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5200 Civic Center Drive  
Waterford, Michigan 48329-3773  
Telephone: (248) 674-6238 Fax: (248) 674-4097  
www.waterfordmi.gov

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Rob Merinsky, PE  
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Jeffrey M. Polkowski, AICP  
Superintendent of Planning &  
Zoning Division

## **MEMORANDUM**

Date: July 6, 2020

To: Honorable Township Board Members

From: Jeffrey Polkowski, Superintendent of Planning and Zoning

RE: Proposed Zoning Ordinance Text Amendment Cases for the June 23, 2020  
Planning Commission Meeting:  
Text Amendment Case No. 20-03-03 – M-1, Light Industrial District

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Attached for your review and consideration, please find a proposed Zoning Ordinance Text Amendment. This proposed Zoning Ordinance Text Amendment removes commercial outdoor storage establishments as a Permitted Principal Use and adds it to the list of Permitted Uses after Special Approval within the M-1 Light Industrial District. This would establish the Planning Commission as the review and approval authority for commercial outdoor storage establishments within the M-1 Light Industrial District in accordance with Section 4-006 of the Zoning Ordinance.

After due consideration, Planning Staff has recognized an abundance of commercial outdoor storage establishments. Although necessary, these uses are considered unattractive and undesirable to the community when developed in large concentrations.

In an effort to incentivize more desirable industrial developments, this ordinance amendment upholds the intent of the 2003-2023 Master Plan vision for Industrial Districts in order to *“create an economic climate conducive to the attraction, retention, and expansion of business within Waterford,”* and *“improve the physical appearance and functional character of the commercial corridors.”*

Modifying commercial outdoor storage establishments to be a Permitted Uses after Special Approval within the M-1 zoning district also ensures that the public be notified and that effective site development practices are established so that the quality of life in adjacent residential areas are not adversely affected.

### **Motion**

If the Township Board concurs with the Planning Commission’s favorable recommendation for this, a motion to “introduce” the case should be made which would then provide for consideration of “final adoption” of the Ordinance Amendment at your July 27, 2020 meeting.

Upon your review, if you have any questions or require further information, please contact this office.

**With us there are no  
boundaries**

## **SECTION 3-806. M-1, LIGHT INDUSTRIAL DISTRICT**

The regulations in the subsections below shall apply to properties in the M-1 Light Industrial Zoning District:

- 1. Purpose and Intent.** The M-1 zoning district is intended to implement the goals of the Light Industrial land use designation as described in Chapter 8 of the Waterford Township Master Plan-2003-2023 and identified on the Future Land Use Maps as well as implement Master Plan Goal Four, *To Create an Economic Climate Conducive to the Attraction, Retention, and Expansion of Business within Waterford*, Objective 4.4, *Improve the Physical Appearance and Functional Character of the Commercial Corridors*, and Goal Six, *To Ensure and Enforce Land Use Development Practices that are Sensitive to Waterford's Natural Environment*, by permitting industrial uses on zoning lots properly scaled and designed with primary access along major arterial streets and ensuring that sources of ongoing noise, heavy truck traffic, fumes, and similar characteristics are mitigated through extensive buffering and the use of authorized building materials. This zoning district is also intended to ensure that effective setbacks and landscape buffers are established so that the quality of life in adjacent residential areas is not adversely affected.
- 2. Conformance to Regulatory Standards.** All zoning lots, uses, buildings, and structures within this zoning district shall comply with **Sections 3-900 and 3-901** and the **Waterford Code of Ordinances, Buildings and Building Regulations, Fire Prevention and Protection, Flood Control and Environmental Protection, Health and Sanitation, and Water and Sewers**. In addition to all other plan review requirements applicable under this Zoning Ordinance, developments in this zoning district shall require approval through the applicable site plan review procedure in accordance with **Section 4-004**.
- 3. Permitted Principal Uses.** The following uses shall be permitted as principal permitted uses in the M-1 district:
  - A. Building systems repair establishments and household service repair establishments (*See Commercial Service Establishments in Section 1-007*).
  - B. Commercial storage establishments **with the exception of commercial outdoor storage establishments.** (*See Commercial Storage Establishments in Section 1-007*).
  - C. Freight handling facilities (*See Freight Handling Facility in Section 1-007*).
  - D. Packing and bailing sites, recyclable materials collection facilities, and refund container recycling depots (*See Recycling Facilities in Section 1-007*).
  - E. Light equipment rental establishments and heavy equipment rental establishments (*See Rental Establishments in Section 1-007*) that are conducted within the principal building and do not utilize outdoor display and/or storage of vehicles.
  - F. New vehicle dealer establishments, used vehicle dealer establishments, and vehicle broker dealer establishments (*See Vehicle Dealer Establishments in Section 1-007*) that are conducted within the principal building and do not utilize outdoor display and/or storage of vehicles.
  - G. Public utility facilities and public utility hardware (*See Public Utility in Section 1-007*).
- 4. Permitted Uses after Wellhead Protection Compliance.** The following uses shall be permitted as principal permitted uses in the M-1 district, subject to receiving a Determination of Compliance with Wellhead Protection from the Public Works Official as defined and regulated by the **Waterford Code of Ordinances** prior to consideration through the applicable site plan review procedure in accordance with **Section 4-004**:
  - A. Landscaping maintenance establishments (*See Commercial Service Establishments in Section 1-007*).
  - B. Commercial dry cleaning establishments (*See Dry-Cleaning Establishments in Section 1-007*).
  - C. Fueling facilities as an ancillary use (*See Use in Section 1-007*).
  - D. Propane filling facilities as an ancillary use (*See Use in Section 1-007*).
  - E. Vehicle repair facilities (*See Vehicle Repair Facilities in Section 1-007*).
  - F. Commercial agricultural processing factories, craft factories, food processing factories, and metal products factories (*See Manufacturing Establishments in Section 1-007*), which may include a factory outlet (*See Use in Section 1-007*) when reviewed and identified as part of an approved final site plan.
  - G. On zoning lots with a net lot area exceeding one (1) acre:
    - (1) Light equipment rental establishments and heavy equipment rental establishments (*See Rental Establishments in Section 1-007*), with outdoor display and storage.
    - (2) New vehicle dealer, used vehicle dealer, and vehicle broker dealer establishments (*See Vehicle Dealer Establishments in Section 1-007*), with outdoor display and storage.

- 5. Permitted Uses after Special Approval.** The following uses shall be permitted as special approval uses in the M-1 district, subject to the review and approval of the use in accordance with **Section 4-006** and any conditions hereinafter imposed for each such use:
- A. Caretaker's dwelling unit (*See Caretaker's Dwelling Unit in Section 1-007*), when located on the same zoning lot with the principal use to which it is accessory, provided that it meets all **Waterford Code of Ordinances** provisions for the structural and safety separation between the residential use and the principal use.
  - B. Bulk soil resource supplies establishments (*See Commercial Bulk Vegetation and Soil Resource Establishments in Section 1-007*).
  - C. The following uses shall be considered for special approval, provided that the proposed use and site plan receives a Determination of Compliance with Wellhead Protection from the Public Works Official as defined and regulated by the **Waterford Code of Ordinances** prior to consideration by the Planning Commission under this Section:
    - (1) Industrial or laundry plant dry-cleaning establishments (*See Dry-Cleaning Establishments in Section 1-007*).
    - (2) Transport hauling rental establishments (*See Rental Establishments in Section 1-007*).
    - (3) Leather goods factories, paper products factories, pharmaceutical factories, textile factories, and wood products factories (*See Manufacturing Establishments in Section 1-007*), which may include a factory outlet (*See Use in Section 1-007*) when reviewed and identified as part of an approved final site plan.
    - (4) Used vehicle parts dealer establishments (*See Vehicle Dealer Establishments in Section 1-007*).
    - (5) Distressed vehicle storage yards (*See Section 1-006*), and distressed vehicle transporter establishments (*See Vehicle Dealer Establishments in Section 1-007*) when operated in conjunction with a distressed vehicle storage yard on the same zoning lot.
    - (6) Outdoor storage as an accessory use for the uses listed in **Section 3-806.3.A** through **D**, and **Section 3-806.4.A** and **E**, provided that all outdoor storage areas associated with such a use shall be located to the rear of the principal building. The Planning Commission may stipulate a reasonable increase of setback requirements to that of a more intensive zoning district as well as additional screening and barriers when the subject zoning lot abuts a residential zoning district.
  - D. Commercial outdoor storage establishments (*See Commercial Storage Establishments in Section 1-007*).

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CHARTER TOWNSHIP OF WATERFORD  
ORDINANCE NO. 2020-Z-003

**TEXT AMENDMENT TO ZONING ORDINANCE**

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A (“Zoning Ordinance”) M-1, Light Industrial District text to eliminate commercial outdoor storage establishments as permitted principal uses and allow them as permitted uses after special approval.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

**Section 1 of Ordinance**

Section 3-806.3 of the Waterford Township Zoning Ordinance that lists permitted principal uses in the M-1, Light Industrial District, is amended by changing subsection B to read as follows:

- B. Commercial storage establishments with the exception of commercial outdoor storage establishments. (*See Commercial Storage Establishments in Section 1-007*).

**Section 2 of Ordinance**

Section 3-806.5 of the Waterford Township Zoning Ordinance that lists permitted uses after special approval in the M-1, Light Industrial District, is amended by adding a new subsection D to read as follows:

- D. Commercial outdoor storage establishments (*See Commercial Storage Establishments in Section 1-007*).

**Section 3 of Ordinance**

The effective date of this Ordinance shall be on the 8<sup>th</sup> day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

**CERTIFICATION**

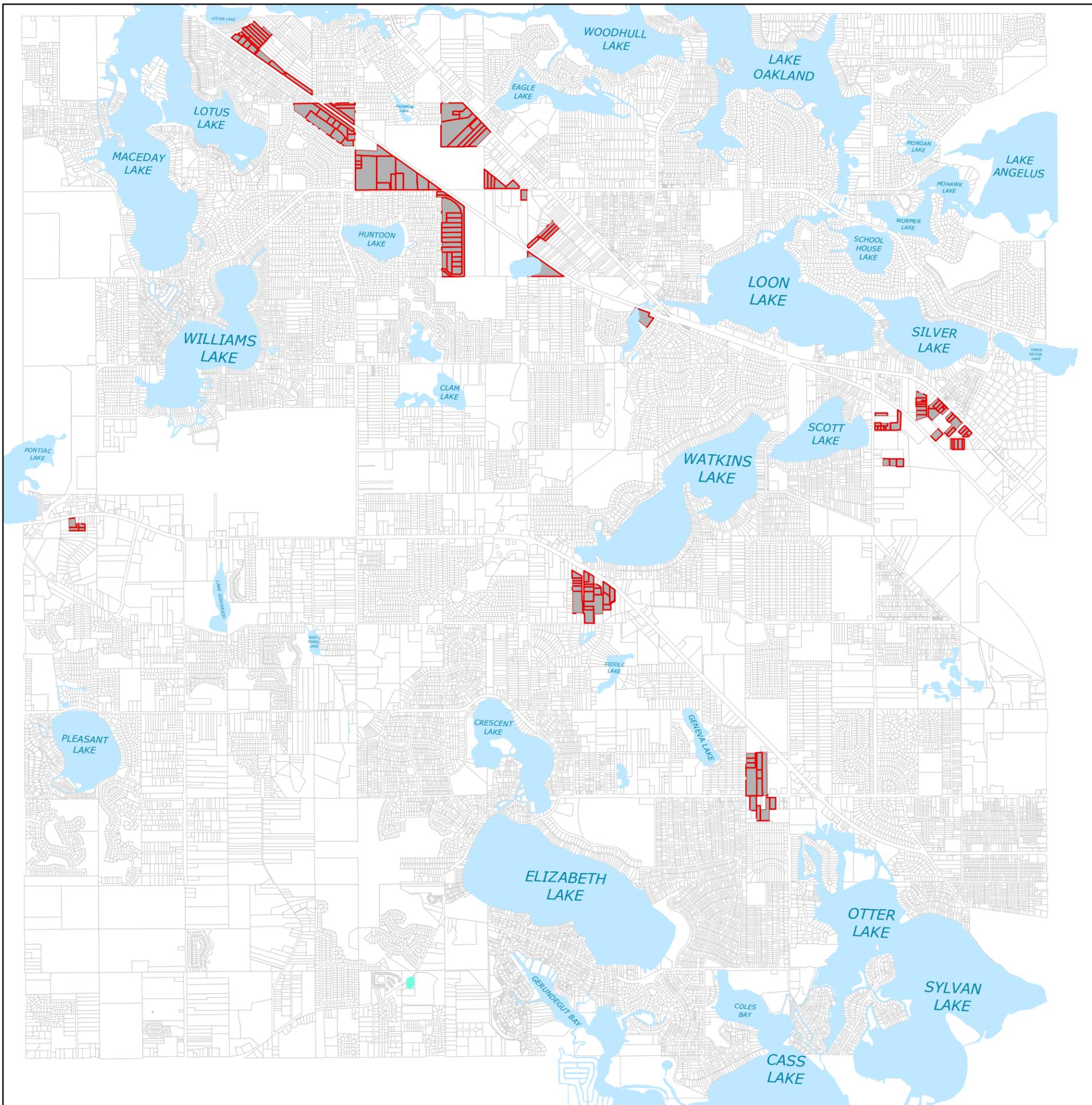
I certify that this Zoning Ordinance Text Amendment was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on \_\_\_\_\_, 2020.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kimberly Markee, Township Clerk



## Proposed Zoning Ordinance Text Amendment Case No. 20-03-03 – M-1, Light Industrial District Commercial Outdoor Storage



### Legend

- Lakes
- M-1, Light Industrial
- All Other Districts

Charter Township of Waterford  
Development Services Department  
Planning and Zoning Division

Drawn By; J. Polkowski  
March 11, 2020