



**PLANNING COMMISSION
MEETING AGENDA
THURSDAY August 7, 2025 6:00 PM**

Location: Kalamazoo Charter Township Hall, 1720 Riverview Drive, Kalamazoo, MI 49004

AGENDA:

- 1) Call to Order
- 2) Roll call and recognition of visitors
- 3) Approval of the minutes for the July 10, 2025 meeting.
- 4) Approval of the agenda for the August 7, 2025 meeting.
- 5) Public Comment/Guest Speaker: (3-minute limit)
- 6) Scheduled Public Hearings:
- 7) New Business:
 - a. 2409 Texel Road – New Eastwood Fire Station Site Plan Review
- 8) Old Business/Continuing Business/Scheduled Reviews: None
- 9) Public Comment #2 (3-minute limit)
- 10) Open discuss for items not on the agenda/Communications: None
- 11) Report of the Township Board Representative
- 12) Report of the Township Zoning Board Representative
- 13) Planning Commission Member Comments
 - a. Discussion of the By-Laws
- 14) Report from Township Staff Members including Planning Consultant and Township Attorney
 - a. Training to schedule for September or October with MSU Extension
 - b. Township Superintendent on the CIP and upcoming projects
 - c. Zoning Ordinance update
 - i. Discuss proposed changes to the existing land use matrix - memo from staff
 - d. Economic Development
 - i. Small lots residential overlay proposal - discuss of proposed text amendment
 - ii. Discussion of text amendment for Article 3 to address the ability to rebuild non-conforming single family houses
 - e. Inspections of Marijuana facilities
 - i. 2609 N. Burdick – inspection pending
 - f. Inspections of gravel pits – letters sent to seven (7) operators asking for compliance based on initial review
 - g. Enforcement report – staff visited properties with the Code Enforcement officer on July

The public is welcome to attend this meeting. Please contact the Planning & Zoning Department if you have any questions regarding the proposed agenda, at (269) 381-8080.



**PLANNING COMMISSION
MEETING AGENDA
THURSDAY August 7, 2025 6:00 PM**

22, 2025

- 15) Adjournment -- **Next meeting is scheduled for September 4, 2025.**

Kalamazoo Charter Township Planning Commission
Minutes of Regular Meeting of July 10, 2025

A regular meeting of the Kalamazoo Planning Commission was conducted on July 11, 2025, commencing at 6:00 p.m. at the Township Hall

Present were:

Fred Nagler, Chairperson
Warren Cook
Chris Mihelich
Lisa Mackie
Bill Chapman
Michael Seals
Denise Hartsough

Also, present were Township Planning Consultant Hillary Taylor; Township Attorneys Roxanne Seeber and Erin Geschwendt; and 4 additional members of the audience.

ROLL CALL AND RECOGNITION OF VISITORS

The Chairman called the meeting to order and called the roll.

MINUTES OF JUNE 5, 2025 MEETING

The minutes of the June 5, 2025 meeting had been submitted to the members in their packets. Three typos were pointed out by Hartsough and changes were made to the draft. Cook moved, Chapman seconded, to approve the June 6, 2025 minutes as modified. The motion passed unanimously.

APPROVAL OF AGENDA FOR JULY 10, 2025 MEETING

A proposed agenda had been submitted to the members in their packets. Chapman moved, supported by Cook to approve the agenda as submitted. The motion passed unanimously.

PUBLIC COMMENT/GUEST SPEAKER

Kurt Napp, 1620 Riverview Dr., owns Kalamazoo Custom home painting which is located in C1. He is currently leasing the building. Mr. Napp noted that the prior business was home painting as well. He is wondering if this is a conforming or non-conforming use. He stated he used this as the home base of his company where he stores equipment and does some work on site. He noted that all work is performed inside and that the company does not store any goods outside.

Napp stated that he spoke with Taylor and it appears that the prior business was never legally operating in that space. He wishes to make sure that he can continue to operate before he purchases the building. He was asking to have the use "grandfathered" or to change the wording in C-1 to allow it, or to change the zoning to C-2. Nagler deferred to Taylor. Taylor stated that she is aware of the situation, noted that she had engaged in email exchanges with Napp and will continue the conversation.

SCHEDULED PUBLIC HEARINGS

None.

NEW BUSINESS—Change in Use - 3735 Franklin St.

The next item on the agenda was the request of Consumers Energy regarding the property at 3735 Franklin Street for change in use and site plan approval to allow office and warehouse space in the existing building. The property is presently improved with an 8250 square foot building and was most recently operated as a tractor/trucking facility, including storage and repair. The applicant wishes to use 1400 square feet as office space. The property is located in the I-2 "General Industrial" District Zoning Classification. No changes to the building envelope are proposed. Taylor indicated that no additional landscaping was required. No new lighting would be added to the building. Signage, if any is desired, will be administratively reviewed subsequently.

Amy Gilpin of Consumers Energy indicated that the site would not require significant changes. They intended to remove the exterior storage units, including rail cars/truck trailers and porta potties. The office would not be staffed full-time. Temperature-sensitive equipment will be housed in the warehouse area. Consumers was requesting that the parcel be used as "Gas and Electric Service and Storage Buildings and Yards". This use is permitted in the I-2 District Zoning Classification. The Chemical Inventory form had been completed and submitted. Further review by the Wellhead Protection Administrator was not required.

Gilpin further stated that there would be little to no impact on the local area as the setbacks already comply with existing regulations, the landscaping would not be changing, and the lighting would stay the same.

Gilpin presented a proposed site plan, showing the locations for materials storage, truck and trailer temporary parking, aggregate storage, and personal vehicle parking. Dumpsters would be located behind the building, as would Connex storage facilities. Consumers is currently using the site as a staging area where crews come in the morning to get what they need and then go into the field. Now they need office space. No full-time employee will be in office – some of equipment will be moved inside making the outside look better.

Cook stated that he had observed the property, which appeared to be in full use, earlier in the day.

Gilpin indicated that Consumers currently has a 6-month lease on the property; they are looking to extend the use for 6 more years, and to purchase the site outright.

Seals inquired if this was the cast-iron replacement program. Gilpin confirmed that the use was in support of that program. In response to an inquiry from Chapman, the applicant confirmed that there would be no change to the building size. It would continue to be used as warehouse and office space.

Seals inquired about how much longer the cast iron project would continue. Gilpin stated that the city has probably 3-5 years' worth of pipes to replace and then the focus would move out to the townships.

Seals moved to approve Consumers Energy's application for Gas and Electric Service and Storage Buildings and Yards for the property at 3735 Franklin Street conditioned upon:

- Removal of existing storage containers, porta-johns, Connex storage containers, and double wide trailers from the property; and
- Retention of existing green space on Franklin Street; and
- Retention of fenced in area with gate is permitted, with Knox Box to be placed on gate entrance for fire department with key access for main gate and building contained therein; and

- Subject to further review by Fire Marshal under Fire Standards Site Plan Ordinance and adherence to recommendations (can be administratively approved unless contested).

Cook supported the motion and it passed unanimously.

OLD BUSINESS/CONTINUING BUSINESS/SCHEDULED REVIEWS

None.

PUBLIC COMMENT

None.

CORRESPONDENCE

Taylor presented an email from Patrick O'Brien dated July 8th requesting a higher density of residential units be allowed, especially in the RM-2 District. Taylor stated she was unsure where the issues of higher density and the township-wide overlay district stood. She was waiting to hear from the assessor in terms of the sizes and numbers of properties that could be eligible. There may be some reason to pare down the overlay district, but she was not sure. Nagler suggested that a map showing the locations of the small lots that were under consideration would be helpful. Taylor commented that one had already been provided; but that she would check with the assessor on his current thinking.

REPORT OF THE TOWNSHIP BOARD REPRESENTATIVE

Mackie reported that the Township Board had approved a template for the climate committee. Applicants for that committee are being sought.

REPORT OF THE ZONING BOARD OF APPEALS REPRESENTATIVE

None.

PLANNING COMMISSION MEMBER COMMENTS

Mihelich appreciated the views of each of the members and felt that discussions were helpful.

Hartsough commented that she sees a number of ordinance violations in the area. She didn't want to get neighbors in trouble by filling out complaint forms, but she felt that observations in the area by the code compliance officers would be helpful.

Chapman inquired as to the time limit for leaving recreational vehicles/campers parked outdoors on the property. Nagler indicated that a refresher on the rules for such vehicles might be in order. Seals recalled that recreational vehicles and campers can be in the driveway, but no one can live in them.

Seals commented on the noise and fumes from fireworks. People did stop shooting them off in his neighborhood at around 11:00 p.m. by his house, which he appreciated. He wondered aloud how environmentally safe the discharge of fireworks is for seniors and felt that a limitation on the creation of dust and particulate may be in order. Nagler understood the concern; however, fireworks are controlled by the state. The Township can't do much about them. Chapman voiced concern over the noise for dogs; and PTSD triggers for veterans. Seals volunteered that he has placed a sign in his yard, reminding people

1 about dogs and veterans. Hartsough indicated that concerns from residents should be forwarded to the
2 state legislature.

3 4 **DISCUSSION OF THE BY-LAWS**

5 Taylor presented proposed amendments to the bylaws for discussion. The Board voiced support for the
6 modifications of the bylaws. There was some discussion as to whether the final version of the bylaws
7 could be prepared after the Planning Commission approved them. The consensus was that a final version
8 of the bylaws would be prepared and presented for adoption at the August Planning Commission meeting.

9 10 **REPORT FROM PLANNING CONSULTANT**

11 12 **Capital Improvement Program.**

13 Taylor reported that the Township Superintendent will be present for the August Planning Commission
14 meeting to discuss CIP and upcoming projects.

15 16 **Zoning Ordinance Update**

17 Seeber commented that she has spent a considerable amount of time on the chart that had been
18 proposed. When she got about halfway through, she started to cross-reference with the definitions. For
19 the most part, the definitions and many of the proposed "categories" or "uses" in the chart did not match
20 the ordinance. She voiced concern that the chart was a wholesale change to the ordinance, which was
21 not that old.

22
23 Taylor stated that the idea is to keep the existing ordinance as is but to add the chart to make the
24 ordinance more user friendly. Seeber reported that many new ordinances that she had seen had a chart
25 with hotlinks on them. However, the chart suggestion seemed to be antithetical to the ordinance. For
26 example, she said that "nursing homes, adult foster care" and the like did not match up with the
27 Ordinance's definitions at all. The Ordinance has a definition of "homes for the aged".

28
29 Taylor wished to rephrase the question. Did the Township feel it was appropriate to add all of the
30 categories of uses to the ordinance in the sections that were suggested? If so, they would do that and
31 then change the definitions, if needed. The group discussed how to tackle the situation with the chart
32 that had been proposed at the last meeting and the numerous inconsistencies that had been identified
33 when Seeber tried to match it up with the existing ordinance.

34
35 Seals inquired about what needed to change, the chart or the definitions. Taylor responded that the
36 Planning Commission should focus on the uses in the chart and decide whether the suggested uses should
37 be included in the ordinance. Mihelich inquired how the proposed uses were defined when there was no
38 definition offered and none in the existing ordinance. Taylor commented that some of the uses were
39 actually in the ordinance, just not in the definitions section. Michelich inquired where the chart had
40 come from. Taylor stated that it came from the ordinance. Seeber voiced concern at the size of the
41 proposed project and whether the Planning Commission was prepared to make wholesale changes to the
42 ordinance to match the proposals. Hartsough indicated that perhaps taking a section at a time would
43 work. There was some discussion as to whether truck farming was needed, as well as the locations of
44 greenhouses. Seeber pointed out that there is no agricultural district in the township, so additions of
45 agricultural uses did not make sense. Taylor suggested that urban chickens could be considered
46 agricultural uses. Nagler stated that there was already a chicken amendment. Seals recalled that a
47 permit is required, and chickens cannot run around free all over the place. They need to be in a coop.

1 Seeber stated that she had a hard time matching up the chart to the ordinance and thought that the
2 Planning Commission should be consulted before she spent a lot more time on it. Suffice it to say that
3 there was a lot of work proposed. Mihelich inquired as to what was wrong with the chart. Seeber
4 indicated that many of the line items suggested in the chart were not in the ordinance. Furthermore,
5 without guidance as to what the particular line items meant, the Planning Commission would be spinning
6 its wheels without definitions. Michelich agreed. Taylor stated that the chart had come directly from the
7 ordinance. Taylor commented that the chart and proposed additions/changes were not up to be voted
8 on, only to be discussed. Seeber wondered whether the chart idea was something that the Planning
9 Commission was interested in doing. It was not as easy as just writing desired things on the chart so much
10 as that it would require thought and discussion in terms of what these things meant, as well as whether
11 the existing ordinance would have to be changed significantly.

12
13 Mihelich agreed that there was no agricultural land in the township. Taylor noted that the current
14 ordinance contains no definition for horticulture although it is a listed use in certain districts. She further
15 noted that the blue definitions in the chart mean that they are new to the ordinance. She indicated that
16 even if there was no agricultural land left in the township, there may still be a need to add such uses to
17 the chart.

18
19 Mihelich stated that the Township moved greenhouses out of residential because of the pending
20 marijuana legislation and out of an abundance of caution. Taylor clarified that there is a whole specific
21 marijuana section. Hartsough commented that they all remember living through marijuana amendments.
22 Mihelich explained that it wasn't the Township's intention to restrict residential greenhouses, it was just
23 that all of the commercial greenhouses in the area are located in residential zones.

24
25 Hartsough inquired if the Board would be better off waiting to discuss until after it had all definitions.
26 Seeber provided hard copies of the definitions section in the ordinance to the members. Taylor stated
27 that most of the definitions were not in the ordinance. They would have to be added. Taylor felt that
28 looking at the current ordinance was not a good use of time if the suggestions for making different uses
29 and categories was going to be taken up. She gave an example based on horticulture vs. roadside stands
30 vs. farm markets, depending on the zoning district in which they were located.

31
32 Seeber stated that the zoning administrator would be free to interpret the ordinance; however, with a
33 lack of planning commission guidance, just adding a lot of uses would not be a good idea. Taylor stated
34 that she wanted the Planning Commission to consider the proposed uses and categories in the chart and
35 that ordinance amendments would take place afterward. Taylor stated that the idea is to start with uses
36 because if your uses don't make sense, why would you have a definition for it? The table, she said, was
37 intended to be supplementary.

38
39 Seeber commented that this proposed change is a major overhaul and inquired how old the current
40 ordinance is. The consensus of the board was that the current ordinance is around 5 years old. Nagler
41 confirmed that it was created by McKenna. Hartsough voiced support for re-legitimizing greenhouses in
42 C-1, C-2, and R-2

43
44 Mihelich stated that he couldn't determine what zones "livestock" should be allowed in because he
45 doesn't know what "livestock" means. Does it mean "just chickens" or pigs, horses and cows? Mihelich
46 voiced concern that this seemed to be a circular conversation and inquired why the Board was even
47 looking at changing the Zoning Ordinance. Taylor responded that they are looking at redoing this because
48 these are the issues that she and her staff see during the day-to-day operations.

1 Mihelich responded that he thinks we should address problems one by one where gaps actually exist
2 instead of undertaking a giant overhaul.

3
4 Mihelich requested an accurate matrix from the current Zoning Ordinance at the next meeting. Mackie
5 suggested an index. Cook wanted to know the reason for the categories. Were they zoning districts?
6 Mihelich requested a chart that had only that which was in the existing ordinance on it. Taylor stated
7 that it had been provided in the prior month. Mihelich inquired as to whether changing the ordinance
8 as suggested would be worth it. Taylor stated that she can throw the whole idea of a chart and new uses
9 away if the Planning Commission didn't want to do it. She was trying to make the ordinance more user
10 friendly. She agreed to re-send the chart that was prepared last month and to update it with the sections
11 of the ordinance that she obtained the use from.

12 13 **Planner's Report on Economic Development**

14 **SMALL LOTS.** Taylor provided no update on the proposed small lots residential overlay proposal and text
15 amendment. She indicated that she was not sure as to the continuing viability of this project. She was
16 waiting for the assessor to prepare a map so that the Planning Commission could decide whether the
17 entire township needed to be an overlay district, or if a smaller overlay district could encompass most of
18 them.

19
20 **DISCUSSION ON REZONING OF 32 NONCONFORMING PARCELS.** The next discussion was on 32 lawfully
21 nonconforming single-family dwellings in Industrial Districts. The Planning Commission entered into an
22 extended discussion regarding the pros and cons of undertaking rezonings for property owners that don't
23 know that they may have a problem selling lawfully non-conforming houses. Mihelich was concerned
24 that property owners would not understand the rezonings or the reasons for it. He also felt that it was
25 important that owners that wish to remain and/or rebuild should know about environmental exposure
26 on the properties upon which they live.

27
28 Seeber stated that if the Planning Commission were to undertake rezonings, it should group them into
29 sections and handle the easiest ones first. For example, if there are 8 parcels on Foster, then Foster could
30 be taken up first. Mihelich mentioned that individual property owners may be interested in rezoning.
31 Mackie voiced concern about the township spending too much money on a project that may not be
32 beneficial to the entire community. Taylor suggested that another option was to amend the lawfully
33 nonconforming section of the ordinance. Some members felt that the rezonings were appropriate and
34 that some rezonings would be easier than others. Seeber indicated that the Planning Commission should
35 be prepared to answer a lot of questions during public hearings on proposed rezonings.

36
37 Taylor commented that the Courts look at the master plan and future land use map if rezonings are
38 challenged. The Planning Commission, she said, should be guided by the future land use map in
39 considering whether rezoning the properties was appropriate. Taylor further explained that the rezonings
40 being suggested were just to match up with the existing uses. If the Board chooses to rezone properties,
41 proper notice would have to be sent to all property owners. She inquired if the board wanted to go
42 forward with rezonings or just leave them as nonconformities.

43
44 Mihelich inquired if the Board should stick with what has always been the zone or lessen the rebuild
45 standards because banks will not mortgage for this type of rebuild. Seeber stated that the goal is the
46 eventual elimination of nonconformities; however, the situation presented was not one that lent itself to
47 an easy solution.

1 Mihelich stated he would still like a due care plan for rebuilding next to a property zoned in the Industrial
2 Zoning District. Seeber stated it would be hard to make that mandatory. Seals commented that due care
3 plans are expensive. Mihelich proposed making it a recommendation. Hartsough opined that due care
4 plans felt discriminatory against those with lower incomes.

5
6 Seeber stated that this situation is unique to Kalamazoo Township because of how the township was built
7 up and suggested talking to the Ordinance Enforcement Officer and the Building Official regarding what
8 they knew about the extent of the problem. Nagler proposed following Seeber's idea to start with a few
9 small areas to rezone. Concern was raised by Mackie and Taylor about the cost of doing so. Seeber
10 responded that the cost was mainly due to publication. Mihelich suggested sending out letters of inquiry
11 to affected property owners explaining their options. Mackie suggested only sending out letters to
12 properties that neighbor properties know about, so the Board can learn more from the process. Seals
13 reminded the board that this issue doesn't only prevent current homeowners from rebuilding; but
14 discourages new people from purchasing. Mihelich expressed concerns about using public funds for
15 private benefit and noted that the resident living at 1014 Foster is a citizen that is here and is willing to
16 apply for rezoning

17
18 Hartsough inquired as to why rezonings would be undertaken by the Township. Taylor responded that
19 there is ambiguity that the banks do not like. She stated that the assessor says there's opportunity to do
20 rezonings. If the Township would consider amending language in the nonconformity chapter, that might
21 help the lending community. However, she stated, we don't know if the lending community will be
22 agreeable to a change in the nonconforming chapter, which is in Article 3 of the zoning ordinance. In
23 response to an inquiry as to why the Township had gotten this list and was considering rezoning parcels
24 on its own, Seeber stated that she was only aware of one property owner on Foster Street that desired
25 rezoning of a house in the Industrial District.

26
27 She stated that the only reason that property owners push this is because a new owner cannot obtain a
28 mortgage for a lawfully nonconforming house in an Industrial District because the section on
29 nonconformities typically does not allow the rebuild of a property that has been destroyed, often by 50%
30 or less in value or less, by an "Act of God", While we understand that normal maintenance of lawful
31 nonconforming uses can occur, the problem would really only arise in situations in which the destruction
32 of all or a part of the house was beyond the control of the owner. Banks, she said, are very wary about
33 giving mortgages in these situations. This has become more of an issue after COVID. In the past, we were
34 often able to send a zoning administrator letter that would satisfy a bank, or we would suggest going to
35 another bank. Now that response usually does not fly.

36
37 Seeber wondered aloud what the actual extent of the problem was. Many of these lawfully
38 nonconforming houses in industrial districts are older and the deed holders/owners were relatives that
39 have passed away. If the estate is not probated but the taxes are paid, there is no owner of the property
40 for transfer of title. A nonconforming house cannot be sold if the owners are dead and there is no probate.
41 The relatives will generally live in the house and continue to pay taxes thinking that it is "theirs", but the
42 title has not ever actually changed hands unless the estate is probated. Thus, a person that thinks they
43 own the house can pay taxes for years but will not be able to sell it because there is no title to transfer.
44 There is no way to clear the title if there has not been an estate probated unless the property taxes are
45 unpaid. When the county forfeits for unpaid taxes, the title is cleared by operation of the statute. For
46 this reason, the biggest underlying problem with transferring a nonconforming property would never be
47 realized. Seeber stated that there were likely a lot more houses in this situation than there were owners

1 wanting to sell such that the buyers would be able to get mortgages. She inquired as to how many
2 property owners were requesting rezoning, as she only knew about one. No one knew of any others.

3
4 Seals suggested doing one block to see the level of interest and comprehension of the process by the
5 affected owners. Seeber suggested that if the problem is limited to one house and that property owner
6 first notified the Township in January, then there is no reason that one house cannot apply for rezoning.
7 The Township had gone back and forth with this owner for more than half the year. She indicated that if
8 the banks are afraid of the 'you cannot rebuild in case of natural disaster or act of God' part of the
9 ordinance she could draft some minor amendment to address the problem. This could be noticed for
10 public hearing at the same time as the application for rezoning. The Planning Commission was satisfied
11 with this suggestion. There did not seem to be more appetite for continuing a discussion on the other
12 parcels when a text amendment could cure the situation. The likelihood of another owner taking
13 advantage of a text amendment allowing rebuilding of houses in the Industrial Districts in cases of natural
14 disaster or Acts of God was small and the present problem could be solved.

15
16 **Report of the Planner on Inspections and Enforcement.**

17 The next item on the agenda was the Planner's report on the status of Marijuana Facilities Inspections.
18 Taylor stated that the inspection was pending for 2609 N. Burdick, but all of the others had passed.

19
20 The next item on the agenda was the Planner's report on gravel pit Inspections. Taylor indicated that the
21 Township has 7 gravel pits. She is putting together letters for the township engineer to review. These
22 letters would go out on the 22nd or 24th. The gravel pits, she said, are all permits. They would be
23 recommending another 1-year special use extension for all. In response to an inquiry from Chapman,
24 Taylor stated that all but one had paid review fees.

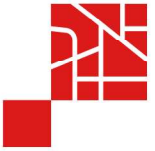
25
26 The next item for Planning Commission consideration was the enforcement report. There was no change
27 at 2017 N. Burdick. A fence had been incorrectly installed. Taylor described this as a "middling issue".

28
29 **ADJOURNMENT**

30 There being no further business to come before the Planning Commission, upon motion of Hartsough,
31 supported by Seals and unanimous voice vote, the meeting was adjourned at 8:19p.m.

32
33 Respectfully Submitted,

34
35
36 Erin Geschwendt, Recording
37 Secretary
38



MCKENNA

Memorandum

TO: Kalamazoo Charter Township Planning Commission
FROM: Hillary Taylor, Senior Planner
Alicia Warren- Associate Planner
SUBJECT: 2409 Texel Drive (2508 Gull Road) – Site Plan Review
DATE: July 28, 2025

The applicant, Tracie Moored for Kalamazoo Township, is seeking to construct a new fire station to be located at 2409 Texel (previously 2508 Gull Road).

OVERVIEW

The subject site, 2409 Texel, has an existing church on site. The applicant proposes to demolish the church and construct a new fire station for Kalamazoo Township, Eastwood Fire Station. The proposed new construction building will be 18,346 square feet and a new associated drive and parking lot.

USE OF THE PROPERTY

The site is zoned R-1, Single Family Residential and is approximately 3.7 acres in size. Ordinance article 11.01 discusses details related to the R-1 district in the Township. The overall intent of the R-1 District is to:



“provide neighborhoods of predominantly one-family detached dwellings that are developed consistent with the established or desired form of the area, along with other associated uses and facilities (e.g. cultural, religious, education, governmental) that serve residents of the district.”



It is further the intent of this district to prohibit or restrict land uses that would interfere with the development or maintenance of single-family neighborhoods; generate traffic on local roads in excess of typical residential traffic; or, create public service costs and requirements in excess of the costs and requirements of a typical single-family residential neighborhood.

Preservation of open space, protection of flood prone areas, protection of wooded areas, and preservation of natural features is encouraged.”

The proposed use of the property is an allowed use as “municipal buildings and uses”

SITE PLAN REVIEW CRITERIA

The following analysis is conducted per the provisions as established in Section 26.02 of the Township Zoning Ordinance.

A. Schedule of Regulations

Article 25.02 of the Kalamazoo Township Zoning Ordinance regulates lot area, dimensions, and setback requirements for structures within the R-1 district. The following table reviews the R-1 District Standards to that proposed by the applicant.

Regulation	R-1	Site Plan Conditions	Compliance with Ordinance Standards
Front Yard Setback	25 ft.	50.3 ft.	Yes
Side Yard Setback	5 ft.	> 5 ft.	Yes
Rear Yard Setback	35 ft.	> 35 ft.	Yes
Maximum Lot Coverage	25%	11.2%	Yes
Building Height (new building)	30 ft.	20 ft.	Yes

B. Off-Street Parking

Parking requirements are regulated by Section 4.01(D)(6) of the Township Zoning Ordinance. The following table provides analysis of the required off-street parking per ordinance and the proposed parking conditions at 2409 Texel Drive.

Regulation Type: Off Street Parking	Required	Site Plan Conditions	Compliance with Ordinance Standards
--	-----------------	-----------------------------	--



Municipal Building or Facility	1 space per 300 sq. ft. of usable floor area, plus one parking space shall be required for each employee on the largest typical daily work shift	44 spaces	<u>61 spaces required - can be modified by the Planning Commission</u>
--------------------------------	--	-----------	--

The total usable square feet in area as reported from the applicant is 16,592 square feet. The proposed total square footage is 18,346 square feet. The site plan provides 44 total spaces, including 3 ADA spaces. The applicant states in an email that “the maximum staffing would be 6 on duty at a time with 6 bunks. 13 spots were put in to facilitate shift changes in the mornings for parking for both on coming and off going staff.” The usable square footage with the number of spaces for employees would require 61 parking spaces. Forty four (44) parking spaces might be adequate; the Planning Commission is able to make a determination if this parking would be adequate per Section 4.01 (D) which states that “*The Planning Commission may modify the numerical requirements for off-street parking, based on evidence that another standard would be more reasonable, because of the level of current or future employment and/or level of current or future customer traffic.*” This is subject to discussion by the Planning Commission.

D. Schedule of Required Parking

1. Parking Spaces Required

The amount of required off-street parking (including stacking spaces for certain uses) shall be determined in accordance with the schedules that follow. Applicants are encouraged to minimize the amount of parking provided in order to minimize excessive areas of pavement, which negatively impact aesthetic standards and contribute to high volumes of storm water runoff. The Planning Commission may modify the numerical requirements for off-street parking, based on evidence that another standard would be more reasonable, because of the level of current or future employment and/or level of current or future customer traffic.

2. Uses Not Cited

For those uses not specifically mentioned, the requirements for off-street parking for a similar use shall apply, subject to review by the Planning Commission and/or Township Planner.

C. Off-Street Loading Facilities

Off-Street loading areas shall be located to the rear or side of the building being served such that it is screened from view from adjoining roads (Section 4.02.B). Loading spaces shall be a minimum of ten (10) feet in width and fifty (50) feet in length. The site plan does not note a dedicated loading area. The applicant has provided the following statement “Loading/unloading spaces were deemed unnecessary as the main use of this building is the fire station and do not anticipate a large amount of loading/unloading to occur. The fire entrance drive to the south has



a large enough width where delivery vehicles could drop off packages and turn around without the need of a designated loading/unloading zone.” Per Section 4.02 B(7) Minimum Loading Space The amount of required loading space shall be determined in accordance with the schedule that follows. *The Planning Commission may modify these requirements upon making the determination that another standard would be more appropriate because of the number or type of deliveries experienced by a particular business or use. This is subject to discussion by the Planning Commission*

D. Landscaping Plan

The Zoning Ordinance provides landscaping and open space standards pertaining to new development in the Township. Section 5.02A of the zoning ordinance requires all developed portions of the site shall conform to the following general landscaping standards, except where specific landscape elements, such as a greenbelt, berms, or screening are required:

1. All unpaved portions of the site shall be planted with grass, ground cover, shrubbery, or other suitable live plant material. Such plant material shall extend to the edge of any abutting paved area, roadway, or gravel shoulder, except that trees and shrubs shall be set back a minimum of ten feet from the edge of any un-curbed paved area, roadway, or gravel shoulder. Grass areas in the front yard of all non-residential uses shall be planted with sod or hydro-seeded.
2. A mixture of evergreen and deciduous trees shall be planted on non-residential parcels at the rate of one (1) tree per 3,000 square feet or portion thereof of any unpaved open area for which specific landscaping requirements do not appear later in this Article. Required trees may be planted at uniform intervals, at random, or in groupings.

In addition to the above, the landscaping adjacent to roads shall comply with the following planting requirements:

1. Deciduous Shade or Evergreen Tree: 1 per 40 linear feet of road frontage
2. Ornamental Tree: 1 per 100 linear feet of road frontage
3. Shrubs: 8 per 40 linear feet of road frontage

A landscape plan was provided and in addition to the trees and shrubs that will remain it is in compliance with the zoning ordinance standards.

E. Lighting

The site plan does not include a photometric plan. The Applicant must provide one to ensure compliance with the zoning ordinance requirements within Section 2.12.

F. Signage



No signage was a part of the site plan application. Administrative review of site signage can be conducted at a later date.

G. Sidewalks

Section 2.18.A. of the Township Zoning Ordinance requires sidewalks to be constructed with any new or (re)development. The site plan provides construction of a new sidewalk along Gull Road that leads to the building.

H. Trash Removal & Disposal

Site plan provides a dumpster enclosure at the southeast corner of the property. Further details of the enclosure were not provided.

ADDITIONAL AGENCY REVIEW

The Township Fire Marshal will provide additional comments regarding the site plan submission in a separate communication. The Township Engineer will also provide comments.

RECOMMENDATION

Based on the site plan dated July 7, 2024, we recommend that the Planning Commission shall determine if loading/unloading space on site are required based on the analysis provided, and if forty-four (44) parking spaces are adequate. If the Planning Commission concurs with staff that loading/unloading spaces are not necessary, and that forty-four (44) parking spaces will be adequate, we recommend **approval with conditions** of the proposed site plan for a new fire station to be located at 2409 Texel Drive. As conditioned the applicant will provide the following information to be reviewed administratively.

- 1) A photometric plan will be provided to ensure it is compliant with the zoning ordinance.
- 2) Dumpster enclosure details will be provided to ensure compliance with the zoning ordinance.

Please feel free to contact the Zoning Administrator regarding this review at planner@ktwp.org or 269-381-8080.

Respectfully,

Hillary Taylor
Senior Planner

Alicia Warren
Associate Planner

Memorandum

Date:	July 28, 2025
To:	Planning Commission
Company:	Kalamazoo Charter Township
From:	Michael A. Presta, P.E.
Project #:	2250762
Re:	Eastwood Fire Station – Site Plan Review

We have reviewed the plans dated July 7, 2025, for the Eastwood Fire Station and have the following comments:

1. The drive entrance and any work within the Gull Road right-of-way must be permitted through MDOT.
2. The drive entrances and any work within Texel Drive right-of-way must be permitted through the Road Commission of Kalamazoo County.
3. The proposed 8-inch water main service and hydrant must be designed and permitted with the City of Kalamazoo.
4. The proposed 8-inch sanitary sewer connection and pipe within the Texel Drive right-of-way must be witnessed by a representative of Prein&Newhof during construction. The applicant must notify the Township and Prein&Newhof prior to any work on the public sanitary sewer manhole.
5. Site grading is acceptable. All storm water is directed to the proposed catch basins.
6. This site falls within the Township's one year capture zone of the Wellhead Protection Ordinance. The applicant must revise the proposed storm water system to meet the requirements in the Townships Storm Water Performance Standards. We will work with the applicant to obtain the required reporting documentation and revised storm water calculations.
7. We note that the applicant is proposing a closed loop geothermal heating system. We will work with the applicant to ensure that any geothermal heating system meets the requirements of the Wellhead Protection Ordinance.

We hope these comments are helpful in your review of this site plan.



FIRE MARSHAL

**1720 Riverview Drive
Kalamazoo, MI 49004
Tel: (269) 888-2171
Fax: (269) 381-3550
Email: tckowalski@ktwp.org**

July 23,2025

I have completed a site plan review for the proposed New Kalamazoo Township Fire Station located on Texel Street. The proposed location is addressed as 2409 Texel Street within the Township of Kalamazoo. The plan set revision date is 07-17-2025 with a project number of 2024-053. This review utilized the Uniform Fire Code, NFPA 2018 Edition, which has been adopted by the Township of Kalamazoo as well as the adopted Kalamazoo Township Plan Review Ordinance.

During this site plan review, the following plan deficiencies were noted:

1. This plan does not indicate the location of the fire department connection.
2. This site plan does not indicate the location of fire hydrants not the hydrant within 100 feet of the fire department connection.
3. This site plan indicates a powered gate. This gate will require a Knox key switch as well.
4. **The AHJ reserves the right to implement field adjustments as needed.**

Please feel free to contact me with any questions.

Todd Kowalski
Fire Marshal

Cc: File



1720 Riverview Drive
Kalamazoo, MI 49004-1056
Tele: (269) 381-8080
Fax: (269) 381-3550
www.ktwp.org

PLANNING COMMISSION AGENDA ITEM FOR MEETING ON AUGUST 7, 2025

SUBJECT: Adoption of amended planning commission bylaws

REQUESTING DEPARTMENT: Planning Commission

SUBMITTED BY: Roxanne Seeber, Township Attorney

SUGGESTED MOTION:

Adopt the planning commission meeting bylaws as submitted, authorize the planning commission secretary to sign the same and forward to the Township Clerk.

DETAILS:

Amendments to the Township Planning Commission bylaws had been forwarded to the Township Planning Commission members in their packets for the July 10, 2025 meeting. Chairman Nagler had suggested a couple of changes. The Planning Commission requested a final copy. Chairman Nagler's suggestions were taken into account, and a revised set of proposed bylaws is attached. The main changes re:

1. Eliminate details as to the agenda. There is no reason to strap the planning commission to a particular agenda format, which hasn't been followed anyway. Township Attorney will prepare a draft agenda policy for consideration by the Planning Commission at a future date.
2. Amend the voting section to recognize that a member may have a conflict of interest that would prohibit him/her from voting. Section 2 "Meetings", item F, changes highlighted.
3. Recognize the township's posting of the planning commission meeting agenda on the township's website. Section 2 "Meetings", item G, change highlighted.
4. Add a provision to the "Note" indicating that the chairperson may impose a time and frequency limitation for those wishing to comment at a public hearing.
5. Recognize that the Superintendent prepares the budget, allow planning commission to review and request budgets for unusual expense items, such as the planned adoption of a master plan. Section 3.D. Budget section is rewritten.
6. Recognize the authority of the township board to delegate the preparation of a capital improvements plan to the Superintendent. Section 3 "Duties of the Planning Commission", I, changes highlighted.

The mission of Kalamazoo Township is to provide government services that promote a safe, healthy, accessible, and economically viable community to live, work, learn and play.

CHARTER TOWNSHIP OF KALAMAZOO PLANNING COMMISSION

BYLAWS

ADOPTED November 13, 2008
AMENDED June 17, 2018;
AS AMENDED AND APPROVED ON August 7, 2025

SECTION 1: OFFICERS

- A. **Selection and Tenure.** At the first regular meeting held each calendar year, the planning commission shall select from its membership a chairperson, vice chairperson and secretary. All officers shall serve a term of one year, or until their successors are selected and assume office, except as noted in C, below. All officers shall be eligible for reelection for consecutive terms for the same office.
- B. **Chairperson.** The chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the planning commission.
- C. **Vice Chairperson.** The vice chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of chairperson becomes vacant, the vice chairperson shall succeed to this office for the unexpired term, and the planning commission shall select a successor to the office of vice chairperson for the unexpired term.
- D. **Secretary.** The secretary shall execute documents in the name of the planning commission, perform the duties hereinafter listed below, and shall perform such other duties as the planning commission may determine.
1. **Minutes.** The secretary shall be responsible for preparing or having prepared minutes of each meeting and shall ensure for their recording in a suitable permanent record maintained by the township clerk. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and a record of attendance. Minutes of public hearings shall contain a synopsis of public comments.
 2. **Correspondence.** The secretary shall be responsible for issuing or having issued formal written correspondence with other groups or persons, as directed by the planning commission. All communications, petitions, reports or other written materials received by the secretary shall be brought to the attention of the planning commission.
 3. **Attendance.** The secretary shall be responsible for reporting or having reported the attendance record for each planning commission member to the township clerk.
 4. **Notices.** The secretary shall cause to be issued such notices as may be required by the planning commission.

- E. **Township Board Representative.** The township board representative shall be the liaison between the planning commission and the township board and shall be responsible for presenting recommendations of the planning commission to the township board concerning zoning ordinance or subdivision ordinance modifications and plat or condominium development proposals for township board final approval. The Township Board representative is not eligible to be chairperson of the Planning Commission.
- F. **Zoning Board of Appeals Representative.** The planning commission representative to the zoning board of appeals shall report the actions of the zoning board of appeals to the planning commission and update the zoning board of appeals on actions by the planning commission that relate to the functions and duties of the zoning board of appeals. The planning commission representative to the Zoning Board of Appeals cannot be chairperson of the zoning board of appeals. The planning commission may recommend to the Township Board which of its members should also serve on the Zoning Board of Appeals.

SECTION 2: MEETINGS

- A. **Regular Meetings.** The planning commission shall hold not less than four regular meetings each year and by resolution shall determine the time and place of such meetings. Other meetings may be held as necessary. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the planning commission shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting.

Notice of regular or scheduled planning commission meetings shall be posted at the principal township office within 10 days after the planning commission's first meeting in each fiscal year in accordance with the Open Meetings Act.

- C. **Special Meetings.** Special meetings may be called by the chairperson or upon written request to the secretary by at least two members of the planning commission. The business the planning commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. All costs of special meetings held to consider requests of applicants for approvals under the zoning ordinance (or for such other purposes as may be necessary) shall be paid by the applicant for such requests.

Notice of special meetings shall be given to the members of the planning commission at least forty-eight hours prior to the meeting. Such notice shall state the purpose, time and location of the special meeting and shall be posted in accordance with the Open Meetings Act. If all members are present at a special meeting, the lack of the foregoing notice shall be waived.

- C. **Public Records**. All meetings, minutes, records, documents, correspondence and other materials of the planning commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- E. **Quorum**. Four members of the seven-member planning commission shall constitute a quorum for transacting business and taking official action for all matters except for those decisions required by statute to be made by a majority of the membership. When a quorum is not present, those present may adjourn the meeting to another time and day, in accordance with the provisions of the Open Meetings Act. No action shall be taken at a meeting at which a quorum is not present. If a meeting involves a scheduled public hearing, those present may accommodate the public present by listening and recording their comments for the information of those members not present and for review at the time of the rescheduled public hearing.
- F. **Voting**. An affirmative vote of the majority of the planning commission membership is required to adopt and part of the master plan or amendments to the plan. Unless required by statute, other actions or motions placed before the planning commission may be adopted by a majority vote of the membership in attendance, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any commission member or directed by the chairperson. All planning commission members, including the chairperson, shall vote on all matters unless a conflict is declared in accordance with this Section 6.
- G. **Agenda**. The chairperson shall be responsible for preparing or having prepared an agenda for planning commission meetings. Additions, changes or corrections to the agenda shall be entertained and approved by majority vote. The agenda shall be posted on the Township's website prior to the meeting.
- H. **Public Hearings**. All public hearings held by the planning commission shall be scheduled as part of a regular or special meeting of the planning commission. An applicant may ask the planning commission to schedule a different date for the public hearing on the applicant's request but if permitted, shall require the applicant to pay the special meeting fee as well as the variance or appeal fee and escrow as sent by the Township Board.

The following rules of procedure shall apply to such public hearings:

1. Chairperson opens the public hearing and announces the subject.
2. Chairperson summarizes the procedures/rules to be followed during the hearing.
3. Township planner/engineer/other consultants present their report and recommendation.
4. Applicant presents the main points of the application.
5. Persons speaking in support of the application are recognized.
6. Persons speaking in opposition to the application are recognized.

7. Chairperson closes the public hearing and returns to the regular/special meeting.
8. Planning commission begins deliberation and arrives at specified reasons for the decision. A decision can be postponed until by vote of the commission for reasons identified in the motion for postponement

Note: All comments by the public, staff and planning commission members shall be directed to the chairperson and shall relate to the subject of the public hearing; unrelated comments shall be ruled out-of-order by the chairperson. A time and frequency limitation may be imposed by the chairperson.

SECTION 3: DUTIES OF THE PLANNING COMMISSION

The planning commission shall perform or delegate to staff the following duties:

- A.** Take such action on petitions, staff proposals and township board requests for amendments to the zoning ordinance as required.
- B.** Take such action on petitions, staff proposals and township board requests for amendments to the master land use plan as required.
- C.** Prepare an annual report to the township board.
- D.** Consider Superintendent's proposal for annual budget for planning commission based on presumed number of meetings and estimated costs therefore and provide feedback on the proposed budget to the Superintendent. Notify the Superintendent prior to the Township Board's budget approval of any extraordinary expenses, such as for master plan or zoning ordinance overhaul, that are anticipated to occur in the following budget year.
- E.** Take such actions as are required by the Michigan Zoning Enabling Act or Michigan Planning Enabling Act, as amended.
- F.** Review subdivision and condominium proposals and recommend appropriate actions to the township board.
- G.** Prepare special studies and plans, as deemed necessary by the planning commission or township board and for which appropriations of funds have been approved by the township board.
- H.** Attend training sessions, conferences or meetings as needed to properly fulfill the duties of planning commissioners and for which appropriations of funds have been approved by the township board, either in the annual planning commission budget or otherwise.

- I. Prepare a capital improvement plan unless such preparation has been delegated to the superintendent by the Township Board in accordance with MCL 125.3865.
- J. Perform other duties and responsibilities as requested by the township board or other authorized township official or agency.

SECTION 4: DUTIES OF THE ZONING ADMINISTRATOR AND PLANNING CONSULTANT

- A. The planning commission may be assisted by the zoning administrator, planning consultant and township attorney in performing the planning commission's duties.
- B. The zoning administrator shall:
 - 1. Administrate the zoning ordinance and decisions of the planning commission.
 - 2. Accept applications for matters to be reviewed by the planning commission and ensure that such applications are complete and within the authority of the planning commission.
 - 3. Forward application materials to the planning commission at least one week prior to the meeting at which the matters will be considered.
 - 4. Inform the planning commission of administrative and enforcement actions taken on behalf of the township related to the zoning or other appropriate ordinance.
 - 5. Attend meeting and public hearings upon request of the planning commission or chairperson.
- C. The planning consultant shall:
 - 1. Attend planning commission meetings and public hearings scheduled by the planning commission as requested by the Chairperson or by a vote of the members.
 - 2. Consult with the planning commission, zoning administrator and other township officials concerning interpretation, procedural questions and other matters arising from the zoning ordinance or master land use plan.
 - 3. Prepare amendments to the zoning ordinance or master land use plan as directed by the planning commission.
 - 4. Prepare and forward to the zoning administrator, township attorney and planning commission members, written reviews and recommendations, if appropriate, for all requests and development proposals to be considered by the planning commission as requested by the planning commission.
 - 5. Meet with applicants, their representatives and/or township officials as needed to properly perform project reviews and provide necessary assistance.
 - 6. Perform other duties as directed by the planning commission.

- D. The planning commission may be assisted by other professional or township staff as needed, including the building inspector, township attorney, township engineer, township assessor or other appropriate persons or agencies.

SECTION 5: ABSENCES, REMOVALS, RESIGNATIONS AND VACANCIES

- A. To be excused, members of the planning commission shall notify the planning commission chairperson or other planning commission member when they intend to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence, unless attending planning commission members approve a motion to excuse an absent member.
- B. Members of the planning commission may be removed by the township board for misfeasance, malfeasance or nonfeasance in office upon written charges and after a public hearing on such removal.
- C. A member may resign from the planning commission by sending a letter of resignation to the township supervisor, township board or planning commission chairperson stating the date of such resignation.
- D. Vacancies shall be filled by resolution of the township board for the remainder of the unexpired term of the position being filled. Members' terms shall be for three years and until their successor is appointed and has been qualified.
- E. A member having three unexcused absences within a twelve-month period, shall be deemed guilty of misfeasance and subject to removal from the planning commission by the township board under section 5D hereof.

SECTION 6: CONFLICT OF INTEREST

- A. Planning commission members shall acknowledge and declare a conflict of interest and abstain from participating in a hearing or deliberations on a decision of the planning commission in which the conflict exists. Such a conflict exists under the following circumstances:
 - 1. A relative or other family member is involved in any request for which the planning commission is asked to make a decision;
 - 2. The planning commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association;
 - 3. The planning commission member owns or has a financial interest in adjoining property with a common property line. For purposes of this section, a neighboring property shall include any property falling within the notification

radius for the proposed development, as required by the zoning ordinance or other applicable ordinance or statute; or

4. There is a reasonable appearance of a conflict of interest, as determined by the planning commission member declaring such conflict or by a majority of the remaining planning commission members.
- B.** The planning commission member declaring a conflict of interest should state the nature of the conflict and whether he or she believes he or she could impartially consider the request before the commission. He or she should individually decide to abstain from any discussion or votes relative to the matter that is the subject of the conflict. If he or she decides not to abstain and a vote of the remaining members of the commission is called for by a planning commission member, a majority vote of such remainder shall determine whether or not the conflict is sufficient to require abstention. A member thus abstaining should remove himself or herself from the council table during the discussion and vote on the issue. This provision shall not preclude participation in the discussion on a particular matter if such participation is initiated by the planning commission and is as to a factual situation.
- C.** A planning commission member who has previously voted on the issue as a member of the Township's planning commission shall not again vote on the matter before the township's zoning board of appeals.

SECTION 7: AMENDMENTS

These bylaws amend and supercede all prior bylaws adopted by the planning commission and constitute the bylaws of the planning commission as of August 8, 2025. These bylaws may be amended at any meeting of the planning commission by a majority vote of the membership of said commission. The proposed amendment shall be included on the agenda for the meeting at which it is to be discussed and decided which agenda shall include a summary of the content of such amendment.

CERTIFICATION

The foregoing bylaws were adopted by the Kalamazoo Charter Township Planning Commission at a regular meeting of said Commission held August 7, 2025 by a majority vote of said planning commission membership.

**KALAMAZOO CHARTER TOWNSHIP
PLANNING COMMISSION**

, Secretary
Charter Township of Kalamazoo

CHARTER TOWNSHIP OF KALAMAZOO PLANNING COMMISSION

BYLAWS

ADOPTED November 13, 2008
AMENDED June 17, 2018;
AS AMENDED AND APPROVED ON August 7, 2025

SECTION 1: OFFICERS

- A. **Selection and Tenure.** At the first regular meeting held each calendar year, the planning commission shall select from its membership a chairperson, vice chairperson and secretary. All officers shall serve a term of one year, or until their successors are selected and assume office, except as noted in C, below. All officers shall be eligible for reelection for consecutive terms for the same office.
- B. **Chairperson.** The chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the planning commission.
- C. **Vice Chairperson.** The vice chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of chairperson becomes vacant, the vice chairperson shall succeed to this office for the unexpired term, and the planning commission shall select a successor to the office of vice chairperson for the unexpired term.
- D. **Secretary.** The secretary shall execute documents in the name of the planning commission, perform the duties hereinafter listed below, and shall perform such other duties as the planning commission may determine.
1. **Minutes.** The secretary shall be responsible for preparing or having prepared minutes of each meeting and shall ensure for their recording in a suitable permanent record maintained by the township clerk. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and a record of attendance. Minutes of public hearings shall contain a synopsis of public comments.
 2. **Correspondence.** The secretary shall be responsible for issuing or having issued formal written correspondence with other groups or persons, as directed by the planning commission. All communications, petitions, reports or other written materials received by the secretary shall be brought to the attention of the planning commission.
 3. **Attendance.** The secretary shall be responsible for reporting or having reported the attendance record for each planning commission member to the township clerk.
 4. **Notices.** The secretary shall cause to be issued such notices as may be required by the planning commission.

- E. **Township Board Representative.** The township board representative shall be the liaison between the planning commission and the township board and shall be responsible for presenting recommendations of the planning commission to the township board concerning zoning ordinance or subdivision ordinance modifications and plat or condominium development proposals for township board final approval. The Township Board representative is not eligible to be chairperson of the Planning Commission.
- F. **Zoning Board of Appeals Representative.** The planning commission representative to the zoning board of appeals shall report the actions of the zoning board of appeals to the planning commission and update the zoning board of appeals on actions by the planning commission that relate to the functions and duties of the zoning board of appeals. The planning commission representative to the Zoning Board of Appeals cannot be chairperson of the zoning board of appeals. The planning commission may recommend to the Township Board which of its members should also serve on the Zoning Board of Appeals.

SECTION 2: MEETINGS

- A. **Regular Meetings.** The planning commission shall hold not less than four regular meetings each year and by resolution shall determine the time and place of such meetings. Other meetings may be held as necessary. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the planning commission shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting.

Notice of regular or scheduled planning commission meetings shall be posted at the principal township office within 10 days after the planning commission's first meeting in each fiscal year in accordance with the Open Meetings Act.

- C. **Special Meetings.** Special meetings may be called by the chairperson or upon written request to the secretary by at least two members of the planning commission. The business the planning commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. All costs of special meetings held to consider requests of applicants for approvals under the zoning ordinance (or for such other purposes as may be necessary) shall be paid by the applicant for such requests.

Notice of special meetings shall be given to the members of the planning commission at least forty-eight hours prior to the meeting. Such notice shall state the purpose, time and location of the special meeting and shall be posted in accordance with the Open Meetings Act. If all members are present at a special meeting, the lack of the foregoing notice shall be waived.

- C. **Public Records.** All meetings, minutes, records, documents, correspondence and other materials of the planning commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- E. **Quorum.** Four members of the seven-member planning commission shall constitute a quorum for transacting business and taking official action for all matters except for those decisions required by statute to be made by a majority of the membership. When a quorum is not present, those present may adjourn the meeting to another time and day, in accordance with the provisions of the Open Meetings Act. No action shall be taken at a meeting at which a quorum is not present. If a meeting involves a scheduled public hearing, those present may accommodate the public present by listening and recording their comments for the information of those members not present and for review at the time of the rescheduled public hearing.
- F. **Voting.** An affirmative vote of the majority of the planning commission membership is required to adopt and part of the master plan or amendments to the plan. Unless required by statute, other actions or motions placed before the planning commission may be adopted by a majority vote of the membership in attendance, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any commission member or directed by the chairperson. All planning commission members, including the chairperson, shall vote on all matters **unless a conflict is declared in accordance with this Section 6.**
- G. **Agenda.** The chairperson shall be responsible for preparing or having prepared an agenda for planning commission meetings. Additions, changes or corrections to the agenda shall be entertained and approved by majority vote. **The agenda shall be posted on the Township's website prior to the meeting.**
- H. **Public Hearings.** All public hearings held by the planning commission shall be scheduled as part of a regular or special meeting of the planning commission. An applicant may ask the planning commission to schedule a different date for the public hearing on the applicant's request but if permitted, shall require the applicant to pay the special meeting fee as well as the variance or appeal fee and escrow as sent by the Township Board.

The following rules of procedure shall apply to such public hearings:

1. Chairperson opens the public hearing and announces the subject.
2. Chairperson summarizes the procedures/rules to be followed during the hearing.
3. Township planner/engineer/other consultants present their report and recommendation.
4. Applicant presents the main points of the application.
5. Persons speaking in support of the application are recognized.
6. Persons speaking in opposition to the application are recognized.

7. Chairperson closes the public hearing and returns to the regular/special meeting.
8. Planning commission begins deliberation and arrives at specified reasons for the decision. A decision can be postponed until by vote of the commission for reasons identified in the motion for postponement

Note: All comments by the public, staff and planning commission members shall be directed to the chairperson and shall relate to the subject of the public hearing; unrelated comments shall be ruled out-of-order by the chairperson. A time and frequency limitation may be imposed by the chairperson.

SECTION 3: DUTIES OF THE PLANNING COMMISSION

The planning commission shall perform or delegate to staff the following duties:

- A. Take such action on petitions, staff proposals and township board requests for amendments to the zoning ordinance as required.
- B. Take such action on petitions, staff proposals and township board requests for amendments to the master land use plan as required.
- C. Prepare an annual report to the township board.
- D. Consider Superintendent's proposal for annual budget for planning commission based on presumed number of meetings and estimated costs therefore and provide feedback on the proposed budget to the Superintendent. Notify the Superintendent prior to the Township Board's budget approval of any extraordinary expenses, such as for master plan or zoning ordinance overhaul, that are anticipated to occur in the following budget year.
- E. Take such actions as are required by the Michigan Zoning Enabling Act or Michigan Planning Enabling Act, as amended.
- F. Review subdivision and condominium proposals and recommend appropriate actions to the township board.
- G. Prepare special studies and plans, as deemed necessary by the planning commission or township board and for which appropriations of funds have been approved by the township board.
- H. Attend training sessions, conferences or meetings as needed to properly fulfill the duties of planning commissioners and for which appropriations of funds have been approved by the township board, either in the annual planning commission budget or otherwise.

- I. Prepare a capital improvement plan unless such preparation has been delegated to the superintendent by the Township Board in accordance with MCL 125.3865.
- J. Perform other duties and responsibilities as requested by the township board or other authorized township official or agency.

SECTION 4: DUTIES OF THE ZONING ADMINISTRATOR AND PLANNING CONSULTANT

- A. The planning commission may be assisted by the zoning administrator, planning consultant and township attorney in performing the planning commission's duties.
- B. The zoning administrator shall:
 - 1. Administrate the zoning ordinance and decisions of the planning commission.
 - 2. Accept applications for matters to be reviewed by the planning commission and ensure that such applications are complete and within the authority of the planning commission.
 - 3. Forward application materials to the planning commission at least one week prior to the meeting at which the matters will be considered.
 - 4. Inform the planning commission of administrative and enforcement actions taken on behalf of the township related to the zoning or other appropriate ordinance.
 - 5. Attend meeting and public hearings upon request of the planning commission or chairperson.
- C. The planning consultant shall:
 - 1. Attend planning commission meetings and public hearings scheduled by the planning commission as requested by the Chairperson or by a vote of the members.
 - 2. Consult with the planning commission, zoning administrator and other township officials concerning interpretation, procedural questions and other matters arising from the zoning ordinance or master land use plan.
 - 3. Prepare amendments to the zoning ordinance or master land use plan as directed by the planning commission.
 - 4. Prepare and forward to the zoning administrator, township attorney and planning commission members, written reviews and recommendations, if appropriate, for all requests and development proposals to be considered by the planning commission as requested by the planning commission.
 - 5. Meet with applicants, their representatives and/or township officials as needed to properly perform project reviews and provide necessary assistance.
 - 6. Perform other duties as directed by the planning commission.

- D. The planning commission may be assisted by other professional or township staff as needed, including the building inspector, township attorney, township engineer, township assessor or other appropriate persons or agencies.

SECTION 5: ABSENCES, REMOVALS, RESIGNATIONS AND VACANCIES

- A. To be excused, members of the planning commission shall notify the planning commission chairperson or other planning commission member when they intend to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence, unless attending planning commission members approve a motion to excuse an absent member.
- B. Members of the planning commission may be removed by the township board for misfeasance, malfeasance or nonfeasance in office upon written charges and after a public hearing on such removal.
- C. A member may resign from the planning commission by sending a letter of resignation to the township supervisor, township board or planning commission chairperson stating the date of such resignation.
- D. Vacancies shall be filled by resolution of the township board for the remainder of the unexpired term of the position being filled. Members' terms shall be for three years and until their successor is appointed and has been qualified.
- E. A member having three unexcused absences within a twelve-month period, shall be deemed guilty of misfeasance and subject to removal from the planning commission by the township board under section 5D hereof.

SECTION 6: CONFLICT OF INTEREST

- A. Planning commission members shall acknowledge and declare a conflict of interest and abstain from participating in a hearing or deliberations on a decision of the planning commission in which the conflict exists. Such a conflict exists under the following circumstances:
 - 1. A relative or other family member is involved in any request for which the planning commission is asked to make a decision;
 - 2. The planning commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association;
 - 3. The planning commission member owns or has a financial interest in adjoining property with a common property line. For purposes of this section, a neighboring property shall include any property falling within the notification

radius for the proposed development, as required by the zoning ordinance or other applicable ordinance or statute; or

4. There is a reasonable appearance of a conflict of interest, as determined by the planning commission member declaring such conflict or by a majority of the remaining planning commission members.
- B.** The planning commission member declaring a conflict of interest should state the nature of the conflict and whether he or she believes he or she could impartially consider the request before the commission. He or she should individually decide to abstain from any discussion or votes relative to the matter that is the subject of the conflict. If he or she decides not to abstain and a vote of the remaining members of the commission is called for by a planning commission member, a majority vote of such remainder shall determine whether or not the conflict is sufficient to require abstention. A member thus abstaining should remove himself or herself from the council table during the discussion and vote on the issue. This provision shall not preclude participation in the discussion on a particular matter if such participation is initiated by the planning commission and is as to a factual situation.
- C.** A planning commission member who has previously voted on the issue as a member of the Township's planning commission shall not again vote on the matter before the township's zoning board of appeals.

SECTION 7: AMENDMENTS

These bylaws may be amended at any meeting of the planning commission by a majority vote of the membership of said commission. The proposed amendment shall be included on the agenda for the meeting at which it is to be discussed and decided which agenda shall include a summary of the content of such amendment.

CERTIFICATION

The foregoing bylaws were adopted by the Kalamazoo Charter Township Planning Commission at a regular meeting of said Commission held August 7, 2025 by a majority vote of said planning commission membership.

**KALAMAZOO CHARTER TOWNSHIP
PLANNING COMMISSION**

, Secretary

Charter Township of Kalamazoo

ROLES AND RESPONSIBILITIES OF A PLANNING COMMISSION

ST. JOSEPH COUNTY



DESCRIPTION

Local officials have a responsibility to plan their communities, manage the impacts of economic and social change and play a part in solving challenges their communities face. Local communities that proactively plan and accomplish their responsibilities can enhance the quality of life and overall resiliency of their own community and beyond. This program empowers local officials and staff with the tools, background and education they need to understand the role and many responsibilities of our important planning commissions.

In this program, attendees will:

- Learn the legal authority and limitations of your planning commission duties.
- Recognize the functions of a master plan and zoning ordinance and their relationship.
- Understand the role of each person at a Planning Commission meeting including how to run meetings and handle conflict.
- Strengthen ethical decision-making skills, apply standards to decision-making and know when to ask for help.

REGISTRATION

The cost for this program is \$25 per person. This cost includes printed materials and light refreshments.

Register online here:

<https://events.anr.msu.edu/PCRolesStJoe>

CONTACT US:

Tyler Augst

augsttyl@msu.edu

(269) 657-8213

DATE & TIME

Tuesday, June 3, 2025

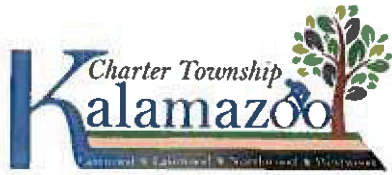
6:00 pm – 8:00 pm

LOCATION

St. Joseph County ISD
62445 Shimmel Road
Centreville, MI 49032

MSU is an affirmative-action, equal-opportunity employer, committed to achieving excellence through a diverse workforce and inclusive culture that encourages all people to reach their full potential. Michigan State University Extension programs and materials are open to all without regard to race, color, national origin, gender, gender identity, religion, age, height, weight, disability, political beliefs, sexual orientation, marital status, family status or veteran status. Issued in furtherance of MSU Extension work, acts of May 8 and June 30, 1914, in cooperation with the U.S. Department of Agriculture. Quentin Tyler, Director, MSU Extension, East Lansing, MI 48824. This information is for educational purposes only. Reference to commercial products or trade names does not imply endorsement by MSU Extension or bias against those not mentioned.

Michigan State University is committed to providing equal opportunity for participation in all programs, services and activities. Accommodations for persons with disabilities may be requested by contacting the event contact, Tyler Augst two weeks before the start of the event (05/20/2025) at (269) 657-8213 or augsttyl@msu.edu. Requests received after this date will be honored whenever possible.



Kalamazoo Charter Township
1720 Riverview Drive
Kalamazoo, MI 49007-4686
Telephone: (269) 381-8080
www.kalamazootownship.org

To: Planning Commission Members

Re: Discussion of the proposed changes to the land use matrix

Date: July 22, 2025

Greetings!

After the last meeting on July 10, 2025 staff went back to the proposed changes to the land use matrix and reformatted the document to include the articles where the land uses can be found, and whether or not the land use has a definition in Article 1. Hopefully these will be a helpful additions. The land use matrix was first given to you at the May 1st meeting as homework for the June 5th meeting. In the July 10th meeting staff presented you with a memo proposing changes to the land use matrix. In the meeting it became apparent that more time to review the proposed changes will be necessary. Staff proposes the following review schedule to allow for careful and thoughtful review of the proposed changes to the land use matrix in smaller sections.

August 7 – review and decide on agricultural uses

September 4 – review and decide on care and social assistance uses

October 2 – review and decide on commercial uses

November 6 – review and decide on institutional and recreational uses

December 4 – review and decide on residential and utilities uses

The proposed changes to the land use matrix are recommendations from staff to bring the existing document, adopted in 2016, into better compliance with State laws, current planning practices, the MSHDA housing grant and developments within the business community. The Zoning Ordinance is a working document and the careful, measured assessment by the Planning Commission is warranted to provide the best possible public service to the community. Please let me know if you have any questions. I can be reached at 269-381-8080 or at planner@ktwp.org. Thank you for your service to Kalamazoo Township.

Regards,

A handwritten signature in blue ink that appears to read 'Hillary Taylor'.

Hillary Taylor, Zoning Administrator



Memorandum

TO: Kalamazoo Charter Township Planning Commission
FROM: Hillary Taylor, AICP
Ethan Senti, Assistant Planner
SUBJECT: **Proposed Use Table Changes**
DATE: June 26, 2025

This memo outlines recommended updates to the Township Zoning Ordinance's Permitted Use Table to ensure alignment between district intent statements and permitted land uses across all zoning categories, and to expand the uses permitted in several districts to encourage and facilitate development. The proposed changes aim to clarify use classifications, support evolving housing and service needs, and improve consistency in land use administration. The following section provides specific recommendations by land use category, beginning with Agriculture. Corresponding sections of the use chart show recommendations in blue. A full-length version of the proposed updated use table is included at the end of this document.

AGRICULTURE

Use	Zoning District									
Agriculture	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2
Horticultural or truck farming	P	P					S	S		

Truck Farming

Truck farming refers to the small-scale commercial cultivation of fruits, vegetables, and similar produce for off-site sale or distribution. While such operations may qualify for protection under the Michigan Right to Farm Act if conducted in accordance with GAAMPs, Kalamazoo Township retains the ability to regulate them within residential and commercial districts to ensure land use compatibility.

We recommend allowing truck farming as a permitted use (P) in the R-1 and R-2 districts, where lot sizes and neighborhood character can generally support limited-scale agricultural activity with minimal impacts. In commercial areas, we recommend allowing truck farming as a special land use (S) in C-1 and C-2, to enable seasonal produce stands or growing operations while ensuring compatibility with surrounding uses through case-by-case review.

CARE AND SOCIAL ASSISTANCE

Care and Social Assistance	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2
Adult day care				S	S		S			
Assisted Living Home/Nursing Home			P	P	S					
Child foster care private home	P	P	P	P	P	P				



Counseling, medical and psychological treatment facilities		S	S	S			P	P		
Hospital		S		S			S	P		
Medical and Dental Offices		S		P	S		S			
Residential Human Care and Treatment Facility (for ex: a homeless shelter or halfway house) unless otherwise exempt by law			S	S	S		S			
Transitional Housing			S	S	S		S			
Urgent Care Facility							S	S	P	P

Adult Day Care

Adult day care facilities, defined as centers providing daytime care and supervision for adults, are recommended as special land uses in the C-1, RM-2, and RM-3 districts. These districts support neighborhood-serving or mixed residential uses where adult day care can be appropriate if carefully scaled and reviewed for compatibility with surrounding development.

Assisted Living and Nursing Homes

We recommend allowing assisted living and nursing home facilities as permitted uses in the RM-1 and RM-2 zoning districts, and as a special land use in RM-3. These uses align with the intended character and infrastructure capacity of RM-1 and RM-2, which support multi-family development and limited supportive services. The RM-3 district, while more restrictive, includes provisions for “special housing,” making it appropriate to consider these facilities on a case-by-case basis through the special land use process.

Child Foster Care Private Home

Permitted in all residential districts (R-1, R-2, RM-1, RM-2, RM-3, MHP), these homes are considered low-intensity, family-like settings and are protected under state law when housing six or fewer children. Their integration into neighborhoods aligns with the character and intent of residential zoning districts.

Counseling, medical and psychological treatment facilities

Counseling, medical, and psychological treatment facilities are appropriate as special land uses in RM-1 and RM-2 and as permitted uses in C-1 and C-2 because they align with each district’s intent to support community well-being through accessible, compatible services. In RM districts, these facilities provide essential care in walkable, residential settings and support the health needs of a diverse population, while special use review ensures compatibility with the surrounding neighborhood. In C-1, their low-intensity, office-like nature fits among neighborhood-scale services intended for daily use. In C-2, they contribute to the broader mix of professional and service uses expected along commercial corridors, where increased visibility and access are beneficial.

Hospital

Hospitals are appropriate as special land uses in RM-2 and C-1 and as a permitted use in C-2 due to their role as essential community facilities and their varying scale and intensity. In RM-2, hospitals can serve nearby residential populations while the special use process allows for careful consideration of impacts such as traffic, noise, and building scale to ensure neighborhood compatibility. In C-1, hospitals may serve as anchors for neighborhood-level health services, but special use review helps ensure they do not overwhelm the district’s intended local-serving character. In C-2, hospitals align with the district’s purpose of accommodating larger-scale commercial and service uses, where their visibility, access to major roads, and infrastructure capacity support their more intensive operations.



Medical and Dental Offices

Medical and dental offices are appropriate as special land uses in RM-3 and C-1 because they provide vital health services while requiring thoughtful integration into neighborhood and mixed-use settings. In RM-3, which allows higher-density residential development, medical and dental offices can enhance neighborhood livability by offering convenient access to care, with special use review ensuring compatibility with residential character and scale. In C-1, these offices align with the district's intent to provide neighborhood-serving commercial uses, and special use approval allows the City to manage potential impacts such as parking demand and traffic on smaller commercial sites.

Residential Human Care and Treatment Facility

(e.g., homeless shelter, halfway house unless exempt by law)

Permitted as a special land use in RM-1, RM-2, RM-3, and C-1, these facilities provide essential services but require case-by-case review due to their higher intensity and potential impacts. Special use approval ensures compatibility with surrounding uses, proper site design, and access to necessary services and infrastructure.

Transitional Housing

Allowed as a special land use in RM-1, RM-2, RM-3, and C-1, transitional housing facilities offer temporary residence and support services for individuals in transition. These uses are compatible with higher-density residential and mixed-use areas but benefit from the oversight and community input provided through the special use process.

Urgent Care Facility

We propose allowing Urgent Care Facilities as a Special Land Use in both Commercial districts. These types of facilities are often seen in the commercial areas such as strip malls or shopping centers, and allowing them as a special use in the commercial districts would facilitate their development in the Township.

COMMERCIAL

Commercial	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2
Contractor Yard								S	P	P
Dry Cleaning, Retail Establishment							P	P		
Liquor Store				S			S	S		
Professional/Corporate Office				P			P	P	S	S
Trade Office, Showroom, or Workshop							P	P		
Outdoor Food Stand/Market	P	P					P	P		
Restaurant										
Standard				S			P	P		
Drive-Through							S	P		
Bar/Lounge							S	P		
Retail Store with Outdoor Storage							S	S		
Spa/Salon				S			P	P		
Vehicle body and paint shops								S	P	P
Vehicle Dealership							S	S	S	S



Contractor Yard

Contractor Yards are currently only allowed by special use in the I-1 and I-2 Districts. We recommend changing this to allow them by right in both industrial districts, and also by special use in the C-2 District.

Dry Cleaning, Retail vs. Industrial

Dry cleaning has now been split into two land uses: retail dry cleaning, which involves storefront customer service with limited or no on-site processing, and industrial dry cleaning, which involves large-scale on-site cleaning operations.

We recommend allowing retail dry cleaning as a permitted use in the C-1 and C-2 districts, where it aligns with the intent to support personal services and neighborhood-serving retail. Industrial dry cleaning plants will remain permitted in both industrial districts (I-1 and I-2), where their operational scale and potential impacts are more appropriate.

Liquor Store

We recommend allowing liquor stores as a special land use in the C-1 and C-2 districts. While these uses are consistent with commercial retail activity, the special use designation allows the Township to review site-specific factors such as location, hours of operation, signage, and proximity to sensitive land uses (e.g., schools, churches, residential areas). This approach provides flexibility for appropriate siting while maintaining neighborhood compatibility and minimizing potential impacts.

Professional, Corporate Office

Professional and corporate offices are currently allowed by right in the RM-2, C-1, and C-2 Districts, and allowed by special use in the I-2 District. We propose expanding this to also include the I-1 District.

Trade Office, Showroom or Workshop

The former "Trade Office" land use has been clarified to include showrooms and workshops. We also recommend that it be expanded to be allowed as a permitted use in the C-1 District.

Outdoor Food Stand/Market

We recommend that outdoor food stands and markets also be allowed in the R-1 District.

Restaurant

We recommend allowing standard and drive-through restaurants as permitted uses in the C-2 District, and allowing drive-throughs as a special use in the C-1 District.

Retail Store with Outdoor Storage

We propose creating a new use linking retail stores and outdoor storage. Retail stores with outdoor storage would be allowed in both commercial districts by special use.

Spa/Salon

Spas and Salons should be explicitly listed as allowed uses in both commercial districts.

Vehicle Body and Paint Shops

We propose allowing vehicle body and paint shops as a special use in the C-2 District in addition to already being permitted in both industrial districts.

Vehicle Dealerships

Similarly, we recommend allowing vehicle dealerships as special uses in both industrial districts.



INDUSTRIAL AND MANUFACTURING

Industrial and Manufacturing	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2
Data Processing and Computer Centers							P	P	S	S
Fuel and Petroleum Storage										S
Laboratories and Research Facilities								S	P	P
Lumber Yard								S	S	S
Self-Storage Facility								S	P	P

Data Processing and Computer Centers

Allow data processing and computer centers as special use in the I-1 District.

Fuel and Petroleum Storage

The “Fuel Storage” and “Petroleum Storage,” both only allowed in the I-2 District, have been consolidated.

Laboratories and Research Facilities

Add C-2 as a district in which laboratories and research facilities are allowed as a special use.

Lumber Yard

Allow lumber yards as a special use in the I-2 Industrial District.

Self-Storage Facilities

Self-Storage Facilities have been renamed from “mini warehouses.”

INSTITUTIONAL

Institutional	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2
Conference center, assembly hall or place of worship										
under 4,000 square feet	S	S	S	S	S		P	P		
over 4,000 square feet				S	S		S	S		
Governmental Operation and Facilities		S	S	S			S	P	P	P
Public Transit Station								P		
Public Transit Stop	P	P	P	P	P	P	P	P	P	P

Conference center, assembly hall, or place of worship

We recommend consolidating religious institutions and assembly halls into a single use category—“Conference center, assembly hall, or place of worship”—regulated by square footage.

- Facilities under 4,000 square feet should be allowed as a special use in all residential districts and as a permitted use in C-1 and C-2.
- Facilities over 4,000 square feet should be allowed as a special use in RM-2, RM-3, C-1, and C-2, where infrastructure can support higher traffic and parking needs.



These changes maintain compatibility with district intents while modernizing how civic and institutional uses are treated in the ordinance.

Government Operations and Facilities

In order to clarify the uses included in the Governmental Uses and Activities land use and more clearly distinguish it from the Municipal Buildings and Uses land use, we recommend renaming it to Government Operations and Facilities.

Public Transit Stops and Stations

In the current ordinance, transit stops and stations are not clearly differentiated. We propose two new land uses, Transit Stops and Transit Stations, to clearly distinguish these uses, with Transit Stations still only allowed in C-2 and Transit Stops allowed in all districts. We propose the following definitions:

Public Transit Station: A facility designated for the boarding and disembarking of passengers using public transit vehicles such as buses, trains, or streetcars. Typically includes structures or amenities such as platforms, shelters, ticketing machines or offices, seating, signage, and may provide connections between multiple transit routes or modes of transportation.

Public Transit Stop: A designated location where public transit vehicles pick up or drop off passengers. Transit stops typically include minimal infrastructure such as a signpost or shelter, and serve one or more transit routes. Unlike a transit station, a stop usually lacks extensive passenger amenities or intermodal transfer facilities.

RECREATIONAL

Recreational	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2
Outdoor Event										
Under 30 people	P	P	P	P	P	P	P	P	P	P
Over 30 people	S	S	S	S	S	S	S	S	S	S
Recreational Facility										
Indoor	S	S	S	S	S	S	S	S	S	S
Outdoor	S	S	S	S	S	S	S	S	S	S
Public Parks and Trails	P	P	P	P	P	P	P	P	P	P

Outdoor Event

We recommend that outdoor events be separated into two uses: events with under 30 people, and events with over 30 people. Events with under 30 attendees would be allowed by right across the board, while events with over 30 attendees would be subject require special use permit.

Recreational Facility

We recommend allowing recreational facilities by special use permit across the board for both indoor and outdoor recreational facilities. We also recommend merging the outdoor recreational facility and sports complex uses. Indoor Recreational Facility is already defined in the ordinance, we propose the following definition for Outdoor Recreational Facility:

Outdoor Recreational Facility: A parcel or area of land used for recreational activities that primarily take place outside of enclosed buildings. Examples include athletic fields, golf courses, playgrounds,



amphitheaters, swimming pools, skate parks, tennis courts, and similar open-air facilities. May include accessory structures such as bleachers, restrooms, and concession stands.

Public Parks and Trails

We recommend allowing public parks and trails as a permitted use in all zoning districts. These amenities provide recreational, environmental, and community benefits and are broadly compatible with residential, commercial, and industrial areas. Permitting them across all districts supports flexibility in planning and reinforces the Township's commitment to accessible open space and non-motorized connectivity.

RESIDENTIAL

Residential	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2
Triplex		P	P	P	P					
Quadplex		P	P	P	P					

Triplexes and Quadplexes

We propose the addition of Triplex and Quadplex land uses, with both allowed by right in R-2, RM-1, RM-2, and RM-3.

UTILITIES

Utilities	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2
Battery Energy Storage System (BESS)									S	S
Essential Services	P	P	P	P	P	P	P	P	P	P

Battery Energy Storage System

We recommend allowing Battery Energy Storage Systems as special uses in both Industrial Districts. We proposed the following definition:

Battery Energy Storage System (BESS): One or more devices, assembled together, capable of storing and discharging electricity primarily intended to supply electricity to a building or to the electrical grid. This includes, but is not limited to, the following: battery cells; enclosures and dedicated-use buildings; thermal, battery, and energy management system components; inverters; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; overhead and underground control, communications and radio relay systems, and telecommunications equipment; utility lines and installations; and accessory equipment and structures.

Essential Services

We recommend that essential services also be allowed by right in the I-1 District.

Permitted Use Table											Regulations Section Number	Permitted in Zoning District	Definition?
Use	Zoning District												
Agriculture	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2			
Keeping of Chickens	S	S	S	S	S						2.1	NONE	NO
Greenhouses							P	P			8.02.YY	17.02	NO
Horticultural or truck farming	P	P					S	S			NONE	12.02	NO
Care and Social Assistance	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2			
Adult day care				S	S		S				NEW	NONE	NO
State-Licensed Residential Facility													YES
Adult foster care family home	P	P	P	P	P	P					NONE	NONE	NO
Adult foster care small group home	S	S	S	S	S						NONE	11.02, 12.02, 13.02, 14.02, 15.02	NO
Adult foster care large group home	S	S	S	S	S			S			NONE	11.02, 12.02, 13.02, 14.02, 15.02, 18.02	NO
Child Care Center or Day Care Center/Nursery School							P	P			NONE	17.02	YES
Family day care home	P	P	P	P	P						NONE	11.02, 12.02, 13.02, 14.02, 15.02	YES
Group day care home	S	S	S	S	S		P	P			8.02.T	11.02, 12.02, 13.02, 14.02, 15.02	YES
Child foster care family home	P	P	P	P	P						NONE	NONE	YES
Child foster care family group home	P	P	P	P	P						NONE	NONE	YES
Child foster care private home	P	P	P	P	P	P					NEW	NONE	NO
Assisted Living Home/Nursing Home			P	P	S						NEW	NONE	NO
Counseling, medical and psychological treatment facilities		S	S	S			P	P			8.02.L	12.02	NO
Hospital		S		S			S	P			8.02.V	12.02, 14.02, 15.02, 18.02	YES
Hospitality Facility				P							NONE	14.02	YES
Medical and Dental Offices		S		P	S		S				NONE	14.02	NO
Residential Human Care and Treatment Facility (for ex: a homeless shelter or halfway house) unless otherwise exempt by law			S	S	S		S				NEW	NONE	NO
Transitional Housing			S	S	S		S				NEW	NONE	NO
Urgent Care Facility							S	S	P	P	NONE	19.02, 20.02	NO
Commercial	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2			
Arcade								S			8.02.LL	18.02	YES
Art Studio				P			P	P			NONE	18.02	NO
Bait House (Fishing)							P	P			NONE	17.02	NO
Bank or other Financial Institution				P			P	P			NONE	14.02, 17.02	NO
Barber Shops/Beauty Shops				P			P	P			NONE	14.02, 17.02	NO
Boarding Kennels								P	S		8.02.X	18.02, 19.02	YES
Breeding Kennels								P	S		8.02.X	18.02, 19.02	YES
Brewpub							P	P	P	P	8.02.H	17.02	YES
Microbrewery and small distilleries							S	S			8.02.H	17.02, 18.02	YES
Contractor Yard								S	P	P	NEW	NONE	NO
Crematorium								P	S		8.02.I	18.02	NO
Dry Cleaning, Retail Establishment							P	P			NEW	NONE	NO
Farmers Markets							P	P			8.02.NN	17.02	YES
Fitness Center/Exercise Club				S			P	P			NONE	17.02	YES

Funeral Home and Mortuary				P			S	P			8.02.O	17.02, 18.02	YES
Hotels and motels				S				S			8.02.CC	14.02, 18.02	YES
Laundry/Dry-Cleaning							P	P			NONE	17.02	NO
Liquor Store				S			S	S			8.02.ZZ	14.02	NO
Marijuana													
Provisioning Center							S	S	S	S	8.02.VV	17.02, 18.02, 19.02, 20.02	YES
Adult Use Retailer								S	S		8.02.WW	17.02, 18.02, 19.02, 20.02	YES
Grower									S		8.02.VV	19.02, 20.02	YES
Processor									S		8.02.VV	19.02, 20.02	YES
Transporter									S		8.02.VV	19.02, 20.02	YES
Testing Facility									S		8.02.WW	19.02, 20.02	YES
Microbusiness									S		8.02.WW	19.02, 20.02	YES
Professional/Corporate Office				P			P	P	S	S	NONE	14.02, 17.02, 18.02, 20.02	NO
Trade Office, Showroom, or Workshop							P	P			NEW	NONE	NO
Roadside Stand	P	P					P	P			8.02.NN	12.02, 17.02	YES
Pet Shop and Pet Grooming							P	P			8.02.KK	17.02	NO
Photography Studios							P	P			NONE	14.02, 17.02	NO
Print Shop/Newspaper Office								P	P	P	NONE	18.02	NO
Recreational Vehicle Storage									S	S	4.01.F	18.02, 19.02, 20.02	YES
Restaurant													YES
Standard				S			P	P			NONE	14.02, 17.02, 18.02	YES
Drive-Through							S	P			8.02.N	18.02	YES
Bar/Lounge							S	P			NONE	17.02, 18.02	YES
Retail Store							P	P			NONE	14.02, 17.02	NO
Retail Store (except packaged liquor) Under 5,000 sq.ft.				P							NONE	14.02	NO
Retail Store with Outdoor Storage							S	S			NEW	NONE	NO
Self-Storage Warehouse									P	P	8.02.AA	19.02, 20.02	YES
Adult Regulated Uses								S		S	8.02.A	18.02, 20.02	YES
Spa/Salon				S			P	P			NONE	14.02	YES
Tattoo Parlor/Body Piercing Studio				S				P			8.02.PP	14.02, 18.02	NO
Theater, Movie/Stage							S	P			8.02.EE	17.02, 18.02	NO
Vehicle Dealership							S	S	S	S	8.02.D	18.02	YES
Automobile Filling Stations (Gas Stations)							S	S	S		8.02.E	17.02, 18.02, 19.02	YES
Vehicle Impoundment Lots									S	S	8.02.RR	19.02, 20.02	NO
Vehicle Repair							S	S	S	P	NONE	17.02, 18.02, 19.02	NO
Vehicle Storage Facility								S	S		NONE	NONE	NO
Automobile Wash								S			8.02.F	18.02	YES
Veterinary Clinics								P			8.02.SS	18.02	YES
Industrial and Manufacturing	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2			
Beverage Bottling									P	P	NONE	NONE	NO
Building Materials Storage and Sales									P	P	NONE	18.02, 19.02, 20.02	NO
Chemical Manufacturing									S	S	NONE	19.02, 20.02	NO
Cold Storage/Freezer									S	P	NONE	19.02, 20.02	NO
Composting										S	8.02.J	20.02	YES
Concrete Plant										S	8.02.K	20.02	YES

Concrete/Gravel Production											S	8.02.K	NONE	NO
Data Processing and Computer Centers							P	P	S	S		NONE	17.02, 20.02	NO
Dry Cleaning Plant									P	P		NONE	17.02, 19.02, 20.02	NO
Eletronic Equipment manufacturing												NONE	19.02, 20.02	NO
Fabricated Metal Product Manufacturing, including tool and die shops									P	P		NONE	19.02, 20.02	NO
Food Processing									P	P		NONE	19.02, 20.02	NO
Freight Yard/Terminal									S	S		8.02.DD, 8.02.AAA	19.02, 20.02	NO
Fuel and Petroleum Storage										S		NEW	NONE	NO
Glass, clay and stone product manufacturing									P	P		NONE	19.02, 20.02	NO
Industrial, machinery and equipment manufacturing									P	P		NONE	19.02, 20.02	NO
Laboratories and Research Facilities								S	P	P		NONE	19.02, 20.02	NO
Leather product manufacturing									P	P		NONE	19.02, 20.02	NO
Lumber Mill									S	S		NONE	19.02, 20.02	NO
Lumber Yard								S	S	S		NONE	18.02, 19.02	NO
Manufacturing, compounding, assembling, packaging, or treatment of previously prepared materials									P	P		NONE	19.02, 20.02	NO
Metal plating, buffing and polishing									S	S		NONE	19.02, 20.02	NO
Mineral and Soil Extraction									S	S		8.02.S	19.02, 20.02	NO
Motor freight warehousing									S	S		8.02.DD	19.02, 20.02	NO
Primary metals industries									S	S		NONE	19.02, 20.02	NO
Printing and publishing									P	P		NONE	19.02, 20.02	NO
Recycling Facility								S	S	S		NONE	20.02	YES
Recycling Facility (metal)										S		8.02.Z	20.02	NO
Rubber and plastic products									P	P		NONE	19.02, 20.02	NO
Salvage Yard									S	S		8.02.W	19.02, 20.02	YES
Self-Storage Warehouse								S	P	P		8.02.AA	19.02, 20.02	YES
Textile Mills									P	P		NONE	19.02, 20.02	NO
Tractor/Trucking Facility (including storage and repair)									S	S		8.02.DD	19.02, 20.02	NO
Vehicles and Transportation Equipment Manufacturing												NONE	19.02, 20.02	NO
Warehousing and Wholesale									P	P		NONE	19.02, 20.02	NO
Wood and Furniture Product manufacturing									P	P		NONE	19.02, 20.02	NO
Institutional	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2				
Club/Fraternal Organization				S			S					8.02.Q, 8.02.U	14.02, 17.02, 18.02	YES
Conference center, assembly hall or place of worship												NEW	NONE	NO
under 4,000 square feet	S	S	S	S	S		P	P						
over 4,000 square feet				S	S		S	S						
Correctional Facility/Prison										S		NONE	20.02	NO
Governmental Operation and Facilities		S	S	S			S	P	P	P		NEW	NONE	NO
Institution of Higher Education				S				P				NONE	NONE	NO
Instruction of Performing Arts and related uses				P				P				NONE	14.02	NO
Municipal Buildings and Uses	P	P	P	P	P		P	P	P			NONE	11.02, 12.02, 13.02, 14.02, 17.02	NO

Municipal Storage Facilites								S				NONE	18.02	NO
Primary/Secondary Schools												NONE	11.02, 13.02, 14.02, 15.02, 18.02	NO
Non-Public	P	P	P	P	P									
Public	P	P	P	P	P									
Public Transit Station								P				NONE	18.02	NO
Public Transit Stop	P	P	P	P	P	P	P	P	P	P	P	NEW	NONE	NO
Recreational	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2				
Campground												8.02.LL	NONE	NO
Cemetery	S	S	S									8.02.I	11.02, 12.02, 13.02	YES
Golf Course	S	S										8.02.Q	11.02, 12.02, 18.02	NO
Outdoor Event												8.02.JJ	NONE	YES
Under 30 people	P	P	P	P	P	P	P	P	P	P	P			
Over 30 people	S	S	S	S	S	S	S	S	S	S	S			
Preserve/Conservation Area												NONE	NONE	NO
Private, not-for-profit Recreational Facilities within Subdivisions or Condominiums	S	S	S	S								NONE	11.02, 12.02, 13.02, 14.02	NO
Proving Grounds											S	NONE	20.02	NO
Public Parks and Trails	P	P	P	P	P	P	P	P	P	P	P	NONE	19.02	NO
Outdoor Gun Range												NONE	NONE	NO
Public Recreational Facility												NONE	11.02, 12.02, 13.02, 14.02, 15.02	YES
Indoor	S	S	S	S	S	S	S	S	S	S	S			
Outdoor	S	S	S	S	S	S	S	S	S	S	S			
Stables	S	S	S	S								NONE	NONE	YES
Residential	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2				
Bed and Breakfast	S	S	S	S								8.02.G	11.02, 12.02, 13.02, 14.02	NO
Dwelling Units														
Accessory Apartments	S	S										8.03.A	11.02, 12.02	YES
Single-Unit	P	P	P	P	P							8.03.B	11.02, 12.02, 13.02, 14.02, 15.02	YES
Duplex		P	P	P	P							8.03.B	12.02, 13.02, 14.02, 15.02	YES
Triplex		P	P	P	P							NEW	NONE	NO
Quadplex		P	P	P	P							NEW	NONE	NO
Multiple-family (including Senior Housing)			P	P	P							8.03.B	12.02, 13.02, 14.02, 15.02	YES
Garage or Yard Sale	P	P	P	P								8.02.P	11.02, 12.02, 13.02, 14.02	NO
Home-Based Business	S	S	S	S	S							2.08	11.02, 12.02, 13.02, 14.02, 15.02	YES
Home Occupation	P	P	P	P	P							2.08	11.02, 12.02, 13.02, 14.02, 15.02	YES
Live-Work Unit				P			P	P				NONE	NONE	YES
Mobile Home Park						P						Article 16	Article 16	YES
On-site managers's apartment not to exceed 500 sq. ft.									S	P		NONE	19.02, 20.02	NO
Private Subdivision Park	P	P	P	P	P							NONE	11.02, 12.02, 13.02, 14.02, 15.02	NO
PUD allowed any permitted use in R-1, R-2, RM-1, RM-2, RM-3, C-1, C-2, I-1, and I-2 Districts	P	P	P	P	P	P	P	P	P	P		Article 21	NONE	NO
Special Housing					S							8.03.F	15.02	YES
Utilities	R-1	R-2	RM-1	RM-2	RM-3	MHP	C-1	C-2	I-1	I-2				
Battery Energy Storage System (BESS)									S	S		NEW	NONE	NO

Electric power and heat generating plants									S	S	NONE	19.02, 20.02	NO
Essential Services	P	P	P	P	P	P	P	P	P	P	2.05.A	11.02, 12.02, 13.02, 14.02, 15.02, 16.02,	YES
Gas and Electric service and storage									P	P	NONE	19.02, 20.02	NO
Septic Service Establishment									S	S	NONE	19.02, 20.02	NO
Solar Energy System											8.02.TT	NONE	NO
Over 50 kw			S	S	S		S	S	S	S			
Under 50 kw	P	P	P	P	P	P	P	P	P	P			
Utility Structures and Substations							S	S	S	S	8.02.QQ	19.02, 20.02	NO
Water and Sewer Disposal									P	P	NONE	NONE	NO
Wind Energy Conversion Systems											8.02.TT	NONE	NO
Over 65 feet		S	S	S	S	S	S	S	S	S			
Under 65 feet		P	P	P	P	P	P	P	P	P	2.03.D		
Wireless Communication Facilities											8.02.UU	17.02, 18.02, 19.02, 20.02	YES
On monopoles							P	P	S	S			
On towers other than monopoles							S	S	S	S			

ARTICLE 1.00**Rules of Construction and Definitions*****Section 1.01 Short Title***

This Ordinance shall be known as the “Zoning Ordinance of the Charter Township of Kalamazoo.” Within the following text, it may be referred to as the “Ordinance” or the “Zoning Ordinance.”

Section 1.02 Rules of Construction

The following rules of construction apply to the text of this Ordinance:

- A. The particular shall control the general.
- B. Words used in the present tense shall include the future, unless the context clearly indicates the contrary.
- C. Words used in the singular number shall include the plural; and words used in the plural shall include the singular, unless the context clearly indicates the contrary.
- D. Terms referred to in the masculine gender include the feminine and neuter.
- E. The word **shall** is always mandatory and not discretionary; the word **may** is permissive and discretionary.
- F. The word **build** includes the words **erect** and **construct**.
- G. The word **building** includes the word **structure**. A **building** or **structure** includes any part thereof.
- H. The words **include** or **including** shall mean **including but not limited to**.
- I. The phrase **such as** shall mean **such as but not limited to**.
- J. The phrase **used for** includes **arranged for, designed for, intended for, occupied for, and maintained for**.
- K. The word **person** includes an individual, firm, association, organization, public or private corporation, partnership or co-partnership, limited liability company, incorporated or unincorporated association, trust, or any other entity recognizable as a person under the laws of the State of Michigan.
- L. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction **and**, **or**, or **either/or**, the conjunction shall be interpreted as follows:
 - 1. **And** indicates that all the connected items, conditions, provisions, or events shall apply.
 - 2. **Or** indicates that the connected items, conditions, provisions, or events may apply singularly or in any combination.
 - 3. **Either/or** indicates that the connected items, conditions, provisions or events shall apply singularly but not in combination.
- M. All measurements shall be to the nearest integer, unless otherwise specified herein.
- N. Unless otherwise stated, the word **day** shall mean a calendar day; **month** shall mean any consecutive period of 30 calendar days; and **year** shall mean any consecutive period of 365 calendar days.
- O. Unless the context clearly indicates the contrary, where an illustration accompanies any item within this Ordinance, the written text shall have precedence over said illustration.

P. The term **residential districts** includes the R-1, R-2, RM-1, RM-2, RM-3, and MHP districts, unless otherwise noted.

Section 1.03 Definitions

The following words, terms, and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning. Words or terms not herein defined shall have the meaning customarily assigned to them.

A

Accessory Use, Accessory Building, or Accessory Structure: A use, building, or structure which is clearly incidental to, customarily found in connection with, subordinate to, and located on the same zoning lot (unless otherwise specifically permitted) as the principal use to which it is related.

Adult Foster Care Facility: See *State-licensed residential facility*.

Adult Regulated Uses: As used in this Ordinance, the following definitions shall apply to adult regulated uses:

- A. **Adult Book or Supply Store:** An establishment having ten percent or more of all usable interior, retail, wholesale, or warehouse space devoted to the distribution, display, or storage of books, magazines, and other periodicals and/or photographs, drawings, slides, films, video tapes, recording tapes, and/or novelty items which are distinguished or characterized by their emphasis on matters depicting, describing, or relating to **specified sexual activities** or **specified anatomical areas**, or an establishment with a segment or section devoted to the sale or display of such material. Such establishment or the segment or section devoted to the sale or display of such material in an establishment is customarily not open to the general public, but only to one or more classes of the public, excluding any minor by reason of age.
- B. **Group "A" Cabaret:** An establishment which features any of the following: topless dancers and/or bottomless dancers, go-go dancers, strippers, male and/or female impersonators or similar entertainers, or topless and/or bottomless waitpersons or employees.
- C. **Adult Motion Picture Theater or Adult Live Stage Performing Theater:** An enclosed building with a capacity of twenty-five (25) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to **specified sexual activities** or **specified anatomical areas** for observation by patrons therein. Such an establishment is customarily not open to the general public, but only to one or more classes of the public, excluding any minor by reason of age.
- D. **Adult Model Studio:** Any place where models who display **specified anatomical areas** are present to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons who pay some form of consideration or gratuity. This definition shall not apply to any bona fide art school or similar educational setting.
- E. **Adult Motel:** A motel wherein visual displays, graphic materials, or activities are presented which depict, describe, or relate to **specified sexual activities** or **specified anatomical areas**.
- F. **Adult Motion Picture Arcade:** Any place where motion picture machines, projectors, or other image producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images displayed depict, describe, or relate to **specified sexual activities** or **specified anatomical areas**.
- G. **Massage Parlor or Massage Establishment:** A place where manipulated massage or manipulated exercises are practiced for pay upon the human body by anyone using mechanical therapeutic, or bathing devices or techniques, other than the following: a duly licensed physician, osteopath, or chiropractor; a registered or practical nurse operating under a physician's directions; or, registered physical or occupational therapists or speech pathologists who treat patients referred by a licensed physician and operate only under such physician's direction. A massage establishment may include, but is not limited to, establishments commonly known as massage parlors, health spas, sauna baths, Turkish bathhouses, and steam baths. Massage establishments, as defined herein, shall not include properly-licensed **hospitals, medical clinics, or nursing homes**, or beauty salons or barber shops in which massages are administered only to the scalp, the face, the neck or the shoulders.
- H. **Adult Outdoor Motion Picture Theater:** A drive-in theater used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to **specified sexual activities** or **specified anatomical areas** for observation by patrons of the theater. Such establishment is customarily not open to the general public, but only to one or more classes of the public, excluding any minor by reason of age.

I. Specified Anatomical Areas: Portions of the human body defined as follows:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, or female breast below the point immediately above the top of the areola, and
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

J. Specified Sexual Activities: The explicit display of one or more of the following:

1. Human genitals in a state of sexual stimulation or arousal.
2. Acts of human masturbation, sexual intercourse, or sodomy.
3. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.

Alley: A dedicated public vehicular way usually between or behind buildings, which affords a secondary means of access to abutting property but is not intended for general traffic circulation.

Alterations: Any change, addition or modification to a structure or type of occupancy, or any change in the structural members of a building, such as walls or partitions, columns, or beams or girders, or any change which may be referred to herein as **altered** or **reconstructed**.

Anaerobic Composting: The decomposition of organic matter in an environment with little or no oxygen present.

Animal Hospital: See *Clinic, Veterinary*.

Apartment: See *Dwelling, Multiple-Family*.

Arcade: Any establishment which provides on its premises three or more machines which may be operated or used as a game, contest or for amusement of any description, not including devices used solely for playing music.

Assisted Living Facility: See *Dependent Living (for Seniors)*.

Attached Wireless Communications Facilities: **Wireless communication facilities** that are affixed to existing structures, such as existing buildings, towers, water tanks, utility poles, and the like. A **wireless communication support structure** proposed to be newly established is not included in this definition.

Auction:

Auction – An establishment operated for compensation and profit as a public or private market where items are offered for sale through competitive bidding. An auction can be operated on-line or on-site.

An **auction house** is a type of auction that is enclosed. The term “auction house” shall not include flea markets and yard sales.

Permanent Auction – A live or on-line auction that is intended to reoccur over an indefinite period of time. A permanent auction may be single purpose (e. g., an agricultural auction, a vehicle auction) or it may exist for the sale of a variety of goods.

- a. **Permanent Agricultural Auction** – A type of permanent auction that exists for the purpose of auctioning livestock and/or agricultural implements.
- b. **Permanent Vehicle Auction** – A type of permanent auction that is designed and licensed to accommodate the auctioning of five (5) or more vehicles on a regular basis.
- c. **Permanent General Purpose Auction** – A type of permanent auction that exists for the sale of a variety of goods, which may include agricultural implements and vehicles on an occasional basis.

Temporary Auction – An auction that occurs once only, not to exceed three (3) contiguous days.

- a. **Temporary Real Estate Auction** – An auction held for the sole purpose of offering a particular parcel of property for sale.
- b. **Temporary General Auction** – An auction event that is held once only to facilitate the sale of unwanted goods. An estate auction is an example of a Temporary General Auction.

Automobile: Unless specifically indicated otherwise, 'automobile' shall mean any vehicle including by way of example, cars, trucks, vans, motorcycles, and the like.

Automobile Filling Station: A place used for the retail sale and dispensing of fuel or lubricants together with the fixed equipment from which the fuel is dispensed directly into motor vehicles. 'Automobile filling stations' may also incorporate a convenience store operation as an accessory use, provided it is clearly incidental to the filling station use, but no auto repairs shall be permitted.

Automobile Repair: Major or minor repair of automobiles, defined as follows:

- A. Minor Repair: Engine tune-ups and servicing of brakes, air conditioning exhaust systems; oil change or lubrication; wheel alignment or balancing; or similar servicing or repairs that do not normally require any significant disassembly or storing the automobiles on the premises overnight.
- B. Major Repair: Engine and transmission rebuilding and general repairs, rebuilding or reconditioning; collision service such as body, frame or fender straightening or repair; steam cleaning, undercoating and rustproofing; and similar servicing, rebuilding or repairs that normally do require significant disassembly or storing the automobiles on the premises overnight.

Automobile Repair Garage: An enclosed building where **minor** or **major automobile repair** services may be carried out.

Automobile Service Station: A place where gasoline or other vehicle engine fuel, kerosene, motor oil and lubricants, and grease are sold directly to the public on the premises for the purposes of operation of motor vehicles; including the sale of minor accessories (such as tires, batteries, brakes, shock absorbers, window glass) and the servicing of and **minor repair** of motor vehicles.

Automobile Dealership or **Vehicle Dealership:** A building or premises used primarily for the sale of new and used automobiles and other motor vehicles.

Automobile Wash or **Car Wash Establishment:** A commercial establishment contained within a building or premises or portion thereof where automobiles are washed.

B

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year. Also known as the 100-year flood.

Basement: That portion of a building which is partially or totally below grade, but is so located that the vertical distance from the average grade to the floor below is greater than the vertical distance from the average grade to the ceiling. This definition shall not apply to **earth- sheltered homes**. A 'basement' shall not be counted as a **story** (see illustration on p. 1-24).

Bed-And-Breakfast Establishment: A dwelling in which overnight accommodations are provided or offered for transient guests for compensation, including provisions for a morning meal for overnight guests only.

Bedroom: A room designed or used in whole or part for sleeping purposes.

Berm: See **Landscaping**.

Block: The property bounded by a street or by a combination of streets and public lands, rights-of-way, rivers or streams, boundary lines of the Township, or any other barrier to the continuity of development.

Boarding House: A building, other than a **hotel**, where for compensation or by prearrangement for definite periods of time, lodging or lodging and meals are provided for five (5) or more persons. A **rooming house** shall be deemed a 'boarding house' for the purposes of this Ordinance.

Brewpub: An eating or drinking establishment that includes the brewing of beer or ale as an accessory use for sale on the same premises of not more than five thousand (5,000) barrels per year. (A barrel is equivalent to thirty-one (31) U. S. gallons.)

Buildable Area: The area of a lot which is defined by the minimum setback requirements within which building construction is permitted by the terms of this Ordinance.

Buildable Area, Net: The net buildable area is that portion of a site that is not encumbered by regulated wetlands (except as specifically noted), steep slopes, road rights-of-way, easements, structures or lots, or other existing or proposed features that would prevent construction of a building or use of the site for a use permitted in the district in which the site is located.

Building: Any structure, either temporary or permanent, having a roof or other covering and used or built for the shelter or enclosure of persons, animals, or property or materials of any kind. A building shall not include such structures as signs, fences, or smokestacks, but shall include structures such as storage tanks, grain elevators, coal bunkers, or similar structures.

- A. Building, Permanent: A **building** which is permanently affixed to the ground with footings or a foundation and/or is permitted to exist for an indefinite period of time exceeding six (6) months.
- B. Building, Temporary: A **building** which is not permanently affixed to the ground and is permitted to exist for a specific reason for a specific period of time, such as during a construction project.

Building, Accessory: See *Accessory use, building, or structure*.

Building Department. At the time of adoption of this Ordinance, the role of Building Department is being served by the Kalamazoo Area Building Authority (KABA).

Building, Principal: A **permanent building** or, where the context so indicates, a group of permanent buildings (such as a school or office campus) which are built, used, designed or intended for the shelter or enclosure of the **principal use** of the parcel.

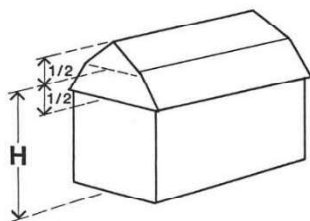
Building Envelope: See *Buildable area*.

Building Height: The vertical distance measured from the established grade to:

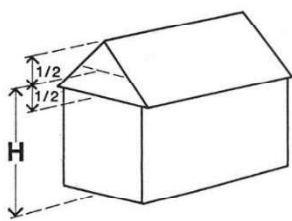
- (1) The highest point of the coping of a flat roof;
- (2) The deck line of a mansard roof; or,
- (3) The average height between the eaves and the ridge for a gable, hip, studio (shed), or gambrel roof; or
- (4) Seventy-five percent of the height of an A-frame.

Building Height

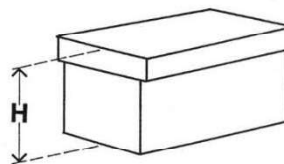
H = Height of building



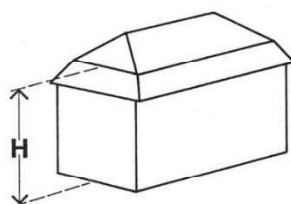
Gambrel Roof



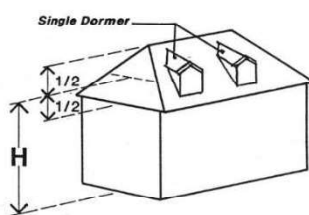
Gable Roof



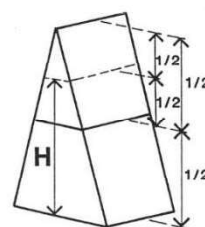
Flat Roof



Mansard Roof

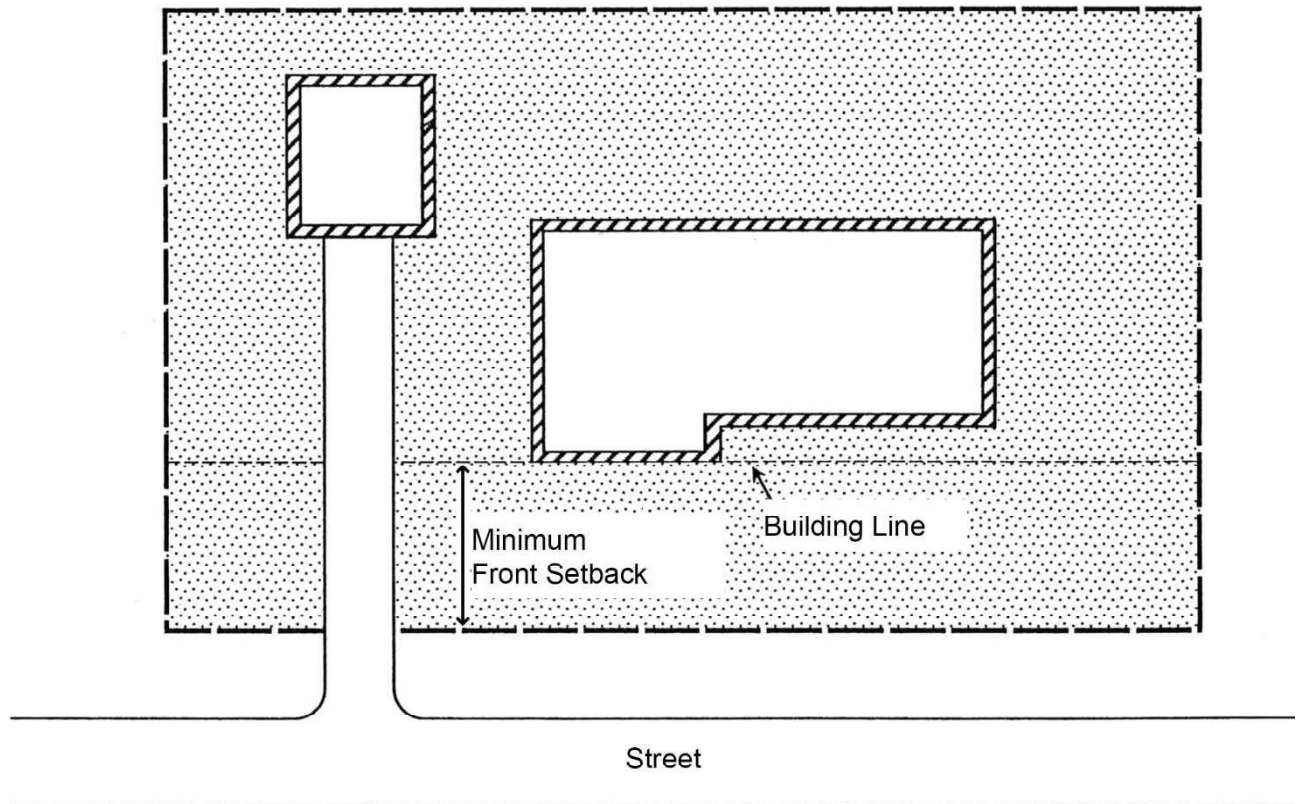


Hip Roof



"A"-Frame

Building Line



Building Line: A line parallel to the front lot line at the minimum required front setback line.

Building Official: The officer or other authority designated by the Township Board to administer and enforce the Building Code.

Bulk: The term used to indicate the size and setbacks of buildings and structures and the location of same with respect to one another, including standards for the height and area of buildings; the location of exterior walls in relation to lot lines, streets, and other buildings; gross floor area of buildings in relation to lot area; open space; and, the amount of lot area required for each dwelling unit.

C

Caretaker Living Quarters: An accessory dwelling on a non-residential premises, occupied by the person who oversees the non-residential operation 24 hours per day, and his or her family.

Carport, Private: A shelter which has a roof with or without open sides with capacity for not more than three motor vehicles for storage only. Unless otherwise specifically set forth herein, the same regulations as apply to garages shall apply to carports.

Cemetery: Land used for the burial of the dead, including columbariums, crematories, and mausoleums.

Child Care Center or Day Care Center: A facility, other than a private residence, receiving more than twelve (12) preschool or school age children for group care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility that provides care for not less than two (2) consecutive weeks regardless of the number of hours of care per day. The facility is generally described as a

child care center. "Child Care Center" or "Day Care Center" does not include instruction solely for religious purposes conducted by a religious institution or a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.

Church: See *Religious institution*.

Clinic, Medical: An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, or similar professionals. A 'medical clinic' may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients, but may not include facilities for overnight patient care or major surgery.

Clinic, Veterinary: An institution that is licensed by the Michigan Department of Health to provide for the care, diagnosis, and treatment of sick or injured animals, including those in need of medical or surgical attention. A 'veterinary clinic' may include customary pens or cages for the overnight boarding of animals and such related facilities as laboratories, testing services, and offices.

Club or Fraternal Organization: An organization of persons for special purposes or for the promulgation of sports, arts, science, agriculture, literature, politics, or similar activities, but not operated for profit or to espouse beliefs or further activity that is not in conformance with the Constitution of the United States or any laws or ordinances. Also, the facilities owned or used by such an organization.

Colocation. The location by two or more wireless communication providers of **wireless communication facilities** on a common structure, tower, or building, with the intent to reduce the total number of structures required to support wireless communication antennas in the Township.

College or University: A school of higher learning, consisting of a building or buildings and other facilities for teaching and research, and that grants associate's, bachelor's, master's and doctorate degrees.

Commercial Radio Tower: A tower used to transmit or receive electromagnetic waves, where such activity is undertaken for the purpose of generating income.

Commercial Use: The use of property for retail sales or similar businesses where goods or services are sold or provided directly to the consumer. As used in this Ordinance, 'commercial use' shall not include industrial, manufacturing, or wholesale businesses.

Commercial Vehicles and Equipment: All vehicles and equipment constructed or used for transportation of goods, wares, materials, merchandise, and/or all other vehicles and equipment designed and used for drawing other vehicles or used in construction or landscaping, including dump truck, **stake truck**, tank truck, flatbed truck, step van, panel truck, wrecker, car hauler, **truck tractor**, construction and landscaping vehicles and equipment, sprayers, excavating equipment, logging vehicle, bulldozer, backhoe, front loader, bus, hearse, ambulance, or limousine. The determination whether other vehicles or equipment not specifically listed satisfy the definition of 'commercial vehicles and equipment' shall be made on a case by case basis by the Township Planning Commission.

Composting: The biological decomposition of organic material under specifically created conditions that are maintained and controlled by a person or entity for the purpose of generating usable by-products from the waste materials.

Composting Facility: A site where composting occurs as part of a private business, non-profit organization, or government service including, but not limited to, a site where compostable materials are received, processed, or stored for use in the composting process.

Concrete Plant: An industrial facility where cement, water, and other products are mixed to produce concrete for delivery to a job site.

Condominium: A condominium is a system of separate ownership of individual units in multi-unit projects. In addition to the interest acquired in a particular unit, each unit owner is also a tenant in common in the underlying fee and in the spaces and building parts used in common by all the unit owners. For the purposes of this Ordinance, condominium terms shall be defined as follows:

A. Condominium Act: Shall mean Public Act 59 of 1978, as amended.

- B. Condominium Lot: That portion of a site condominium project designed and intended to function similar to a platted subdivision lot for purposes of determining minimum yard setback requirements and other requirements set forth in the Schedule of Regulations (Section 25.02).
- C. Condominium Subdivision Plan: Drawings and information which show the size, location, area, and boundaries of each condominium unit, building locations, the nature, location, and approximate size of common elements, and other information required by Section 66 of Michigan Public Act 59 of 1978, as amended.
- D. Condominium Unit: That portion of the condominium project designed and intended for separate ownership and use, as described in the master deed for the condominium project. A condominium unit is not a lot or condominium lot as those terms are used in this Ordinance.
- E. Common Elements: Portions of the condominium project other than the condominium units.
- F. Detached Condominium: A condominium project of detached units designed to be similar in appearance to a conventional single family subdivision, except that limited common areas are not arranged in such a manner as to create clearly defined condominium lots.
- G. General Common Elements: Common elements other than the limited common elements, intended for the common use of all co-owners.
- H. Limited Common Elements: Portions of the common elements reserved in the master deed for the exclusive use of less than all co-owners.
- I. Master Deed: The condominium document recording the condominium project to which are attached as exhibits and incorporated by reference the bylaws for the project and the condominium subdivision plan.
- J. Site Condominium Project: A condominium project designed to function in a similar manner, or as an alternative to a platted subdivision. A residential site condominium project shall be considered as equivalent to a platted subdivision for purposes of regulation in this Ordinance.

Contractor's Yard: A site on which a building or construction contractor stores equipment, tools, vehicles, building materials, and other appurtenances used in or associated with building or construction. A contractor's yard may include outdoor or indoor storage, or a combination of both.

Convalescent Home: See *Nursing Home*.

Convenience Store: Any retail establishment offering for sale convenience goods, such as pre-packaged food items, tobacco, periodicals, limited grocery items, and other household goods.

Co-Op (Cooperative) Housing: A multiple-unit dwelling owned by a corporation that leases its units to stockholders on a proprietary lease arrangement.

Curb Cut: The entrance to or exit from a property provided for vehicular traffic to or from a public or private road or highway.

D

Deck: A raised platform, commonly constructed of wood, which is typically attached to a house and used for outdoor leisure activities.

Density (Residential): The number of dwelling units per acre of land.

- A. Gross Density: The number of units per acre of total land being developed.
- B. Net Density: The number of units per acre of land not encumbered by regulated wetlands (except as specifically noted), steep slopes, road rights-of-way, easements, structures, lots, or other existing or proposed features that would prevent construction of a building or use of the site for a residential dwelling.

Dependent Living (for Seniors): A multiple-family housing form with central dining facilities provided as a basic service to each dwelling unit. Each dwelling unit may or may not contain cooking facilities, but must contain sanitary facilities. One

type of dependent living facility is 'assisted living', which is a special combination of dependent housing, with personalized supportive services, and health care designed to meet the needs of those who need help with activities of daily living. Services provided in 'assisted living' residences may include:

- Three meals per day served in a common dining area
- Housekeeping services
- Transportation
- Assistance with eating, bathing, dressing, toileting, and/or walking
- Emergency call systems for each unit
- Health promotion and exercise programs
- Medication management
- Personal laundry services
- Social and recreational activities.

Detention Basin: A structure or facility, natural or artificial, which stores stormwater on a temporary basis and releases it at a controlled rate. A detention basin may drain completely after a storm event, or it may be a body of water with a fixed minimum and maximum water elevation between runoff events. See also **Retention Basin**.

Development: The construction of a new building, reconstruction of an existing building, or improvement of a structure on a parcel or lot, the relocation of an existing building to another lot, or the improvement of open land for a new use.

Distilleries, Small: A small distillery is an establishment licensed by the State of Michigan to manufacture spirits, not to exceed 60,000 gallons annually of all brands combined.

Distribution Center: A use which typically involves both warehouse and office/administration functions, where short and/or long term storage takes place in connection with the distribution operations of a wholesale or retail supply business.

District, Zoning: A portion of the Township within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas, and other requirements are established.

Donation Bin: A donation bin is a closed container, typically constructed of metal, in which clothing, shoes, books, and/or other goods are placed by the public to be donated to charitable organizations or for recycling in other ways.

Drive-In: A business establishment so designed that its operation involves providing service to patrons while they are in their car, rather than within a building or structure.

Driveway: A private lane, designed primarily for use by vehicles, which connects a house, garage, or other buildings with the road.

Dwelling: Any building, or part thereof, containing sleeping, kitchen, and bathroom facilities designed for and occupied by a single **family**. In no case shall a detached or attached garage, travel trailer, motor home, **automobile**, tent, or other structure or vehicle not defined as a **recreational vehicle** be considered a 'dwelling'. In the case of a building occupied in part as a dwelling unit ("mixed occupancy"), the part so occupied shall be deemed a dwelling unit for the purposes of this Ordinance.

Dwelling, Accessory Apartment: A dwelling unit that is accessory to and contained within a principal single-family dwelling, and which is occupied by either persons related to the occupant of the principal residence by blood, marriage, or legal adoption; domestic servants; or gratuitous guests. An 'accessory apartment' commonly has its own kitchen, bath, living area, sleeping area, and usually a separate entrance.

Dwelling, Manufactured: A building or portion of a building designed for long-term residential use and characterized by all of the following:

- (1) The structure is produced in a factory in accordance with the National Manufactured Housing Construction and Safety Standards Act, as amended; *and*
- (2) The structure is designed to be transported to the site in a nearly complete form, where it is placed on a foundation and connected to utilities; *and*
- (3) The structure is designed to be used as either an independent building or as a module to be combined with other elements to form a complete building on the site.

Dwelling, Mobile Home: A type of manufactured housing that is transportable in one or more sections, that is built upon a chassis and designed to be used as a dwelling with or without permanent foundation when connected to the required utilities, and includes plumbing, heating, air-conditioning, and electrical systems contained in the structure. **Recreational vehicles** as regulated herein shall not be considered 'mobile homes' for the purposes of this Ordinance.

Dwelling, Multiple-Family: A building designed for and occupied by three or more **families** living independently, with separate housekeeping, cooking, and bathroom facilities for each. Examples of multiple-family dwellings include:

- A. Apartment: An attached **dwelling unit** with party walls contained in a building with other apartment units which are typically accessed from a common stair landing or walkway. Apartments are typically rented by the occupants. Apartment buildings often may have a central heating system and other central utility connections. Apartments typically do not have their own yard space. Apartments may also be known as garden apartments or flats.
- B. Efficiency Unit: A type of **apartment** consisting of one principal room, plus bathroom and kitchen facilities, hallways, closets, and/or a dining alcove located directly off the principal room.

Dwelling, One-Family or Single-Family: A detached residential **dwelling** designed for and used or held ready for use by one **family** only.

Dwelling, Two-Family or Duplex: A detached building designed exclusively for and occupied by two **families** living independently of each other, with separate housekeeping, cooking, and bathroom facilities for each.

Dwelling Unit: One or more rooms, along with bathroom and kitchen facilities, designed as a self-contained unit for occupancy by a single **family** for living, cooking, and sleeping purposes.

Dwelling Unit, Single-Family Attached or Townhouse: An attached dwelling unit with party walls, designed as part of a series of three or more dwellings, each with its own front door which opens to the outdoors at ground level; its own basement; and typically, its own utility connections and front and rear yards. Townhouses are sometimes known as "row houses".

E

Easement: A right, created by an express or implied agreement, of one owner of land to make lawful and beneficial use of the land of another. A public easement is any easement enjoyed by the public in general, e.g., the right of passage of the public over the surface of streets, alleys, highways, etc.

Engineer, Township: The Township Engineer is the person or firm designated by the Township Board to advise the Township administration, Township Board, and Planning Commission on drainage, grading, paving, storm water management and control utilities, and other related site engineering and civil engineering issues. The Township Engineer may be a consultant or an employee of the Township.

Enforcement Official: The Enforcement Official is the person or persons designated by the Township as being responsible for enforcing and administering requirements of this Zoning Ordinance. Throughout this Ordinance the Enforcement Official may be referred to as the Building Official, Township Planner, Public Safety Official, or their agents. Such titles do not necessarily refer to a specific individual, but generally the office or department most commonly associated with the administration of the regulation being referenced.

Erected: Any physical change on a site, including construction, reconstruction, or alteration of buildings or structures thereon. Excavation, fill, drainage, and the like shall be considered part of 'erection.'

Essential Services: The term "*Essential Services*" means the erection, construction, alteration or maintenance by public utilities or Kalamazoo Township departments or commissions, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, telephone exchange and/or repeater buildings, electric substations and substation buildings, gas regulator stations and regulator buildings and other similar equipment and accessories in connection therewith (but not including any buildings *except those expressly referred to herein*), reasonably necessary for the furnishing of adequate service by such public utilities or Kalamazoo Township departments or commissions or for the public health or safety or general welfare. This definition does not include towers or other buildings or structures intended specifically to service commercial wireless telecommunications such as cellular, personal communications services, specialized mobilized radio, enhanced

specialized mobile radio, paging and similar services. This definition also does not include sales or business offices and commercial buildings or activities.

Excavation: The removal or movement of soil, sand, stone, gravel, or fill dirt, except for common household gardening, farming, and general ground care.

Exception: An exclusion from the normal Zoning Ordinance rules and regulations for the purposes of permitting particular uses or structures which are considered essential or appropriate in certain locations or under certain conditions. A **variance** is not required for uses or structures which are permitted because of an exception.

F

Family: This term shall mean "traditional family" or "functional family" as defined below:

- a. Traditional family—an individual or group of two or more persons related by blood, marriage or adoption, together with foster children and domestic household employees of the principal occupants, with not more than one additional unrelated person, who are domiciled together as a single domestic housekeeping unit in a dwelling.
- b. Functional family—a collective number of individuals domiciled together in one dwelling whose relationship is of a permanent and distinct domestic character, with a demonstrable and recognizable bond characteristic of a cohesive unit, and who are in fact cooking and living as a single nonprofit housekeeping unit.

A "functional family" shall not include any of the following:

- (1) any society, club, fraternity, sorority, association, lodge, combine, federation, group, coterie, or other organization, which is not a recognized religious order.
- (2) any group of individuals whose domestic relationship is transitory, temporary, or resort/seasonal in nature or character.
- (3) any group of individuals whose association is essentially for convenience or economics, or for the limited duration of their education, training or a similar determinate period of time.

Any person or group of persons seeking the rights and privileges of a "family" as defined in subparagraph a or b above in any administrative, judicial, or quasi-judicial proceeding, whether as the proponent or by way of defense, shall have the burden of proving that their domestic relationship satisfies the criteria in either subparagraph a or b above.

Family Day Care Home: See *State-licensed residential facility*.

Fence: An artificially constructed barrier of wood, wire, metal or any other manufactured material or combination of materials, used to prevent or control entrance, confine within, or mark a boundary.

Farmer's Market: A farmers market, as distinguished from a farm market, is a location established in accordance with Township ordinances and operated in compliance with Public Act 92 of 2000, where farmers may transport and sell to the public fruits, vegetables and other agricultural products. Farmers market vendors may operate intermittently but for state licensing purposes are considered permanent operations. Vendors selling crafts are commonly found at farmers markets.

Fill, Filling: The deposit or dumping of any matter onto or into the ground, except for common household gardening, farming, and general ground care.

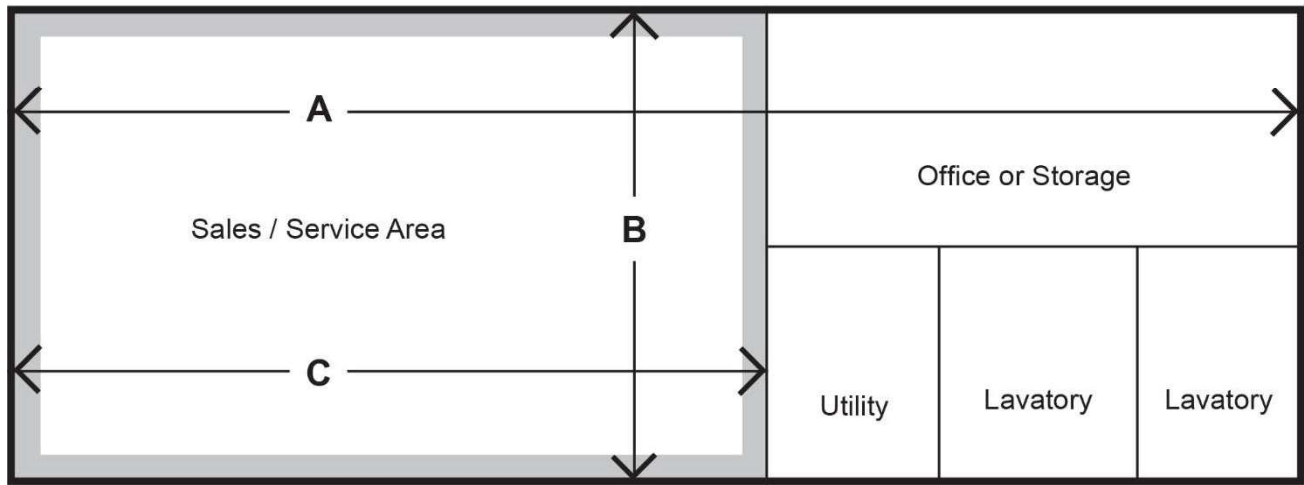
Flag Lot: See *Lot, Flag*.

Floodplain: Any land area susceptible to being inundated by floodwaters when high amounts of precipitation are experienced or natural cyclic conditions raise the water levels.

Floodway: The channel of a **river** or other watercourse and the adjacent lands that must be reserved in order to discharge floodwaters without cumulatively increasing the water surface elevation more than one foot.

Floor Area, Gross: The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Floor Area Terminology



Gross Floor Area = $A \times B$

Usable Floor Area = $B \times C$

Floor Area, Net: See *Floor Area, Usable Residential*, and *Floor Area, Usable Nonresidential*.

Floor Area, Usable Residential: The gross floor area minus areas in basements, unfinished attics, attached garages, and enclosed or unenclosed porches.

Floor Area, Usable Nonresidential: The sum of the horizontal areas of each floor, measured from the interior faces of the exterior walls, including all areas used for, intended to be used for, and accessible for the sale of merchandise, provision of services, or service to patrons, clients or customers. Floor area which is used for or intended to be used for the storage or processing of merchandise, or for utilities shall be excluded from the computations of Usable Nonresidential Floor Area (see illustration).

Foster Family Home or Foster Family Group Home: See *State-licensed residential facility*.

Fraternal Organization: See *Club*.

G

Garage, Private: An accessory building for parking or storage of motor vehicles owned and used by the occupants of the building to which it is accessory. Private garages shall not have public repair facilities. A private garage may be either attached to or detached from the principal structure.

Garage, Public: See *Automobile Repair Garage*.

Gas Station: See *Automobile Filling Station* and *Automobile Service Station*.

Grade: The term 'grade' shall mean the ground elevation established for the purpose of regulating the number of stories or height of a building. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

Greenbelt: See *Landscaping*.

Group Day Care Home: See *State-licensed residential facility*.

Grower means a licensee that is a commercial entity located in this state that cultivates, dries, trims, or cures and packages marijuana for sale to a processor or provisioning center.

“**Grower, Class A**” means a medical marijuana grower authorized to grow not more than 500 Marijuana plants.

“**Grower, Class B**” means a medical marijuana grower authorized to grow not more than 1,000 marijuana plants.

“**Grower, Class C**” means a medical marijuana grower authorized to grow not more than 1,500 marijuana plants.

H

Hazardous Uses: Any activity which is or may become injurious to public health, safety, or welfare or the environment. Hazardous uses include but are not limited to all uses which involve the storage, sale, manufacture, or processing of materials which are dangerous or combustible and are likely to burn immediately, and from which either poisonous fumes or explosions are to be anticipated in the event of fire. These uses include all high hazard uses listed the State Building Code, as amended.

Health or Exercise Club or Spa: A building or portion of a building designed and equipped for the conduct of sports, exercise, leisure time activities, or other customary and usual recreational activities that occur in an entirely enclosed building. Such uses are operated for profit or not-for-profit, and can be open only to bona fide members and guests of the organization or open to the public for a fee. Such uses may also include massage services, saunas, locker rooms, showers, or personal services.

Height of Building: See *Building Height*.

Highway: See *Road, Principal Arterial*.

Home-based Business: A commercial use of greater intensity than a home occupation and that is undertaken by the resident occupants of the dwelling unit, plus not more than one full-time equivalent non-resident employee or independent contractor. A 'home-based business' must be clearly secondary to the use of the dwelling unit for residential purposes.

Home for the Aged: A facility, other than an adult foster care facility, hotel, hospital, nursing home, or other state-licensed residential facility that provides room, board, and supervised personal care to 21 or more unrelated, non-transient individuals 60 years of age or older.

Home Occupation: An occupation or profession undertaken entirely within a dwelling unit by one or more resident occupants of that dwelling unit. A 'home occupation' must be clearly secondary to the use of the dwelling unit for residential purposes.

Hospital: An institution that is licensed by the Michigan Department of Health to provide in-patient and out-patient medical and surgical services for the sick and injured, and which may include such related facilities as laboratories, medical testing services, central service facilities, and staff offices.

Hospitality Facility: A residential facility, typically associated with a hospital or other medical institution, for the purposes of housing patients' families.

Hospital, Veterinary: See *Clinic, Veterinary*.

Hotel: A building occupied as a more or less temporary abiding place for individuals who are lodged, with or without meals, in rooms consisting of a minimum of one bedroom and a bath, occupied for hire, and which typically provides hotel services such as maid service, the furnishing and laundering of linens, telephone and desk service, the use of furniture, a dining room and meeting rooms.

I

Impervious Surface: A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

Independent Living (for Seniors): An independent living setting for senior adults who lead an independent lifestyle that requires minimal or no extra assistance. Although minimal or no extra assistance may be required, some independent facilities may provide hospitality or supportive services, including meals served in a common dining area, transportation, and social and recreational activities.

Indoor Recreation Center: An establishment that provides indoor exercise facilities and indoor court sports facilities, and which may include spectator seating in conjunction with the sports facilities. A bowling establishment shall be considered a type of indoor recreation center.

Industry, General: A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Industry, Light: A use engaged in the manufacture, predominantly from previously prepared material of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic industrial processing.

Ingress and Egress: As used in this Ordinance, 'ingress and egress' generally is used in reference to a driveway which allows vehicles to enter or leave a parcel of property, or to a sidewalk which allows pedestrians to enter or leave a parcel of property, a building, or another location.

J

Junk Yard or Salvage Yard: An area where waste and used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled, including, but not limited to: **junk**, scrap iron, metals, paper, rags, tires, bottles and automobiles. A 'junkyard' includes automobile wrecking yards and includes any open area of more than 200 square feet for the storage, keeping, or abandonment of **junk**.

K

Kennel, Boarding: Any lot or premises where three or more dogs or cats over six months of age are boarded and/or trained for compensation.

Kennel, Breeding: Any lot or premises where three or more dogs or cats are owned, kept, or harbored for the purpose of breeding for commercial gain.

Kennel, Non-Commercial: Any lot or premises, where more than three dogs or cats are owned or kept for the personal enjoyment of the owner or occupants of the property, and for which commercial gain is not the primary objective.

L

Landscaping: The treatment of the ground surface with live plant materials such as, but not limited to, **grass, ground cover, trees, shrubs, vines**, and other live plant material. In addition, a landscape design may include decorative non-living materials, such as wood chips, crushed stone, boulders, or **mulch**. Structural features such as fountains, pools, statues, and benches shall also be considered a part of 'landscaping,' but only if provided in combination with live plant material. Artificial plant materials shall not be counted toward meeting the requirements for landscaping. Various landscaping-related terms are defined as follows:

- A. **Berm:** A continuous, raised earthen mound, with flattened top and sloped sides, capable of supporting live plant materials.
- B. **Caliper:** The trunk diameter of a nursery tree in inches, measured twelve (12) inches above grade.
- C. **Diameter at breast height (d.b.h.):** The trunk diameter of a mature tree in inches measured four and one-half (4 ½) feet above grade. Where a mature tree is on a slope, the 4 ½ foot measurement shall be made on the uphill side of the tree. On multi-stem trees, the largest diameter stem shall be measured.
- D. **Grass:** Any of a family of plants with narrow leaves normally grown as permanent lawns in Kalamazoo County, Michigan.
- E. **Greenbelt:** A strip of land of definite width and location reserved for the planting of a combination of shrubs, trees, and ground cover to serve as an obscuring screen or buffer for noise or visual enhancement, in accordance with the requirements of this Ordinance.
- F. **Ground Cover:** Low-growing plants that form a dense, extensive growth after one complete growing season and which tend to prevent weeds and soil erosion.
- G. **Hedge:** A row of closely planted shrubs or low-growing trees which commonly form a continuous visual screen, boundary, or fence.
- H. **Hydro-seeding:** A method of planting grass where a mixture of seed, water, and mulch is mechanically sprayed over the surface of the ground.
- I. **Interior Parking Lot Landscaping:** A landscaped area located in the interior of a parking lot and with the objectives of improving pedestrian and vehicular traffic safety, guiding traffic movement, and enhancing the appearance of the parking lot.
- J. **Mulch:** A layer of wood chips, dry leaves, straw, hay, plastic, or other materials placed on the surface of the soil around plants to retain moisture, prevent weeds from growing, hold the soil in place, and/or aid plant growth.
- K. **Nurse Grass:** Any of a variety of rapidly-growing annual or perennial rye grasses used to quickly establish ground cover to prevent dust or soil erosion.
- L. **Screen or Screening:** A wall, wood fencing, or combination of plantings of sufficient height, length, and opacity to form a visual barrier. If the screen is composed of non-living material, such material shall be compatible with materials used in construction of the main building.
- M. **Shrub:** A self-supporting, deciduous or evergreen, woody plant normally branched near the base, bushy, and less than 15 feet in height.
- N. **Sod:** An area of grass-covered surface soil held together by matted roots.
- O. **Tree:** A self-supporting, deciduous or evergreen woody plant with a well-defined central trunk or stem which normally grows to a mature height of 15 feet or more in Kalamazoo County, Michigan.
 - 1. **Deciduous Tree:** A variety of tree that has foliage that is shed at the end of the growing season.
 - 2. **Evergreen Tree:** A variety of tree that has foliage that persists and remains green throughout the year.
 - 3. **Ornamental Tree:** A deciduous tree which is typically grown because of its shape, flowering characteristics, or other attractive features, and which grows to a mature height of 25 feet or less.
 - 4. **Shade Tree:** For the purposes of this Ordinance, a shade tree is a deciduous tree which has a mature crown spread of 25 feet or greater in Kalamazoo County, Michigan, and has a trunk with at least five feet of clear stem at maturity.

P. Vine: A plant with a flexible stem supported by climbing, twining, or creeping along a surface, and which may require physical support to reach maturity.

Landscaping Contractor's Operation: A business engaged in the practice of improving building sites or other grounds by contouring the land; planting flowers, shrubs, and trees; and lawn mowing. A 'landscaping contractor's operation' typically consists of equipment, tools, vehicles, and materials used in or associated with such a business.

Live-Work Unit: A building space that combines a person's workspace with his/her living quarters, with the workspace on the ground floor facing the street.

Licensee means a person holding a state operating license issued under the Medical Marihuana Facilities Licensing Act., MCL 333.27101 et seq.

Loading Space, Off-Street: An off-street space which is safely and conveniently located on the same lot as the building or buildings being served, for the temporary parking of delivery vehicles while loading and unloading merchandise and materials.

Lot: A tract of land occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this Ordinance. A 'lot' may or may not be specifically designated as such on public records.

Lot Area, Net: The total horizontal area within the **lot lines** of a **lot**, exclusive of any abutting public road rights-of-way or private road easements, or the area of any **lake**. The 'net lot area' shall be used in determining compliance with Minimum Lot Area standards.

Lot Area, Gross: The **net lot area** plus one-half (1/2) of the area of any public right-of-way area or private road easement immediately adjacent to or abutting the lot.

Lot, Contiguous: Lots adjoining each other.

Lot, Corner: A **lot** abutting on and at the intersection of two or more streets, provided that the streets intersect at an angle of not more than 135 degrees.

- (1) Where a lot is on a curve, if the tangents through the extreme point of the street lines of such lot make an interior angle of not more than 135 degrees, it shall be considered a corner lot. In the case of a corner lot with a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents described above (see illustration). A tangent is a straight line extended from the outer edges of a curve which intersect to form a corner.
- (2) For the purposes of this definition, the 'street lot line' shall be the line separating the lot from the street or road right-of-way.

Lot Coverage: The part or percent of a **lot** that is occupied by buildings and structures.

Lot Depth: The horizontal distance between the **front lot line** and **rear lot line**, measured along the median between the **side lot lines**.

Lot, Double Frontage (or Through Lot): A **lot**, other than a **corner lot**, having frontage on two streets. In the case of a row of double frontage lots, one street shall be designated as the front street for all lots in the plat and in the request for a zoning compliance permit. If there are existing buildings in the same block fronting on one or both of the streets, the required minimum front yard setback shall be observed on those streets where buildings presently front.

Lot, Flag: A **lot** located behind other parcels or lots fronting on a public road, but which has a narrow extension providing access to the public road. For the purposes of this Ordinance, the extension, which provides access to the buildable portion of the lot, shall comply with the lot width standards for the district in which the lot is located.

Lot, Interior: Any lot, other than a **corner lot**, with only one lot line fronting on a street.

Lot Lines: The lines bounding a **lot** as follows:

- A. Front Lot Line: The line separating said lot from the public or private road right-of-way. In the case of a corner lot or double frontage lot, the 'front lot line' shall be that line that separates said lot from the right-of-way for the road which

is designated as the front on the plat, or which is designated as the front on the site plan review application or request for a building permit, subject to approval by the Planning Commission or Building Official. On a flag lot, the 'front lot line' shall be the interior lot line most parallel to and nearest the street from which access is obtained.

- B. **Rear Lot Line:** Ordinarily, that lot line which is opposite and most distant from the front lot line. In the case of irregular, triangular, wedge-shaped, or lots that are pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, 10 feet in length, lying farthest from the front lot line and wholly within the lot.
- C. **Side Lot Line:** Any lot line other than the front or rear lot lines. A side lot line separating a lot from a road right-of-way is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

Lot of Record: A parcel of land, the dimensions and configuration of which are shown on a subdivision plat recorded in the offices of the Kalamazoo County Register of Deeds and Township Treasurer, or a lot or parcel described by metes and bounds, and accuracy of which is attested to by a land surveyor registered and licensed in the State of Michigan and is recorded with the Kalamazoo County Register of Deeds and Township Treasurer.

Lot Width: The straight line distance between the **side lot lines**, measured at the two points where the minimum front yard setback line intersects the side lot lines (*see illustration*).

Lot Split or Lot Consolidation: The dividing or uniting of lots by virtue of changes in the deeds in the office of the Kalamazoo County Register of Deeds and the Township Treasurer.

M

Main Access Drive: Any private street designed to provide access from a public street or road to a mobile home park, apartment or condominium complex, or other private property development.

Marijuana or "marihuana" means that term as defined in the Public Health Code, MCL 333.1101 et seq.; the Michigan Medical Marihuana Act (MMMA), MCL 333.26421 et seq.; the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq.; and the Marihuana Tracking Act, MCL 333.27101 et seq.

"Marijuana facility" means an enterprise at a specific location at which a licensee is licensed to operate under the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq., including a marijuana grower, marijuana processor, marijuana provisioning center, marijuana secure transporter, or marijuana safety compliance facility. The term does not include or apply to a "primary caregiver" or "caregiver" as that term is defined in the Michigan Medical Marihuana Act, MCL 333.26421 et seq.

Marginal Access Road: See *Service drive*.

Massage Therapist: A person trained in manipulation of the soft tissues of the body by rubbing, stroking, kneading, etc., for therapeutic or healing purposes.

Master Plan: A document prepared under the guidance of and adopted by the Planning Commission, consisting of graphic and written materials which indicate the general location for streets, parks, schools, public buildings and all physical development of the Township.

Mezzanine: An intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than one-third (1/3) of the floor area of the story in which the level or levels are located.

Microbrewery: A brewery that produces less than thirty thousand (30,000) barrels of beer or ale per year, as allowed by state law. (A barrel is equivalent to thirty-one (31) U. S. gallons.)

Mini-Warehouse: A building or group of buildings, each of which contains several individual storage units, each with a separate door and lock and which can be leased on an individual basis. Mini-warehouses are typically contained within a fenced, controlled-access compound. Also known as self-storage businesses.

Mixed Use: In the context of this Ordinance, mixed use refers to zoning districts in which a mixture of different types of land uses are permitted. For example, the RM-2 district is considered a mixed use district because it permits a combination of residential and commercial land uses.

Mobile Home: See *Dwelling, Mobile Home*.

Mobile Home Park: A parcel or tract of land under the control of a person upon which three or more mobile homes are located on a continual non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home, subject to conditions set forth in the Mobile Home Commission Rules and Michigan Public Act 96 of 1987, as amended.

Mobile Home Site or Lot: An area within a mobile home park which is designated for the exclusive use of a specific mobile home.

Mortuary or Funeral Home: An establishment where the dead are prepared for burial or cremation and where wakes or funerals may be held.

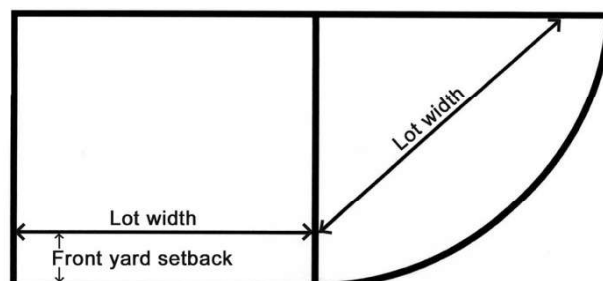
Motel: A building or group of buildings occupied as a more or less temporary abiding place for individuals who are lodged with or without meals in rooms consisting of a minimum of a bedroom and bath, occupied for hire, in which provision is not usually made for cooking within the rooms, and which provides customary motel services such as maid service, linen service, telephone and/or desk service, and the use of furniture. Motels typically provide exterior entrances and on-site parking for each unit. A motel may also include conference room or banquet facilities, an attached dining room, and/or an unattached standard restaurant.

Municipality: Charter Township of Kalamazoo, Kalamazoo County, Michigan.

Corner, Interior & Double Frontage Lots



Lot Width



N

Natural Area: A land area or water body which is generally not occupied by structures, roads, or other artificial elements and which contains floral, faunal, geologic or other similar features having scenic, educational, or scientific value to residents. An area may be considered 'natural' even though excavation, filling, or other similar activity may have previously occurred.

Natural Resources: Natural resources shall include land, soils, **wetlands**, **floodplains**, surface and ground water, topography, trees and other types of vegetative cover, subsurface strata, geologic formations, animal life, and naturally occurring substances and living organisms that can be useful to people. Natural resources are of two types: renewable (e.g., plants and trees) and nonrenewable (e.g., mineral resources). Natural resources may also be referred to as 'natural features' in this Ordinance.

Nonconformity: Any structure, lot, or use of any lot, land or structure, which does not conform at the time of adoption of this Ordinance or any amendment thereto, to the regulations for the district in which it is located (see also definitions in Section 3.02).

Nuisance: Any offensive, annoying, or disturbing practice or object, which prevents the free use of one's property, or which renders its ordinary use or physical occupation uncomfortable. 'Nuisance' commonly involves continuous or recurrent acts which give offense to the senses, violate the laws of decency, obstruct reasonable and comfortable use of property, or endangers life and health.

Nursery, Day Nursery, or Nursery School: See *Child Care Center*.

Nursery, Plant Material: A space, building, and/or structure, or combination thereof, where live trees, shrubs, and other plants used for gardening and landscaping are propagated, stored, and/or offered for sale on the premises, but not including any space, building or structure used principally for the sale of fruits, vegetables, or Christmas trees.

Nursing Home: A facility that provides organized nursing care and medical treatment to two or more unrelated individuals suffering or recovering from illness, injury, or infirmity. 'Nursing home' does not include a **hospital**, a veterans' facility, a correctional facility, a hospice, or a hospice residence.

O

Occupancy, Change of: A discontinuance of an existing use and the substitution of a use of a different kind or class, or, the expansion of a use.

Occupied: Used in any way at the time in question.

Office: A room, suite of rooms, or building in which are located desks, chairs, tables, couches, bookcases (accounting, filing, recording, communication and/or stenographic) equipment for current use in the office business and personnel engaged in executive, administrative, professional, political, informative, research and/or clerical duties.

Oil or Gas Processing Plant: A facility designed for separating, metering, holding and marketing of oil and gas production, including sweetening plants designed for the removal of sulfur compounds from natural gas, but not including oil refineries.

Open Air Business: Any **commercial use** that is conducted primarily out-of-doors. Unless otherwise specified herein, open air business shall include:

- (1) Retail sales of garden supplies and equipment, including but not limited to: trees, shrubbery, plants, flowers, seed, topsoil, trellises, and lawn furniture.
- (2) **Roadside stands** for the sale of agricultural products.
- (3) Various outdoor recreation uses, including but not limited to: tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving ranges, and amusement parks.
- (4) Outdoor display and sale of garages, swimming pools, playground equipment, and uses.

Open Space: Any **parcel** or area of land or water that is generally free of structures and that is set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of

land adjoining or neighboring such open space. 'Open space' may be required for recreation, resource protection, aesthetics, or other purposes.

- A. **Open Space, Usable:** **Open space** that is accessible to a majority of residents in a development for recreation or leisure activities. Examples of 'usable open space' include, but are not limited to, open fields and woodlands. Swamps or marshes are not generally considered usable open space, except as specifically exempted elsewhere in this Ordinance.

Outdoor Production means growing marijuana in an expanse of open or cleared ground or in a greenhouse, hoop house, or similar non-rigid structure that does not utilize any artificial lighting, including but not limited to electrical lighting sources.

Storage: The keeping, in an unroofed area, of any goods, **junk**, material merchandise or vehicles in the same place for more than 24 hours.

Outdoor Wood-Fired Boiler: A wood-fired boiler, stove, or furnace that is not located within a building intended for habitation by humans or domestic animals.

Outlot: A parcel of land which is designated as an 'outlot' on the recorded plat, and which is usually not intended to be used for the same purposes as other lots in the plat.

P

Parcel: A continuous area, tract, or acreage of land that has not been subdivided according to the provisions of the Subdivision Control Act and that has frontage on a public or private street.

Parking Lot, Off-Street: An area on private property that provides vehicular parking spaces along with adequate drives and aisles for maneuvering, so as to provide safe and convenient access for entrance and exit and for parking of more than three vehicles.

Parking Space: An area of definite length and width as designated in this Ordinance for parking an automobile or other vehicle, and which is fully accessible for such purposes.

Perc Test or Percolation Test: A test designed to determine the ability of ground to absorb water, and used to determine the suitability of a soil for drainage or for the use of a septic system.

Performance Guarantee: A financial guarantee to ensure that all improvements, facilities, or work required by this Ordinance will be completed in compliance with the Ordinance, regulations, and approved plans and specifications of the development.

Personal Fitness Center: A facility which provides indoor exercise facilities, such as exercise machines and weight-lifting equipment, usually in a structured physical activity program supervised by professional physical fitness instructors. As defined herein, "personal fitness center" shall not include court sports facilities or spectator seating for sports events. A personal fitness center may or may not be enclosed within a gym.

Pervious Surface: A surface that permits full or partial absorption of storm water.

Pet: A domesticated dog, cat, bird, gerbil, hamster, guinea pig, turtle, fish, rabbit, or other similar animal that is commonly available and customarily kept for pleasure or companionship.

Planned Unit Development: A planning or construction project involving the use of special zoning requirements and review procedures which are intended to provide design and regulatory flexibility, so as to encourage innovation in land use planning and design and thereby achieve a higher quality of development than might otherwise be possible.

Planner, Township: The Township Planner is the person or firm designated by the Township Board and Planning Commission to advise the Township administration, Township Board, Planning Commission, and Zoning Board of Appeals on planning, zoning, land use, housing, and other related planning and development issues. The Township Planner may be a consultant or an employee of the Township.

Planning Commission: The Planning Commission of the Charter Township of Kalamazoo.

Plat, Subdivision: The division of a tract of land for the purpose of sale, lease or building development, in accordance with Subdivision Control Act, Michigan Public Act 288 of 1967, as amended, or any successor thereto, and subdivision control regulations as may be adopted by the Township.

Plot Plan: A plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and all salient features required to adequately evaluate whether the approvals sought by an applicant are in compliance with this Ordinance.

Primary Caregiver: A person who is at least 21 years old, has agreed to assist with a patient's medical use of marijuana, has never been convicted of a felony involving illegal drugs, and is licensed under the Michigan Medical Marijuana Act.

Principal Use: See *Use, Principal*.

Private Street or Private Road: See *Road*.

Processor means a licensee that is a commercial entity located in this state that purchases marihuana from a grower and that extracts resin from the marijuana or creates a marijuana-infused product for sale and transfer in packaged form to a provisioning center.

Property Line: The line separating a piece of property from the street right-of-way and the lines separating a parcel of property from adjacent parcels. See also *Lot line*.

Provisioning center means a licensee that is a commercial entity located in this state that purchases marihuana from a grower or processor and sells, supplies, or provides marijuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marijuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver in accordance with the Michigan Medical Marihuana Act, MCL 333.26421 et seq., is not a provisioning center for purposes of this article.

Public Safety Official: Public Safety Official refers generally to the departments or persons who perform police, fire fighting, and other public safety functions for the Township.

Public Utility: Any persons, firm, corporation, municipal department, or board, duly authorized to furnish under federal, state, or local regulations a service which is of public consequence and need. The principal distinctive characteristics of a public utility are that: (1) because of the nature of its business, it has characteristics of a natural monopoly, and (2) it provides a service to an indefinite public (or portion of the public) which has a legal right to demand and receive its services.

Q

Qualifying Patient: A person who has been diagnosed by a physician as having a debilitating medical condition for the purposes of receiving medical marijuana, pursuant to the Michigan Medical Marijuana Act.

R

Real Property: Includes the surface, whatever is attached to the surface (such as buildings or trees), whatever is beneath the surface (such as minerals), and the area above the surface, i.e., the sky.

Reception Antenna: An apparatus installed out-of-doors which is capable of receiving communications for radio and/or television purposes, including satellite reception antennas, but excluding such facilities that have been preempted from Township regulation by applicable state or federal laws or regulations.

Recognizable and Substantial Benefit: A clear benefit, both to the ultimate users of the property in question and to the community, which would reasonably be expected to accrue, taking into consideration the reasonably foreseeable detriments of the proposed development and uses. Such benefits may include: long-term protection or preservation of **natural resources** and **natural features**, historical features, or architectural features; or, elimination of or reduction in the degree of nonconformity in a nonconforming use or structure.

Recreation Land: Any public or privately owned lot or land that is utilized for recreation activities such as, but not limited to, camping, swimming, picnicking, hiking, nature trails, boating, and fishing.

Recreational Facilities: Playgrounds, parks, picnic areas, golf courses, ball fields, camps, swimming pools, nature preserves or any other type of community space or equipment that is designed to provide the user with the opportunity to relax, engage in athletic activity, or engage in other leisure pursuits.

Recreational Vehicle: A class of vehicle which shall include the following:

- A. Travel Trailer: A portable vehicle on a chassis, which is designed to be used as a temporary dwelling during travel, recreational, and vacation uses, and which may be identified as a "travel trailer" by the manufacturer. Travel trailers generally contain sanitary, water, and electrical facilities.
- B. Pickup Camper: A structure designed to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling during the process of travel, recreational, and vacation uses.
- C. Motor Home: A recreational vehicle intended for temporary human habitation, sleeping, and/or eating, mounted upon a chassis with wheels and capable of being moved from place to place under its own power. Motor homes generally contain sanitary, water, and electrical facilities.
- D. Folding Tent Trailer: A folding structure, mounted on wheels and designed for travel and vacation use.
- E. Boats, Boat Trailers: Boats, floats, rafts, canoes, etc., plus the normal equipment used to transport them on the highway.
- F. Other Recreational Equipment: Snowmobiles, all terrain or special terrain vehicles, utility trailers, etc., plus the normal equipment to transport them on the highway.

Recycling Center: A facility at which used material is separated and processed prior to shipment to others who will use the materials to manufacture new products.

Recycling Collection Station: A facility for the collection and temporary storage of recoverable resources, prior to shipment to a recycling center for processing.

Religious Institution: Any structure primarily and regularly used for religious assembly and/or activity. Accessory uses and structures commonly associated with religious institutions include, but are not necessarily limited to parsonages, convents, and similar living arrangements; assembly halls; kitchens, food pantries, and similar food preparation facilities; classrooms; gyms; and, playgrounds.

Registered Primary Caregiver means a primary caregiver who has been issued a current registry card under the MMMA.

Registered Qualifying Patient means a qualifying patient who has been issued a current registry identification card under the MMMA.

Registry Identification Card means that term as defined in Section 3 of the MMMA.

Restaurant: Any establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state, and whose method of operation is characteristic of a carry-out, drive-in, drive-through, fast food, standard restaurant, or bar/lounge, or combination thereof, as defined below:

- A. Restaurant, Carry-Out: A restaurant whose method of operation involves sale of food, beverages, and/or frozen desserts in disposable or edible containers or wrappers in a ready-to-consume state for consumption primarily off the premises. Carry-out restaurants include, by way of example, cafes, delis, and coffee shops.
- B. Restaurant, Drive-In: A restaurant whose method of operation involves delivery of prepared food so as to allow its consumption in a motor vehicle or elsewhere on the premises, but outside of an enclosed building.
- C. Restaurant, Drive-Through: A restaurant whose method of operation involves the delivery of the prepared food to the customer in a motor vehicle, typically through a drive-through window, for consumption off of the premises.
- D. Restaurant, Fast-Food: A restaurant whose method of operation involves minimum waiting for delivery of ready-to-consume food to the customer at a counter or cafeteria line for consumption at the counter where it is served, or at tables, booths, or stands inside the structure or out, or for consumption off the premises, but not in a motor vehicle at the site.

E. Restaurant, Standard: A restaurant whose method of operation involves either:

1. The delivery of prepared food by waiters and waitresses to customers seated at tables within a completely enclosed building, or
2. The prepared food is acquired by customers at a cafeteria line and is subsequently consumed by the customers at tables within a completely enclosed building.

F. Bar/Lounge: A type of restaurant operated primarily for the dispensing of alcoholic beverages, although the sale of prepared food or snacks may also be permitted. If a bar or lounge is part of a larger dining facility, it shall be defined as that part of the structure so designated or operated.

Retention Basin: A wet or dry stormwater holding area, either natural or artificial, which has no outlet other than an emergency spillway.

Right-of-Way: The strip of land over which an easement exists to allow facilities such as streets, roads, highways, and power lines to be built.

Road or Street: Any public or private thoroughfare or **right-of-way**, other than a public or private alley, dedicated to or designed for travel and access to any land, lot or parcel whether designated as a thoroughfare, road, avenue, highway, boulevard, drive, lane, place, court, or any similar designation. Various types of roads are defined as follows:

A. Private Road or Street: Any **road or street** that is privately maintained and has not been accepted for maintenance by the Road Commission of Kalamazoo County, the State of Michigan or the federal government, but is subject to approval by the Township. The inclusion of this definition is not intended to indicate that private roads or streets are permitted in Kalamazoo Township.

B. Public Road or Street: Any **road or street** or portion thereof which has been dedicated to and accepted for maintenance by the Road Commission of Kalamazoo County, State of Michigan or the federal government. For the purposes of funding, public roads are classified as either **County Primary Roads** or **County Local Roads**, pursuant to Michigan Public Act 51 of 1951, as amended. The **County Primary Roads** are those selected by the board of county road commissioners and certified to the Michigan Department of Transportation as being of greatest general importance to the county. All roads not included in the **County Primary** system shall constitute and be the **County Local Road** system.

The National Functional Classification (NFC) is a system of classifying all streets, roads, and highways according to their function, which was developed by the Federal Highway Administration (FHWA). The NFC contains the following categories:

1. **Principal Arterials** generally carry long-distance, through-travel movements. They also provide access to important traffic generators, such as airports or regional shopping centers. Examples of principal arterials are interstates and other freeways, state routes between large cities, and important surface streets in large cities.
2. **Minor Arterials** are similar in function to principal arterials, except they carry trips of shorter distance and to lesser traffic generators. Examples of minor arterials are state routes between smaller cities, surface streets of medium important in large cities, and important surface streets in smaller communities.
3. **Collectors** provide more access to property than do arterials. Collectors also funnel traffic from residential or rural areas to arterials. Examples of collector roads are various connecting streets in large and small communities.
4. **Local roads** primarily provide access to property. Examples of local roads are residential streets and lightly traveled county roads. A cul-de-sac is a local road that terminates in a vehicular turnaround.

Roadside Stand: A temporary structure or use operated for the purpose of seasonally selling agricultural products, a portion of which are raised or produced on the same premises by the proprietor of the stand. A roadside stand shall not include small operations consisting of a portable table that are operated intermittently.

Room: For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room or bedroom, equal to at least 80 square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, hallways and storage. Plans presented showing 1, 2 or 3 bedroom units and

including a den, library, or other extra room shall count such extra room as a bedroom for the purpose of computing density.

Rooming House: See *Boarding House*.

S

Safety Compliance Facility means a licensee that is a commercial entity that receives marihuana from a marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the marihuana facility.

Salon, Full-Service: A personal service establishment offering a variety of health and beauty services including hair, nails, make-up, massage, and other related services.

Secure transporter means a licensee that is a commercial entity located in this state that stores marihuana and transports marihuana between marihuana facilities for a fee.

Semi-Trailer: a trailer, which may or may not be enclosed, having wheels generally only at the rear and supported in front by a truck tractor or towing vehicle.

Senior Housing: Any multiple-unit housing development intended for adults aged 55 or older. 'Senior housing' does not include an **adult foster care facility, home for the aged, hospital, hotel, nursing home, or other state-licensed residential facility.**

- A. Senior apartments: A **senior housing** development with self-contained living units intended for adults who are able to care for themselves.
- B. Senior congregate housing: A **senior housing** development that may provide supportive services such as meals, housekeeping, social activities, and/or transportation, but not **adult foster care** or continuous medical or nursing care.

Service Drive: A road that is generally parallel to and adjacent to an arterial road or street and that is designed to provide access to abutting properties so that these properties are separated from the through traffic on the arterial road or street and so that the flow of traffic on the arterial road is not impeded by direct driveway access from a large number of abutting properties.

Service Truck: A pick-up truck or van that is used in conjunction with a repair or maintenance business, such as a plumbing, electrical, or carpentry business.

Setback: The horizontal distance between the front, side or rear lot line and the nearest part of a structure on a lot. The 'minimum required setback' is the minimum distance between a front, side or rear lot line and the nearest part of a structure in order to conform to the required yard setback provisions of this Ordinance (see **Yard**).

Sign: Any device, structure, fixture, or placard which uses words, numbers, figures, graphic designs, logos or trademarks for the purpose of informing or attracting the attention of persons. Unless otherwise indicated, the definition of "sign" includes interior and exterior signs which are visible from any public street, sidewalk alley, park, or public property, but not signs which are primarily directed at persons within the premises upon which the sign is located. Various types of signs and sign-related terms are defined in Article 7.00 of this Ordinance.

Slope, Steep: A slope with a moderate or high erosion hazard (often 7% or greater) as defined in the Michigan Soil Erosion and Sedimentation Control Guidebook. Percent slope shall be computed by dividing the change in elevation by the horizontal distance, times 100.

Solar Panels: Solar panels are flat panels that use arrays of photo voltaic cells to convert sunlight into electricity.

Special Event: An occurrence or noteworthy happening of seasonal, civic, or church importance, which is organized and sponsored by a non-profit Kalamazoo Township community group, organization, club or society, and which offers a distinctive service to the community, such as public entertainment, community education, civic celebration, or cultural or community enrichment. Special events typically run for a short period of time (less than two weeks) and are unlike the customary or usual activities generally associated with the property where the special event is to be located.

Special Housing: Communities which have large campus type land uses, such as colleges, universities, teaching hospitals, or other types of training facilities, often need to provide for unique types of housing to accommodate people who use these types of institutions. Unlike dormitories, apartments, lodging houses, bed and breakfast facilities, townhouses, or single family dwellings, special housing exhibits the following characteristics:

1. Either detached structures resembling large single family homes or townhouses;
2. Three (3) or more bedrooms, each with its own bath (or, in some cases, a shared bath)
3. Common cooking, dining, and lounging areas.
4. Greater need for off-street parking than single family housing.

Given its unique characteristic and likely affects on neighborhood environments, special housing is most appropriately subject to a set of approval criteria that address these anticipated affects. It also must be in a zoning district that will help support it.

Special Land Use/Special Use: Special land uses are uses, either public or private, which possess unique characteristics and therefore cannot be properly classified as a permitted use in a particular zoning district or districts. After due consideration of the impact of each such proposed use upon the neighboring land and of the public need for the particular use at the proposed location, such special land uses may be permitted following review and approval subject to the terms of this Ordinance.

Special Use Permit: See *Special Land Use/Special Use*.

Spirits: Any beverage that contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, including wine containing an alcoholic content of more than 21% by volume, except for sacramental wine and mixed spirit drink.

Stable, Private: An enclosed building intended for the keeping of not more than two (2) horses for the noncommercial use of the residents of the principal residential use on the site.

Stable, Public: An enclosed building intended for the keeping of more than two (2) in which any such animals are kept for

Stake Truck: A truck having a platform with stakes inserted along the outside edges to retain the load.

State-licensed Residential Facility: Any structure constructed for residential purposes and licensed by the State of Michigan pursuant to Michigan Public Act 116 of 1973 (the Child Care Licensing Act) or Michigan Public Act 218 of 1979 (the Adult Foster Care Facility Licensing Act), including **adult foster care facilities, foster family homes, foster family group homes, family day care homes, and group day care homes.**

A. Adult foster care: The provision of supervision, personal care, and protection, in addition to room and board, for 24 hours a day, five or more days a week, and for two or more consecutive weeks for compensation.

- (1) *Adult foster care facility:* A residential structure that is licensed to provide **adult foster care**, but not continuous nursing care, for unrelated adults over the age of 17. An 'adult foster care facility' does not include any of the following: a licensed child caring institution, children's camp, **foster family home**, or **foster family group home**; an alcohol or substance abuse rehabilitation center; a residential facility for persons released from or assigned to adult correctional institutions; a maternity home; a **hotel** or rooming house that does not provide or offer to provide foster care; or a veterans' facility.
- (2) *Adult foster care family home:* A **private home** with the approved capacity to receive not more than six adults to be provided with **adult foster care**.
- (3) *Adult foster care small group home:* An **adult foster care facility** with the approved capacity to receive not more than 12 adults.
- (4) *Adult foster care large group home:* An **adult foster care facility** with the approved capacity to receive at least 13 but not more than 20 adults.
- (5) *Adult foster care congregate facility:* An **adult foster care facility** with the approved capacity to receive more than 20 adults.

B. Child day care: The care and supervision for periods of less than 24 hours a day of minor children, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption.

- (1) *Family day care home:* A **private home** in which one but not more than six children are received for **child day care**, including a home in which care is given to an unrelated minor child for more than four weeks during a

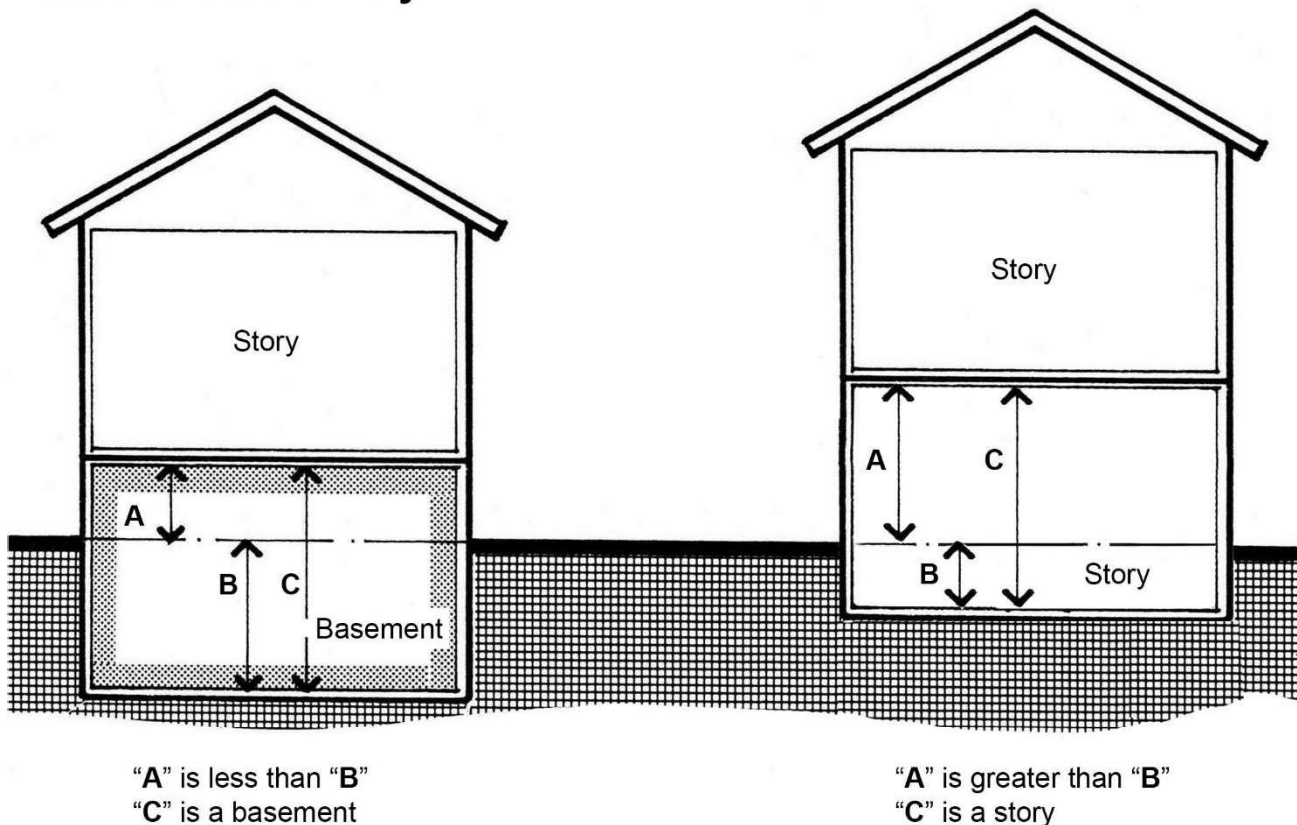
calendar year.

- (2) **Group day care home:** A **private home** in which more than six but not more than 12 minor children are received for **child day care**, including a home in which care is given to an unrelated minor child for more than four weeks during a calendar year.
- C. **Child foster care:** The care and supervision for 24 hours a day, for four or more days a week, and for two or more consecutive weeks, of minor children who are not related to an adult member of the household by blood or marriage, are not placed in the household under the Michigan adoption code, and are unattended by a parent or legal guardian.
- (1) **Foster family home:** A **private home** in which one but not more than four children are provided with **child foster care**.
- (2) **Foster family group home:** A **private home** in which more than four but not more than six children are provided with **child foster care**.
- D. **Private home:** For the limited purpose of defining a **state-licensed residential facility**, a 'private home' means a private residence in which the facility licensee or registrant permanently resides as a member of the household.

State Operating License means a license that is issued under Act 281 that allows the licensee to operate as one of the following, specified in the license: a grower, processor, securer transporter, provisioning center or safety compliance facility.

Statewide Monitoring System means the Internet-based, statewide database established and maintained by the State Department of Licensing and Regulatory Affairs under the Michigan Marijuana Tracking Act, Act 282 of the Public Acts of Michigan of 2016, as amended, for the purpose of enabling authorized parties and agencies to confirm or verify relevant information with respect to medical marijuana uses authorized by Act 281.

Basement and Story



Story: That portion of a building, other than a **basement** or **mezzanine** as defined herein, included between the upper surface of any floor and the upper surface of the floor or roof next above it.

- A. A mezzanine shall be deemed a full story when it covers more than one-third of the area of the story underneath, or, if the vertical distance from the floor next below the mezzanine to the floor above it is 24 feet or more.
- B. A basement shall be deemed a full story when the vertical distance from the average grade to the floor below is less than the vertical distance from the average grade to the ceiling.

Story, Half: The uppermost **story** lying under a pitched roof, the usable floor area of which does not exceed two-thirds of the floor area of the uppermost full story. The usable floor area of a half story shall be at least 160 square feet with a minimum clear height of seven feet, six inches.

Street: See **Road**.

Street Lot Line: A dividing line between the street and a lot, also known as the right-of-way line.

Structural Alteration: Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

Structure: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. Structures include, but are not limited to, principal and accessory buildings, towers, decks, fences, privacy screens, walls, antennae, swimming pools, signs, and public roads.

Subdivision Plat: See **Plat, Subdivision**.

Swimming Pool: Any permanent, non-portable structure or container located either above or below grade designed to hold water to a depth of greater than 24 inches, intended for swimming or bathing. On a single-family parcel a swimming pool shall be considered an accessory structure for purposes of computing lot coverage.

T

Temporary Use or Building: A use or building permitted to exist for a limited period of time under conditions and procedures as provided for in this Ordinance.

Thoroughfare: See **Road**.

Township: The Charter Township of Kalamazoo, Kalamazoo County, Michigan.

Township Board: The Supervisor, Clerk, Treasurer, and Trustees of the Charter Township of Kalamazoo, Kalamazoo County, Michigan.

Toxic or Hazardous Waste: Waste or a combination of waste and other deposited, stored or disposed material (including but not limited to solid, liquid, semisolid, or contained gaseous material) which because of its quantity, concentration, or physical chemical or infectious characteristics may (if improperly treated, deposited, stored, transported, disposed or otherwise managed) cause or significantly contribute to the following conditions:

- (1) an increase in mortality, or
- (2) an increase in serious irreversible illness, or
- (3) serious incapacitating, but reversible illness, or
- (4) substantial present or potential hazard to human health or the environment.

Trailer: A vehicle without motive power that is designed to be drawn by a motor vehicle and used for carrying property or persons.

Transition Zone: A transition zone generally refers to a zoning district, an arrangement of lots or land uses, a landscaped area, or similar means of providing a buffer between land uses or districts.

Truck Terminal: A structure to which goods, except raw or unprocessed agricultural products, natural mineral or other resources, are delivered for immediate distribution or to be amalgamated or divided for delivery in larger or smaller units to other points, or for distribution, amalgamation, or division involving transfer to other modes of transportation.

U

Underlying Zoning: The zoning classification and regulations applicable to the property immediately preceding the approval of an application to designate a parcel as a Planned Unit Development.

Use: The purpose for which land, lots, or buildings thereon is designed, arranged or intended, or for which it is occupied, maintained, let or leased.

- A. Use, Accessory: See **Accessory Use, Building, or Structure**.
- B. Use, Permitted: A use which may be lawfully established in a particular district or districts provided it conforms with all requirements, regulations, and standards of such district.
- C. Use, Principal: The main use of land and buildings and the main purpose for which land and buildings exist.
- D. Use, Special Land: See **Special Land Use**.

Usable Marijuana means the dried leaves, flowers, plant resin or extract of the marijuana plant, but does not include the seeds, stalks and roots of the plant.

Utility: A service provider, which may be a company or a governmental agency, which provides such services as electric power, natural gas, sanitary sewers, water, telephone, etc.

Utility Trailer: A small trailer that is designed to be pulled by an automobile, van, or pick-up truck.

V

Variance: A modification of the literal provisions of the Zoning Ordinance granted by the Zoning Board of Appeals when strict enforcement of the Zoning Ordinance would cause practical difficulties owing to circumstances unique to the individual property on which the variance is granted.

Veterinary Hospital: See **Clinic, Veterinary**.

W

Wall, Obscuring: A structure of definite height and location to serve as an opaque screen in carrying out the requirements of this Ordinance.

Warehouse: A building used primarily for storage of goods and materials. See also **Distribution Center**.

Wetland: Land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life, and which is commonly referred to as a bog, swamp, or marsh. A wetland is further characterized by the presence of hydric soils and prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions. A wetland that exhibits these characteristics may be dry on the surface during part or all of the year)

Wetland Buffer: A strip of land surrounding a wetland that provides protection for the wetland from inadvertent and secondary impacts. A wetland buffer may also protect wildlife habitat, prevent erosion, provide nutrient filtration and serve other functions associated with a wetland. The wetland buffer shall encompass all land within 40 feet of the edge of the wetland. (added 1/12/2010)

Wholesale Sales: The sales of goods generally in large quantities and primarily to customers engaged in the business of reselling the goods.

Wind Energy System: A system for the conversion of wind energy into electricity. A common type of wind energy system includes a turbine, blades, tower, as well as related electrical equipment, although other technology may be used to convert wind energy into electricity.

- A. Anemometer Tower: A tower containing instrumentation designed to provide present moment wind data in support of an existing or future wind energy system.
- B. On-site Wind Energy System: A wind energy system designed and built to provide electrical power to the owner at that site.
- C. Utility Grid Wind Energy System: A wind energy system designed and built to provide electricity to the electric utility grid.

Wireless Communication Facility. All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio towers, television towers, telephone devices and exchanges, microwave relay towers, telephone transmission equipment building and commercial mobile radio service facilities. Not included within this definition are: citizen band radio facilities; short wave facilities; ham, amateur radio facilities; satellite dishes; and, governmental facilities which are subject to state or federal law or regulations which preempt municipal regulatory authority.

Wireless Communication Support Structures. Structures erected or modified to support wireless communication antennas, including but not limited to, monopoles, lattice towers, light poles, wood poles and guyed towers, or other structures which appear to be something other than a mere support structure.

Y

Yard: An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise permitted in this Ordinance. The 'minimum required setback' is the minimum depth of a front, rear or side yard necessary to conform to the required yard setback provisions of this ordinance (see illustrations).

- A. Yard, Front: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the principal building. Unless otherwise specified, on corner lots and through lots there shall be maintained a front yard along each street frontage.
- B. Yard, Rear: An open space extending the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and the nearest line of the principal building. On corner lots, the rear yard may be opposite either street frontage, but there shall only be one rear yard.
- C. Yard, Side: An open space between a principal building and the side lot line, extending from the front yard to the rear yard, the width of which shall be the horizontal distance from the nearest point of the side lot line to the nearest point on the principal building.
- D. Yard, Interior Side: A **side yard** that abuts an adjacent lot (in contrast to a 'street side yard', which abuts a street or road right-of-way).

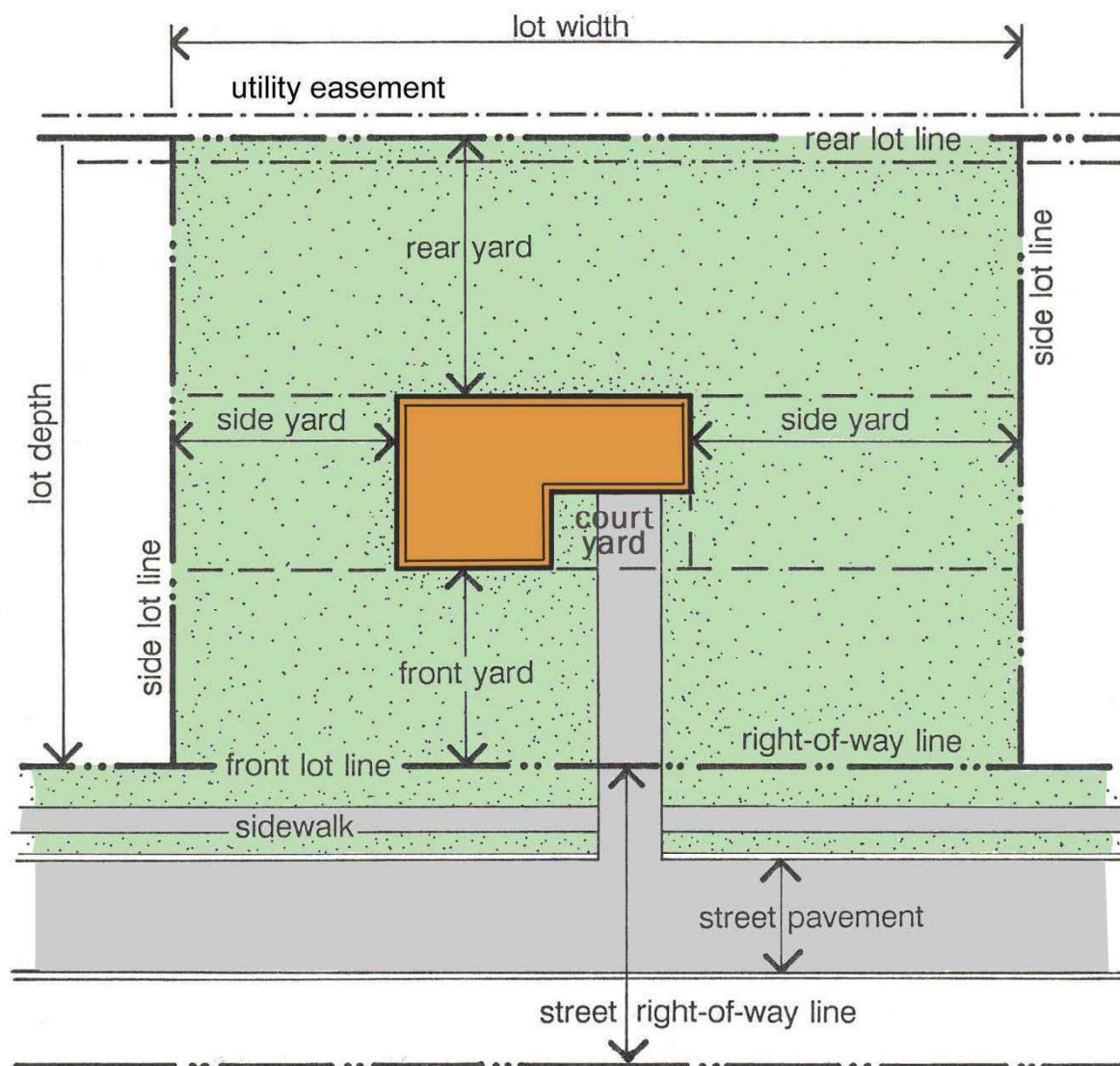
Yard Clippings: Leaves, grass clippings, vegetable or other garden debris, shrubbery, or brush or tree trimmings, less than 4 feet in length and 2 inches in diameter, that can be converted to compost humus. Yard clippings do not include stumps, agricultural wastes, animal waste, roots, sewage sludge, or garbage. "Yard clippings" is defined in Section 324.11506 (7) of Public Act 212 of 2007, as amended.

Z

Zoning Administrator: The Zoning Administrator is the person or persons designated by the Township Board to administer the Zoning Ordinance on a day-to-day basis, including but not limited to processing applications, maintaining the minutes of the Planning Commission, sending notices of public hearings, and similar work. The duties of the Zoning Administrator may be filled by people holding other positions, such as the Building Official, Planning Commission Secretary, or Township Planner.

Zoning Board of Appeals: The Zoning Board of Appeals for the Charter Township of Kalamazoo, as authorized by Michigan Public Act 110 of 2006, as amended.

Yard Terms





Kalamazoo Charter Township
1720 Riverview Drive
Kalamazoo, MI 49007-4686
Telephone: (269) 381-8080
www.kalamazootownship.org

July 28, 2025

To: Planning Commission Members
From: Hillary Taylor, Zoning Administrator
Subject: Discussion of a Small Lot Text Amendment to allow an Overlay Zoning District

Dear Planning Commissioner,

Staff has been working with the Township Assessor to identify vacant lots that can be marketed and developed within Kalamazoo Township. The Assessor has identified 342 vacant lots that are relatively buildable (topography etc.) with access to water and sewer. Some of these lots do not currently conform to the zoning district where they are located. These lots either are smaller than the required minimum area, or width, or depth. The current zoning for R-1 and R-2 is as follows:

District	Minimum area	Minimum width	Stories	Bldg height in Feet	Front	Side	Rear	Minimum usable floor area per unit (sq. ft.)	Maximum coverage of lot by all buildings (%)
R-1, Single Family	20,000	100v	2½	30	25g	5g	35g	960	25%
R-2, Single & Two-Family	13,200e	80e,v	2½	30	25g	5e,g,	35g	750e	25%

e. Minimum Requirements for Two-Family Dwellings. Two-family dwellings in the R-2 district shall comply with the following requirements: Minimum Lot Area: 20,000 sq. ft. Minimum Lot Width: 120 ft. Minimum Floor Area, each unit: 650 sq. ft. Minimum Side Yard Setback: 10 ft.

g. Minimum Setbacks for Non-Residential Uses. Permitted non-residential uses shall comply with the setback requirements for specific uses in Article 8.00. Where setback requirements are not specified in Article 8.00, permitted non-residential uses shall comply with the minimum setback requirements set forth in the Schedule of Regulations, except that the side yard shall not be less than twenty (20) feet.

v. Lot Depth and Proportions. The minimum lot depth of single-family lots shall be 120 feet. Lot depths of newly created lots shall be no greater than three times the lot width. The township

may permit lot splits that vary from these proportions where such action would reduce existing nonconformance with these requirements.

Due to the limitations of the R-1 and R-2 zoning districts and the evaluation of the 342 vacant lots staff is recommending a draft of a new Zoning Overlay District for the Planning Commission's consideration. This overlay would cover the entire Township and would allow development of smaller lots. Staff has provided the Fire Marshal with time to review the proposed overlay for compliance with the Fire Code. The recommendations from the Fire Marshal are attached. Please see the attached sample site plan.

If you have questions, you may contact me at 269-381-8080 ext. 128 or by emailing planner@ktwp.org

Regards,

A handwritten signature in black ink, appearing to read "H. Taylor". The signature is fluid and cursive, with the first letter of the first name being a large capital 'H'.

Hillary Taylor
Zoning Administrator

DRAFT OVERLAY ORDINANCE

ARTICLE 22.00

RFS, Residential Flexible Standards Overlay District

Section 22.01 Statement of Purpose

The purpose of the Residential Flexible Standards (RFS) Overlay District is to create appropriate property development standards to encourage new home construction and additions and renovations of existing homes on smaller sized lots, those 5,000 square feet or less or those having an asymmetrical shape, throughout Kalamazoo Township.

The Residential Flexible Standards (RFS) Overlay District is intended to promote the following: 1) Consistency with the City's Master Plan; 2) Development that can be conveniently, efficiently, and economically served by existing and planned utilities and services; 3) Design flexibility for smaller lots that results in added housing units than could be achieved using conventional district regulations; 4) Preservation of neighborhood character; and 5) A mix of attractive and functional residential developments that are compatible with surrounding development. Furthermore, the RFS standards as established for this district, would apply specifically to lots meeting the criteria established in Section 22.02 and would supersede the development standards of the underlying zoning district in which each specific lot is located.

Section 22.02 Applicability: The property development standards within Section 22.03 below apply to all residentially zoned districts throughout Kalamazoo Township, having the following specific size requirements listed below:

- 1) Existing lots having a size of 7,000 square feet or less.
- 2) Lots having 50 feet of width or less.
- 3) Lots having 100 feet of depth or less.
- 4) Lots having an asymmetric shape with varying opposing lot lines of more than 10 feet of differential and are no larger than 9,000 square feet.

Section 22.03 Development Standards:

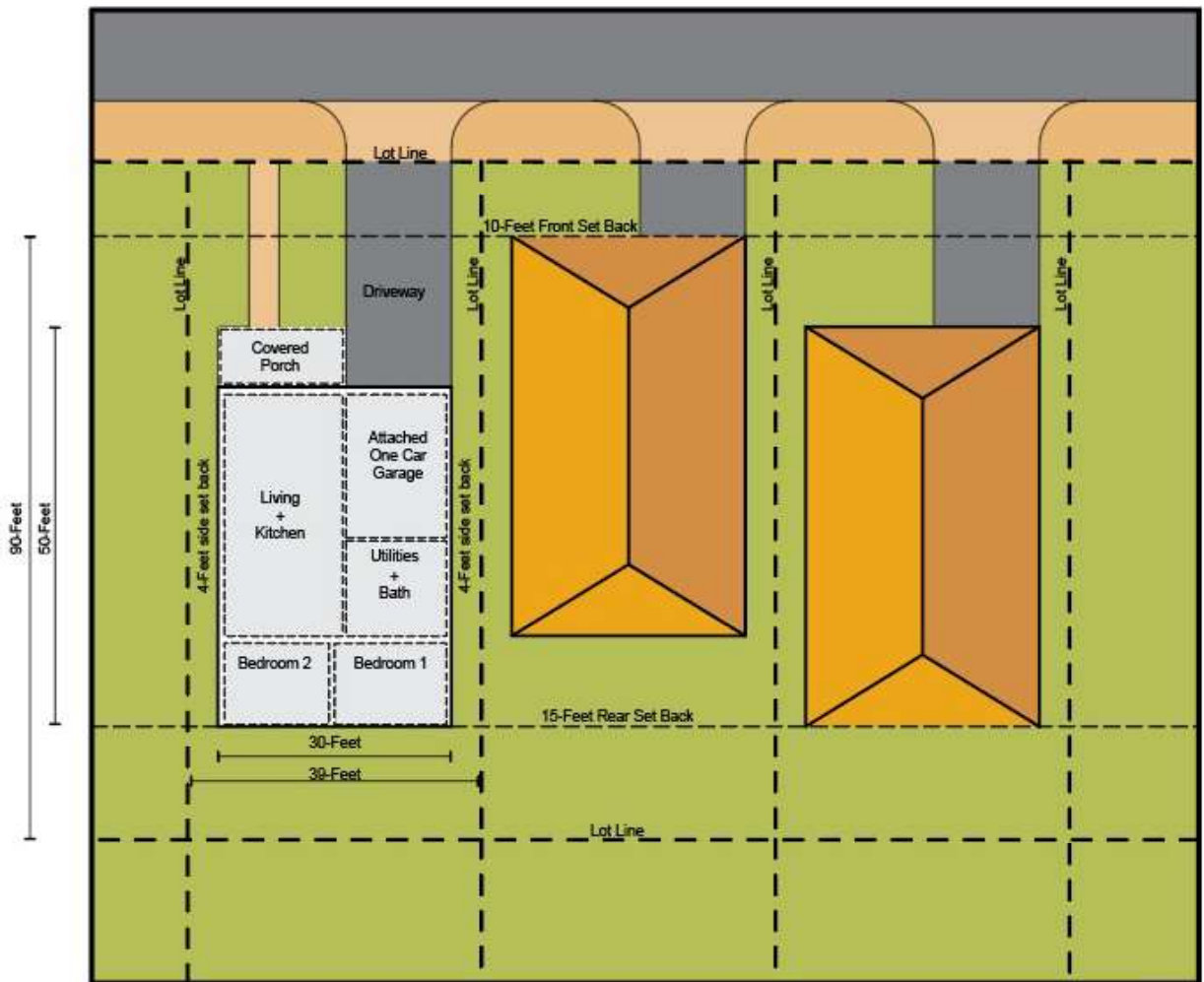
Side Yard Setbacks: For all qualifying lots, a minimum of 5 feet to any defined side yard, if all Building and Fire Code requirements are met including, but not limited to, minimum spacing between structures and incorporation of fire rated walls and windows, when necessary.

Rear Yard Setbacks: 20 feet or the average distance of the existing setbacks of directly adjacent structures, whichever is less.

Front Yard Setbacks: 10 feet or the average distance of the existing setbacks of directly adjacent structures, whichever is less.

Lot Coverage: Maximum of 60%.

Parking: There shall be no less than at least one (1) dedicated parking space per home that is built on a lot meeting the requirements of Section 22.02. Further, each dedicate parking space shall be designed and constructed to meet the provisions of Section 4.01 B. 1. and 2.



Sample Site Plan

	<u>Vacant Residential Parcels in Kalamazoo Twp.</u>										
<u>Parcel Number</u>	<u>Owner's Name</u>	<u>Property Address</u>	<u>SEV</u>	<u>Taxable</u>	<u>Class</u>	<u>Zoning</u>	<u>PRE %</u>	<u>Lot Size</u>	<u>Water (yes/no)</u>	<u>Sewer (yes/no)</u>	<u>Site Description</u>
3906-01-205-032	CHRIST TEMPLE CHURCH, INC.	E G AVE	24,900	24,900	402	R-2	0	6.0 Acres	YES	NO	Wooded/Rolling
3906-01-235-052	NGUYEN, PHI & CHAU	E G AVE	29,800	29,800	402	R-2	0	12.0 Acres	YES	YES	Rolling/Multiple Sites
3906-01-235-066	FERRARA, MICHAEL W.	SILVER HILLS AVE VAC	5,200	2,694	402	R-2	100	100' x 125'	YES	YES	Flat
3906-01-235-071	PIERCE, PHILLIP E. & ROBIN L.	ENTERPRISE DR VAC	6,400	5,565	402	R-2	100	123' x 125'	YES	YES	Flat
3906-01-380-081	SINGH, GURMUKH	2815 GULL RD	11,200	7,713	402	RM-2	0	90' X 185'	YES	YES	Flat/Corner Lot
3906-01-440-072	STANDISH, ANDREW J. & REBECCA	NAZARETH RD	19,800	5,912	402	R-2	0	1.4 Acres	YES	YES	Wooded/Rolling
3906-01-440-250	SISTERS OF ST JOSEPH OF NAZARETH	NAZARETH RD	0	0	402	R-1	0	0.94 Acres	YES	YES	Flat
3906-01-440-261	SISTERS OF ST JOSEPH OF NAZARETH	2708 NAZARETH RD	0	0	402	R-1	0	1.14 Acres	YES	YES	Flat/Corner
3906-01-440-441	LIDDELL, ROSE M.	3107 MAPLE AVE	6,600	6,079	402	R-2	0	49.5' x 415'	YES	YES	Flat/Partially Wet
3906-01-440-790	MATTINGLY, STEPHEN D. & BLANCA	NAZARETH RD VAC	3,100	3,100	402	R-2	0	82.5' x 415'	YES	YES	Flat/No Trees
3906-02-355-044	ROCKWELL, ROBERT J.	2818 RIVERVIEW DR	24,300	18,448	402	R-2	0	6.5 Acres	YES	YES	Wooded/Rolling
3906-03-105-032	BRUBAKER, MICHAEL DALE ESTATE	N WESTNEDGE AVE	11,900	6,385	402	R-2	0	132' x 858'	YES	YES	Flat
3906-03-105-321	JONES STRONG PROPERTIES LLC	W ALLEN ST VAC	1,900	1,900	402	R-2	0	109' x 511.5'	YES	NO	Flat/No Trees
3906-03-106-090	RIAL, AMANDA R.	W G AVE VAC	7,900	7,900	402	R-2	100	88' x 202'	YES	YES	Flat/No Trees
3906-04-160-010	RENUART, PHILIP P. & DONNA M.	NORTHPOINT DR VAC	11,600	8,161	402	R-1	100	4.6 Acres	NO	NO	Wooded/Rolling
3906-04-160-036	RENUART, PHILIP P. & DONNA M.	NORTHPOINT DR VAC	40,400	40,241	402	R-1	100	40.4 Acres	NO	NO	Wooded/Rolling
3906-04-190-011	RENUART, PHILIP P. & DONNA M.	NORTHPOINT DR VAC	11,500	5,306	402	R-1	100	2.3 Acres	NO	NO	Wooded/Rolling
3906-04-190-012	RENUART, PHILIP P. & DONNA M.	DOUGLAS AVE VAC	10,800	10,800	402	C-1	100	3.3 Acres	YES	YES	Wooded/Rolling
3906-04-195-050	RENUART, DONNA MAE	DOUGLAS AVE VAC	10,300	10,300	402	C-1	100	103' x 390'	YES	YES	Flat/No Trees
3906-04-210-670	MYERS, WILLIAM L.	W G AVE	10,400	5,502	402	R-2	100	82.5' x 141'	YES	YES	Flat/No Trees
3906-04-210-721	WILDER, KAREN F. & SELNER, ROB	TRUMAN ST	7,900	6,079	402	R-2	100	66' x 128'	YES	YES	Flat/No Trees
3906-04-210-791	KALAMAZOO COUNTY LAND BANK	925 EDISON ST	0	0	402	R-2	0	51' x 135'	YES	YES	Flat/No Trees
3906-04-270-270	KELLER, ROBERT	926 BETH AVE VAC	13,800	5,645	402	R-2	0	90' x 152'	YES	YES	Flat/No Trees
3906-04-270-280	KELLER, ROBERT	936 BETH AVE VAC	15,000	5,645	402	R-2	0	82' x 205'	YES	YES	Flat/No Trees
3906-04-365-041	LIVINGSTON AMY L	BARNEY RD VAC	8,500	8,500	402	R-1	0	400' x 208'	YES	NO	Wooded/Rolling
3906-05-210-021	STUFFLEBEAM, KEVIN D. TRUST	W G AVE VAC	106,900	56,177	402	R-1	100	70.0 Acres	YES	YES	Flat/No Trees
3906-05-210-032	STUFFLEBEAM, KEVIN D. TRUST	W G AVE VAC	25,900	13,059	402	R-1	100	17.0 Acres	YES	YES	Flat/No Trees
3906-05-230-011	GERNAAT, SAMUEL DONALD	W G AVE VAC	4,400	4,400	402	R-1	0	200' x 644'	YES	NO	Wooded/Rolling
3906-05-280-010	HAZELHOFF, DAN & CAROL TRUST	W G AVE VAC	5,000	4,885	402	R-1	100	3.3 Acres	NO	NO	Wooded/Rolling
3906-05-310-200	BOMBARD, JAMES A. & SWAN, GALE	NICHOLS RD VAC	8,700	8,700	402	R-2	0	85' x 130'	YES	YES	Flat/No Trees
3906-05-310-310	YOUNG, CAVEL	BARNEY RD VAC	13,300	13,300	402	RM-1	0	95' x 244'	YES	YES	Wooded
3906-06-105-060	CARR, JEREMY & REBECCA	WINDING WAY VAC	14,500	14,500	402	RM-2	0	104' x 209'	YES	NO	Flat/Few Trees
3906-06-160-043	KNIBBE, EVELYN	WINDING WAY VAC	16,900	9,024	402	RM-2	100	13.5 Acres	YES	YES	Wooded/Rolling
3906-06-170-230	BOWKER, SANDRA W.	WINDING WAY VAC	12,600	12,600	402	R-2	100	120' x 250'	YES	YES	Flat/Few Trees
3906-06-170-240	BOWKER, SANDRA & DANIEL SCOTT	WINDING WAY VAC	12,600	12,600	402	R-2	100	120' x 250'	YES	YES	Wooded
3906-06-170-250	KRAWUTSCHKE, PETER W. & ELEANO	4049 WINDING WAY VAC	12,600	12,600	402	R-2	100	120' x 251'	YES	YES	Wooded
3906-06-205-010	DAVIS, LARRY O. & REGINA A.	GLENGARRY AVE VAC	15,900	15,900	402	R-2	100	120' x 200'	YES	YES	
3906-06-205-140	VISSER, DAVID J. & KRISTINE E.	GLENGARRY AVE VAC	15,000	14,938	402	R-2	100	115' x 195'	YES	YES	
3906-06-205-160	VISSER, DAVID J. & KRISTINE E.	GLENGARRY AVE VAC	13,700	13,568	402	R-2	100	110' x 175'	YES	YES	
3906-06-205-220	CASWELL, MICHAEL	GLENGARRY AVE VAC	17,700	17,700	402	R-2	0	110' x 248'	YES	YES	

3906-06-205-230	CASWELL, MICHAEL	GLENGARRY AVE VAC	19,000	19,000	402	R-2	0	110' x 309'	YES	YES	
3906-06-205-252	CASWELL, MICHAEL	GLENGARRY AVE VAC	15,500	15,324	402	R-2	0	60' x 307'	YES	YES	
3906-06-205-360	EARLEY, ERIC M. & SHERYL L.	GLENGARRY AVE VAC	13,700	13,568	402	R-2	100	110' x 175'	YES	YES	
3906-06-205-380	KLOOSTERMAN, TIMOTHY J. & KATHY	GLENGARRY AVE VAC	13,700	13,568	402	R-2	100	110' x 175'	YES	YES	
3906-06-205-470	LONG, FRANK	GLENGARRY AVE VAC	14,500	14,500	402	R-2	100	108' x 206'	YES	YES	
3906-06-205-510	ENGLISH, ROBERT & WENDY	NICHOLS RD VAC	14,900	14,900	402	R-2	100	112' x 200'	YES	YES	
3906-06-210-018	MCCLENNEY, ROBERT JR.	3802 GLENGARRY AVE	2,700	2,700	402	R-1	100	1.0 Acre	YES	YES	
3906-06-210-019	RAINER, JACENT & SHERYL	NICHOLS RD VACANT	29,100	29,100	402	R-1	100	4.5 Acres	YES	YES	
3906-06-215-090	KRAWUTSCHKE, PETER W. & ELEANOR	WINDING WAY VAC	18,600	13,816	402	R-1	100	110' x 319'	YES	YES	
3906-06-215-100	KRAWUTSCHKE, PETER W. & ELEANOR	WINDING WAY VAC	18,300	13,693	402	R-1	100	110' x 314'	YES	YES	
3906-06-215-210	SCHULMAN, RICHARD E. PH.D	ROCKWOOD DR VAC	15,600	15,600	402	R-1	100	114' x 213'	YES	YES	
3906-06-230-680	VANSTREAIN, MATTHEW E. & VALERIE	STONEGATE RD VAC	12,700	12,700	402	R-2	100	105' x 165'	YES	YES	
3906-06-230-810	VANDEVUSSE, DONALD G. & JANICE	RUNNYMEDE DR VAC	13,600	13,568	402	R-2	100	111' x 171'	YES	YES	
3906-06-230-820	FLORIAN, DAVID J.	RUNNYMEDE DR VAC	13,300	13,300	402	R-2	100	112' x 161'	YES	YES	
3906-06-290-200	UNDERHILL, ROBERT & JANICE R.	THORNHILL AVE VAC	10,300	10,300	402	R-1	100	89' x 152'	YES	YES	
3906-06-290-250	WIESSNER, JOHN PAUL & RUTH A.	THORNHILL AVE VAC	13,600	11,429	402	R-1	100	90' x 260'	YES	YES	
3906-06-290-310	ECHOLS, R. L.	LAUREL HILL ST VAC	9,500	9,457	402	R-1	100	71' x 203'	YES	YES	
3906-06-290-380	BOYD, ERNESTINE	STONEGATE RD VAC	11,500	10,000	402	R-1	100	100' x 150'	YES	YES	
3906-06-360-011	NORMAN, D. & NORMAN, M&P TRUST	N DRAKE RD VAC	82,100	60,770	402	R-2	100	23.5 Acres	YES	YES	
3906-06-365-034	BIRD, LLOYD J. II & LORI L.	SQUIRES LN VAC	7,700	6,983	402	R-2	100	48' x 134'	YES	YES	
3906-06-385-014	RHOADS, GALE A. TRUST	SQUIRES LN VAC	3,300	3,300	402	I-2	100	1.3 Acres	YES	YES	Wooded
3906-07-130-760	FRASER, ANN L. & WOODROW V. JR	CUMBERLAND ST VAC	1,300	1,300	402	R-2	100	66' x 132'	YES	YES	
3906-07-230-280	SLENKAI, JOSEPH	STOLK DR VAC	9,100	7,938	402	R-2	100	60' x 165'	YES	YES	
3906-07-235-050	YOUNG, CAVEL	3502 RAVINE RD	8,700	8,700	402	R-2	0	120' x 208'	YES	YES	
3906-07-255-390	CUNNINGHAM-POWELL, LOURETTA	TAMRACK ST VAC	1,300	1,300	402	R-2	100	66' x 132'	YES	YES	
3906-07-280-032	GRAND PRAIRIE HOLDINGS, LLC	GRAND PRAIRIE RD VAC	26,700	26,700	402	R-2	0	4.1 Acres	YES	YES	
3906-07-405-490	MERKLING, JUSTIN & ADRIANNE	PONTIAC AVE VAC	700	700	402	R-2	100	33' x 187'	YES	YES	
3906-07-420-530	TIMMERMAN, CRAIG E. & DIANE L	CHEROKEE ST VAC	8,700	3,278	402	R-2	0	74' x 187'	YES	YES	
3906-07-420-550	TIMMERMAN, CRAIG E. & DIANE L.	CHEROKEE ST VAC	8,700	3,278	402	R-2	0	74' x 186'	YES	YES	
3906-07-420-690	NEESER, MICHAEL J. II	SEMINOLE ST VAC	10,400	9,505	402	R-2	100	75' x 149'	YES	YES	
3906-07-421-011	KALAMAZOO COUNTY LAND BANK	OTTAWA AVE VAC	0	0	402	R-2	0	33' x 187'	YES	YES	Hill
3906-07-421-021	TIMMERMAN, CRAIG E. & DIANE L.	SEMINOLE ST VAC	300	300	402	R-2	0	33' x 297'	YES	YES	
3906-07-421-022	BARBOUR, FANNIE J. ESTATE	CHEROKEE ST VAC	300	150	402	R-2	100	33' x 297'	YES	YES	
3906-07-480-210	HEERES, CHRISTOPHER & JENNIFER	IROQUOIS TRL VAC	2,800	2,800	402	R-2	100	74' x 187'	YES	YES	
3906-07-495-012	ANDERSON, KEN RAYMOND & MARY	1303 NICHOLS RD	11,100	11,100	402	R-2	0	80' x 200'	YES	YES	
3906-08-115-020	HILLSIDE GRAVEL, LLC	NICHOLS RD VAC	10,100	10,100	402	R-2	0	6.8 Acres	YES	YES	
3906-08-235-027	PEAKE, JACK	BARNEY RD VAC	12,200	12,200	402	R-1	100	1.6 Acres	YES	YES	
3906-08-305-020	SNEDEKER STEVEN B & STEPHANIE	1802 NICHOLS RD	28,100	28,100	402	R-2	0	5.6 Acres	YES	YES	
3906-08-320-231	REDEKER DALE R & KATHERINE	KAYWOOD DR VAC	11,400	7,539	402	R-2	0	74' x 130'	YES	YES	
3906-08-380-014	GREEN, KIMBERLY B.	GRAND PRE AVE VAC	13,500	10,620	402	R-2	100	123' x 138'	YES	YES	
3906-08-380-016	BAIRD, JOSEPH G. & KELLY A.	ALAMO AVE VAC	13,500	9,225	402	R-2	0	123' x 138'	YES	YES	
3906-08-380-160	RUELLOT, VIVIANE	1418 COOLIDGE AVE	10,000	10,000	402	R-2	100	74' x 176'	YES	YES	
3906-08-380-270	JENNINGS, AMY J.	1367 GRAND PRE AVE	10,400	10,400	402	R-2	100	80' x 162'	YES	YES	
3906-08-380-290	CHEMLER, JOSEPH ANTHONY	1317 GRAND PRE AVE	10,600	10,600	402	R-2	100	87' x 143'	YES	YES	
3906-08-380-300	BACA, SARAH J.	1293 GRAND PRE AVE	10,600	10,600	402	R-2	100	91' x 130'	YES	YES	
3906-08-380-490	JACKSON, DAVID W. & MCALLISTER	1523 COOLIDGE AVE	10,200	10,200	402	R-2	100	88' x 129'	YES	YES	
3906-08-385-140	KALAMAZOO COUNTY TREASURER	FERNDALE AVE VAC	0	0	402	R-2	0	99' x 264'	YES	YES	Flat/No Trees

3906-08-410-032	YELSMA, PAUL & JULIE TRUSTEES	ALAMO AVE VAC	2,500	2,500	402	R-2	0	4.9 Acres	YES	YES	
3906-08-455-091	REED, KEITH W. & CATHERINE A.	ALAMO AVE VAC	9,400	8,864	402	R-2	100	81' x 280'	YES	YES	
3906-08-480-022	NELSON, H. CLARK	ALAMO AVE VAC	10,400	10,400	402	R-2	0	2.0 Acres	YES	YES	
3906-08-490-010	CORWIN, DAVID M. & KRISTI L.	VALE VIEW RD VAC	6,800	6,800	402	R-2	100	3.6 Acres	YES	YES	
3906-08-490-030	CORWIN, DAVID M. & KRISTI L.	VALE VIEW RD VAC	3,800	3,800	402	R-2	100	1.2 Acres	YES	YES	
3906-09-130-022	CARDOZA, JOSE L. & NANCY L.	BARNEY RD VAC	4,400	4,335	402	R-1	100	50' x 162'	YES	YES	
3906-09-155-010	BURNS, MICHAEL & BEALS, SHARIC	DOUGLAS AVE VAC	6,000	6,000	402	R-1	100	6.3 Acres	YES	YES	
3906-09-155-020	BURNS, MICHAEL & BEALS, SHARIC	DOUGLAS AVE VAC	9,500	9,500	402	C-1	100	10.0 Acres	YES	YES	
3906-09-155-030	BURNS, MICHAEL & BEALS, SHARIC	DOUGLAS AVE VAC	8,000	8,000	402	R-1	100	8.4 Acres	YES	YES	
3906-09-160-020	GLENN, KRISTY L. & ASBURY, LUC	DOUGLAS AVE VAC	5,900	5,782	402	C-1	100	66' x 165'	YES	YES	
3906-09-160-030	GLENN, KRISTY L. & ASBURY, LUC	DOUGLAS AVE VAC	5,100	5,057	402	C-1	100	57' x 165'	YES	YES	
3906-09-160-150	SUGGS, DARYLE LEE	ORCHARD AVE VAC	4,300	4,300	402	R-2	0	66' x 198'	YES	YES	
3906-09-160-160	RYAN, RAYMOND & RONNETTA	ORCHARD AVE VAC	4,300	4,300	402	R-2	0	66' x 198'	YES	YES	
3906-09-160-170	RYAN, RAYMOND & RONNETTA	ORCHARD AVE VAC	4,300	4,300	402	R-2	0	66' x 198'	YES	YES	
3906-09-160-190	HINKLEY, KYLE BRUCE	ORCHARD AVE VAC	8,600	8,600	402	R-2	0	132' x 198'	YES	YES	
3906-09-160-240	HINKLEY, KYLE BRUCE	ORCHARD AVE VAC	6,700	6,700	402	R-2	0	104' x 189'	YES	YES	
3906-09-210-070	PROUTY, ARTHUR A.	WOODWARD AVE VAC	6,000	2,245	402	R-2	0	99' x 305'	YES	YES	
3906-09-255-041	WRIGHT, SANDRA J. TRUSTEE	WOODWARD AVE VAC	8,100	7,950	402	R-2	100	134' x 300'	YES	YES	
3906-09-255-152	KALAMAZOO COUNTY TREASURER	2318.5 WOODWARD AVE	0	0	402	R-2	0	132' x 132'	YES	YES	Flat/No Trees
3906-09-280-010	ADAMS OUTDOOR ADVERTISING, LP	N WESTNEDGE AVE VAC	12,500	12,500	402	R-2	0	5.0 Acres	YES	YES	Flat/No Trees
3906-09-280-020	ADAMS OUTDOOR ADVERTISING, LP	N WESTNEDGE AVE VAC	14,800	14,800	402	R-2	0	6.0 Acres	YES	YES	Flat/No Trees
3906-09-280-030	MIRALTON DEVELOPMENT, LLC	AMSTERDAM ST VAC	7,100	7,100	402	R-2	0	2.8 Acres	YES	YES	
3906-09-285-090	MARTIN, RICHARD	519 AMSTERDAM ST VAC	2,700	627	402	R-2	0	82.5' x 91'	YES	YES	
3906-10-115-010	BULTEMA, MARJORIE & BULTEMA, R	N WESTNEDGE AVE VAC	11,400	11,324	402	C-1	0	99' x 274'	YES	YES	
3906-10-155-020	BUCHANAN, DOROTHY B.	N WESTNEDGE AVE VAC	3,300	2,889	402	R-2	0	99' x 370'	YES	YES	
3906-10-155-050	ALLEN, ANTWAIN & MEGAN	N WESTNEDGE AVE VAC	2,800	2,800	402	R-2	0	1.4 Acres	YES	YES	
3906-11-140-090	MACS PROPERTIES, LLC	2509 SHASTA ST	7,100	3,487	402	R-2	0	60' x 133'	YES	YES	
3906-11-140-280	WILLIAMS, RONEY & LENORA J.	2339 MT OLIVET RD	8,600	4,671	402	R-2	0	77' x 121'	YES	YES	
3906-11-405-011	DREAM MANAGEMENT LLC	1929 GULL RD VAC	23,400	23,400	402	RM-2	0	193' x 200'	YES	YES	Flat/Few Trees
3906-11-405-051	BORGESS HEALTH ALLIANCE INC.	GULL RD VAC	11,600	10,576	402	RM-2	0	100' x 183'	YES	YES	Flat/Few Trees
3906-11-405-060	OLONIKA GROUP LLC	HENSON AVE VAC	5,700	5,700	402	RM-2	0	41' x 264'	YES	YES	
3906-11-405-110	BORGESS MEDICAL CENTER	HENSON AVE VAC	11,500	10,453	402	RM-2	0	82.5' x 264'	YES	YES	
3906-11-405-120	BORGESS HEALTH ALLIANCE INC.	HENSON AVE VAC	23,000	21,808	402	RM-2	0	1.0 Acre	YES	YES	
3906-11-405-140	BORGESS MEDICAL CENTER	HENSON AVE VAC	11,500	10,453	402	RM-2	0	82.5' x 264'	YES	YES	
3906-11-405-150	BORGESS MEDICAL CENTER	1918 HENSON AVE	6,200	5,655	402	RM-2	0	62.5' x 134'	YES	YES	
3906-11-405-230	BORGESS HOSPITAL	HENSON AVE VAC	10,000	10,000	402	RM-2	0	163.5' x 294'	YES	YES	
3906-11-405-240	BORGESS MEDICAL CENTER	1911 HENSON AVE	16,900	15,998	402	RM-2	0	124' x 254.5'	YES	YES	
3906-11-405-250	BORGESS MEDICAL CENTER	HENSON AVE VAC	11,800	10,700	402	RM-2	0	87' x 249'	YES	YES	
3906-11-405-601	BORGESS MEDICAL CENTER	SHAFFER ST VAC	7,800	7,132	402	RM-2	0	75' x 149'	YES	YES	
3906-11-435-051	GOWENS, RONALD E.	GULL RD VAC	9,400	8,610	402	RM-2	100	95' x 134'	YES	YES	
3906-11-435-291	BORGESS HEALTH ALLIANCE INC.	GULL RD VAC	17,200	15,621	402	R-2	0	130' x 238'	YES	YES	Flat/Few Trees
3906-11-470-050	ANSON, JEFFREY R.	HUMPHREY ST VAC	4,100	4,100	402	RM-2	100	66' x 297'	YES	YES	
3906-11-480-272	KALAMAZOO TOWNSHIP HOUSING PARTN	ELKERTON AVE VAC	5,100	4,794	402	R-2	0	66' x 170'	YES	YES	
3906-11-485-043	HUFFMAN, ANNETTE JOY	SEEMORE AVE VAC	3,000	2,373	402	R-2	100	209' x 98'	YES	YES	
3906-11-490-010	HEUSER, JASON MICHAEL	HUMPHREY ST VAC	5,900	5,900	402	RM-2	100	95' x 297'	YES	YES	Flat/Few Trees
3906-11-490-040	VISIONS OF VICTORY CHURCH OF GOD	HUMPHREY ST VAC	8,100	8,100	402	RM-2	0	132' x 297'	YES	YES	Flat/Wooded
3906-12-155-010	GRAHAM, L. SERENA ESTATE	GULL RD VAC	11,600	10,405	402	R-1	100	120' x 110'	YES	YES	Flat/No Trees

3906-12-155-050	STAFFORD, DELIA	LAKEWOOD DR VAC	9,300	8,348	402	R-1	100	82' x 152'	YES	YES	Flat/No Trees
3906-12-155-080	STAFFORD, DELIA	GULL RD VAC	12,900	11,562	402	R-1	100	115' x 150'	YES	YES	Flat/No Trees
3906-12-155-280	KWIATKOWSKI, JOSEPH E. & RENEE	CLARK AVE VAC	9,100	9,100	402	R-1	0	85' x 133'	YES	YES	Flat/No Trees
3906-12-160-020	VOISSEM, KURT	BROOK DR VAC	7,000	5,295	402	R-1	100	66' x 140'	YES	YES	Flat/No Trees
3906-12-290-250	DELOS ANGELES, CLARO S. & RAQUEL	2102 SUNSPRITE DR	6,500	6,500	402	R-2	100	90.5 x 111 '	YES	YES	Flat/No Trees
3906-12-305-250	SCHAUER, DANA	ASBURY AVE VAC	5,900	5,900	402	R-1	100	123' x 132'	YES	YES	Flat/No Trees
3906-12-355-200	ARTER-CUNNINGHAM, ALICIA	WAVERLY DR VAC	6,100	6,100	402	R-2	100	65' x 110'	YES	YES	Flat/Few Trees
3906-12-356-010	GORDIAN 2020, LLC	STAMFORD AVE VAC	5,700	5,209	402	R-2	0	65' x 111'	YES	YES	Flat/Few Trees
3906-12-375-090	KALAMAZOO COUNTY LAND BANK	1512 WOODROW DR	0	0	402	R-2	0	44' x 132'	YES	YES	Flat
3906-12-378-220	SHILTS, ROBERT & SAY	BAKER DR VAC	6,800	6,203	402	R-2	100	66' x 133'	YES	YES	Flat/No Trees
3906-12-381-080	KALAMAZOO COUNTY TREASURER	UPLAND DR VAC	0	0	402	R-2	0	66' X 132'	YES	YES	Flat/No Trees
3906-12-405-050	RIORDAN, MICHAEL	EDNA BLVD VAC	6,700	6,700	402	R-2	100	82' x 82'	YES	YES	
3906-12-410-016	WRIGHT, RAYMOND DAVIS	MULHEARN AVE VAC	5,600	2,551	402	R-2	0	111' x 125'	YES	YES	
3906-12-420-780	DUNN, CARIE M.	TAMPA ST VAC	10,500	7,546	402	R-2	100	99' x 140'	YES	YES	
3906-12-435-020	GONZALES, MANDY	E MAIN ST VAC	3,100	3,100	402	R-2	0	84' x 398'	YES	YES	
3906-12-435-030	YOUNG, CAVEL	3827 E MAIN ST	6,100	6,100	402	R-2	0	84' x 381'	YES	YES	
3906-12-435-320	WILKES. ALEXANDER RUSSELL	HUNTINGTON AVE VAC	9,000	9,000	402	R-2	100	100' x 403'	YES	NO	
3906-12-435-420	LANGDON, ROBERT	HUNTINGTON AVE VAC	9,000	9,000	402	R-2	100	100' x 403'	YES	NO	
3906-12-435-473	BEATY, NATHAN WAYNE ESTATE	FRANCIS AVE VAC	6,400	5,706	402	R-2	0	100' x 200'	NO	NO	
3906-12-435-700	MARTINI, PAUL H. & PENNY	HUNTINGTON AVE VAC	8,900	7,942	402	R-2	100	96' x 420'	YES	NO	
3906-12-435-730	HOWARD, DARREN	HUNTINGTON AVE VAC	8,900	8,900	402	R-2	0	96' x 420'	YES	NO	
3906-12-435-740	HOWARD, DARREN	HUNTINGTON AVE VAC	8,900	1,614	402	R-2	0	96' x 420'	YES	NO	
3906-12-455-450	SCHANTZ, THOMAS E. & RUTH ANN	1504 BAKER DR VAC	11,300	10,174	402	R-2	0	142' x 316'	YES	YES	
3906-13-111-950	THOMASON, PAULA S.	IRA AVE VAC	4,300	3,597	402	R-2	0	46' x 132'	YES	YES	
3906-13-117-020	MORALES, FERNANDO A. JUARICO	553 GAYLE AVE	4,400	4,400	402	R-2	0	46' x 135'	YES	YES	
3906-13-117-120	DUGAN, JENNA	GAYLE AVE VAC	4,300	4,300	402	R-2	0	46' x 135'	YES	YES	
3906-13-117-200	SUTFIN, RONALD	LUM AVE VAC	4,300	1,614	402	R-2	100	46' x 135'	YES	YES	
3906-13-130-480	MARTON, DENNIS & TONYA	547 DAYTON AVE	3,900	3,881	402	R-2	0	42' x 132'	YES	YES	
3906-13-130-600	DIAMOND, KIMBERLY J.	CHARLES AVE VAC	1,000	467	402	R-2	100	46' x 110'	YES	YES	
3906-13-130-610	FLAMM, KIRK & SAVERY, RHEA	CHARLES AVE VAC	1,400	1,400	402	R-2	100	66' x 110'	YES	YES	
3906-13-130-620	FLAMM, KIRK & SAVERY, RHEA	CHARLES AVE VAC	1,400	1,400	402	R-2	100	66' x 110'	YES	YES	
3906-13-130-630	FLAMM, KIRK & SAVERY, RHEA	CHARLES AVE VAC	1,500	1,500	402	R-2	100	69' x 110'	YES	YES	
3906-13-135-162	MCALLISTER, DANIEL I. & SARAH	ARTHUR AVE VAC	4,700	4,700	402	R-2	100	50' x 132'	YES	YES	
3906-13-135-500	BRINKERT, BRIAN	CHARLES AVE VAC	500	500	402	R-2	0	68' x 110'	YES	YES	
3906-13-135-510	FLAMM, KIRK & SAVERY, RHEA	CHARLES AVE VAC	500	500	402	R-2	100	60' x 110'	YES	YES	
3906-13-135-530	FLAMM, KIRK & SAVERY, RHEA	CHARLES AVE VAC	3,200	3,200	402	R-2	100	110' x 198'	YES	YES	
3906-13-140-451	KALAMAZOO COUNTY LAND BANK	DWILLARD DR VAC	0	0	402	R-1	0	99' x 132'	YES	YES	Hill
3906-13-140-452	BATCH, MARCIA	DWILLARD DR VAC	500	500	402	R-1	0	99' x 132'	YES	YES	
3906-13-140-490	PLOCHOCKI, WILLIAM & CONSTANCE	DWILLARD DR VAC	500	500	402	R-1	100	124' x 132'	YES	YES	
3906-13-141-232	BATCH, MARCIA	ASHLEY DR VAC	500	500	402	R-2	0	149' x 132'	YES	YES	
3906-13-141-241	PLOCHOCKI, WILLIAM & CONSTANCE	ASHLEY DR VAC	500	429	402	R-1	100	198' x 132'	YES	YES	
3906-13-141-242	PLOCHOCKI, WILLIAM & CONSTANCE	ASHLEY DR VAC	500	500	402	R-2	100	99' x 132'	YES	YES	
3906-13-141-260	BATCH, MARCIA	ASHLEY DR VAC	500	500	402	R-1	0	1.4 Acres	YES	YES	
3906-13-215-911	MATER PROPERTIES, LLC	KENILWORTH AVE VAC	8,800	8,064	402	R-2	0	82' x 132'	YES	YES	
3906-13-215-930	SCHANTZ, THOMAS E. & RUTH A.	KENILWORTH AVE VAC	7,100	4,319	402	R-2	100	66' x 132'	YES	YES	
3906-13-255-060	COX, BRYAN	KENILWORTH AVE VAC	6,500	5,955	402	R-2	100	60' x 132'	YES	YES	
3906-13-255-072	MATER PROPERTIES, LLC	KENILWORTH AVE VAC	8,800	8,064	402	R-2	0	82' x 132'	YES	YES	

3906-13-305-022	ANDERSON, JOHN	WASHBURN AVE VAC	1,600	1,486	402	R-2	100	100' x 132'	YES	YES	
3906-13-306-010	HAMILTON, JACK C.	CHARLES AVE VAC	1,500	1,361	402	R-2	100	93' x 132'	YES	YES	
3906-13-306-112	LANCASTER, SEAN F.	DELL AVE VAC	5,900	5,209	402	R-2	100	1.7 Acres	YES	YES	
3906-13-310-020	HAMILTON, JACK C.	CHARLES AVE VAC	2,600	2,220	402	R-2	100	137' x 176'	YES	YES	
3906-13-310-040	FLAMM, KIRK & SAVERY, RHEA	CHARLES AVE VAC	3,800	3,800	402	R-2	100	1.0 Acre	YES	YES	
3906-13-310-072	TURNER, LEONARD & TAMMY M.	DARLING ST VAC	3,600	3,080	402	R-2	100	1.0 Acre	YES	YES	
3906-13-315-050	TURNER III, LEONARD & TAMMY	DARLING ST VAC	1,700	1,486	402	R-2	100	70' x 302'	YES	YES	
3906-14-430-070	TRAINER, JEFF	1103 FENIMORE AVE	3,400	3,292	402	R-2	100	49' x 132'	YES	YES	
3906-14-430-170	THOMAS INVESTMENTS & MANAGEMENT	FENIMORE AVE VAC	4,100	3,473	402	R-2	0	41' x 273'	YES	YES	
3906-14-430-250	THOMAS INVESTMENTS & MANAGEMENT	E MAIN ST VAC	10,000	8,190	402	C-2	0	132' x 152'	YES	YES	
3906-14-430-280	KALAMAZOO COUNTY LAND BANK	HUMPHREY ST VAC	0	0	402	R-2	0	66' x 144'	YES	YES	Flat
3906-14-430-710	HAMILTON ESTATES LLC	E MAIN ST VAC	4,900	4,900	402	C-2	0	66' x 144'	YES	YES	
3906-14-431-081	KALAMAZOO COUNTY LAND BANK	905 FENIMORE AVE VAC	0	0	402	C-2	0	90' x 65'	YES	YES	Flat
3906-14-431-091	KALAMAZOO COUNTY LAND BANK	2014 E MAIN ST VAC	0	0	402	C-2	0	198' x 144'	YES	YES	Flat
3906-14-431-610	KALAMAZOO COUNTY LAND BANK	1026 COOPER AVE VAC	0	0	402	R-2	0	33' x 155'	YES	YES	Flat
3906-14-432-110	GIBBS, TINA	607 FENIMORE AVE VAC	2,400	1,982	402	R-2	0	33' x 144'	YES	YES	
3906-14-432-140	KALAMAZOO COUNTY LAND BANK	701 FENIMORE AVE VAC	0	0	402	R-2	0	56' x 144'	YES	YES	Flat
3906-14-433-040	TURNER, CHARLES & YENA	WALLACE AVE VAC	7,300	7,300	402	R-2	100	99' x 144'	YES	YES	
3906-14-433-110	STATE WIDE RENTALS, LLC	502 WALLACE AVE	3,600	2,976	402	R-2	0	49' x 144'	YES	YES	
3906-14-433-150	GARCIA, SAMANTHA & PHILLIPS, C	511 FENIMORE AVE	3,600	3,600	402	R-2	0	49' x 144'	YES	YES	
3906-14-433-180	KALAMAZOO COUNTY LAND BANK	521 FENIMORE AVE	0	0	402	R-2	0	49' x 144'	YES	YES	Flat
3906-14-433-330	TAYLOR, JAMIE	CHICAGO AVE VAC	4,900	3,970	402	R-2	0	66' x 144'	YES	YES	Flat
3906-14-433-430	MATZ, ANN K.	CHICAGO AVE VAC	3,300	3,300	402	R-2	100	66' x 150'	YES	YES	
3906-14-433-500	JONES STRONG PROPERTIES LLC	COOPER AVE VAC	9,900	8,190	402	R-2	100	132' x 150'	YES	YES	
3906-14-434-020	SMITH, TREVOR & PETERMAN, JODY	CHARLES AVE VAC	1,000	866	402	R-2	100	66' x 111'	YES	YES	
3906-14-434-050	MCCANN, ANDREW	CHARLES AVE VAC	1,700	1,136	402	R-2	0	99' x 148'	YES	YES	
3906-14-434-060	KALAMAZOO COUNTY LAND BANK	CHARLES AVE VAC	0	0	402	R-2	0	33' x 144'	YES	YES	Wooded/Rolling
3906-14-434-070	CHARTER TOWNSHIP OF KALAMAZOO	CHICAGO AVE VAC	0	0	402	R-2	0	33' x 144'	YES	YES	Wooded/Rolling
3906-14-434-100	WAFFORD, STEFFON	CHICAGO AVE VAC	600	491	402	R-2	0	33' x 144'	YES	YES	
3906-14-434-110	BROWN, TIMOTHY	CHICAGO AVE VAC	1,300	1,300	402	R-2	0	75' x 141'	YES	YES	
3906-14-434-120	GENISIS J & K, LLC	OAK OPENINGS VAC	700	615	402	R-2	0	40' x 132'	YES	YES	
3906-14-434-237	MCCANN, ANDREW	THE DELLS VAC	800	739	402	R-2	0	117' x 91'	YES	YES	
3906-14-434-241	KALAMAZOO COUNTY TREASURER	THE DELLS VAC	3,100	2,602	402	R-2	0	37' x 185'	YES	YES	
3906-14-434-251	MCCANN, ANDREW	THE DELLS VAC	2,800	1,571	402	R-2	0	161' x 150'	YES	YES	
3906-14-434-280	GRAY, HELEN	CHICAGO AVE VAC	3,900	3,900	402	R-2	100	56' x 132'	YES	YES	
3906-14-434-290	MANN, RANDY L. & CYNTHIA	OONAH PL VAC	1,100	987	402	R-2	0	66' x 143'	YES	YES	
3906-14-434-300	MANN, RANDY L. & CYNTHIA	CHICAGO AVE VAC	600	491	402	R-2	0	36' x 135'	YES	YES	
3906-14-434-310	MANN, RANDY L. & CYNTHIA	OONAH PL VAC	600	491	402	R-2	0	36' x 136'	YES	YES	
3906-14-434-320	SUESS, TRACIE L. & STONE, SAND	4113 WALDORF PL VAC	600	491	402	R-2	0	36' x 142'	YES	YES	
3906-14-434-340	MANN, RANDY L. & CYNTHIA	OONAH PL VAC	1,100	987	402	R-2	0	66' x 142'	YES	YES	
3906-14-440-022	LANDREVILLE, WILLIAM G. & CHRI	THE DELLS VAC	1,200	1,200	402	R-2	0	2.0 Acres	YES	YES	
3906-17-131-192	REAU ME, ADAM & MANCINO, JESSICA	JENKS BLVD VAC	18,200	13,155	402	R-2	100	50' x 132'	YES	YES	
3906-17-132-281	WATSON, KELLEY	GRAND PRE AVE VAC	13,200	13,200	402	R-2	100	100' x 132'	YES	YES	
3906-17-132-331	MONTAGUE, MELISSA A. TRUSTEE	JENKS BLVD VAC	14,400	14,400	402	R-2	100	150' x 132'	YES	YES	
3906-17-132-511	BEACON HOME AT KALAMAZOO, LLC	W MAIN ST VAC	4,900	4,900	402	R-2	0	50' x 124'	YES	YES	
3906-17-132-521	BEACON HOME AT KALAMAZOO, LLC	W MAIN ST VAC	6,400	6,400	402	R-2	0	97' x 132'	YES	YES	
3906-17-135-230	REED, WALTER LARRY	FLETCHER AVE VAC	8,700	7,575	402	R-2	100	66' x 132'	YES	YES	

3906-17-210-760	SIMPSON, GARY & CINDY	CROWN ST VAC	10,100	10,100	402	R-2	100	59' x 223'	YES	YES	
3906-17-230-021	FURDERER, WANDA M.	1025 BROWNELL ST	3,400	2,282	402	R-2	0	0.9 Acres	YES	YES	
3906-17-230-030	KALAMAZOO COUNTY LAND BANK	N BERKLEY ST VAC	0	0	402	R-2	0	50' x 171'	YES	YES	
3906-17-235-170	COLLINS-JENKINS, CINDY	WARREN PL VAC	5,700	5,085	402	R-2	100	50' x 100'	YES	YES	
3906-17-235-200	COLLINS-JENKINS, CINDY	WARREN PL VAC	5,700	5,007	402	R-2	100	50' x 100'	YES	YES	
3906-17-235-311	COULTES, LINDA	WARREN PL VAC	11,400	6,672	402	R-2	0	100' x 100'	YES	YES	
3906-17-235-360	SANCHEZ, MIGUEL & ANNIE	BROWNELL ST VAC	5,700	5,700	402	R-2	100	50' x 100'	YES	YES	
3906-17-235-390	WOLIN, JESSICA A.	BROWNELL ST VAC	5,700	3,249	402	R-2	0	50' x 100'	YES	YES	
3906-17-235-402	JAKUBIELSKI, ANDREW & MEGAN	WARREN PL VAC	8,100	8,100	402	R-2	100	50' x 200'	YES	YES	
3906-17-235-480	BARRESI, DANIEL F. & GLASS, DO	BROWNELL ST VAC	5,700	5,007	402	R-2	100	50' x 100'	YES	YES	
3906-17-256-690	ILL, CARL H. & ARIADNE Z. TRU	WEALTHY AVE VAC	6,500	5,649	402	R-2	100	50' x 131'	YES	YES	
3906-17-280-060	RAMSEY, MARIA MION	N BERKLEY ST VAC	8,300	7,624	402	R-2	100	198' x 462'	YES	YES	
3906-17-280-102	ONE DAY, LLC	627 N BERKLEY ST	4,500	2,254	402	R-2	0	150' x 150'	YES	YES	
3906-17-290-120	KAJYIBWAMI, MAYAY &	N DARTMOUTH ST VAC	4,800	4,800	402	R-2	100	40' x 137'	YES	YES	
3906-17-295-050	MCBRIEN, BEVERLY ANN	N CLARENDON ST VAC	3,300	3,300	402	R-2	100	44' x 133'	YES	YES	
3906-17-295-060	MCBRIEN, BEVERLY ANN & SCHMITT	N BERKLEY ST VAC	3,300	2,022	402	R-2	100	44' x 133'	YES	YES	
3906-17-295-070	MCBRIEN, BEVERLY ANN	N CLARENDON ST VAC	3,300	3,300	402	R-2	100	44' x 132'	YES	YES	
3906-17-295-090	MCBRIEN, BEVERLY ANN	N CLARENDON ST VAC	3,300	3,300	402	R-2	100	44' x 132'	YES	YES	
3906-17-297-020	ANDERSON, GERRITT PAUL	N ARLINGTON ST VAC	3,700	3,700	402	RM-2	100	132' x 124'	YES	YES	
3906-17-305-011	BHW DEVELOPERS, LLC	2907 W MAIN ST	18,400	18,400	402	RM-2	0	114' x 241'	YES	YES	
3906-17-305-021	BHW DEVELOPERS, LLC	2915 W MAIN ST	19,200	19,200	402	RM-2	0	112' x 270'	YES	YES	
3906-17-305-022	BHW DEVELOPERS, LLC	W MAIN ST VAC	6,300	6,300	402	RM-2	0	162' x 220'	YES	YES	
3906-17-305-330	KALAMAZOO PROPERTY CORP.	114 N KENDALL AVE	83,400	74,346	402	RM-3	0	1.80 Acres	YES	YES	
3906-17-305-380	BHW DEVELOPERS, LLC	N KENDALL AVE VAC	16,200	16,200	402	RM-2	0	130' x 305'	YES	YES	
3906-17-320-110	LATVIAN EVANGELICAL LUTHERAN	CHERRY HILL ST	0	0	402	R-1	0	82' x 100'	YES	YES	Flat/No Trees
3906-17-320-130	WHITE, MONROE & BETTY J.	CHERRY HILL ST VAC	5,900	5,900	402	R-1	100	83' x 100'	YES	YES	
3906-17-320-220	FRYBARGER, EDWARD P. & MALINDA	SANTOS ST VAC	8,300	7,962	402	R-1	100	80' x 100'	YES	YES	
3906-17-335-060	TEMUHLN, PAULA & DAVID	SYDELLE AVE VAC	7,500	7,500	402	R-2	100	66' x 120'	YES	YES	
3906-17-335-090	VANDEGIESSEN, CLARE & ZIGRIDA	SYDELLE AVE VAC	7,500	6,115	402	R-2	100	66' x 120'	YES	YES	
3906-17-335-182	SLAUGH, PETER M. TRUST	BEVERLY DR VAC	1,300	1,198	402	R-2	0	66' x 150'	YES	YES	
3906-17-420-550	DANMAR REAL ESTATE & INVESTMENTS	GILKISON AVE VAC	5,000	4,919	402	RM-2	0	66' x 132'	YES	YES	
3906-17-420-941	ELSHOLZ, SONJA	GILKISON AVE VAC	5,800	5,800	402	R-2	100	50' x 132'	YES	YES	
3906-17-430-460	MIKE C. FIVE, INC.	N CLARENDON ST	600	586	402	RM-2	0	29' x 46'	YES	YES	Combine 2 Lots
3906-17-430-480	MIKE C. FIVE, INC.	N CLARENDON ST	3,800	3,348	402	RM-2	0	46' x 66'	YES	YES	Combine 2 Lots
3906-17-435-100	WENG, LEIHUA	S ARLINGTON ST VAC	6,300	5,458	402	R-2	100	54' x 129'	YES	YES	
3906-17-436-120	JORTH, ROBERT A.	N CLARENDON ST VAC	7,400	7,379	402	R-2	100	99' x 132'	YES	YES	
3906-17-436-380	MILLER, GREGORY S. & CARRIE A.	GROVE ST VAC	7,700	6,886	402	R-2	0	66' x 132'	YES	YES	
3906-17-491-060	HENDERSON-POSTHER, ADAM L. &	GRAND AVE VAC	5,600	4,838	402	R-2	100	50' x 121'	YES	YES	
3906-18-430-020	BRI-VAL LLC	3403 W MAIN ST	18,300	17,372	402	RM-2	0	124' x 200'	YES	YES	
3906-18-430-030	BRI-VAL LLC	W MAIN ST VAC	15,600	15,600	402	PUD	0	3.0 Acres	YES	YES	
3906-18-430-040	BRI-VAL LLC	W MAIN ST VAC	14,100	14,100	402	PUD	0	3.0 Acres	YES	YES	
3906-18-430-051	BRI-VAL LLC	SABIN ST VAC	5,400	5,400	402	R-2	0	1.0 Acre	YES	YES	
3906-18-440-010	BRI-VAL LLC	SABIN ST VAC	5,300	5,300	402	R-2	0	79' x 247'	YES	YES	
3906-18-440-020	BRI-VAL CO.	SABIN ST VAC	10,000	10,000	402	R-2	0	2.0 Acres	YES	YES	
3906-18-440-030	KEISER, LAURA & URNESS, TODD	SABIN ST VAC	6,500	6,500	402	R-2	100	75' x 146'	YES	NO	
3906-18-445-022	MACINNIS, ROBERT	OLON ST VAC	3,100	3,100	402	R-2	100	83' x 109'	YES	YES	
3906-18-445-024	WHITE, MONROE	OLON ST VAC	900	866	402	R-2	0	83' x 109'	YES	YES	

3906-18-445-025	WHITE, BETTY J,	SOLON ST VAC	1,700	1,613	402	R-2	100	153' x 109'	YES	NO	
3906-18-480-040	WHITE, MONROE	SOLON ST VAC	3,300	3,300	402	R-2	100	108' x 389'	YES	NO	
3906-23-435-910	MPW LAND COMPANY	SCHUSTER ST VAC	2,700	2,700	402	RM-2	0	50' x 119'	YES	YES	
3906-23-435-920	MPW LAND COMPANY	1431 SCHUSTER ST	3,500	3,500	402	RM-2	0	66' x 118'	YES	YES	
3906-23-436-080	KALAMAZOO COUNTY LAND BANK	1928 EGLESTON AVE VAC	0	0	402	RM-2	0	56' x 77'	YES	YES	Flat
3906-23-480-070	DOZEMAN, KEVIN	1527 SHAKESPEARE ST	2,800	2,800	402	RM-2	0	50' x 127'	YES	YES	
3906-23-480-120	ELLIOTT, EDWARD L.	SCHUSTER ST VAC	2,600	786	402	RM-2	100	50' x 114'	YES	YES	
3906-23-480-140	M.P.W. LAND COMPANY	1533 SCHUSTER ST	5,200	5,200	402	RM-2	0	100' x 111'	YES	YES	
3906-24-305-060	PASCARELLA, DAVID ANTHONY	3111 CARLETON AVE	1,800	1,800	402	R-2	0	82' x 194'	YES	YES	
3906-24-305-191	VALTCHEV, KIRIL	2825 CARLETON AVE	4,700	4,700	402	R-2	0	99' x 164'	YES	YES	
3906-24-305-210	XAYPHANNHA, HOLLY & OUDIE	CARLETON AVE VAC	2,100	2,100	402	R-2	0	50' x 132'	YES	YES	
3906-24-305-220	CARR FAMILY TRUST	CARLETON AVE VAC	2,100	2,100	402	R-2	0	50' x 132'	YES	YES	
3906-24-305-340	MONTAGUE, DAVID W.	ST JOE AVE VAC	1,700	1,700	402	R-2	100	50' x 91'	YES	YES	
3906-24-305-600	DELEEUW, RONALD & MARLENE	1001 WILLIS AVE	4,300	4,300	402	R-2	100	105' x 124'	YES	YES	
3906-24-305-690	VICTORY WORSHIP CENTER	WILLIS AVE VAC	0	0	402	R-2	0	50' x 120'	YES	YES	
3906-24-305-770	KALAMAZOO COUNTY LAND BANK	CARLETON AVE VAC	0	0	402	R-2	0	50' x 126'	YES	YES	
3906-24-305-820	KALAMAZOO COUNTY LAND BANK	938 LAMONT AVE VAC	0	0	402	R-2	0	49' x 108'	YES	YES	
3906-24-305-830	BROWN, WILLIAM & KIMBERLY	WILLOW BLVD VAC	1,900	1,900	402	R-2	100	50' x 112'	YES	YES	
3906-24-305-870	CHARTER TOWNSHIP OF KALAMAZOO	1002 DUPONT AVE	0	0	402	R-2	0	55.5' x 123.75'	YES	YES	Low/Wet
3906-24-305-880	KALAMAZOO COUNTY LAND BANK	DUPONT AVE VAC	0	0	402	R-2	0	49.5' x 123.75'	YES	YES	Low/Wet
3906-24-305-940	NWOKENTA, ABRAHAM	FIELD AVE VAC	2,000	2,000	402	R-2	0	49.5' x 122'	YES	YES	
3906-24-306-010	SEHY RONALD D & ROSELEIN	CARLETON AVE VAC	4,100	3,865	402	R-2	100	99' x 126'	YES	YES	
3906-24-306-030	SEHY RONALD D & ROSELEIN J	CARLETON AVE VAC	2,000	2,000	402	R-2	100	49.5' x 126'	YES	YES	
3906-24-306-110	REHOBOTH MINISTRIES	1120 DUPONT AVE	3,300	3,300	402	R-2	0	80' x 124'	YES	YES	
3906-24-306-140	BROWN, ROBERT WENDELL, JR.	DUPONT AVE VAC	2,000	467	402	R-2	0	49.5' x 118'	YES	YES	
3906-24-306-160	RUSSELL, DAVID	DUPONT AVE VAC	2,000	2,000	402	R-2	0	49.5' x 118'	YES	YES	
3906-24-306-210	BROWN, ROBERT W. JR.	LAMONT AVE VAC	2,000	786	402	R-2	0	49.5' x 118'	YES	YES	
3906-24-306-220	BROWN, ROBERT W. JR.	LAMONT AVE VAC	2,000	628	402	R-2	0	49.5' x 118'	YES	YES	
3906-24-306-230	BROWN, ROBERT W. JR.	LAMONT AVE VAC	2,000	467	402	R-2	0	49.5' x 118'	YES	YES	
3906-24-306-240	BARNES, BRIAN	WILLIS AVE VAC	2,000	2,000	402	R-2	0	49.5' x 124'	YES	YES	
3906-24-306-270	J & J BAIL BONDS AGENCY INC.	LAMONT AVE VAC	2,300	2,300	402	R-2	0	55.5' x 124'	YES	YES	
3906-24-306-540	OISTEN, MICHAEL	MELROSE AVE VAC	2,000	2,000	402	R-2	100	49.5' x 124'	YES	YES	
3906-24-306-550	BARNES, BRIAN	MELROSE AVE VAC	2,000	2,000	402	R-2	0	49.5' x 124'	YES	YES	
3906-24-306-560	BARNES, BRIAN	MELROSE AVE VAC	2,000	2,000	402	R-2	0	49.5' x 124'	YES	YES	
3906-24-402-010	PARTANEN, DOROTHY	OLMSTEAD RD VAC	2,500	1,968	402	R-2	100	44' x 132'	YES	YES	
3906-24-405-070	GREENHEAD II, LLC	MARKET ST VAC	2,600	2,600	402	R-2	0	44' x 140'	YES	YES	
3906-24-405-280	AVILA, MARIA ELENA PAVEDA	3223 SPRINGFIELD AVE	5,100	5,100	402	R-2	100	88' x 140'	YES	YES	
3906-24-405-320	JARVIS, ROBIN E. & JARVIS, JER	SPRINGFIELD AVE VAC	600	600	402	R-2	0	44' x 140'	YES	YES	
3906-24-405-430	ARISPE, CATARINO M & CHRISTINE	BROOKFIELD AVE VAC	2,600	2,169	402	R-2	100	44' x 140'	YES	YES	
3906-24-405-450	NONATO, OMAR & LUZ, BRENDA SAN	BROOKFIELD AVE VAC	2,600	2,600	402	R-2	0	44' x 140'	YES	YES	
3906-24-405-460	KALAMAZOO COUNTY LAND BANK	BROOKFIELD AVE VAC	0	0	402	R-2	0	44' x 140'	YES	YES	
3906-24-405-470	KALAMAZOO COUNTY LAND BANK	BROOKFIELD AVE VAC	0	0	402	R-2	0	44' x 140'	YES	YES	
3906-24-405-480	ANDERSON, JOSEPH L.	BROOKFIELD AVE VAC	600	600	402	R-2	0	44' x 140'	YES	YES	
3906-24-405-640	JOHNSON, WILLIAM	BROOKFIELD AVE VAC	2,600	2,600	402	R-2	0	44' x 140'	YES	YES	
3906-24-405-700	KC'S AUTO RESOURCE SERVICES, L	3316 GREENFIELD AVE	1,900	1,900	402	R-2	0	44' x 140'	YES	YES	
3906-24-405-710	WILLIAMS, LENORA JEAN	3312 GREENFIELD AVE	1,900	1,900	402	R-2	0	44' x 140'	YES	YES	
3906-24-405-750	PROCTOR, CURTIS A.	3228 GREENFIELD AVE	1,900	1,900	402	R-2	0	44' x 140'	YES	YES	

3906-24-415-060	MIDWEST GUTTER SYSTEMS LLC	1117 CROSSFIELD AVE	2,900	2,900	402	R-2	0	91' x 186'	YES	YES	
3906-24-415-074	SOSSOMAN, JEFF	LAKE ST VAC	6,500	6,500	402	R-2	100	2.27 Acres	YES	YES	
3906-24-415-090	ROBERTS, RANDY & SARA	CROSSFIELD AVE VAC	7,300	7,300	402	R-2	100	2.5 Acres	YES	YES	
3906-24-430-060	HOLMES, FRANK & LISA	3637 MARKET ST	9,500	9,500	402	R-2	0	3.0 Acres	YES	YES	
3906-24-455-060	COUNTY OF KALAMAZOO	1442 OLMSTEAD RD VAC	0	0	402	PUD	0	74' x 250'	YES	YES	Flat
3906-24-455-070	COUNTY OF KALAMAZOO	1502 OLMSTEAD RD VAC	0	0	402	R-2	0	80' x 260'	YES	YES	Flat
3906-24-455-080	COUNTY OF KALAMAZOO	OLMSTEAD RD VAC	0	0	402	PUD	0	80' x 295'	YES	YES	Flat
3906-24-455-090	COUNTY OF KALAMAZOO	OLMSTEAD RD VAC	0	0	402	PUD	0	136' x 323'	YES	YES	Flat
3906-24-455-110	COUNTY OF KALAMAZOO	OLMSTEAD RD VAC	0	0	402	PUD	0	94' x 312'	YES	YES	Flat
3906-24-455-120	COUNTY OF KALAMAZOO	1622 OLMSTEAD RD	0	0	402	PUD	0	160' x 551'	YES	YES	Flat
3906-24-455-130	COUNTY OF KALAMAZOO	1710 OLMSTEAD RD VAC	0	0	402	R-2	0	69' x 600'	YES	YES	Flat
3906-24-460-097	VRONKO, AARON J.	MARKET ST VAC	3,400	3,232	402	R-2	0	100' x 297'	YES	YES	Wooded
3906-24-460-098	VRONKO, AARON & VRONKO, JEREMY	MARKET ST VAC	3,400	3,232	402	R-2	0	100' x 297'	YES	YES	Wooded
3906-24-460-201	CHRISTIANSON, STEVE & JENNI	3505 STEWART DR	2,300	2,300	402	R-2	0	120' x 136'	YES	YES	Flat/No Trees
3906-24-460-220	CHRISTIANSON, STEVE & JENNI	STEWART DR VAC	2,600	2,600	402	R-2	0	60' x 136'	YES	YES	Flat/No Trees
3906-24-460-230	CHRISTIANSON, STEVE & JENNI	STEWART DR VAC	2,600	2,600	402	R-2	0	60' x 130'	YES	YES	Flat/No Trees
3906-25-290-020	CJP, INC.	FRANKLIN ST VAC	6,500	6,353	402	R-2	0	75' x 140'	YES	YES	Flat/No Trees
3906-25-290-390	CJP, INC.	PHILLIPS ST VAC	6,500	6,353	402	R-2	0	75' x 140'	YES	YES	Flat/No Trees
3906-25-290-610	KEITH, NICHOLAS	OLMSTEAD RD VAC	5,600	5,529	402	R-2	100	65' x 137'	YES	YES	Flat/No Trees
3906-25-290-790	GAINES, WILLIAM & BARBARA E.	MILLER RD VAC	6,700	6,586	402	R-2	0	75' x 148'	YES	YES	Flat/No Trees
	Totals		2,520,000	2,207,754							



Kalamazoo Charter Township
1720 Riverview Drive
Kalamazoo, MI 49007-4686
Telephone: (269) 381-8080
www.kalamazootownship.org

July 31, 2025

To: Planning Commission Members

From: Hillary Taylor, Kalamazoo Township Zoning Administrator

Subject: 32 lots that might need to be rezoned per the assessor

Dear Planning Commissioner,

Kalamazoo Charter Township is home to many residential and commercial properties. From time to time the assessor makes note of properties that may not have the correct zoning district. There is an attached memorandum from the Assessor further explaining his position. Attached you will find a list of thirty two (32) such properties that have been identified for discussion by the Planning Commission as to whether or not staff should initiate discussions with the property owners regarding rezoning. The properties have been identified as having a non-conforming use on the property. The properties are in the following zoning districts:

Parcel Number:	Property address:	Current Zoning District:	Possible District:
39-06-10-165-080	244 W Dunkley Street	I-2 General Industrial	R-2 or RM-1
39-06-10-165-100	236 W Dunkley Street	I-2 General Industrial	R-2 or RM-1
39-06-10-165-110	232 W Dunkley Street	I-2 General Industrial	R-2 or RM-1
39-06-10-165-120	228 W Dunkley Street	I-2 General Industrial	R-2 or RM-1
39-06-10-165-130	224 W Dunkley Street	I-2 General Industrial	R-2 or RM-1
39-06-10-165-140	220 W Dunkley Street	I-2 General Industrial	R-2 or RM-1
39-06-10-165-150	216 W Dunkley Street	I-2 General Industrial	R-2 or RM-1
39-06-10-190-021	2115 N Burdick Street	I-2 General Industrial	R-2 or RM-1
39-06-10-195-030	206 W Dunkley Street	I-2 General Industrial	R-2 or RM-1
39-06-10-195-040	2003 N Burdick Street	I-2 General Industrial	R-2 or RM-1
39-06-23-430-040	1120 Field Ave	C-1 Local Commercial	RM-1
39-06-24-306-100	2345 Lake Street	C-1 Local Commercial	RM-1
39-06-24-306-180	2419 Lake Street	C-1 Local Commercial	RM-1
39-06-24-306-391	1127 Willis Ave	C-1 Local Commercial	RM-1
39-06-24-306-720	2925 Lake Street	C-1 Local Commercial	RM-1
39-06-24-306-811	3005 Lake Street	C-1 Local Commercial	RM-1
39-06-24-485-012	3605 Stewart Drive	C-1 Local Commercial	RM-1
39-06-24-430-033	1014 Foster	I-2 General Industrial	RM-1
39-09-25-270-010	3203 Miller Road	I-2 General Industrial	RM-1
39-09-25-270-020	3211 Miller Road	I-2 General Industrial	RM-1
39-09-25-270-030	3219 Miller Road	I-2 General Industrial	RM-1
39-09-25-270-060	3309 Miller Road	I-2 General Industrial	RM-1

39-09-25-270-070	3311 Miller Road	I-2 General Industrial	RM-1
39-09-25-270-080	3321 Miller Road	I-2 General Industrial	RM-1
39-09-25-270-090	3329 Miller Road	I-2 General Industrial	RM-1
39-09-25-270-100	3407 Miller Road	I-2 General Industrial	RM-1
39-09-25-270-110	3413 Miller Road	I-2 General Industrial	RM-1
39-09-25-270-140	3503 Miller Road	I-2 General Industrial	RM-1
39-09-25-270-150	3511 Miller Road	I-2 General Industrial	RM-1
39-09-25-270-160	3517 Miller Road	I-2 General Industrial	RM-1
39-06-25-270-041	3235 Miller Road	I-2 General Industrial	C-2
39-06-24-270-131	3427 Miller Road	I-2 General Industrial	C-2

I have attached the current Future Land Use Map (FLUM) for your reference so that there can be an educated discussion of what zoning district might make sense for these 32 properties.

There has been some discussion that instead of re-zoning these properties there should be an amendment to the Non-Conformity language which staff has been informed has resulted in a perceived difficulty to obtain refinancing for the properties. The intent of a non-conformity chapter in Section 3.01 outlines that “it is the intent of this Ordinance to permit such nonconformities to continue under certain conditions, but to discourage their expansion, enlargement, or extension. “ The two (2) sections in question are Section 3.03 J and 3.05 D. These sections are identified below:

Section 3.03J

Nonconforming Single-Family Uses

Notwithstanding the limitations outlined in this article, any structure used for single family residential purposes and maintained as a nonconforming use may be replaced with a similar structure or of a larger size, so long as the enlargement or replacement does not create new nonconformities or increase the extent of existing nonconformities with respect to such matters as setback and parking requirements.

Section 3.05 D

Damage by Fire or Other Catastrophe

Any nonconforming structure or structure housing a nonconforming use that is damaged by fire, flood, or other catastrophe in excess of fifty percent (50%) of the structure’s pre-catastrophe fair market value (as determined by the Township Assessor) shall not be rebuilt, repaired, or reconstructed except in complete conformity with the provisions of this Ordinance.

At this time, staff would like direction as to whether or not to move forward with a discussion on re-zoning properties in question, or if staff should move forward with language to clarify Chapter 3 Non-Conformities. If you have questions, you may contact me at 269-381-8080 ext. 128 or by emailing planner@ktwp.org

Regards,

Hillary Taylor,
Kalamazoo Township Zoning Administrator

ARTICLE 3.00

Nonconformities

Section 3.01 Intent

Nonconformities are uses, structures, buildings, or lots which do not conform to one or more provisions or requirements of this Ordinance or a subsequent amendment, but which were lawfully established prior to the time of adoption of the Ordinance or amendment. Such nonconformities are not compatible with the current or intended use of land in the district in which they are located. Therefore, it is the intent of this Ordinance to permit such nonconformities to continue under certain conditions, but to discourage their expansion, enlargement, or extension. Accordingly, the purpose of this section is to establish regulations that govern the completion, restoration, reconstruction, extension, and/or substitution of nonconformities, and to specify the circumstances and conditions under which nonconformities shall be permitted to continue.

The following table summarizes the nonconforming regulations contained in this Article:

Summary of Nonconformity Regulations

<u>Issue</u>	<u>Requirements</u>
Period of non-use before nonconformity must cease	<i>Nonconforming use of open land: 180 days</i> <i>Nonconforming use of structure or building: 12 months</i>
Establishment of new conforming use	Nonconforming use must cease
Change in ownership	No effect on nonconformity
Nonconforming single family use	May be enlarged, subject to conditions (see 3.03.J)
Substitution of one nonconformity for another	Permitted under certain conditions (see 3.03.K and 3.05)
Nonconforming contiguous lots under same ownership	Must be combined if vacant
Expansion of nonconforming use within building	Permitted subject to conditions
Expansion of nonconforming use beyond existing building	Not permitted
Enlargement of nonconforming structure	Not permitted
Maintenance; structural repairs	Generally permitted (see 3.05.C)
Renovation; modernization	Maximum value: 50% of assessed value
Rebuilding after catastrophe	Permitted if damage is less than 50% of pre-catastrophe fair market value (except as permitted in 3.03.J)

\

Section 3.02 Definitions

For the purposes of this article, the following words and phrases shall have the meaning ascribed to them:

A. Effective Date

Whenever this article refers to the "effective date," the reference shall be deemed to include the effective date of any amendments to this Ordinance if the amendments created a nonconforming situation.

B. Nonconforming Building or Nonconforming Structure

A building, structure, or portion thereof that does not meet the limitations on building size, location on a lot, or other regulations for the district in which such building or structure is located.

C. Nonconforming Lot

A lot existing at the effective date of this Ordinance, or amendments thereto, that does not meet the minimum area or dimensional requirements of the district in which the lot is located.

D. Nonconforming Sign

A sign that on the effective date of this Ordinance does not conform to one or more regulations set forth in the Ordinance.

E. Nonconforming Use

A use which was lawfully in existence at the effective date of this Ordinance, or amendment thereto, and which does not now conform to the use regulations of this Ordinance for the zoning district in which it is now located.

F. Structural Nonconformity

A nonconformity that exists when the height, size, or minimum floor space of a structure, or the relationship between an existing building and other buildings or lot lines, does not conform to the standards of the district in which the property is located. Also sometimes referred to as a *Dimensional Nonconformity*.

Section 3.03 General Requirements

The following regulations shall apply to all nonconforming uses, structures, and lots:

A. Continuation of Nonconforming Uses and Structures

Any lawful nonconforming use existing on the effective date of this Ordinance or amendment thereto may be continued and shall not be considered to be in violation of this Ordinance, provided that (unless otherwise noted in this Article) the use shall not be enlarged or extended to occupy a greater area of land, nor moved in whole or in part to another portion of the lot.

Any lawful building or structure existing on the effective date of this Ordinance or amendment thereto may be continued and shall not be considered in violation of this Ordinance, provided that (unless otherwise noted in this Article) the building or structure involved shall not be structurally altered, enlarged, or moved unless such modifications conform to the provisions of this Ordinance for the district in which it is located.

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by an official charged with protecting the public safety, upon order of such official.

B. Buildings Under Construction

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. "Actual construction" is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has begun preparatory to rebuilding, such work shall be deemed to be actual construction, provided that such work shall be diligently carried on until completion of the building involved.

C. Discontinuation of Nonconforming Uses**1. Nonconforming Uses of a Structure**

When a nonconforming use of a structure, or structure and land in combination, is discontinued or abandoned for twelve (12) consecutive months without a present intention to reinstate the nonconforming use, the structure (or structure and land in combination) shall not thereafter be used except in conformance with the provisions of the district in which it is located.

2. Nonconforming Uses of Open Land

If any nonconforming use of open land ceases for any reason for a period of more than one hundred eighty (180) days, any subsequent use of such land shall conform to the provisions set forth of the district in which it is located.

3. Seasonal Uses

In applying this sub-section to seasonal uses, the time during the off-season shall not be counted.

D. Purchase or Condemnation

In order to accomplish the elimination of nonconforming uses and structures which constitute a nuisance or are detrimental to the public health, safety and welfare, Kalamazoo Township may acquire, by purchase, condemnation or otherwise, private property for the purpose of removal of nonconforming uses pursuant to Section 208(3) of Public Act 110 of 2006, as amended.

E. Recording of Nonconforming Uses and Structures

The Township shall be responsible for maintaining records of nonconforming uses and structures as accurately as is feasible, and for determining legal nonconforming uses and structures in existence on the effective date of this Ordinance. Failure on the part of a property owner to provide the Township with necessary information to determine legal nonconforming status may result in denial of required or requested permits.

F. Establishment of a Conforming Use or Structure

In the event that a nonconforming principal use or structure is superseded by a conforming principal use or structure on a site, the nonconforming use or structure shall be immediately and permanently removed.

G. Change of Tenancy or Ownership

In the event there is a change in tenancy, ownership, or management, an existing nonconforming use or structure shall be allowed to continue provided there is no change in the nature or character of such nonconformity.

H. Variances

Any use for which a variance has been granted as provided in this Ordinance shall not be deemed a nonconformity.

I. Unlawful Nonconformities

No building, structure, or use shall be permitted to continue in existence if it was unlawful at the time it was established.

J. Nonconforming Single-Family Uses

Notwithstanding the limitations outlined in this article, any structure used for single family residential purposes and maintained as a nonconforming use may be replaced with a similar structure or of a larger size, so long as the enlargement or replacement does not create new nonconformities or increase the extent of existing nonconformities with respect to such matters as setback and parking requirements.

K. Substitution

A nonconforming use may be changed to another nonconforming use upon approval of the Zoning Board of Appeals provided that no structural alterations are required to accommodate the new nonconforming use, and that the proposed use is equally or more appropriate in the district than the existing nonconformity. In permitting such a change, the Zoning Board of Appeals may require conditions to accomplish the purposes of this Ordinance.

L. Change of Location

Should a nonconforming structure be moved to another parcel or to another location on the same parcel for any reason whatsoever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

M. Medical Marijuana Facilities

1. No marijuana facility operating or purporting to operate prior to March 1, 2018, shall be deemed to have been a legally existing use nor shall the operation of such marijuana facility be deemed a legal nonconforming use under this ordinance.
2. A property owner shall not have vested rights or nonconforming use rights that would serve as a basis for failing to comply with this ordinance or any amendment thereto.

Section 3.04 Nonconforming Lots of Record

The following regulations shall apply to any nonconforming lot of record or nonconforming lot described in a deed or land contract executed and delivered prior to the effective date of this Ordinance or amendment thereto:

A. Use of Nonconforming Lots

Any nonconforming lot shall be used only for a use permitted in the district in which it is located. Notwithstanding limitations imposed by other provisions of this Ordinance, a permitted use may be erected on any single lot of record in existence at the effective date of adoption or amendment thereto. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, provided that the lot can be developed as proposed without any significant adverse impact on surrounding properties or the public health, safety, and welfare.

B. Variance from Area and Bulk Requirements

If the use of nonconforming lot requires a variance from the area or bulk requirements, then such use shall be permitted only if a variance is granted by the Zoning Board of Appeals.

C. Nonconforming Lots Under the Same Ownership

1. If two or more lots or combination of lots with contiguous frontage in single ownership are of record at the time of adoption or amendment of this Ordinance, and if all or part of the individual lots do not meet the requirements established for lot width and area, the lots involved shall be considered to be an individual parcel for the purposes of this Ordinance. No portion of said parcel shall be used, occupied, or sold in a manner which diminishes compliance with lot width and area requirements established by this Ordinance, nor shall any division of a parcel be made which creates a lot with width or area less than the requirements stated in this Ordinance. These provisions shall not apply to contiguous lots in single ownership where each of the lots is occupied by an existing home.
2. Any lot laid out in an approved plat or existing as an unplatted parcel which was lawful in size at the time it was created and which fails to comply with the minimum size requirements of a subsequent Kalamazoo Township Zoning Ordinance or a subsequent Kalamazoo Township Subdivision Control Ordinance, may be used for the uses permitted in the zoning district in which it is located, provided all setback requirements are complied with.

D. Combination of Nonconforming Lots

The Township Assessor may permit the combination, in whole or in part, of nonconforming lots of record into building sites less than the size requirements established by this Ordinance, provided that the combination of lots reduces the degree of nonconformity and results in a parcel which is capable of accommodating a structure that is in conformance with the building area and setback requirements of this Ordinance.

Section 3.05 Modification to Nonconforming Uses or Structures

No nonconforming use or structure shall be enlarged, extended, or structurally altered, nor shall any nonconformity be changed to a different nonconformity which increases the intensity of use or nonconformity, except as permitted in this Section.

A. Applicability

The following regulations shall apply to any nonconforming use or structure, including:

1. Nonconforming uses of open land.
2. Nonconforming use of buildings designed for a conforming use.

3. Nonconforming use of buildings specifically designed for the type of use that occupies them but not suitable for a conforming use.
4. Buildings designed and used for a conforming use but not in conformance with area and bulk, parking, loading, or landscaping requirements.
5. Nonconforming structures, such as fences and signs.

B. Enlargement, Extension, or Alteration**1. Increase in Nonconformity Prohibited**

Except as specifically provided in this section, no person may engage in any activity that causes an increase in the extent of any nonconformity. For example, physical alteration of structures or the placement of new structures on open land is unlawful if such activity results in:

- a. An increase in the total amount of space devoted to a nonconforming use, or
- b. Greater nonconformity with respect to dimensional restrictions, such as setback requirements, height limitations, density requirements, or other requirements in the district in which the property is located.

2. Permitted Extension

Any nonconforming use may be extended throughout any part of a building which was manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building. No nonconforming use of land shall be enlarged, increased, or extended to occupy a greater area of land, nor shall any such use be moved in whole or in part to any portion of the lot or parcel than was occupied on the effective date of this Ordinance or amendment thereto.

3. Alterations that Decrease Nonconformity

Any nonconforming structure or any structure or portion thereof containing a nonconforming use, may be altered if such alteration serves to decrease the nonconforming nature of the structure or use.

4. Variance to Area and Bulk Requirements

If a proposed alteration is deemed reasonable by the Zoning Board of Appeals by virtue of the fact that it would decrease the nonconforming nature of a structure or use, but such alteration requires a variance from the area or bulk requirements, then such alteration shall be permitted only if a variance is granted by the Zoning Board of Appeals.

C. Repairs, Improvements, and Modernization**1. Required Repairs**

Repairs or maintenance deemed necessary by the Building Official to keep a nonconforming building structurally safe and sound are permitted. However, if a non-conforming structure or a structure containing a nonconforming use becomes physically unsafe and/or unlawful due to lack of maintenance and repairs and is declared as such by the Building Official, it shall not thereafter be restored, repaired, or rebuilt except in full conformity with the regulations in the district in which it is located.

2. Additional Permitted Improvements

Additional repairs, improvements, or modernization of nonconforming structures, beyond what is required to maintain the safety and soundness of the structure, shall be permitted provided such repairs or improvements do not exceed fifty percent (50%) of the assessed value of the structure during any period of twelve (12) consecutive months. Any such repairs, improvements, and modernization shall not result in enlargement of the cubic content of the nonconforming structure. The provisions in this paragraph shall apply to all structures except as otherwise provided in this Article for single-family residential uses and for reconstruction of structures damaged by fire or other catastrophe.

D. Damage by Fire or Other Catastrophe

Any nonconforming structure or structure housing a nonconforming use that is damaged by fire, flood, or other catastrophe in excess of fifty percent (50%) of the structure's pre-catastrophe fair market value (as determined by the Township Assessor) shall not be rebuilt, repaired, or reconstructed except in complete conformity with the provisions of this Ordinance.

Any nonconforming structure or structure housing a nonconforming use that is damaged by fire, flood, or other catastrophe by less than or equal to fifty percent (50%) of the structure's pre-catastrophe fair market value (as determined by the Township Assessor) may be restored to its pre-catastrophe status, provided that restoration is completed within a period of twelve (12) months from the date of such fire, flood, or other catastrophe. Restoration of structures located in the floodplain shall comply with Section 2.07(E).

Proposals to rebuild, repair, reconstruct, or restore require appropriate Township Building Department approvals and permits.