

KALAMAZOO CHARTER TOWNSHIP

KALAMAZOO COUNTY, MICHIGAN

ORDINANCE NO. 602

TEXT AMENDMENTS TO THE KALAMAZOO CHARTER TOWNSHIP ZONING ORDINANCE

Adopted: August 13, 2018

Effective: August ___, 2018

An Ordinance to amend the Kalamazoo Charter Township Zoning Ordinance to amend the definition of “commercial vehicles and equipment”; to remove the definition of “junk”; to amend the commercial parking provisions for residential zoning districts; to amend the recreational vehicle parking provisions; to provide for an effective date of said amendments; and to repeal all ordinances or parts of ordinances in conflict herewith.

THE KALAMAZOO CHARTER TOWNSHIP BOARD

KALAMAZOO COUNTY, MICHIGAN

ORDAINS:

SECTION I

**AMENDMENT TO ARTICLE 1.00 “DEFINITIONS” OF
THE KALAMAZOO CHARTER TOWNSHIP ZONING ORDINANCE**

- A. The definition of “Commercial Vehicles and Equipment” contained in Article 1 “Definitions” of the Charter Township of Kalamazoo Zoning Ordinance is hereby amended by the elimination of the word “power” therein and by the elimination of the word “passengers” therein. The definition of “commercial vehicles and equipment” is otherwise retained.
- B. The entire definition section of the word “junk” contained in Article 1 “Definitions” of the Charter Township of Kalamazoo Zoning Ordinance is hereby eliminated.

SECTION II

**AMENDMENT TO SECTION 4.01 F. 1. OF THE KALAMAZOO CHARTER TOWNSHIP
ZONING ORDINANCE**

- A. Article 4 “Off Street Parking and Loading Requirements”, Section 4.01 “Off-Street Parking Requirements”, Section F. “Commercial and Recreational Vehicle Parking in Residential Districts” subsection 1 “Commercial Vehicle Parking” is hereby amended by the elimination of the phrase “with a rated capacity of less than one (1) ton and”;

- B. Article 4 “Off Street Parking and Loading Requirements” Section 4.01 “Off-Street Parking Requirements” Subsection 1 “Commercial Vehicle Parking” is hereby further amended by the elimination of the word “plow” therein; and
- C. Article 4 “Off Street Parking and Loading Requirements”, Section 4.01 “Off-Street Parking Requirements” subsection 1 is hereby further amended by the addition of the following subsections after the introductory paragraph:

“Such vehicle shall only be allowed under the following conditions:

- a. Shall be located within an enclosed building, or
- b. If located outside of an enclosed building shall not be located within a front yard or a required side or required rear yard setback area, nor within a public right-of-way; and
- c. Shall be maintained in a reasonable state of repair for regular use and be so used during the season, and
- d. Shall not in any manner constitute a public nuisance, and
- e. Shall not be used for an on-site commercial purpose unless the property is located in a zone where such business or commercial activities are permitted.”

SECTION III
AMENDMENT TO SECTION 4.01 F. 3. OF
THE KALAMAZOO CHARTER TOWNSHIP ZONING ORDINANCE

- A. Article 4 “Off Street Parking and Loading Requirements”, Section 4.01 “Off- Street Parking Requirements”, Section F. “Commercial and Recreational Vehicle Parking in Residential Districts” Subsection 3 “Recreational Vehicle Parking” is hereby amended to read as follows:

“3. Recreational Vehicle Parking.

Recreational vehicles as defined in Article 1.00 including recreational travel trailers, recreational vehicles, motor homes, truck campers, camping trailers, boats, boat trailers, trucks of larger dimensions than pick-up or panel trucks, and other trailers and equipment of comparable size or appearance to the foregoing shall not be located upon property used or zoned for residential purposes unless the same comply with the following conditions and limitations:

- a. Connection to utilities. Recreational vehicles parked or stored shall not be connected to water, gas or sanitary sewer facilities.
- b. Are located within a permissible enclosed building located upon the premises.
- c. If located outside of an enclosed building upon the premises, are not located within the required front, side or rear building setback areas applicable to the premises, nor within the public right-of way; are maintained in a reasonable state of repair for regular use and so used during the seasons; and do not in any manner constitute a public or private nuisance.

- d. Are not used for any on-site commercial or business purposes or commercial activities.
- e. Are not used for living or housekeeping purposes except by minor children or out-of-town visitors for a period of not to exceed a total of fourteen (14) days in any calendar year, provided running water and indoor sewage facilities are available within the home on the premises of the use of such occupants.
- f. Notwithstanding “c” above, the same may be parked within such setback areas for cleaning, loading and unloading purposes for not to exceed forty-eight (48) hours per seven day period and not exceeding 14 consecutive hours during said period.
- g. Any person who cannot comply with the foregoing conditions and limitations at the time of adoption of this Ordinance amendment and who is in violation thereof, shall be allowed a period of six (6) months thereafter within which to comply with the same in order to avoid any unnecessary hardship to such person and afford an opportunity and period of time to comply with this provision.
- h. Where unnecessary hardships would be caused by strict compliance with the foregoing conditions and limitations and where, in addition, the neighborhood in which premises are located as well as adjoining property owners would not be adversely and unreasonably affected by a proposed storage or parking which does not fully comply with such conditions and limitations the Zoning Board of Appeals shall have authority to grant variances from strict compliance with such conditions and limitations. In deciding any variance request, the ZBA shall have the authority to consider the attitude of adjoining property owners and the adjoining neighborhood on the requested variance.”

SECTION IV
EFFECTIVE DATE, SAVINGS CLAUSE AND REPEAL

This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 110 of 2006. All parts of ordinances in conflict herewith are hereby repealed. Any prosecution pending or existing on any part or portion of the ordinance which is repealed hereby is saved.

KALAMAZOO CHARTER TOWNSHIP

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