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**DEVELOPMENT SERVICES
DEPARTMENT**

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

Dave Hills
Superintendent of Building
Division

MEMORANDUM

Date: February 6, 2023

To: Honorable Township Board of Trustees

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

RE: Text Amendment: Planned Unite Development Review Procedures and Requirements in the RM-2 Zoning District

This Zoning Ordinance Text Amendment is being proposed to correct an error in the Zoning Ordinance.

3-404.2 of the Zoning Ordinance states that all lots, uses, buildings, and structures within the RM-2 Zoning District must comply with all procedural requirements set forth by the Township. However, when listing these requirements, it incorrectly references 4-005 (*Planned Unite Development Review Procedures and Requirements*) instead of 4-004 (*Site Plan Review Procedures and Requirements*) as a standard that must be followed.

Historically, Township staff has always enforced Site *Plan Review Procedures and Requirements* when reviewing site plans in this Zoning District and simply dismissed this as a typo. The case for this being error is especially reinforced by the fact that *Planned Unit Developments* are not allowed in the RM-2 Zoning District.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on January 24, 2023 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the January 24, 2023 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 February 27, 2023 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 3-404. R-M2, MULTIPLE-FAMILY RESIDENTIAL ZONING DISTRICT

The regulations in the subsections below shall apply to properties in the R-M2 Multiple-Family Residential Zoning District:

3-404.1. Purpose and Intent. The R-M2 zoning district is intended to implement the goals of the Multiple-Family land use designation as described in Chapter 8 of the Waterford Township Master Plan-2003-2023 and identified on the Future Land Use Maps by allowing for the intensive residential use of land with the various forms of multiple-family dwellings. This zoning district shall be primarily located on a major arterial street or minor arterial street to ensure accessibility while minimizing impact on local streets. This zoning district may serve in other areas as a transitional zone between light industrial or the most intensive office and commercial zoning districts and existing single-family residential zoning districts. This zoning district is intended to provide varying types and sizes of residential accommodations to meet the needs of the different demographic categories looking to reside within the Township.

3-404.2. Conformance to Regulatory Standards. All zoning lots, uses, buildings, and structures within this zoning district shall comply with **Section 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 be subject to review and approval in accordance with **Section 4-005** **Section 4-004**.

3-404.3. Permitted Principal Uses. The following uses shall be permitted as principal permitted uses in the R-M2 district:

- A. Multiple-family dwellings (*See Dwelling, Multiple-Family in Section 1-007*).
- B. Attached single-family dwellings (*See Dwelling, Single-Family Attached in Section 1-007*). (Amended 8/4/2020)
- C. Single-family duplex dwellings (*See Dwelling, Single-Family Duplex in Section 1-007*) and single-family flat dwellings (*See Dwelling, Single-Family Flat in Section 1-007*) developed and arranged with two or more buildings on a single zoning lot.
- D. Adult day care homes (*See Adult Day Care Facilities in Section 1-007*).
- E. Child family day care homes (*See Child Day Care Facilities in Section 1-007*).
- F. Child foster family homes (*See Foster Care Facilities in Section 1-007*).
- G. Neighborhood public utility facilities (*See Public Utility in Section 1-007*) and public utility hardware (*See Public Utility in Section 1-007*).
- H. Area public utility facilities (*See Public Utility in Section 1-007*), provided that any installations located closer than fifty (50) lineal feet from any adjacent residential dwelling shall be screened with landscaping materials as provided for in **Division 2-8** and identified in a landscape plan reviewed and approved by the Zoning Official and Township Engineer, and such landscaping shall not negatively impact accessibility by utility maintenance crews. (Amended 7/5/2022)

3-404.4. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the R-M2 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. Child group day care (*See Child Day Care Facilities in Section 1-007*), when meeting the statutory standards of Public Act 110 of 2006, Michigan Zoning Enabling Act, as amended.
- B. Elder care facilities (*See Elder Care Facilities in Section 1-007*).
- C. Regional public utility facilities (*See Public Utility in Section 1-007*), provided that the Planning Commission determines that no other location is available for the efficient and effective provision of utility services to Township residents, and that reasonable measures are stipulated and implemented to mitigate the impact of such installations on the adjacent properties.

3-404.5. Permitted Uses after Special Accommodation Use Approval. Adult group day care homes (*See Adult Day Care Facilities in Section 1-007*), and adult foster care family homes, adult foster care small group homes, and adult foster care medium group homes (*See Foster Care Facilities in Section 1-007*) shall, after receiving approval of the use in accordance with **Section 4-008**, be permitted as special accommodation uses in the R-M2 district, when meeting the statutory standards of Public Act 110 of 2006, Michigan Zoning Enabling Act, as amended, and subject to the conditions hereinafter imposed for each use.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2023-Z-004

TEXT AMENDMENT TO ZONING ORDINANCE

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A (“Zoning Ordinance”) Multiple-Family Residential Zoning District R-M2, to correct an error in a reference to another section in the Zoning Ordinance.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 3-404.2 of the Waterford Township Zoning Ordinance that lists Conformance to Regulatory Standards shall read as follows:

3-404.2. Conformance to Regulatory Standards. All zoning lots, uses, buildings and structures within this zoning district shall comply with **Section 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 be subject to review and approval in accordance with **Section 4-004**.

Section 2 of Ordinance

The effective date of this Ordinance shall be on the 8th 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 February 23, 2023.

Date

Kimberly Markee, Township Clerk