

Section 7.00 – Preamble *(amended 03.02.00)*

The Multiple Family Residential Districts are intended to provide locations for a variety of residential land uses to meet the housing needs of people who cannot or choose not to live in single-family residences. These multiple family districts provide locations for garden apartments, townhouses, duplex, triplex, and quad-plex units, and in a medium-low to medium-high density context.

Multiple Family Residential Districts are typically mapped so as to provide a transition between non-residential districts and nearby single-family residential districts. These districts should have direct access onto an existing or proposed major thoroughfare.

Section 7.01 – Principal Uses Permitted *(amended 03.19.92, 03.02.00)*

The following uses shall be permitted, subject to the standards and requirements set forth herein:

- A. Multi-family dwellings such as, but not limited to, apartments, townhouses, 2-, 3-, and 4-plex units. *(amended 05.19.94)*
- B. Single-family detached dwellings, subject to the area and bulk requirements of the R-2 Single Family Residential District. *(amended 05.19.94, 03.02.00)*
- C. Agricultural and farming use, including livestock and poultry raising, dairying, horticulture, forestry, sod farming, and similar agricultural enterprises or uses of land or structures.
- D. Planned Unit Development, subject to the standards and approval requirements set forth in Section 30.03. *(amended 04.10.86)*

Section 7.02 – Accessory Uses Permitted *(amended 08.01.11)*

The following accessory uses shall be permitted subject to the standards and requirements set forth herein and in Section 27.02:

- A. Accessory buildings, structures, and uses customarily incidental to the principal use when they are located on the same property, and not involving any business, profession, trade, or occupation other than provided for in the Multiple Family Districts.
- B. General services building, containing recreational facilities and other services for use of the residents of the multi-family development.
- C. Recreational vehicle storage area for the storage of camping trailers, boats, boat trailers, snowmobiles, and similar items.

Such storage area shall be fenced, hard-surfaced, and contain at least one hundred (100) square feet of parking area per dwelling unit.

- D. Farm buildings and greenhouses.
- E. Farms, including livestock and poultry raising, dairying, horticulture, forestry, sod farming and similar bona fide agricultural enterprises or uses of land and structure.
- F. Truck gardening, involving the growing of fruits and vegetables that are intended to be distributed and sold to consumers as fresh produce.
- G. Tree and shrub nurseries.
- H. Agribusiness uses for sale of fruits, vegetables, eggs, etc. such as, but not limited to, farm markets and fruit and vegetable stands. Such uses shall be a part of a farm on which the product to be sold is raised or grown. Sales of all

produce raised on farms which an individual operates within the Township is permitted from one location, subject to the following requirements:

1. The maximum floor area of any building used for agribusiness sales shall be eight hundred (800) square feet.
 2. All buildings shall have a front setback of at least fifty (50) feet from the edge of the proposed road right-of-way as designated on the Township Master Plan.
 3. A twenty-five (25) foot wide greenbelt shall be provided along any side lot line where the adjoining lot is used for residential purposes.
 4. Adequate trash receptacles shall be provided and shall be completely obscured from view by a screen fence or wall.
 5. There shall be no more than two (2) freestanding or ground signs, neither sign to exceed twelve (12) square feet of sign area.
 6. All ingress and egress to the site shall be located at least sixty (60) feet from the intersection of any two (2) streets, measured from the proposed right-of-way lines.
 7. A minimum of five (5) off-street parking spaces shall be provided and shall be laid out in such a way that they can be safely and conveniently used by the customers.
- I. Home occupations shall be permitted in any residential dwelling, provided that such home occupations conform to the standards set forth in Section 27.02 (B) of this Ordinance. *(amended 08.01.11)*

Section 7.03 – Special Land Uses

The following uses shall be permitted as special land uses in the RM-1 and RM-2 Multiple Family Residential Districts, subject to the standards and requirements set forth herein and subject to the standards and approval requirements set forth in Section 30.02:

- A. Publicly-owned and -operated municipal buildings, libraries, parks, parkways, and recreational facilities.
- B. Public, parochial, and private elementary, intermediate, and/or high schools, offering courses in general education.
- C. Churches, subject to the following:
1. Minimum site size of two (2) acres and a maximum of five (5) acres for a church site; a minimum of five (5) acres, if proposed use includes a church school.
 2. All ingress to and egress from the site shall be directly onto a major thoroughfare, having an existing or planned right-of-way width of at least eighty-six (86) feet as indicated on the Township Master Plan.
 3. No building shall be closer than forty (40) feet from any property line.
 4. Off-street parking shall be provided on the site in a ratio of one space for each six (6) feet of pew length in the main sanctuary or one space for each three (3) persons as designated in the maximum occupancy load of the main sanctuary.
- D. General hospital, when the following conditions are met:
1. Hospitals shall be constructed only on sites containing at least twenty (20) acres.

2. The site shall have at least one property line abutting a major thoroughfare of at least one hundred twenty (120) feet of right-of-way, existing or proposed. All ingress and egress to the off-street parking area for guests, employees, staff, as well as any other users of the facilities, shall be directly from the major thoroughfare.
3. All two (2) story main or accessory buildings shall be provided with front, rear, and side yard setbacks of at least one hundred (100) feet, measured from bounding lot lines or street right-of-way lines.

For every two (2) stories above two (2), the minimum yard distance shall be increased by twenty (20) feet.

4. Ambulance and delivery areas shall be obscured from residential view with a wall six (6) feet in height and constructed of the same materials as the principal building.
5. Ingress and egress to said ambulance and delivery areas shall be directly from an existing or proposed major thoroughfare of at least one hundred fifty (150) feet of right-of-way.
6. Off-street parking shall be provided on the site, at least in the amount equal to one (1) space for each hospital bed, and one (1) space for each employee and doctor on the largest working shift.

E. Dependent housing, when the following conditions are met: *(amended 03.19.92)*

1. All dependent housing shall be constructed on parcels of at least five (5) acres.
2. Dependent housing shall be provided for in a multiple-family housing form, with central dining facilities provided as a basic service. A community center shall also be provided to support recreational and social activities.
3. The following minimum requirements shall be provided for dependent housing *(amended 05.19.94)*:
 - a. Density. The number of units permitted shall be as permitted and regulated in the RM-1, Multiple Family Residential District.
 - b. Minimum Usable Floor Area: One bedroom - 350 square feet
Two bedroom - 450 square feet
 - c. Building Heights and Setbacks. The building heights and setbacks shall be as permitted and regulated in the RM-1, Multiple Family Residential District.
 - d. Off-Street Parking: Residents - 1.00 space/unit
Guests - 0.25 space/unit
 - e. Maximum Coverage: Building - 30%
Parking - 15%
 - f. Proposed dependent housing developments will also be evaluated in terms of their convenience and/or accessibility by residents to various commercial, office, and service facilities. Consideration shall be given to the type of facilities proposed, resident needs, effective proximity to service facilities, and transportation services to these facilities.
 - g. At the Special Land Use hearing, the burden of proof is on the petitioner to prove that the proposed location is viable.

F. Public utility buildings, telephone exchange buildings, electric transformer stations and substations, and gas regulator stations (but not including service or storage yards), when operating requirements necessitate locating within the district in order to serve the immediate vicinity.

G. Assisted Living Facilities, when the following conditions are met *(amended 10.26.00)*:

1. A minimum lot area of one and one half (1.5) acres, excluding existing public road rights-of-way.
2. Each dwelling unit shall comply with the following minimum floor area requirements. In order to provide variation in the size of units offered to prospective residents, at least twenty-five percent (25%) of the units in each category of room offered (i.e., one or two person rooms) shall be ten percent (10%) larger than the minimum.

Dwelling (Room) Type	Minimum Floor Area (sq. ft./bed)
One resident per room	300 sq. ft.
Each additional resident per room	150 sq. ft.

3. Building Design:
 - a. No building shall exceed two hundred fifty (250) feet in overall length, measured along any continuous elevation. The Planning Commission may permit buildings of greater length, when it can be demonstrated that architectural design and natural and topographic features ensure that the building is in scale with the site and surrounding areas.
 - b. Building facades of greater than eighty (80) feet in length shall incorporate recesses or projections to break up the expanse of the building elevation.
4. All parking areas, building entrances, sidewalks, and ramps shall be illuminated to ensure the security of property and safety of persons using such areas, in accordance with the requirements set forth in Section 27.11 and Section 27.04.
5. Assisted living facilities shall be landscaped and screened in accordance with Section 27.05.
6. The drop off/pick up of residents shall be provided at the entrance of the building with a covered canopy. Access to all entry/exit doors and all sides of the building shall be provided in a manner acceptable to the Planning Commission, based on a recommendation from the Fire Chief.
7. Recreation facilities, such as common areas, gardens, paved walkways, and covered sitting areas shall be provided in a manner which the Planning Commission determines meets the needs of the resident population (a/k/a age group).
8. Loading shall be provided in accordance with Section 27.04 (B). The loading area shall be located in side and rear yard areas only, screened from the view of any public thoroughfare and adjacent residential areas and designed in a manner which is appropriate for the function and vehicles it is intended to serve. Additional spaces shall be provided for mobile diagnostic or mobile treatment as deemed necessary for the intent of the site.
9. Off-street parking shall be provided in accordance with Section 27.04 (A). The off-street parking spaces shall be provided on the site at a ratio of one-third (1/3) of a parking space per bed, plus one (1) space per employee.
10. Assisted living facilities shall be located on a major thoroughfare, regional thoroughfare or State trunkline, as per the adopted Master Plan.
11. Special provisions shall be made for the appropriate disposal of bio-hazardous materials. The containment and disposal of such materials shall be in accordance with the County Health Department standards.

H. Day Care Centers, when the following conditions are met (*amended 10.26.00*):

1. Building setbacks shall be not fewer than forty (40) feet or as required by the zoning district, whichever is greater.

2. Day care centers shall be located on a major thoroughfare, regional thoroughfare or State trunkline, as per the adopted Master Plan.
3. All driveways shall be designed so that vehicles can exit the site without having to back out onto a thoroughfare or collector road.
4. Off-street parking shall be provided on the site at a ratio of one (1) space for each two hundred (200) square feet of gross floor area, plus one (1) space for each employee. The Planning Commission may, at their discretion, modify the numerical requirements for off-street parking, based on evidence provided by the applicant that indicates that another standard would be more reasonable, because of the level of current or future employment and/or the level of current or future customer traffic.
5. One (1) loading/unloading space per every twenty (20) children shall be provided for pick-up and drop-off. For larger day care centers (over one hundred (100) children), provisions for school bus or van loading or unloading may also be required at the discretion of the Planning Commission. The Commission may also require a canopy adjacent to the loading area for shelter from the elements when a subject site has minimum available dedicated space for school bus or van parking areas.
6. For each child, a center shall have a minimum of fifty (50) square feet of indoor activity space for use by, and accessible to, the child, exclusive of all of the following:
 - a. Hallways
 - b. Storage areas and cloakrooms
 - c. Kitchens
 - d. Reception and office areas
7. The outdoor play area space shall have a minimum area of not fewer than one thousand five hundred (1,500) square feet, or seventy-five (75) square feet for each child, whichever is greater. Such space shall be suitably buffered from abutting residentially zoned or used land by a landscaped greenbelt, and shall be enclosed by at least a four (4) foot high fence. Any gates shall be provided with a control mechanism for locking.
8. Each child day care center facility shall have a minimum site area of five hundred (500) sq. ft. per child and a minimum parcel lot area of one (1) acre.
9. The Planning Commission shall consider the necessity for additional, appropriate conditions and safeguards to protect the health, safety and welfare of the children using the facility, including the necessity for additional fences, barriers, or other safety devices and buffers.
10. Day care centers shall be landscaped and screened in accordance with Section 27.05.
11. The drop off/pick up of children shall be provided at the entrance of the building. Access to all entry/exit doors and all sides of the building shall be provided in a manner acceptable to the Planning Commission, based on a recommendation from the Fire Chief.

Section 7.04 – Uses Not Permitted

The following uses are not permitted in the Multiple Family Residential Districts:

- A. Facilities where activities of a commercial nature are conducted. This provision does not apply to vending machines that dispense food, drink, cigarettes, or laundry products and which are solely for the use of the residents of the development.
- B. Facilities for the treatment or boarding of animals of any type.

Section 7.05 – Required Conditions

All activities and uses in this District shall comply with the following required conditions, except where an existing building is legally in non-conformance with certain conditions, or where a variance from the conditions has been legally granted by the Zoning Board of Appeals. *(amended 01.30.86)*

- A. Site Plan Approval. The proprietor shall submit a site plan for approval, pursuant to the requirements set forth in Section 30.01 of the Zoning Ordinance.
- B. Outside Storage.
 - 1. The outside storage of materials, supplies, vehicles, equipment or similar items shall be allowed only when such storage is specifically shown on the site plan as approved by the Planning Commission.
 - 2. Outside storage shall be limited to the rear yard use.
 - 3. Outside storage areas shall be completely fenced with a chain link fence at least eight (8) feet high.
 - 4. Outside storage areas shall be screened from view from all roadways. This screening shall be either opaque screening or evergreen landscape screening in accordance with the provisions set forth in Section 27.05.
- C. Minimum Parcel Size. The minimum site size for a multiple-family residential development shall be five (5) acres.
- D. Off-Street Parking.
 - 1. A minimum of two (2) parking spaces shall be provided for each dwelling unit.
 - 2. Parking for visitors at the rate of one (1) parking space for every three (3) dwelling units shall also be provided.
 - 3. One (1) parking space for each two hundred (200) square feet of building area for accessory buildings, structures, or uses such as laundromats, tennis courts, swimming pools, etc., shall be provided.
 - 4. The required parking spaces shall be located no further than two hundred (200) feet from the structures that they are intended to serve.
 - 5. The internal roadway, driveways, and parking areas shall be curbed and consist of hard-surfaced concrete, blacktop (asphalt), or the equivalent, as approved by the Planning Commission.
 - 6. All off-street parking shall conform to the standards set forth in Section 27.04 of this Ordinance.
- E. Landscaping.
 - 1. A landscape plan shall be submitted to the Planning Commission for approval. The landscape plan shall specify materials and landscape treatment, based on the requirements set forth for such items in Section 27.05 of this Ordinance. This landscape plan shall be part of, or accompany, the site plan.
 - 2. A landscaped greenbelt at least ten (10) feet in width shall be provided along the entire perimeter of an RM-1 or RM-2 District, except where ingress or egress drives are located.
 - 3. The Multiple Family Residential District shall be screened from view from any adjoining single-family residentially zoned or used property. Such screening shall consist of earth berms or evergreen landscaping, subject to the approval of the Planning Commission.
 - 4. All landscaping and screening shall be maintained in an attractive, litter-free, safe, and healthy condition. Maintenance of all landscaping shall be of sufficient frequency to prevent overgrowth and deterioration from the original condition.

- F. Sign Regulation. All signs shall comply with the standards set forth in Orion Township Sign Ordinance No. 138. *(amended 05.19.94, 10.08.98, 02.21.06)*
- G. Lighting Regulations. *(amended 04.27.00)*
1. A lighting plan shall be submitted with all site plans as set forth in Section 27.11 of this Ordinance. All other Zoning Ordinance regulations shall apply unless otherwise noted in this Ordinance.
 2. Exterior site lighting shall be fully shielded and directed downward to prevent off-site glare.
 3. Site illumination on properties adjacent to residential properties shall not exceed 0.3 foot-candle along property lines, or 1.0 foot-candle along non-residential property lines. Parking lot lighting shall be governed by Section 27.11.
- H. Public Road Access. *(amended 05.19.94)*
1. Any multiple-family residential development shall have direct access to an existing or proposed major thoroughfare as shown on the Thoroughfare Plan of the adopted Township Master Plan, except that indirect access to said major thoroughfare via a local or collector street may be permitted, where the Planning Commission determines that such an alternative would promote traffic safety and would not cause undue disruption to adjacent single-family neighborhoods. *(amended 11.28.85)*
 2. Streets shall be provided in the development for convenient access to every dwelling unit and to all other facilities.
 3. The street system shall provide convenient circulation by means of minor streets and/or alleys and properly located collector and arterial streets.
 4. Closed ends of dead end streets shall be provided with a turning circle of not less than fifty (50) feet outside pavement radius.
 5. The Planning Commission may require a dedicated public street for main vehicular access in those developments where the public health, safety, and welfare would be served by public maintenance and control. However, in all instances, a main street providing access to the site shall have a sixty (60) foot wide easement (if not public) for a fire lane and utilities. The pavement shall be twenty-four (24) feet wide, with no parking. Wider pavement widths may be required by the Planning Commission if it can be shown that public health, safety, and welfare will be served.
 6. All streets shall be constructed to the standards of the Road Commission for Oakland County.
 7. All other streets, aisles, or drives shall be not fewer than twenty-two (22) feet in width.
- I. Utilities.
1. All utilities servicing the structures shall be buried underground.
 2. All dwelling units are to be located in a building or buildings which is/are provided with water and sanitary sewage disposal through publicly owned systems or privately owned systems, which the Township Planning Commission determines to be adequate to protect the public health, safety, and welfare.
 3. Provision shall be made for site grading and drainage so as to cause surface or storm water to be removed in accordance with the provisions set forth in Section 27.02 and 27.04. The site grading and drainage patterns shall be reviewed by the Township Engineer and approved by the Planning Commission.
- J. Covered Trash Areas. *(amended 05.19.94)*

1. Covered trash receptacles, surrounded on three (3) sides by masonry brick-type walls, one (1) foot higher than the receptacle, shall be provided; said trash receptacles shall not be located in any yard adjacent to a public street.
2. The fourth side of the enclosed trash receptacle area shall be equipped with an opaque lockable gate of the same height as the masonry brick wall.
3. The Planning Commission may, at their discretion, waive the requirements for a covered trash receptacle as described herein, if, after considering the nature of the operation being proposed, the Commission determines that the amount of trash generated can be adequately disposed of without use of an outside trash receptacle.
(amended 01.30.86)

K. Loading and Unloading. *(amended 05.19.94)*

1. Loading and unloading areas shall not be located in any yard adjacent to a public street.
2. Loading and unloading areas shall not be located where they will interfere with parking or obstruct ingress or egress.
3. All loading and unloading areas shall be in conformance with the requirements set forth in Section 27.04.

L. Performance Guarantee Requirement. *(amended 08.15.16)*

The Planning Commission shall require a performance guarantee to be deposited with the Township Clerk in accordance with the provisions set forth in Section 30.09, to ensure that necessary and required improvements proposed on the site plan will be completed.

M. General.

1. Patio Area.

A paved outdoor patio area of not less than one hundred fifty (150) square feet may be provided for each dwelling unit. The patio area should be conveniently located near an entrance to the dwelling and should be appropriately related to open areas and other amenities on the lot, so as to provide a suitable outdoor living space to supplement the interior space of a unit.

2. Sidewalks.

- a. Hard-surfaced sidewalks shall be provided throughout the development so as to provide a complete pedestrian circulation system. These hard-surfaced sidewalks shall be not less than three (3) feet in width and not less than four (4) inches in thickness.
- b. The secondary walkways, including walks from each building entrance to the primary walk system, shall be not less than four (4) inches thick.
- c. Sidewalks and secondary walkways constructed pursuant to this section shall otherwise be constructed in accordance with Ordinance No. 97. *(added 02.03.03)*

3. Recreation Open Space. *(amended 05.19.94)*

- a. Recreation open space shall be provided and shall be equal to an area of not less than five hundred (500) square feet per dwelling unit or a minimum of twenty five thousand (25,000) square feet, whichever is greater.
- b. The required recreation open space shall be located conveniently in relation to the majority of dwelling units intended to be served by such facility, and shall not include a wetland area.

- c. Uses permitted within the required recreation open space shall include playground and park space, play equipment, tennis courts, shuffle board courts, basketball courts, and/or similar facilities, or any structure for which a building permit must be issued.
- d. The improvement of the required recreation facility shall be completed by the developer of any multiple-family residential development project within the requirements of this Ordinance in the following manner:

Percent of Certificates of Occupancy Issued of Total Units Proposed*	Percent of Completely Improved Recreation Space Required
Up to 25%	40%
26% - 50%	60%
51% - 75%	80%
76% - Plus	100%
* If the proposed project is developed in phases, the appropriate percentage shall be applied to required recreation space of each particular phase.	

- e. **Safety Paths.** Construction of safety paths for pedestrian use and use by non-motorized vehicles shall be required of all developers in conjunction with the development of parcels in this zoning district. The safety paths shall conform to the specifications outlined in Section 27.06 (F) and Ordinance No. 97. *(amended 01.05.87, 02.03.03)*
- N. **Tree Preservation Regulations** *(amended 08.03.00)*. The tree permit requirements apply to developments in this District, according to the terms of Section 27.12.
- O. **Wetland Setbacks.** The wetland setback requirements apply to all developments in this District, according to the terms of Section 27.17. *(added 09.17.07)*

Section 7.06 – Area and Bulk Requirements *(amended 03.19.92, 05.19.94, 11.01.16)*

- A. **Minimum Lot or Parcel Area.** Multiple-family dwellings shall not be erected on a lot or parcel of land which has an area of fewer than five (5) acres, excluding existing road right-of-way.
- B. **Building Bulk and Height.** The maximum building height shall be thirty-five (35) feet and two and one-half (2 1/2) stories. The maximum dimension of a building measured in any straight line shall be two hundred (200) feet.
- C. **Maximum Number of Dwelling Units Per Acre.**
 - 1. The number of dwelling units (du) per acre in the RM Districts shall not exceed the following:
 - RM-1: 6 du/acre
 - RM-2: 8 du/acre
- D. **Minimum Floor Area/Unit.**
 - 1. One bedroom - 500 square feet
 - 2. Two bedrooms - 700 square feet
 - 3. Three bedrooms - 900 square feet
 - 4. Four bedrooms* - 1,000 square feet

* An additional one hundred fifty (150) square feet of floor area shall be provided for each bedroom over and above four (4) bedrooms.

Maximum site coverage - 25%.

E. Building Setbacks.

1. Buildings shall have the following minimum setbacks from the perimeter of the parcel:
 - a. Front yards - 100 feet
 - b. All other yards, including side and rear yards - 50 feet
2. Side and rear setbacks shall be a minimum of seventy-five (75) feet along those property lines which abut a single-family district, or one-family detached units or lots of an approved PUD plan, and which are not separated from such units, lots, or one-family district by a major thoroughfare or collector street, or where the abutting single-family dwelling unit district is not already developed for a permitted use other than single-family residential.
3. If more than one building shall be constructed on the same site, the minimum distance between buildings shall be:
 - a. When front to rear, front to front, and/or rear to rear - 70 feet
 - b. End to end - 30 feet
 - c. End to front and/or end to rear - 50 feet
4. Accessory buildings (such as carports) that do not exceed fourteen (14) feet in height may be located within minimum setback areas which do not abut public streets on the perimeter of the parcel or within the minimum distance between buildings, provided that they have setbacks of not fewer than twenty (20) feet.

F. Parking Setbacks.

1. Off-street parking spaces, drives, and aisles shall not be located fewer than twenty (20) feet to any abutting single-family dwelling district. Off-street parking spaces, drives, and aisles may be located within a yard on a public street abutting the perimeter of the parcel, provided that they are set back not fewer than thirty-five (35) feet from the future right-of-way line.
2. Off-street parking spaces, drives, and aisles shall not be located fewer than ten (10) feet to all other districts or to any existing permitted use in a single-family dwelling district that is not a single-family dwelling.
3. Off-street parking spaces, aisles, and drives shall not be located closer than twenty (20) feet to any residential building wall containing windows or doors on the ground floor level or below.
4. Carports shall not be located closer than fifty (50) feet to any residential building wall containing windows or doors on the ground floor level or below, unless there is a corner to corner relationship between the building wall and the carport, in which case the minimum distance shall be twenty (20) feet.



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