

120.160 "R-5" Residential District--High-Density Multi-Family.

A. Description of District:

This district is composed of certain areas within the Township where high-density multi-family residential development has occurred or appears desirable to occur. The regulations for this district are designed to protect and stabilize the essential characteristics of these areas and to promote and encourage a suitable and safe environment for family life. To these ends development is restricted to high-density, multi-family residential use and adequate public facilities and services will be provided.

B. Permitted Uses:

1. Business offices in a multi-family building for conducting business incidental to the rental, operation, service and maintenance of the multi-family building or buildings.
2. Accessory uses or buildings when in accordance with the provisions of Section 120.410.
3. Signs when in accordance with provisions of Section 120.320.
4. Public-owned and operated buildings and uses including community buildings.
5. Agricultural crop farming on parcels of 2.5 acres or more.
6. Multiple-family dwellings subject to the following conditions, restrictions and limitations.
7. Essential services.
8. State licensed residential facility, which provides resident services for six (6) or less persons under 24-hour supervision or care.
9. A family day care home licensed or registered pursuant to Act No. 116 of the Public Acts of 1973, as amended, where:
 - ◆ It is conducted in the bona fide private residence of the operator of the family day care home; and

- ◆ It is conducted in accord with the requirements of Act No. 116 of the Public Acts of 1973, as amended, and the rules promulgated pursuant to said Act.

C. General Regulations:

1. **Area Requirements:** A multiple dwelling may not cover more than 30% of the ground area of the lot, parcel or building site upon which it is located.
2. **Building Height:** The maximum height for a multiple dwelling shall be the maximum height which the Township fire equipment can adequately service; provided, however, that the maximum height of a multiple dwelling located within 132 feet of single-family residentially zoned property shall be two stories.
3. **Minimum Allowable Distance Between Buildings:** The minimum allowable distance between buildings shall be 50 feet. This minimum distance shall be increased 5 feet for each story in height above two stories.
4. **Required Parking:** Each dwelling unit containing 0 to 2 bedrooms must be provided with at least 3 parking spaces. Each dwelling unit with more than 2 bedrooms must have at least an additional 1 parking space for each additional bedroom.
5. **Required Paving:** All driveways, service and loading areas, and parking spaces shall be paved with bituminous aggregate or material of equal quality. Driveways without parking must be paved to at least 20 feet in width.
6. **Street Frontage:** Each multiple dwelling building must abut a dedicated public or private street/road.
7. **Unit Size:** The minimum size for multiple dwelling units shall be as follows:
 - a. 0 bedrooms (efficiency apartment) -- 400 square feet.
 - b. 1 bedroom -- 500 square feet.
 - c. 2 or more bedrooms -- 150 square feet for each additional bedroom.

- d. Multiple dwelling buildings located within 132 feet of single-family residentially zoned property shall not contain more than four units.
8. Required Recreation Area: Recreation area equivalent to 600 square feet per unit shall be provided by the developer. Recreation area is defined for the purposes of this Ordinance as that area specifically set aside for outdoor leisure time activities.
9. Relationship to Adjoining Property: If a structure including swimming pools is proposed to be located within 100 feet of a single-family residentially zoned property, the plot plan must be submitted to the Planning Commission, which Board shall review the plan to insure that all structures are so constructed and the adjoining area screened and landscaped so that the adjoining single-family residential property will not be adversely affected and the adjoining single-family residential use will not be discouraged.
10. Utilities: All telephone and electrical lines must be placed underground.
11. Application for Building Permit: An application for a building permit for a multiple dwelling must be accompanied by a plot plan showing at least the following details, and, where applicable, drawn to scale:
 - a. The total lot, parcel or building site area.
 - b. All public and private rights-of-way and easements bounding the lot, parcel or building site.
 - c. The location of the proposed structure on the lot, parcel or building site showing the approximate location of entrances and loading points.
 - d. All curb cuts, driving lanes, parking areas, loading areas, signs, lighting, sanitary sewerage and drain facilities, facilities for disposing of garbage and refuse, underground telephone and electrical utility lines, location and size of municipal sanitary sewer, municipal water lines and gas lines.
 - e. All pedestrian walks, malls and open areas.

- f. Connection to sanitary sewers and/or water mains may be required by the Township Board when the Township Board determines, in its discretion, that said sewers and/or water mains are reasonably available to the proposed development. In the event sewer and/or water are not available, nor feasible as determined by the Board, then a letter of approval of private sewer and water facilities shall be submitted from the Kalamazoo County Health Department prior to the issuance of a building permit.
- 12. Vehicular entrances and exits will be constructed with approach lanes if deemed necessary by the Planning Commission so as not to interfere with moving traffic. The Planning Commission shall have the authority to require the dedication of sufficient frontage to provide a 100-foot roadway right-of-way where the Planning Commission finds that it can be reasonably anticipated that the adjoining public right-of-way will be required to accommodate four lanes of traffic.
- 13. Every apartment development containing 40 or more units must also contain indoor or outdoor recreation area(s) for the use of the apartment residents, as determined by the Planning Commission.

D. Planned Apartment Development:

- 1. In order to permit planned diversification in the location of multiple-family dwellings and to improve circulation and other site qualities, while insuring adequate standards, one or more such structures may be erected and maintained on the same lot, parcel or building site or several lots, parcels or buildings sites in the same ownership may be combined into one special plan covering a planned building group. The condition(s) which create planned unit development eligibility, is the preparation of a plan which will meet the spirit and intent of this Ordinance and the conditions herein imposed but which requires variances from some of the Ordinance requirements.
- 2. An application for approval of planned apartment development hereunder shall be filed with the Township by the owner or owners of the entire land area to be included within the planned apartment development and shall contain a site plan prepared in accordance with the provision of Section 120.430.

3. The Planning Commission shall fix a time for a hearing on the special plan and give notice as provided in Section 120.420. At the hearing any interested person or party may appear and be heard either in person or by his agent or attorney. The Planning Commission shall hear evidence and arguments upon each of the following questions, as well as other material matters:
 - a. Is there anything in the plan which is inconsistent with the intent and purpose of this Ordinance to promote the public health, safety, morals and general welfare, and/or will adjoining property be adversely affected?
 - b. Is there adequate open space under the proposed plan?
 - c. Does the plan omit any necessary street or street right-of-way?
 - d. Is there an adequate design of grades, paving, gutters and drainage to handle storm waters, prevent erosion and formation of dust?
 - e. Is there adequate, safe and convenient arrangements of pedestrian circulation facilities, roadways, driveways, off-street parking, loading areas and illumination?
 - f. Are external boundaries and landscaping harmonious with that of abutting property?
 - g. Is there an adequate and safe recreational and play area for children?
 - h. Are walls containing main window exposure or main entrances so oriented as to insure adequate light and air?
 - i. Are facilities for the disposal of garbage and refuse adequate?
4. Every development must have a minimum of two access streets connecting said development to a public highway; provided, however, that the Planning Commission may waive this requirement upon a finding by the Board that, due to the particular characteristics of the proposed development, a second access street would not improve traffic safety or could interfere with traffic safety.

5. Vehicular entrances and exits will be constructed with approach lanes if deemed necessary by the Planning Commission so as not to interfere with moving traffic. The Planning Commission shall have the authority to require the dedication of sufficient frontage to provide a 100-foot roadway right-of-way where the Board finds that it can be reasonably anticipated that the adjoining public right-of-way will be required to accommodate four lanes of traffic. No road, either public or private, shall be approved which has a right-of-way width of less than 66 feet, where the same would presently or within the foreseeable future serve as a connecting link between different land ownerships or different public roads.
6. If the Planning Commission approves the plan, then it may grant a variance from the terms of this Ordinance and as to the tract so proposed to be developed, modify the building heights, area, setback, sign and yard regulations as well as the requirement that all buildings must abut dedicated public streets. The Planning Commission shall prepare a report stating its conclusion on the request for the planned apartment development, the basis for its decision, its decision and any conditions relating to an affirmative decision.
7. All planned apartment development projects approved by the Planning Commission shall limit and control the issuance and validity of building permits and shall restrict and limit construction, location, use and operation of all developments set forth in such plans.
8. Prior to the issuance of a building permit by the Building Inspector, all required street and easement dedications shall be provided for and certification of the same shall be made to the Planning Commission.

E. Special Exception Uses:

All Special Exception Uses are subject to the provisions of Section 120.420.

1. Reserved.
2. Private clubs, fraternities and lodges in accordance with Section 120.110 C. 3. (1, 4, 5b).
3. Churches (1, 5b).

4. Public utility buildings and structures in accordance with Section 120.110 C. 4. (1, 4, 5a, 9).
5. Accessory building, prior to the establishment of the principal building on the lot, parcel or building site, for the storage of residence construction materials and tools subject to the following conditions and limitations:
 - a. The applicant must first apply for and receive a building permit for construction of the principal building.
 - b. Construction of the principal building must commence within 60 days.
 - c. Construction of the principal building must be completed, and an occupancy permit therefore issued, within one year. If, at the expiration of the one-year period, the principal building has not been completed and an occupancy permit issued, the Planning Commission upon application, may extend the one-year limitation for an additional six (6) months.
 - d. An accessory building and its use are subject to the provisions of Section 120.410.

F. Prohibited Uses:

The keeping or raising of horses, cattle, sheep or swine and the keeping or raising out-of-doors of more than three (3) dogs, cats or other small animals.

G. Screening.

Screening shall be provided in accordance with Section 120.350.

H. Lot, Parcel or Building Site, Yard and Area Requirements:

Except as elsewhere specified herein, the lot, parcel or building site, yard and area requirements shall be as specified in Section 120.600.