

**ARTICLE 10.00
R-3-A, R-3-B
MULTIPLE FAMILY RESIDENTIAL DISTRICT**

Section 10.01 PURPOSE

The purpose of the two (2) Multiple Family Residential Districts is to further develop the stated goal of the Master Plan, that is to provide for a balance and variety of housing opportunities in the Township. The two districts, provide for higher densities than could be achieved within the Single Family Residential Districts while addressing significant environmental assets and the potential negative impact and incompatibility with single family residential development. These districts may act as a buffer area between single family residential uses and non residential uses as well as major thoroughfare roads. The two districts are differentiated by density and number of stories permitted. The R-3-B District permits three (3) stories and is therefore the most intense residential use provided in the Township. This district should be limited and placed only where intensity in density and height of building will not impact adjacent uses in particular single family residential uses.

Section 10.02 PRINCIPAL PERMITTED USES

In all Multiple Family Residential Districts, no building or land, except as otherwise specifically provided for in this Ordinance, shall be erected or used for other than the following specified uses:

- Section 10.02.1 TWO-FAMILY DWELLING UNITS
- Section 10.02.2 MULTIPLE FAMILY TOWNHOUSE DWELLING UNITS
- Section 10.02.3 MULTIPLE FAMILY DWELLING UNITS
- Section 10.02.4 ADULT FOSTER CARE FAMILY HOMES
- Section 10.02.5 FAMILY DAY-CARE HOMES
- Section 10.02.6 STATE LICENSED RESIDENTIAL FACILITIES FOR SIX OR LESS PERSONS
- Section 10.02.7 GROUP DAY-CARE HOMES
- Section 10.02.8 FOSTER FAMILY HOMES

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- Section 10.02.9 FOSTER FAMILY GROUP HOMES
- Section 10.02.10 ADULT FOSTER CARE SMALL GROUP HOMES.
- Section 10.02.11 ADULT FOSTER CARE LARGE GROUP HOMES
- Section 10.02.12 ACCESSORY BUILDINGS, STRUCTURES AND USES CUSTOMARILY INCIDENTAL TO THE ABOVE PERMITTED USES
- Section 10.02.13 PONDS TO BE LOCATED WITHIN A MULTIPLE FAMILY RESIDENTIAL COMPLEX SUBJECT TO THE FOLLOWING:
- Section 10.02.13(a) The construction, maintenance or existence within the Township of any unprotected, unbarricaded, open or dangerous excavations, holes, pits, wells, which constitute or are reasonably likely to constitute a danger or menace to the public health, safety or welfare, are hereby prohibited; provided, however, this Section shall not prevent any excavation under a permit issued, pursuant to this Ordinance, where such excavations are properly protected and warning signs posted in such a manner as may be approved by the Building Official and provided further, that this Section shall not apply to streams, natural bodies of water or to ditches, streams, reservoirs, or other major bodies of water created or existing by authority of the State of Michigan, the County of Monroe, the Township or other governmental agency.
 - Section 10.02.13(b) Ponds shall be set back at least one hundred (100) feet from all property lines and any dwellings. This requirement may be varied by the Commmission for dwellings located within the Multiple Family Complex.
 - Section 10.02.13(c) Ponds shall be subject to all applicable Department of Natural Resources and County Soil Conservation District requirements.
 - Section 10.02.13(d) Subject to the permit requirements of Section 4.21.2 of ARTICLE 4.00 GENERAL PROVISIONS.

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Section 10.02.13(e) All man made ponds which are located on a parcel of land which is less than 5 acres in area, shall be secured by totally enclosing the pond or the subject property with a fence which shall be a minimum of four (4) feet in height unless otherwise approved by the Planning Commission. In reviewing this matter, the Commission shall take into consideration the size of the subject property and the density and potential proximity of housing on the surrounding properties.

Section 10.02.13(f) In all cases the pond, surrounding lands and the enclosure fence shall be maintained.

Section 10.02.13(g) In all cases a life saving station shall be located at the pond. The life saving station shall, as a minimum, have a flotation device with safety rope attached.

Section 10.02.14 Landscape ponds subject to the following:

Section 10.02.14(a) A Landscape Pond for the purpose of this ordinance is an excavation, container, lining or other means for holding permanent water which is 2 ft. or less in depth, has a water surface of 300 sq. ft. or less and is intended for viewing purposes only. If a proposed pond is not a Farm Pond or a Landscape Pond as defined by this ordinance, it shall be considered a pond and shall be subject to the restrictions for a pond as found in Section 4.21.2 of this ordinance.

Section 10.02.14(b) A Landscape Pond may be constructed as an element ancillary to a residential use only. A landscape pond may not be developed on a lot which does not contain a single family use.

Section 10.02.14(c) The water source for the Landscape pond may be an open source of water (water fall, simulated creek etc.) provided it is 10 ft. or less from the Landscape Pond, 6-8 inches in depth and is 3 ft. or less in width (water surface).

Section 10.02.14(d) The Landscape pond must meet all building setback requirements for this district.

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Section 10.02.14(e) Subject to the permit requirements of Section 4.21.1 of ARTICLE 4.00 GENERAL PROVISIONS.

Section 10.03 SUBJECT TO SPECIAL CONDITIONS

The following uses shall be considered uses subject to special conditions in this district and may be permitted only after public hearing and review and approval by the Planning Commission.

The Commission shall review the application for use subject to special conditions in accordance with the procedure and standards as established in Section 3.09 of this Ordinance and specific standards directly related to the proposed use as established below:

Section 10.03.1 PUBLIC PAROCHIAL AND PRIVATE SCHOOLS SUBJECT TO THE FOLLOWING:

- Section 10.03.1(a) Minimum site size shall be two (2) acres.
- Section 10.03.1(b) Site must adjoin a major thoroughfare (projected 120 ft. right-of-way) or collector road (projected 86 ft. right-of-way).
- Section 10.03.1(c) Any building used in whole or part for school purposes shall be located not less than one hundred (100) feet from any adjacent property line.
- Section 10.03.1(d) There must be provided and maintained a minimum of at least one hundred and fifty (150) square feet of outdoor recreation area for each enrolled student, with the minimum outdoor recreation area to be five thousand (5,000) square feet.

Section 10.03.2 CHILD CARE CENTER OR DAY-CARE CENTER SUBJECT TO THE FOLLOWING:

- Section 10.03.2(a) No dormitory facilities permitted.
- Section 10.03.2(b) This facility shall comply with all State laws and standards.

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Section 10.03.2(c) A minimum of five thousand (5,000) square feet of usable outdoor play area shall be provided, equipped and maintained for each facility. The outdoor play area shall be fenced and screened from residentially zoned or used properties and adjacent parking areas. The objective shall be to offer visual separation from adjacent residential properties and/or to avoid negative visual intrusions into the play area.

Section 10.03.2(d) The nursery or day-care center shall front onto a major thoroughfare or collector road.

Section 10.03.3 CHURCHES SUBJECT TO THE FOLLOWING:

Section 10.03.3(a) Minimum lot width shall be one hundred and fifty (150) feet.

Section 10.03.3(b) Minimum lot area shall be four (4) acres.

Section 10.03.3(c) The height of the building (excluding spire) may exceed the maximum height limitation for the district provided an additional foot of front, rear, and side yard setback is provided for every foot of height by which the building exceeds the maximum height limitation.

Section 10.03.3(d) The lot or parcel shall be located so that at least one (1) property line abuts a collector or major thoroughfare road. All egress/ingress to the facility shall be directly from this collector or major thoroughfare road.

Section 10.03.3(e) The main and accessory buildings shall be setback a minimum of one hundred (100) feet from any adjacent dwelling or residentially zoned property.

Section 10.03.3(f) Off street parking shall be prohibited from the front yard setback area and from the first fifteen feet of any side or rear yard setback. The yard setback shall be measured from the street setback line as established in ARTICLE 4.00 GENERAL PROVISIONS. Each yard area shall be landscaped with deciduous and evergreen trees and shrubs.

Section 10.03.3(g) The following minimum building setbacks shall be provided for all religious institutions:

- Front Yard Setback: 60 Feet

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- Side Yard Setback: 30 Feet
- Rear Yard Setback: 60 Feet

Section 10.03.4 MUNICIPAL USES OR BUILDINGS

Municipal uses or buildings such as, but not limited to: township offices, fire stations, police stations or substations, post offices, libraries, parks, parkways, water treatment plants, sewage treatment plants and public or private emergency facilities.

Section 10.03.5 HOSPITALS SUBJECT TO THE FOLLOWING:

- Section 10.03.5(a) Minimum lot area shall be ten (10) acres.
- Section 10.03.5(b) The lot location shall be such that at least one (1) property line abuts a major thoroughfare. The ingress and egress for off-street parking facilities for guests and patients shall be directly from said major thoroughfare.
- Section 10.03.5(c) All main and accessory buildings shall be setback a minimum of one hundred (100) feet from all property lines.
- Section 10.03.5(d) Ambulance and emergency entrance areas shall be located away and visually screened from adjacent residential uses. Screening shall be by way of a structure or by a masonry wall of six (6) feet or more in height.
- Section 10.03.5(e) Hellipad for air ambulance and emergency entrance associated with the hellipad shall be located away and visually screened from adjacent residential uses. In siting the hellipad consideration shall be given to the impact of take off and landings and the potential impact on adjacent properties. Screening shall be by way of a structure or by a masonry wall of six (6) feet or more in height.
- Section 10.03.5(f) No power plant or laundry shall be located nearer than three hundred (300) feet to any adjacent residential use or district.
- Section 10.03.5(g) Hospitals shall be constructed, maintained and operated in conformance with all applicable State and Federal laws.

Section 10.03.6 ESSENTIAL SERVICES

Essential services such as public utility buildings, public utility transformer stations, sub-stations and gas regulator stations, without service or storage yards, shall comply with the requirements of ARTICLE 26.00 SCREENING, LAND USE

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BUFFERS, AND LANDSCAPE REQUIREMENTS and ARTICLE 37.00 DEFINITIONS and shall be subject to the following:

- Section 10.03.6(a) A perimeter yard setback of not less than fifty (50) feet shall be provided.
- Section 10.03.6(b) When a transmission or relay tower, etc. is proposed as part of the facility, the tower shall be so located that it does not present a nuisance to abutting residential properties. The tower shall be so located on the subject property that the distance from the base of the tower to all points on each property line shall be not less than one and one-half (1-1/2) times the height of the tower, unless engineering data is provided which indicates the proposed tower construction is such that failure would be restricted.
- Section 10.03.6(c) The applicant substantiates that the proposed use will be so designed and so located as to reasonably minimize potential impact on adjoining properties by reason of noise, traffic problems or similar factors.
- Section 10.03.6(d) In the case of cellular towers the requirements as found in Section 4.02 inclusively shall apply.
- Section 10.03.7 PRIVATE NON-COMMERCIAL RECREATION
- Section 10.03.8 GOLF COURSE, COUNTRY CLUBS AND GOLF DRIVING RANGES SUBJECT TO THE FOLLOWING:
 - Section 10.03.8(a) Regulation length 18-hole golf course shall have a minimum lot size of 140 acres. Nine-hole courses with regulation length fairways shall have a minimum lot size of 60 acres. Eighteen-hole, par-3 golf courses shall have a minimum lot size of 50 acres.
 - Section 10.03.8(b) The principal and accessory buildings shall be set back at least seventy-five (75) feet from all property lines. Fairways and driving ranges shall be oriented and designed in such a manner and setback a sufficient distance to prevent golf balls from being hit outside the perimeter of the golf course or driving range.
 - Section 10.03.8(c) At least one (1) shelter building with toilet facilities shall be provided. The shelter shall meet all requirements of the Monroe County Health Department and the Township

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Building Code.

Section 10.03.8(d) Engineering data shall be submitted to the Township to permit review by the Township Engineering Consultant. The submitted data shall document the impact of the golf course watering system on ground water supply for the general area.

Section 10.03.8(e) Facilities such as licensed restaurants and bars may be permitted when occupying an integral part of the main structure, provided exterior display or advertising of said facilities shall be restricted to the sign advertising the golf course and shall clearly by way of area, size of lettering etc. be identified as the accessory activity on the site.

Section 10.03.9 HOUSING FOR THE ELDERLY SUBJECT TO THE FOLLOWING:

Section 10.03.9(a) Minimum lot size shall be five (5) acres.

Section 10.03.9(b) Accessory services in common use shall include, but not be limited to, the provisions of central dining facilities, indoor and outdoor recreational facilities, lounge areas and workshops.

Section 10.03.9(c) Each dwelling unit shall contain at least three hundred and fifty (350) square feet of area, not including kitchen, and sanitary facilities.

Section 10.03.10 MEDICAL OR DENTAL CLINIC SUBJECT TO THE FOLLOWING:

Section 10.03.10(a). Maximum lot size shall be fifteen thousand (15,000) square feet.

Section 10.03.10(b). Maximum building coverage shall be thirty-five (35) per cent.

Section 10.03.10(c). The clinic shall be developed in a landscape setting which is in keeping with the residential character of this district.

Section 10.03.11 MAN MADE PONDS ARE NOT PERMITTED IN A R-3-A & R-3-B MULTIPLE FAMILY RESIDENTIAL DISTRICT EXCEPT WHEN LOCATED WITHIN A MULTIPLE FAMILY RESIDENTIAL COMPLEX SUBJECT TO THE REQUIREMENTS OF SECTION 10.02.13.

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Section 10.04 DEVELOPMENT REQUIREMENTS

The following requirements shall be complied with in a R-3-A and R-3-B Multiple Family Residential District:

Section 10.04.1 SITE PLAN AND DEVELOPMENT APPROVAL FOR ALL USES AS SPECIFIED IN ARTICLE 27.00 OF THIS ORDINANCE

Section 10.04.2 OFF-STREET PARKING FOR ALL USES AS SPECIFIED IN ARTICLE 24.00 OF THIS ORDINANCE

Section 10.04.3 SCREENING AND LAND USE BUFFER FOR ALL USES AS SPECIFIED IN ARTICLE 26.00 OF THIS ORDINANCE

Section 10.04.4 SIGNS FOR ALL USES AS SPECIFIED IN ARTICLE 25.00 OF THIS ORDINANCE

Section 10.04.5 HEIGHT, AREA, LOT COVERAGE AND YARD REGULATIONS AS SPECIFIED IN ARTICLE 21.00 OF THIS ORDINANCE FOR THE R-3-A AND R-3-B ZONING DISTRICTS

Section 10.04.6 GENERAL PROVISIONS OF THIS ORDINANCE, ARTICLE 4.00

Particular conditions or provisions may generally apply to development in this District as found in GENERAL PROVISIONS ARTICLE 4.00 of this Ordinance.

Section 10.04.7 YARD GRADING AND DRAINAGE

All yards in a R-3-A or R-3-B Multiple Family Residential District shall be graded in a manner which shall avoid the ponding of storm water unless said conditions have been designed to occur as part of a storm detention plan which has been approved by Frenchtown Charter Township and such grading shall comply with the engineering design standards for Frenchtown Charter Township. A detailed grading plan shall be submitted by the builder/developer and shall be approved by Frenchtown Charter Township prior to issuance of a permit.

Section 10.04.8 SPECIFIC REQUIREMENTS

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The following specific requirements shall apply with in a R-3-A and R-3-B Multiple Family Residential District:

- Section 10.04.8(a) Maximum number of units per building:
- Section 10.04.8(a)(1) There shall not be more than eight (8) dwelling units in a one story apartment structure.
 - Section 10.04.8(a)(2) There shall not be more than sixteen (16) dwelling units in a two story apartment structure when individual living units are on each floor.
 - Section 10.04.8(a)(3) There shall not be more than twenty (20) dwelling units in a three story apartment structure when individual living units are on each floor.
 - Section 10.04.8(a)(4) There shall not be more than six (6) dwelling units in a townhouse structure.
- Section 10.04.8(b) All roads shall be constructed in accordance with standards adopted by Frenchtown Charter Township. No access to a multiple family residential development shall be permitted through a less intense use such as single family residential.
- Section 10.04.8(c) All utility lines or similar facilities intended to serve any use in a Multiple Family Residential District, whether designed for primary service from main lines or for distribution of services throughout the site, shall be placed and maintained underground at all points within the boundaries of the site.
- Section 10.04.8(d) Sanitary and storm sewer systems shall be provided in accordance with standards adopted by Frenchtown Charter Township.
- Section 10.04.8(e) All dwelling units shall be readily accessible by fire and emergency vehicles and shall comply with the Township Fire Prevention Ordinance.
- Section 10.04.8(f) Sidewalks shall be provided along public street frontage and within the interior of the project boundaries.

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- Section 10.04.8(f)(1) Interior walks shall be a minimum of four (4) feet in width except where such walk directly abuts a parking area. In cases where sidewalks abut a parking area, the minimum width required shall be six (6) feet.
- Section 10.04.8(f)(2) Sidewalks located along public streets shall be five (5) feet in width except those located along major thoroughfares. In the case of major thoroughfares all sidewalks shall be a minimum of six (6) feet in width.
- Section 10.04.8(f)(3) All sidewalks, both exterior and interior, shall conform to the standards as established by the Building Official and the Township Engineer.
- Section 10.04.8(g) Lighting shall be provided in an amount which shall be sufficient to permit safe movement of vehicles and pedestrians at night. The lighting shall be hidden source and so located and designed as to reflect light away from adjacent properties with particular attention to single family residential areas.
- Section 10.04.8(h) Water system improvements and hydrant shall be provided in accordance with standards adopted by Frenchtown Charter Township.
- Section 10.04.8(i) The method of trash pick up shall be presented to the Planning Commission for approval. If dumpsters are proposed, they shall be screened in a manner acceptable to the Planning Commission. No dumpster shall be located less than fifteen (15) feet from any building. All dumpsters shall be located on a concrete pad sufficient in size (area) to accommodate the dumpster and the dumpster pick up vehicle.
- Section 10.04.8(j) Fences and/or walls.

The erection, construction, or alteration of any fence, wall or other type of protective barrier shall require a Building Permit and prior to construction shall be approved by the Building Official. The Building Official shall review the adequacy and appropriateness of the proposed construction plans and shall review the application to insure conformance to the requirements of this Ordinance, in

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regards to land use development, and to the specific requirements of this Section. Fences shall conform to the following requirements:

Section 10.04.8(j)(1) All fencing and/or screening walls required and/or approved by the Planning Commission as part of Use Subject to Special Conditions and/or Site Plan Approval shall be permitted.

Section 10.04.8(j)(2) Fencing shall conform to the following requirements:

Section 10.04.8(j)(2-a) No fence shall hereafter be erected on a lot in excess of six (6) feet or less than three (3) feet in height above the grade of the surrounding land, except that tennis court fencing is exempt from this provision in accordance with Section 8.03.9

Section 10.04.8 (j)(2-b) No fence shall be located in the required front yard of any lot
Section 10.04.8 (j)(2-c) No fence shall be located in the required (street side) side yard of a corner lot.

Section 10.04.8 (j)(2-d) Lake lots: No fence shall be located in the required lakeside yard setback and street side yard setback.

Section 10.04.8 (j)(2-e) All fences hereafter shall be of an ornamental nature. Barbed wire, spikes, nails or any other sharp point or instrument of any kind on the top of or on the side of any fence, or electric current or charge in said fences are prohibited. Notwithstanding anything in this Ordinance to the contrary, fences protecting municipal or public utility installations may exceed the heights provided for herein and barbed wire cradles may be placed on the top of said fences enclosing municipal or public utility installations or

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wherever deemed necessary in the interest of public safety. Plastic or other type of striping intertwined in cyclone fencing shall be prohibited.

Section 10.04.8 (j)(2-f) No fence, wall, structure or planting shall be erected, established or maintained on any corner lot which will obstruct the view of a driver of a vehicle approaching the intersection, excepting that shade trees would be permitted where all branches are not less than eight (8) feet above the road level (see Section 4.30 for specific requirements.) Such unobstructed corner shall mean a triangular area formed by the street property lines and a line connecting them.

Section 10.04.8 (k) See the current Building Code requirements, adopted by Frenchtown Charter Township, for regulations pertaining to pool fencing.

Section 10.04.8 (l) Street trees shall be provided between the street or road pavement and sidewalk of all interior and exterior street and/or roadways.

Section 10.04.8 (m) Maximum building length of any building housing a multiple family dwelling or dwellings shall not exceed two hundred (200) feet.

Section 10.04.9 YARD USE

Except for private roads the area lying between the front property line and the back of curb or edge of roadway is street right-of-way and as such is under the jurisdiction of the Monroe County Road Commission or Michigan Department of Transportation. A permit from the Monroe County Road Commission or Michigan Department of Transportation shall be required for all work performed in this area. Parking of vehicles shall be restricted to driveways or approved designated parking areas. Parking or storage of vehicles on lawn or landscape areas shall be prohibited.