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**DEVELOPMENT SERVICES  
DEPARTMENT**

Dave Hills  
Superintendent of Building  
Division  
Jeffrey M. Polkowski, AICP  
Superintendent of Planning &  
Zoning Division

## MEMORANDUM

Date: May 2, 2022

To: Honorable Township Board

From: Jeffrey M. Polkowski, Superintendent of Planning and Zoning

RE: 2022-Z-007 Proposed Zoning Ordinance Text Amendment: Establishments with Drive-thru Service Facilities as an Accessory Use

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This proposed Zoning Ordinance Text Amendment requires that a six foot masonry screening wall be constructed in any new establishment that offers a drive-thru service facilities as an accessory use when that facility is abutting a residentially zoned district. This would be required along all property lines abutting a residential zoning district. This proposed ordinance amendment also requires the minimum frontage of any new drive-thru service facility to be 150 ft. and that there shall be no entrances and exits to that facility opposite of a residentially zoned property.

After some consideration, Planning Staff has made the decision to recommend this ordinance amendment due to the intensive nature that drive-thru services may impose on neighboring properties and conflicting land uses. This amendment works to ensure that the quality of life in adjacent residential areas are not adversely. A masonry screening wall is would serve as an adequate, visual, sound, and safety barrier to any adjacent residential property.

As with all screening requirements township-wide, The Planning Commission may grant a special exception allowing for a reduction in required screening, or material required, but only if such screening would serve no useful purpose.

Section 1-007 of the Zoning Ordinance defines Drive-Thru Service facilities as:

**DRIVE-THRU SERVICE.** A service provided by an establishment where the zoning lot upon which the establishment is located is designed to provide a vehicle approach lane for conducting business at a service window or via a two-way speaker on a menu-order structure.

### Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on April 26, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

**Motions**

Based upon the Planning Commission's favorable recommendation at the April 26, 2022 regular meeting for this Zoning Ordinance amendment, should the Board want to consider adopting the requested Zoning Ordinance amendment, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the May 23, 2022 meeting. However, if the Board does not want to adopt the requested Zoning Ordinance amendment, the appropriate motion would be to not introduce the Ordinance and deny the amendment.

Should you have any questions prior to Monday's meeting please do not hesitate to reach out to me.

## **SECTION 3-602. REGULATIONS APPLICABLE TO PROPERTIES IN THE O-1 AND O-2 ZONING DISTRICTS**

### **3-602.2. Accessory Buildings, Accessory Structures, and Accessory Uses.**

Q. Drive-thru service facilities (*See Drive-Thru Service in Section 1-007*) that are not in conjunction with restaurant establishments, provided establishment of such service facilities on a zoning lot governed by an approved site plan shall require site plan approval in accordance with *Section 4-004.1*. Approval of drive-thru service facilities in any zoning district established under this Division shall be contingent upon the subject zoning lot maintaining effective pedestrian and vehicular circulation, required parking, and required setbacks and landscaping after installation of such service facilities. **A six (6) foot high masonry screening wall shall be provided along all property lines abutting a residential zoning district. The site shall have a minimum of one hundred fifty (150) feet of frontage. Points of vehicular ingress and egress shall be limited to the thoroughfares having Commercial, Office, or Industrial zoned frontage only.**

## **SECTION 3-702. REGULATIONS APPLICABLE TO PROPERTIES IN THE C-1, C-2, C-3, C-4, C-UB, AND C-UL ZONING DISTRICTS**

### **3-702.2. Accessory Buildings, Accessory Structures, and Accessory Uses.**

Q. Drive-thru service facilities (*See Drive-Thru Service in Section 1-007*), provided establishment of such service facilities on a zoning lot governed by an approved site plan shall require site plan approval in accordance with *Section 4-004.1*. Approval of drive-thru service facilities in any zoning district established under this Division shall be contingent upon the subject zoning lot maintaining effective pedestrian and vehicular circulation, required parking, and required setbacks and landscaping after installation of such service facilities. **A six (6) foot high masonry screening wall shall be provided along all property lines abutting a residential zoning district. The site shall have a minimum of one hundred fifty (150) feet of frontage. Points of vehicular ingress and egress shall be limited to the thoroughfares having Commercial, Office, or Industrial zoned frontage only.**

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CHARTER TOWNSHIP OF WATERFORD

ORDINANCE NO. 2022-Z-007

**TEXT AMENDMENT TO ZONING ORDINANCE**

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A (“Zoning Ordinance”) to clarify that screening walls are required for Drive-Thru Services abutting residential zoning districts in the O-1 and O-2 Zoning District and in the C-1, C-2, C-3, C-4, C-UB and C-UL Zoning Districts.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

**Section 1 of Ordinance**

The Regulations Applicable to Properties in the O-1 and O-2 Zoning Districts shall be modified in Section 3-602.2 Q of the Zoning Ordinance to read as follows:

**2-602.2. Accessory Buildings, Accessory Structures, and Accessory Uses.**

Q. Drive-thru service facilities (*See Drive-Thru Service in Section 1-007*) that are not in conjunction with restaurant establishments, provided establishment of such service facilities on a zoning lot governed by an approved site plan shall require site plan approval in accordance with *Section 4-004.1*. Approval of drive-thru service facilities in any zoning district established under this Division shall be contingent upon the subject zoning lot maintaining effective pedestrian and vehicular circulation, required parking, and required setbacks and landscaping after installation of such service facilities. A six (6) foot high masonry-screening wall shall be provided along all property lines abutting a residential zoning district. The site shall have a minimum of one hundred fifty (150) feet of frontage. Points of vehicular ingress and egress shall be limited to the thoroughfares having Commercial, Office, or Industrial zoned frontage only.

**Section 2 of Ordinance**

The Regulations Applicable to Properties in the C-1, C-2, C-3, C-4, C-UB and C-UL Zoning Districts shall be modified in Section 3-702.2 Q of the Zoning Ordinance to read as follows:

**3-702.2. Accessory Buildings, Accessory Structures, and Accessory Uses.**

Q. Drive-thru service facilities (*See Drive-Thru Service in Section 1-007*), provided establishment of such service facilities on a zoning lot governed by an approved site plan shall require site plan approval in accordance with *Section 4-004.1*. Approval of drive-thru service facilities in any zoning district established under this Division shall be contingent upon the subject zoning lot maintaining effective pedestrian and vehicular circulation, required parking, and required setbacks and landscaping after

installation of such service facilities. A six (6) foot high masonry-screening wall shall be provided along all property lines abutting a residential zoning district. The site shall have a minimum of one hundred fifty (150) feet of frontage. Points of vehicular ingress and egress shall be limited to the thoroughfares having Commercial, Office, or Industrial zoned frontage only.

**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 \_\_\_\_\_, 2022.

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Date

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Kim Markee, Township Clerk