

TOWNSHIP OF KAWKAWLIN  
BAY COUNTY, MICHIGAN  
ORDINANCE TO AMEND THE ZONING ORDINANCE  
TO ADD A VILLAGE MIXED USE DISTRICT

ORDINANCE NO. \_\_\_\_\_

THE TOWNSHIP OF KAWKAWLIN ORDAINS:

Add to Section 300 Districts Enumerated

VILLAGE MIXED USE DISTRICT (VM)

Add to Section 304 Districts Intent & Purposes

VILLAGE MIXED USE DISTRICT (VM)

The purpose and intent of this district is to provide areas within the Township where traditional village-style development may occur with a mixture of uses as villages historically have done. Sewer and water systems and other infrastructure may be necessary for these uses.

Add to Section 304 Village Mixed Uses

PERMITTED PRINCIPAL USES

A. The following residential uses:

Single-family detached dwellings.  
Single-family attached dwellings.  
Duplex dwellings.  
Townhouse dwellings.  
Accessory dwellings.

B. Public and semi-public uses, including community meetings halls, public or private schools, athletic clubs, museums, libraries, parks and playgrounds and structures typically constructed as part of these types of facilities.

C. The following commercial uses:

Banks and other financial institutions without drive-through banking facilities.  
Offices and personal service establishments.  
Retail stores.  
Restaurants, without drive-through or drive-in facilities.

D. Planned Developments when more than one use or one structure is included for a specific parcel of property.

E. Churches

Kawkawlin Township Zoning Ordinance

## CONDITIONAL USES

- A. Wireless telecommunication antenna towers and equipment shelter buildings shall be allowed under the following conditions:
1. Maximum height forty-two (42) feet.
  2. Designed and constructed to be inconspicuous in their intended locations.
  3. Co-location with other servers is mandatory.
  4. Provision of a positive environmental assessment.
  5. A statement providing the proof of need for the proposed tower.
  6. Equipment shelter buildings and other accessory structures shall meet all the requirements for similar structures in this district.
- B. The following uses require a Special Use Permit in accordance with Chapter 8.

Apartment dwellings / multi-family dwellings.

Automotive and Marine Repair facilities.

Bed and Breakfast establishments.

Coin-operated laundries.

Contractors and builders establishments.

Day care centers.

Drive-through businesses.

Hotels and motels.

Indoor recreation establishments.

Storage facilities.

Taverns and bars.

Theaters.

Mortuaries; funeral homes.

DEVELOPMENT STANDARDS

High density uses must conform to the development standards that follow for each type allowed. All uses in this district require Site Plan Review except Single-family Residential.

A. Single-family detached units:

	<u>With public sewer</u>	<u>Without public sewer</u>
Minimum parcel size:	10,000 sq. ft.	43,560 sq. ft.
Minimum lot width		
at front yard setback line:	100 ft.	100 ft.
Minimum lot depth:	100 ft.	100 ft.
Minimum yard dimensions:		
Front yard:	10 ft.	10 ft.
Side yard:	10 ft.	10 ft.
Rear yard:	25 ft.	25 ft.
Maximum building height:	35 ft.	35 ft.
Rear yard parking preferred, alley optional.		

Additional standards for accessory structures and dwellings: an accessory structure or dwelling located on the same lot as a detached single-family dwelling shall additionally comply with the standards as specified above without modification, except that a detached accessory dwelling shall be limited to a maximum building height of twenty-five (25) feet.

Area and bulk standards for flag lots: flag lots shall comply with the above specified area and bulk standards, except that minimum lot width at the street line and minimum lot width at the front yard setback line shall be twenty (20) feet and a minimum yard setback dimension for all yards shall be twenty-five (25) feet.

B. Single-family dwellings with attached units:

	<u>With public sewer</u>	<u>Without public sewer</u>
Minimum parcel size:	11,000 sq. ft.	43,560 sq. ft.
	per dwelling unit / office commercial.	
Minimum lot width		
at front yard setback line:	110 ft.	110 ft.
Minimum lot depth:	100 ft.	100 ft.
Minimum yard dimensions:		
Front yard:	10 ft.	10 ft.
Side yard:	10 ft.	10 ft.
Rear yard:	25 ft.	25 ft.
Maximum building height:	35 ft.	35 ft.
Rear or side yard parking preferred, alley access optional.		

Attached structure shall be subordinate to the main structure characterized at minimum by a lower ridge line.

C. Duplex Dwellings

	<u>With public sewer</u>	<u>Without public sewer</u>
Minimum parcel size:	15,000 sq. ft.	43,560 sq. ft.
	per dwelling unit	
Minimum lot width (per dwelling unit)		
at front yard setback line:	110 ft.	110 ft.
Minimum lot depth:	100 ft.	100 ft.
Minimum yard dimensions:		
Front yard:	25 ft.	25 ft.
Side yard:	10 ft.	10 ft.
Rear yard:	25 ft.	25 ft.
Maximum building height:	35 ft.	35 ft.
Rear yard parking and alley preferred.		

D. Townhouse Dwellings (3 - 6 units)

	<u>With public sewer</u>	<u>Without public sewer</u>
Minimum parcel size:	10,000 sq. ft.	43,560 sq. ft.
	per dwelling unit	
Minimum lot width (per dwelling unit)		
at front yard setback line:	33 ft.	33 ft.
Minimum lot depth:	100 ft.	100 ft.
Minimum yard dimensions:		
Front yard:	25 ft.	25 ft.
Side yard (end of each row):	10 ft.	10 ft.
Rear yard:	25 ft.	25 ft.
Maximum building size:	six (6) dwelling units in a row	
Minimum interior yards		
(open space between bldgs.):	20 ft.	20 ft.
Maximum building height:	35 ft.	35 ft.
Rear yard garage and alley preferred.		

E. Apartment Dwellings

	<u>With public sewer</u>	<u>Without public sewer</u>
Minimum parcel size:	20,000 sq. ft.	87,120 sq. ft.
	per building	
Minimum lot width		
at front yard setback line:	100 ft.	100 ft.
Minimum lot depth:	100 ft	100 ft.
Minimum yard dimensions:		
Front yard:	25 ft.	25 ft.
Side yard:	10 ft.	10 ft.
Rear yard:	25 ft.	25 ft.
Minimum interior yards		
(open space between bldgs.):	20 ft.	20 ft.
Maximum building size:	eight (8) dwelling units in a building, 96 ft. in length	
Maximum building height:	35 ft.	35 ft.

F. Village Commercial and Mixed Use Buildings

	<u>With public sewer</u>	<u>Without public sewer</u>
Minimum parcel size:	10,000 sq. ft.	43,560 sq. ft.
Minimum lot width		
at front yard setback line:	75 ft.	75 ft.
Minimum lot depth:	100 ft.	100 ft.
Minimum yard dimensions:		
Front yard:	0 ft.	10 ft.
Side yard:	zero (0), if attached to adjacent building and meets fire and building codes, or a minimum of 10 feet, if not	
Rear yard	25 ft.	25 ft.
Maximum building height:	35 ft.	35 ft.

G. Community Facilities, Institutional and Religious Buildings:

	<u>With public sewer</u>	<u>Without public sewer</u>
Minimum parcel size:	20,000 sq. ft.	43,560 sq. ft.
Minimum lot width		
at front yard setback line:	100 ft.	100 ft.
Minimum lot depth:	110 ft.	110 ft.
Minimum yard dimensions:		
Front yard:	5 ft.	30 ft.
Side yard:	5 ft.	30 ft.
Rear yard:	75 ft.	75 ft.
Maximum building height:	35 ft.	35 ft.

H. Required Off-street Parking in Village Areas

These requirements pertain to the requirements of Village Mixed Use Districts only.

1. Off-street parking in village areas shall be provided according to minimum requirements as specified below. All parking and lane areas must be paved with bituminous material or concrete.

<u>Use</u>	<u>Required Parking</u>
Single-family	Two parking spaces per unit
Townhouse and duplex	One space per first bedroom plus half of a space per each additional bedroom
Apartment dwellings	One space per bedroom
Accessory dwellings	One space per bedroom
Retail	One space for the first one thousand (1,000) square feet and one space for each additional seven hundred fifty (750) square feet
Office uses	One space for each five hundred (500) square feet of gross floor area
Institutional / Churches	One space for each four (4) seats.

2. Off-street parking for commercial uses shall be sufficient to provide parking for the employees of all proposed uses as well as short-term customer parking. Such lots shall be small-sized (less than 25 parking spaces), where possible, and interconnected with commercial parking lots on adjacent properties. Cross-access easements for adjacent lots with interconnected parking lots shall be required in language acceptable to the Township. Common, shared parking facilities are encouraged, where possible.

3. Parking for all dwelling units shall be discouraged in front yard setback areas. Driveways are discouraged in any front yard area. Driveway access should be from lanes or alleys where possible. Driveways shall be setback a minimum of three (3) feet from any side property line, unless such driveway is shared by buildings on two (2) adjacent lots. Parking for townhouses shall be provided in a common off-street parking area or in garages or parking spaces with access from a rear lane wherever possible. Private driveways for townhouses shall connect to lanes only and not a street. However, a common driveway serving a minimum of eight (8) units and not exceeding eighteen (18) feet in width may be permitted from a street. Parking for apartments may be located in common parking lots located on a lot other than that containing the apartment building, but within four hundred(400) feet of the apartment building entrances. If access to a garage is provided from a street, the front entrance of such a garage shall be setback fifteen feet further than the front wall of the dwelling unit. The location of a garage shall be setback a minimum of six (6) feet from side or rear property line.
4. Parking Lot Landscaping, Buffering, and Screening.
  - a. Parking lots for apartment and non-residential uses shall balance the functional requirements of parking with the provision of pedestrian needs.
  - b. Parking lot layout, landscaping, buffering, and screening shall prevent direct views of parked vehicles from streets and sidewalks, avoid spill-over light, glare, noise, or exhaust fumes onto adjacent properties, in particular residential properties, and provide the parking area with a reasonable measure of shade. In order to achieve these objectives, parking lots exposed to view shall be surrounded by a minimum of three (3) foot high, year-round visually impervious screen, hedge, or wall. The height of any required screen, hedge, or wall shall decrease where driveways approach sidewalks or walkways, in order to provide adequate visibility of pedestrians or bicyclists from motor vehicles, and shall not interfere with clear sight triangle requirements.
  - c. The interior of all parking lots shall be landscaped to provide shade and visual relief. This is best achieved by protected planting islands or peninsulas within the perimeter of the parking lot. Parking lots with ten or less spaces may not require interior landscaping if the Planning Commission determines that there is adequate perimeter landscaping. If this perimeter landscaping is found to be inadequate, and in parking lots with eleven (11) or more spaces, a minimum of one (1) deciduous shade tree, two and one-half (2 ½) inch caliper, shall be planted for every ten (10) parking spaces. Planting areas shall be as large as possible, but no smaller than 10 feet x 20 feet or an equivalent planter is required. Choice of plant materials, buffer width, type of screening, location, and frequency of tree planting shall be flexible, but shall ensure the above objectives are satisfied.

## PERFORMANCE STANDARDS

- A. Any use allowed in this district shall be so situated and operated that it shall not become a nuisance to its neighbors. Commercial uses shall be generally situated along major roads in village mixed use core areas. The decision as to the appropriateness of the use and location shall be at the discretion of the Planning Commission.
- B. All commercial and industrial activities and operations shall be carried on within an enclosed structure unless specifically permitted to do otherwise by a Special Use Permit.
- C. The following standards shall be used to measure Village Mixed Use District Projects:
  - 1. Sewerage - Adequate facilities to handle the total build-out proposed and not endanger area ground water quality. (Monitor wells may be required by the Planning Commission upon recommendation by the appropriate health authorities or a qualified engineer.)
  - 2. Water - Adequate facilities to handle total build-out proposed and not endanger area ground water quality.
  - 3. Fire - Proposed project will not lower the current response time.
  - 4. Police - Proposed project will not lower the current response time.
  - 5. Traffic - Proposed project will not cause the service at proposed entryways or nearby intersections to fall below level C or level D at peak times of the day in accordance with the Institute of Transportation Engineers standards of current adoption.
  - 6. Drainage - Storm drainage resulting from a project shall be handled on-site or in conformance with an approved area plan and with the county regulations governing storm water drainage.
  - 7. Physical conditions and natural features - Local prominent features and attributes, such as streams, woodlots, ridges, shall be preserved or enhanced where appropriate.

## ACCESSORY STRUCTURES AND USES

Any use or structure incidental to a permitted principal use not otherwise regulated by this Ordinance shall be allowed as designated on an approved site plan. No temporary storage structures or trailers may be used in this district.

For Commercial Shipping Containers uses see Sec. 310.

## MISCELLANEOUS REGULATIONS

General Provisions as permitted in Article VI.

Signs as permitted in Article VII.

TABLE OF VILLAGE MIXED USE DIMENSIONAL REQUIREMENTS

Type of Use		Minimum parcel size	Minimum frontage (feet)	Minimum front setback (feet)	Minimum side setback (feet)	Minimum rear setback (feet)	Maximum height (feet)
<b>Single-family w/ detached units</b>	<i>with sewer</i>	10,000 sq. ft.	100	10	10	25	35
	<i>without sewer</i>	43,560 sq. ft.	100	10	10	25	35
<b>Single-family w/ attached units</b>	<i>with sewer</i>	11,000 sq. ft. <sup>3</sup>	110	10	10	25	35
	<i>without sewer</i>	43,560 sq. ft. <sup>3</sup>	110	10	10	25	35
<b>Duplex Dwellings</b>	<i>with sewer</i>	15,000 sq. ft.	110	25	10	25	35
	<i>without sewer</i>	43,560 sq. ft.	110	25	10	25	35
<b>Townhouse Dwellings</b>	<i>with sewer</i>	10,000 sq. ft.	33	25	10	25	35
	<i>without sewer</i>	43,560 sq. ft.	33	25	10	25	35
<b>Apartment Dwellings</b>	<i>with sewer</i>	20,000 sq. ft. <sup>1</sup>	100	25	10	25	35
	<i>without sewer</i>	87,120 sq. ft. <sup>1</sup>	100	25	10	25	35
<b>Village Commercial &amp; Mixed Use Buildings</b>	<i>with sewer</i>	10,000 sq. ft.	75	0-10	0 - 10 <sup>2</sup>	25	35
	<i>without sewer</i>	43,560 sq. ft.	75	10	0 - 10 <sup>2</sup>	25	35
<b>Community Facilities, Institutional, &amp; Religious Buildings</b>	<i>with sewer</i>	20,000 sq. ft.	100	5	5	75	35
	<i>without sewer</i>	43,560 sq. ft.	100	30	30	75	35

<sup>1</sup>Minimum project lot size per building.

<sup>2</sup>Varies by project.

<sup>3</sup>Per dwelling unit / office commercial.

Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_

Motion passed.

I, \_\_\_\_\_, Clerk of the Kawkawlin Township Board, do hereby certify that the foregoing is a true and original copy of the resolution adopted by the Kawkawlin Township Board at its meeting thereof held on \_\_\_\_\_.

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_