

KALAMAZOO CHARTER TOWNSHIP

KALAMAZOO COUNTY, MICHIGAN

ORDINANCE NO. 605

TEXT AMENDMENTS TO THE KALAMAZOO CHARTER TOWNSHIP ZONING ORDINANCE

Adopted: _____

Effective: _____

An Ordinance to amend the Kalamazoo Charter Township Zoning Ordinance by adjusting the total permitted accessory building size based upon the size of the parcel; to allow for accessory building size in residential zoning districts based on aggregate gross floor areas in some locations; to provide standards and restrictions for packaged liquor sales in the RM-2 District Zoning Classification; 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 2.00 "GENERAL PROVISIONS" OF
THE KALAMAZOO CHARTER TOWNSHIP ZONING ORDINANCE**

- A. Article 2 "General Provisions" Section 2.03 "Accessory Buildings and Structures" Subsection C.3. of the Kalamazoo Charter Township Zoning Ordinance is hereby amended to read as follows;

"C. Size

- a. The maximum floor area of an accessory building or structure is 768 square feet, provided that the accessory building or structure together with all other buildings and structures does not cover more than 25% of the total area of the parcel, exclusive of road rights-of-way. Notwithstanding the percentage of lot coverage requirement, each parcel shall be permitted accessory building or structure floor area totaling 576 square feet, provided that in no case shall an accessory building or structure exceed the square footage area of the principal building on the parcel.
- b. Exception to 3.a. above, for large parcels.

Aggregate gross floor areas, maximum heights, and setbacks for buildings accessory to residential uses on large parcels shall not exceed:

Maximum Lot Size	Total Accessory Building Floor Area for All Accessory Buildings	Maximum Accessory Building Height	Side & Rear Yard Setbacks (not Permitted in Front Yards)
2 acres but less than 3 acres	1,700 square feet	25 feet	At least the height of the principal building
3 acres but less than 4 acres	2,200 square feet	25 feet	At least the height of the principal building
4 acres but less than 5 acres	2,700 square feet	25 feet	At least the height of the principal building
5 acres or more	3,499 square feet	25 feet	At least the height of the principal building

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SECTION II
AMENDMENT TO SECTION 14.02 “PERMITTED USES AND STRUCTURES” OF THE
KALAMAZOO CHARTER TOWNSHIP ZONING ORDINANCE”

- A. Article 14, Section 14.02 “Permitted Uses and Structures”, paragraph 21 is hereby amended to read” “21. Retail stores {except packaged liquor}, not to exceed 5,000 square feet in floor area (gross).”
- B. Article 14, “RM-2” Multiple Family (Mixed Use), Section 14.02 “Special Land Uses” paragraph 16. is hereby added to the Kalamazoo Charter Township Zoning Ordinance to read: “16. Retail sales of Packaged Liquor, subject to Section 8.02 (WW).”

SECTION III
AMENDMENT TO Article 8 “SITE DEVELOPMENT STANDARDS”, OF
THE KALAMAZOO CHARTER TOWNSHIP ZONING ORDINANCE

- A. Article 8 “Site Development Standards” Section B “Special Land Uses” Section 8.02 “Scope of Requirements” is hereby amended by the addition of a new subsection to be designated “WW” to read as follows:
“WW. Retail Sales of Packaged Liquor in the RM-2 zoning districts. Retail Packaged Liquor Outlets in the RM-2 zoning district are subject to the following:

1. No retail packaged liquor outlet shall be established within 1,000 feet of a public school or library and shall not be located within 500 feet of a religious institution.
2. Outlet stores selling packaged liquor at retail shall not sell packaged liquor between the hours of 9:00 p.m. and 8:00 a.m.
3. No drive-through operation is conducted within the same building as the sale of beer, wine, liquor or other beverages containing alcohol.
4. Frontage on a state highway or county primary road exists where ingress and egress is allowed. Driveways for this use to county local roads are prohibited.
5. The property is not next to or adjacent to a residential use property. ”

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

Mark E. Miller, Township Clerk

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