

TOWNSHIP OF ROSS
COUNTY OF KALAMAZOO, STATE OF MICHIGAN

ROSS TOWNSHIP ORDINANCE NO. 232

ADOPTED: MAY 16, 2023

EFFECTIVE: JUNE 7, 2023

ZONING ORDINANCE TEXT AMENDMENTS

An Ordinance to adopt amendments to the Ross Township Zoning Ordinance related to Multiple Family Dwellings; to provide for severability; and to provide an effective date and to repeal all Ordinances or parts of Ordinances in conflict herewith.

TOWNSHIP OF ROSS
KALAMAZOO COUNTY, MICHIGAN

ORDAINS:

SECTION I
AMENDMENT TO ZONING ORDINANCE SECTION 8.2, PERMITTED USES
(R-3 DISTRICT)

Section 8.2 of the Ross Township Zoning Ordinance regarding Permitted Uses (R-3 District) is amended to read as follows:

C. Multiple family dwelling, subject to the requirements in Section 8.5.

SECTION II
AMENDMENT TO ZONING ORDINANCE SECTION 8.5, CONDITIONS AND
LIMITATIONS (R-3 DISTRICT)

Section 8.5 of the Ross Township Zoning Ordinance regarding Conditions and Limitations (R-3 District) is amended to read as follows:

- A. Multiple family dwellings shall be subject to the following requirements:
1. Dwelling unit density for any portion of a multiple family dwelling site located within 200 feet of property in an "AG", "RR", "R-1" or "R-2" zoning district shall be limited to a maximum unit density of six (6) units per acre.

In addition, to the extent that parking areas, community buildings or open space recreational areas are located within said 200-foot area, such facilities shall be so situated and designed as to, in the judgement of the Planning Commission at the time of Site Plan review, minimize adverse effects therefrom to owners and occupants of the properties located in the higher zoning district.

2. Dwelling unit density for any portion of a multiple family dwelling site located more than 200 feet from property in an "AG", "RR", "R-1" or "R-2" zoning district shall be limited to a maximum unit density of eight (8) units per acre.
3. Multiple family dwellings shall not have a length greater than one hundred sixty (160) feet or a height greater than three (3) stories (35 feet).
4. Accessory buildings may be located in side and rear yards only.
5. The minimum distance between multiple family dwellings within a development shall be as follows:
 - a. Where dwellings are front to front or front to rear: two (2) times the height of the taller dwelling but not less than fifty (50) feet.
 - b. Where dwellings are side to side, if there are no windows on the sidewalls: a distance equal to the height of the taller dwelling but not less than twenty (20) feet.
 - c. Where dwellings are front to side or rear to side, if there are no windows on the sidewalls: one and one-half (1 1/2) times the height of the taller dwelling but not less than thirty (30) feet.
 - d. Where dwellings are rear to rear and side to side with windows on the sidewalls: one and one-half (1 1/2) times the height of the taller dwelling but not less than forty (40) feet.
 - e. When an interior drive is located between two (2) dwellings: the width of the interior drive shall be in addition to the above minimum distance between dwellings.
6. Access streets. A multiple family development shall be furnished with a minimum of two access streets connecting the same to a public street(s) unless, in the judgement of the Planning Commission at the time of Site Plan review, the additional access or accesses would not improve traffic safety because of the peculiar characteristics of the proposed development.

7. 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. 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.
8. Sidewalks constructed of asphalt or concrete shall be provided between all off-street parking areas and the multiple family dwellings they serve. The Planning Commission may require the construction of a sidewalk on one or both sides of any interior drive leading into a multiple-family development from a public street.
9. The arrangement of outdoor lighting within a multiple family development shall be designed to meet the purpose, objectives and standards for outdoor lighting established by Section 18.3.
10. Each multiple family development shall contain at least one (1) contiguous area of open space suitable for recreation purposes and equivalent to eight percent (8%) of the total land area developed. No sideline or setback area required by this Ordinance shall be included in the computation of the recreation area required by this Ordinance.
11. All utility transmission wires shall be placed underground.
12. The outdoor storage of recreational and/or utility equipment within the multiple family development shall be prohibited.
13. The owner of a multiple family development shall be responsible for garbage and trash collection, street cleaning, snow removal and sidewalk and street maintenance. In addition, all grass and shrubbery within a multiple family development shall be kept mowed and landscaped in a neat and attractive manner.

SECTION III **SEVERABILITY**

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision hereof is declared void or unenforceable for any reason, by

any court of competent jurisdiction, it shall not affect any portion of the Ordinance other than said part or portion thereof.

SECTION IV
EFFECTIVE DATE AND REPEAL

This Ordinance shall take effect eight (8) days after publication after adoption. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Alex Harris, Clerk
Ross Township

**TOWNSHIP OF ROSS
KALAMAZOO COUNTY, MICHIGAN
NOTICE OF ADOPTION OF ORDINANCE**

**TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF ROSS,
KALAMAZOO COUNTY, MICHIGAN, AND ANY OTHER INTERESTED
PERSONS:**

PLEASE TAKE NOTICE that the following is a summary of Ordinance No. 232 amending the Ross Township Zoning Ordinance relating to Multiple Family Dwellings; to provide severability; and to provide an effective date and repeal all ordinances or parts of ordinances in conflict herewith. This Ordinance was adopted by the Township Board at a regular meeting held on May 16, 2023.

**Ordinance No. 232
ZONING ORDINANCE TEXT AMENDMENT**

SECTION I. AMENDMENT TO ZONING ORDINANCE SECTION 8.2, PERMITTED USES (R-3 DISTRICT). Amends Section 8.2 of the Ross Township Zoning Ordinance regarding permitted uses in the High Density Residential “R-3” District to remove the language restricting the number of dwelling units per acre to eight (8) units.

SECTION II. AMENDMENT TO ZONING ORDINANCE SECTION 8.5, CONDITIONS AND LIMITATIONS (R-3 DISTRICT). Amends Section 8.5 of the Ross Township Zoning Ordinance to limit Multiple Family Dwellings in the R-3 District to no more than six (6) or eight (8) units per acre, based on a site’s distance from property zoned AG, RR, R-1 or R-2; and to impose additional limitations and conditions on Multiple Family Dwellings located within the R-3 District.

SECTION III. SEVERABILITY. Provides that the provisions of the Ordinance are severable.

SECTION IV. EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES. This Ordinance shall take effect eight (8) days after publication following adoption. Conflicting ordinances and provisions of ordinances are repealed.

PLEASE TAKE FURTHER NOTICE that the full text of this Ordinance has been posted in the Office of the Ross Township Clerk at the address set forth below; on the Ross Township website at <https://rosstownshipmi.gov>; and that a copy of the Ordinance may be purchased or inspected at the office of the Ross Township Clerk during regular business hours of regular working days (Mondays through Thursdays) following the date of this publication.

ROSS TOWNSHIP
Alexander Harris, Clerk
Township of Ross
12086 M-89, Richland, MI 49083
269-731-4888
<https://rosstownshipmi.gov>

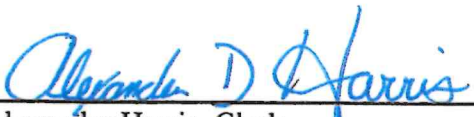
CLERK'S CERTIFICATE

I, Alexander Harris, Clerk of the Township of Ross, Kalamazoo County, Michigan, do hereby certify that in pursuance of law and statute provided, at a regular meeting of the Ross Township Board held on May 16, 2023, at 6:00 o'clock p.m. at which the following members were present, the Board enacted and passed Ordinance No. 232, hereinbefore recorded, to become effective on June 7, 2023, and that the members of said Board present at said meeting voted on the adoption of said Ordinance as follows:

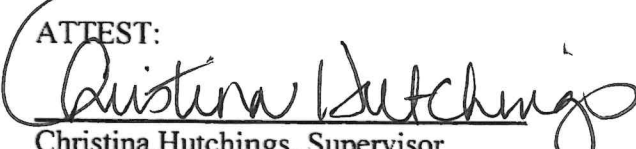
Christina Hutchings	Aye
Alexander Harris	Aye
Diana Langshaw	Aye
Lynn Harmon	Aye
Mike Bekes	Aye
Mike Sulka	Aye
Cynthia Genung	Aye

I do further certify that a Notice of Ordinance Adoption was published in the Kalamazoo Gazette, a newspaper printed in Kalamazoo, and circulated in Ross Township on Tuesday, May 30, 2023; that said Ordinance No. 232 was recorded in the official Ordinance Book on May 30th, 2023.

Dated: May 30th, 2023



Alexander Harris, Clerk

ATTEST:


Christina Hutchings, Supervisor