greater setbacks than the minimum specified in those instances where the Child Care Center would be located adjacent to single family dwellings or within a single-family neighborhood.

D. **Essential Services**, Buildings and Regulator Stations ~~for essential services.~~

E. Golf Courses, Parks, and **other Passive** Outdoor Recreational Areas

1. Concession stands, pro-shops, clubhouses, equipment repair facilities, and other incidental commercial type uses shall be permitted provided they are located so as to minimize any adverse effects upon adjoining residential property owners and are operated for the purpose of serving patrons of the principal use and not the adjoining community or transient motorists. **Such facilities shall be screened from adjacent residentially zoned or used property with landscaping, berms, and/or fences to be reviewed and approved by the Planning Commission.**
2. No overnight accommodations other than a single-family dwelling for the owner or manager of the facility shall be allowed unless expressly approved by the Planning Commission.
3. Adequate public restrooms and other facilities shall be constructed and properly maintained, commensurate with the anticipated popularity of the particular use involved.
4. **Adequate** rubbish disposal shall be **provided throughout the facility** in such a manner as will avoid any littering upon adjoining properties and will minimize any adverse effects from noise, odor or dust to adjoining properties.
5. Off-street parking shall be required on the site located in areas which will minimize any adverse effects upon adjoining property owners and shall be sufficient to satisfy peak periods of use.
6. Fencing may be required by the Planning Commission where deemed necessary to prevent trespass onto adjoining residences or residentially zoned property.
7. The placement of any trails, roads, runs, obstacle courses or similar roadways or pathways shall be in such locations as to minimize any adverse effects of noise, traffic or dust upon adjoining residents and shall, where the Planning Commission deems necessary to dissipate noise be screened **with landscaping, berms and/or fences.**
8. Equipment storage buildings and other such buildings of a commercial nature shall be screened from adjoining residential properties **with landscaping, berms, and/or fencing approved by the Planning Commission.**

9. The Planning Commission shall have the right and authority to impose additional restrictions and conditions as may be necessary for the protection of the health, safety and welfare of any adjoining property and to ensure that any noise, odors, traffic or other activities incident thereto have a minimum impact upon the general area in which the same is located.
10. The application for **special land use approval** must contain a plan for insuring adequate supervision of a recreation area and all activities therein.

F. Group Day Care Homes

1. Outside play area is appropriately fenced for the safety of the children.
2. The residential character of the property shall be preserved and maintained. Any building must be compatible in size, height, external design, landscaping, and surrounding open space as other residential buildings in the area.
3. Operation may not exceed 16 hours during a 24-hour period.
4. No signs are permitted.
5. One parking space shall be provided for each non-resident employee working on site at any one time.

G. Home Occupations

1. Home Occupations which depart from the criteria stated **under Conditional Land Uses may be approved as a Special Land Use** provided that any Home Occupation shall meet the following conditions:
 - a. The occupation(s) conducted therein is clearly incidental and subordinate to the principal use of the premises for residential purposes.

- b. If operated in an accessory building, the following shall apply:

Area of Property	Area of Accessory Building Utilized for Home Occupation
Less than one acre	Not Permitted
From 1 to 1.99 acres	up to 500 square feet
From 2 to 2.99 acres	up to 800 square feet
Three acres or more	up to 1,200 square feet
In no case shall the area of the accessory building utilized for the Home Occupation exceed the interior gross floor area of the dwelling.	

- c. Use of an accessory building is limited to property containing a single or two-family dwelling.

- d. No accessory building allowed pursuant to this subsection shall be used for a purpose other than that approved by the Planning Commission
 - e. Shall be conducted by the person or persons occupying the premises as their principal residence.
 - f. The number of nonresident employees working on-site cannot exceed one (1) at any one time.
 - g. The dwelling has no exterior evidence to indicate that the same is being utilized for any purpose other than that of a dwelling. No signs are permitted.
 - h. No goods are sold from the premises which are not strictly incidental to the principal home occupation conducted therein.
 - i. No occupation shall be conducted upon or from the premises which would constitute a nuisance or annoyance to adjoining residents by means of vibrations, noise, smoke, odor, dust, dirt, fumes, glare, heat, electrical disturbance, lighting, or the creation of vehicular traffic in excess of what is characteristic of the area. Vibrations, noise, smoke, odor, dust, dirt, fumes, glare, heat, electrical disturbance, or the source of lighting shall not be discernible beyond the boundaries of the property from which the occupation is conducted. The use and/or storage of hazardous materials in excess of quantities customary to a residential dwelling are not permitted.
 - j. Outdoor activity, storage, and/or display are prohibited
 - k. Use of a commercial vehicle is subject to **Section 68.150**.
 - l. The following shall not be deemed home occupations: medical or dental clinics or offices, child care facilities, barbershops and beauty salons (except barbershops and beauty salons limited to one operator), funeral homes, restaurants, veterinarian clinics or offices, kennels, riding stables, storage facilities, adult regulated uses, or any sale, resale, maintenance, repair, restoration or painting of automobiles, trucks, motorcycles, motorized recreational vehicles, and boats, and other occupations determined by the Planning Commission to be similar to the occupations listed in this subsection.
2. All applications shall include a statement setting forth a detailed description of the proposed Home Occupation, its location, and purpose for which the proposed or existing accessory building, if any, will be used.
 3. **S**ite plan review shall include a drawing to scale of the subject property, containing the following information:
 - a. A north arrow and graphic scale.
 - b. All property lines and their dimensions.
 - c. Building setbacks from property lines.

- d. Location and dimensions of all existing and proposed structures (including height of all proposed accessory buildings) on the subject property and any existing buildings on adjacent properties within 50 feet of the subject property boundaries.
4. To ensure harmonious relationships and to minimize conflicts between adjacent uses, the Planning Commission shall consider the characteristics of the proposed Home Occupation(s) and/or accessory building in relation to the following: the purpose and intent of this Ordinance, size of property, size of dwelling, proposed location on the property, existing land uses in area, and future land uses as reflected in the Master Land Use Plan. The Planning Commission may attach requirements to such Home Occupation(s) and accessory building when it deems necessary to avoid or mitigate adverse impacts on surrounding properties which may include, but is not limited to, a reduction in the size of the building and increased setback requirements.

H. Kennels, Day Care Centers

1. Only permitted in unplatted areas.
2. Only the breeding, raising and/or boarding of dogs or cats is permitted.
3. The total number of animals for boarding or day care shall be determined as part of the Special Land Use approval.
4. Kennels shall be subject to the permit and operational requirements of any State and County agencies.
5. Pet grooming, including bathing, fur and nail trimming, brushing, flea and tick treatment, and similar services shall be permitted if specifically authorized by the Special Land Use approval.
6. The sale of pet and veterinary products shall be incidental to the kennel or day care facility, utilizing no more than 10 percent of the interior building space. No outdoor display or storage of products is permitted.
7. Buildings in which animals are kept, animal runs, and exercise areas shall be setback a minimum of 100 feet from any adjacent residentially zoned or used property.
8. Animal runs or other outdoor exercise areas shall not be located in the front yard.
9. An operations and maintenance plan shall be submitted with the Special Land Use application that addresses how noise will be lessened, waste handled, and days/hours of operation.

I. Mobile/Manufactured Home Parks

1. Shall include accessory buildings and uses incidental to the primary residential use of the park, including residences for the mobile home park owner or manager.
2. All mobile home parks shall comply with the requirements imposed by Michigan Public Act 419 of 1976 and any and all amendments thereto and with any and all regulations promulgated

thereunder by the Michigan Mobile Home Commission and the Michigan Department of Public Health, except as said Act and regulations may be modified by the provisions herein.

3. Mobile home parks shall have no less than 200 feet of frontage on a dedicated public road. Every mobile home park must have a minimum of two access streets connecting said park to a public highway or highways unless the Zoning Board of Appeals grants a variance from such requirements where, in the opinion of said Board, the additional access or accesses would not improve traffic safety because of the peculiar characteristics of the proposed development.
4. Mobile home parks shall not be less than 15 acres in size.
5. Landscaping in accordance with Section 75 - Landscaping shall be provided.
6. All two-way interior drives within a mobile home park shall be paved with asphalt or a similar hard surface so as to have a paved driving surface with a minimum width of 21 feet exclusive of any area used for parking. All one-way interior drives within a mobile home park shall also be paved with asphalt or a similar hard surface so as to have a paved driving surface with a minimum width of 13 feet exclusive of any area used for parking. When an interior drive would serve as a connecting link between different land ownerships or different public roads, either currently or within the foreseeable future, it shall, regardless of whether it is a public or private road, be constructed in accordance with the public road specifications of the Kalamazoo County Road Commission and be located upon a reserved right-of-way of not less than 66 feet in width.
7. Two paved off-street (or drive) parking spaces for each mobile home site shall be provided; in addition, regional paved off-street (or drive) parking spaces shall be provided sufficient for the parking of one vehicle for every three mobile home sites. On-street (or drive) parking shall be prohibited. Notwithstanding the foregoing, the within provisions shall not be deemed to prohibit paved parking bays contiguous to interior drives, so long as said paved parking bays do not intrude upon the minimum interior drive, driving surface widths prescribed above and meet the relevant standards for parking bays promulgated by the Michigan Mobile Home Commission pursuant to Michigan Public Act 419 of 1976, as amended.
8. Each mobile home site shall be well-drained and be provided with a permanent foundation providing adequate footing such as concrete piers, concrete ribbons (at least 24 inches in width) or a concrete slab base.
9. All utilities, including Cable TV, installed in the mobile home park must be installed underground.
10. Fire hydrants must be installed and the placement and size thereof shall be determined by the developer subject to the approval of the Township Fire Department.
11. Each mobile home park shall be developed with sites of not less than 5,500 square feet per mobile home unit. These 5,500 square feet for any one site may be reduced up to 20 percent provided that the minimum individual site is not less than 4,400 square feet. For each square foot of land gained through the reduction of a site below 5,500 square feet, at least 75 percent of the land saved shall be dedicated as open space, but in no case shall the open space requirement be less than that required under Rule 125.1946 of the Michigan Administrative Code.

12. Every mobile home park must be connected to a municipal sanitary sewer system and a municipal public water system under such arrangements and contracts as can be agreed upon between the developer and the Township Board prior to the approval of the mobile home park plans by the Planning Commission.
13. Only one single-family mobile home shall be allowed per mobile home site.
14. Every mobile home park must provide at least a 12-foot wide deceleration lane into every entrance to the mobile home park abutting a public road. The Planning Commission shall have authority to grant a deviation from this requirement when it determines in its sole discretion that, because of factors such as the low level and/or rate of speed of traffic on the abutting public road, the deceleration lane would serve no useful practical purpose in protecting the safety of persons entering the mobile home park or traveling upon the public road abutting the mobile home park entrance.
15. Preliminary Plan.
 - a. Preliminary plans for all new mobile home parks or expansion of existing mobile home parks must be submitted to and approved by the Planning Commission as being in compliance with the terms of this Ordinance and all applicable state statutes and regulations promulgated thereunder before construction may commence. Application for preliminary plan approval shall be made by (1) filing seven copies of the preliminary plan with the Township Clerk, and (2) paying a preliminary plan review fee as determined by resolution of the Township Board based upon the cost of processing the review and as shall be on file with the Township Clerk for public information.
 - b. The preliminary plan must consist of, but shall not be limited to, the following:
 - i. The name and address of the applicant.
 - ii. The legal description of the subject parcel of land.
 - iii. The area of the subject parcel of land.
 - iv. The present zoning classification of the subject parcel.
 - v. A plan drawn to scale indicating all of the following:
 - 1) The number and size of individual mobile home sites and the location of streets.
 - 2) The location and method of sewage treatment and disposal and appropriate support data necessary to show the adequacy of same.
 - 3) The source and location of the water supply and fire hydrants.
 - 4) The location of access to public roads.
 - 5) The drainage provisions.
 - 6) Site features including all structures, outdoor recreational facilities, walkways, parking and street frontage.
 - 7) The location, size and design of all signs to be placed upon the site.
 - 8) The location and general description of all screening and landscaping to be retained or established on the site.

- c. Property which is the subject of preliminary plan approval must be developed in strict compliance with the approved preliminary plan and any amendments thereto which have received the approval of the Planning Commission.
- d. A proposed amendment, modification or alteration to a previously approved preliminary plan shall be submitted to the Planning Commission for review in the same manner as the original application was submitted and reviewed.
- e. The Township Planning Commission shall have the right and authority to require the applicant to file with the Township Building Department at the time of Township approval of a preliminary plan for a new mobile home park or for expansion of an existing mobile home park, a performance surety bond, bank letter of credit or cash bond in such amounts as may be determined by said Board necessary to insure the development of the site in accordance with the approved preliminary plans therefor. Such bond or bank letter of credit, if required, shall continue for the duration of the construction and development of the site and until all conditions are complied with and shall be in a face amount which is a reasonable percentage of the estimated total costs of the particular construction and site development. If a performance bond is required, the amount of the performance bond shall be set at a minimum of 100 percent of the cost of the unfinished work. The bond shall be for the purpose of securing the health, safety and welfare of the residents of the Township and adjacent residents and property owners. Said Board shall provide for the rebate of any cash bond filed in this connection in reasonable proportion to the ratio of the work completed on the improvements for which the bond was required provided the amount remaining on deposit still provides reasonable security for the completion of the unfinished improvements germane to the deposit.

16. Mobile Home Parks - electronic copies of plans. Following final approval by the Planning Commission and before a Certificate of Occupancy may be issued, the applicant shall furnish the Township hard copies on both paper and Mylar and a digital copy of the final approved site plan and as-built drawings of public water and sewer mains, prepared to scale. Digital copies shall be provided in AutoCAD (.dwg) or (.dxf) format. Digital copies may be submitted on 3 ½" disk or CD.

Each digital file shall include a minimum of two ties to Government Section Corners. Additionally, the following should be included and provided as their own unique layers in the electronic file: lot/unit numbers; dimensions; lot lines; boundaries; rights-of-way; street names; easements; section lines and section corners; utility lines; adjacent plat corners; and, other information deemed appropriate to the subject project.

J. Mobile/**Manufactured** Home Sales

- A. Limited to mobile/**manufactured** home sites in the mobile/**manufactured** home park or to an inconspicuous area **limited to the size of one park lot** designated for the display of different types of mobile homes.
- B. **Sales shall be limited to those** which are permitted to be occupied within the mobile home park.

K. Nonprofit Educational, Noncommercial Recreational and Noncommercial Business Centers

1. Accessory uses may include but are not limited to uses for the benefit of the participants and directly relating to such centers: classrooms, libraries, lecture halls, eating facilities, overnight accommodations, conference center facilities, facilities for the production and documentation of audio visual presentations, satellite communication accommodations, custodial living, and maintenance facilities, office and recreational accessory uses.
2. Buildings shall not be constructed to a height exceeding 30 feet.
3. Buildings and structures shall be set back 200 feet from the front right-of-way line of adjoining streets. Buildings and structures shall be set back 40 feet from the rear or side property line.
4. Outdoor storage areas shall be screened from view of adjoining residentially developed or zoned land.
5. Such facilities must be located upon a county primary road, as classified by the Road Commission of Kalamazoo County.
6. Not less than 75 percent of the site must be maintained as open space unencumbered by buildings, structures, paved roads, sidewalks, or parking areas.
7. The facility shall be designed so as to limit the number of participants to not exceed ten per acre.
8. During site plan review, the Planning Commission shall consider whether more than one vehicular entrance road is necessary for public safety and fire protection.

L. Office Buildings

1. Special Land Use approval is only required for office buildings located within the R-3 Residence District.
2. New office development must remain compatible in size, height, external design, landscaping and surrounding open space as other residential buildings in the area adjacent and nearest to the proposed use within a radius not to exceed one-half mile.
3. All of the development standards of the R-3 Residence District shall apply.

M. Private Clubs and Lodges

1. Excludes those clubs and lodges where the chief activity is a service customarily carried on as a business.
2. Outdoor facilities and accessory uses and buildings associated with the private club or lodge such as swimming pools, tennis courts, maintenance buildings, etc. shall be located a minimum of 100 feet from any residentially zoned or used property.

3. Access to the site shall be on a county primary road, as classified by the Road Commission of Kalamazoo County, or a state trunk line under the jurisdiction of the Michigan Department of Transportation.

N. Private Schools.

1. Primary access to the subject property shall be on a county primary road, as classified by the Road Commission of Kalamazoo County, or on a state trunk line under the jurisdiction of the Michigan Department of Transportation.
2. The minimum front yard setback for any principal or accessory building from a property line shall be fifty (50) feet, and the minimum side and rear setbacks shall be forty (40) feet unless a larger setback is required per Article 45.
3. Parking areas shall provide a minimum setback of 40 feet when adjacent to any residentially zoned or used property.
4. Private schools located completely within the Transitional Office, General Commercial or Village Core zoning districts may comply with the district setbacks except when property lines abut or face residentially zoned properties.
5. Parking areas shall not be located in any required setback areas.
6. Outdoor play areas shall not be permitted in the required front yard.
7. Buildings used for servicing or maintenance, such as heating plants, garages, and storage structures, shall be screened from residentially zoned or used properties with landscaping, berms, and/or fencing approved by the Planning Commission.

O. Public Buildings for Governmental Purpose.

~~P. Riding Stables (Added to Agritourism)~~

- ~~1. Horse boarding, of a commercial nature, is permitted. The maximum number of horses allowed shall be regulated by Article 52, the requirements for the keeping of livestock.~~
- ~~2. Shall only be permitted on unplatted parcels of land.~~
- ~~3. Subject to the provisions of Article 52, the requirements for the keeping of livestock.~~

Q. Solar Energy Systems

1. Solar energy systems that require special land use approval shall be defined as ground mounted systems that are larger than 500 square feet in area that may provide energy for on-site and/or off-site uses.
2. Shall only be permitted on unplatted properties.

3. Shall have a minimum setback of 30 feet from any residentially zoned or used property.
4. No system shall be located in the front yard.
5. Ground mounted solar energy collectors shall not exceed 16 feet in height as measured from ground level to the top of the solar collectors when oriented at maximum tilt.
6. The surface area of ground mounted solar collectors shall not exceed 65 percent of the total parcel size.
7. On-site power lines related to SES shall be buried except where necessary to connect to existing overhead transmission lines or where prohibited by natural features.
8. Decommissioning: At the time a Special Land Use application is filed, a decommissioning plan shall be submitted as follows:
 - a. Defined conditions upon which decommissioning will be initiated (i.e., end of land lease, no power production for twelve (12) months, etc.)
 - b. Removal of all non-utility owned equipment, conduit, structures, fencing, roads, and building foundations to a depth of three (3) feet below grade.
 - c. Restoration of property to the condition prior to development of the solar energy system.
 - d. The timeframe for completion of decommissioning activities.
 - e. Description of any agreement (e.g., lease) with the landowner regarding decommissioning.
 - f. Provisions for updating the decommissioning plan.
 - g. A statement signed by the owner or operator that they take full responsibility for reclaiming the site in accordance with the decommissioning plan and the Special Land Use approval upon cessation of use.
 - h. The Planning Commission may mandate that the owner or operator provide a financial guarantee to cover the costs of decommissioning the site.
 - i. The decommissioning plan shall be recorded with the Kalamazoo County Register of Deeds.
 - j. The Township shall conduct a final inspection to confirm that the solar energy system has been decommissioned consistent with the provisions of the decommissioning plan.

R. Temporary Outdoor Events (lasting longer than ~~3~~ **one** days)

1. Permitted on an individual property or to an individual vendor no more than once every quarter within a calendar year.
2. Use is incidental to principal use of the property and all events shall not last more than one day.

3. All activity shall take place on the subject property.
4. Restrooms shall be provided on site (in building or through portable facilities).
5. A site plan shall be submitted for administrative review indicating the following:
 - a. Permitted on an individual property or to an individual vendor no more than once every quarter within a calendar year.
 - b. Use is incidental to principal use of the property.
 - c. All activity shall take place on the subject property.
 - d. Restrooms shall be provided on site (in building or through portable facilities).
 - e. A site plan shall be submitted for administrative review indicating the following:
 - i. Traffic lanes and on-site parking.
 - ii. Fire lanes and emergency vehicle turning areas.
 - iii. Location of restrooms.
 - iv. Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks.
 - v. Location of fire hydrants.
6. The Fire Chief, or his designee, has approved the placement of vehicles, trailers, and all other equipment associated with the event.
7. All signs must receive a temporary sign permit and comply with all applicable sign ordinances.
8. Property owner must approve and acknowledge the use of the property for the event.

S. Veterinary Clinic, General

1. The sale of pet and veterinary products shall be incidental to the clinic, utilizing no more than 10 percent of the interior building space. No outdoor display or storage of products is permitted.
2. Buildings in which animals are kept, animal runs, and exercise areas shall be setback a minimum of 100 feet from any adjacent residentially zoned or used property.
3. Animal runs or other outdoor exercise areas shall not be located in the front yard.
4. All animals shall be kept in an enclosed structure, except for walking and outdoor exercise when accompanied by a clinic employee.

5. An operations and maintenance plan shall be submitted with the Special Land Use application that addresses how noise will be lessened, waste handled, and days/hours of operation.

T. Veterinary Clinic, Small Animal

1. Outside facilities or runs are prohibited
2. The sale of pet and veterinary products shall be incidental to the clinic, utilizing no more than 10 percent of the interior building space. No outdoor display or storage of products is permitted.
3. Buildings in which animals are kept and any outdoor exercise areas shall be setback a minimum of 30 feet from any adjacent residentially zoned or used property.
4. All animals shall be kept in an enclosed structure, except for walking and outdoor exercise when accompanied by a clinic employee.
5. An operations and maintenance plan shall be submitted with the Special Land Use application that addresses how noise will be lessened, waste handled, and days/hours of operation.