

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD

ORDINANCE NO. 2019-Z-001

SUMMIT PLACE OVERLAY ZONE TEXT AND MAP
AMENDMENT TO ZONING ORDINANCE

An Ordinance to amend Waterford Township Zoning Ordinance No. 135-A ("Zoning Ordinance") by adopting and establishing the Summit Place Overlay Zoning District and the use and development regulations for that District.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The Waterford Township Zoning Ordinance is amended by adding a new Section 3-709, Summit Place Overlay Zoning District, in Division 3-7, Commercial Zoning Districts, to read as follows;

SECTION 3-709. SUMMIT PLACE OVERLAY ZONING DISTRICT

1. District Establishment and Zoning Map Amendment. As provided for in Section 3-700 of this Ordinance, the "Summit Place Overlay Zoning District", referred to in this Section as the "District", is hereby adopted and established on the property shown and described on and in the attached Appendix, with the Zoning Map that is adopted by and made part of the Waterford Township Zoning Ordinance in Section 3-101 to be amended to identify and show this Overlay District, which supplements without amending the existing commercial zoning district classification of the property in the Overlay District.

2. Purpose and Intent. In recognition of the changed economic and market conditions that have limited the potential users of District properties for traditional retail and other commercial uses, the District and regulations in this Section are adopted for the purpose and with the intent to encourage and facilitate the rehabilitation and redevelopment of District properties to productive uses by providing more flexible regulations that expand the types of permitted uses and simplifies the approval process.

3. Uses allowed. Subject to complying with all applicable conditions or requirements identified in this Section, the following uses shall be permitted principal uses in the District:

- A. Permitted principal uses, permitted uses after wellhead compliance, and special approval uses that are listed in Sections 3-702, 3-703, 3-704, 3-705, 3-706, as allowed in the C-1, C-2, C-3, and C-4 Districts, except commercial outdoor storage establishments involving the outdoor storage of soil resources, landscaping materials, or landscaping vegetation (as

defined under Commercial Bulk Vegetation and Soil Resource Establishments in Section 1-007), which are not allowed.

- B. Permitted principal uses and special approval uses that are listed in Sections 3-802, 3-804, and 3-805 as allowed in the HT-1 and HT-2 Districts.
- C. The following permitted principal uses and special approval uses that are listed in Section 3-404 as allowed in the RM-2 District:
 - (1) Multiple-family dwellings.
 - (2) Elder care facilities.
- D. The following permitted principal uses that are listed in Section 3-806 as allowed in the M-1 District.
 - (1) Freight handling facilities with direct access, including by an internal street in the District, to a major arterial street.
 - (2) Heavy equipment rental establishments that are conducted within the principal building and do not utilize outdoor display or storage of vehicles, machinery, or equipment.
- E. Child day care centers as defined in Section 1-007 that are listed in Section 3-604 as a permitted principal use in the O-2 District.

4. Applicable General Regulations. Unless otherwise indicated in this Section, the Regulations Applying to All Districts in Article II and the Regulations in Section 3-702 for commercial uses and Section 3-802 for higher intensity uses (HT-1, HT-2, and M-1) shall apply to properties in the District.

5. Approval Required. The process and requirements for approval of a use in the District shall be in accordance with the Requirements Applicable for All Procedures in Section 4-003 and the Site Plan Review Procedures and Requirements in Section 4-004.

6. Review Standards for Proposed Use. The zoning requirements applicable to a proposed use in the District shall be in accordance with the Ordinance section that applies to that use. If more than one Ordinance section applies, the applicant may designate which Ordinance section the proposed use is being submitted for approval under.

7. Dimensional Standards. Subject to modification as provided in subsections B, D, and E or a Planning Commission final determination to reduce required setbacks or to increase maximum building height made as a requirement and condition of site plan approval, the lot dimensional standards for land in the District are as follows, with these standards being based on the Table of Regulations in Section 3-900 as modified for the District and all Footnotes to that Table in Section 3-901:

A. Table of District Lot, Area, and Bulk Regulations.

For Uses Listed in Districts:	Impervious Surface Max %	Min Lot Size-sf	Min Lot Width-ft	Max Building Height-ft	Front Setback-ft	Side Setback-ft	Rear Setback-ft
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RM-2	50%	43,560	150'	36'	3-901.8	3-901.8	3-901.8
O-2	50%	43,560	100'	50'	35'	20'/40'	20'
C-1	50%	7,500	60'	24'	25'	15'/30'	20'
C-2	50%	9,000	70'	24'	25'	15'/30'	20'
C-3	50%	24,000	90'	40'	25'	20'/40'	20'
C-4	50%	87,120	150'	40'	30'	20'/40'	20'
HT-1	50%	21,780	100'	30'	25'	15'/30'	30'
HT-2	50%	43,560	120'	50'	35'	15'/30'	40'
M-1	50%	43,560	150'	30'	40'	15'/40'	40'

- B. As a modification of the maximum building height standards in the subsection A Table, the height of buildings for office establishments, multiple-family dwellings, and elderly care facilities shall not exceed 120 feet and shall not be more than ten (10) stories.
- C. Variances from these standards may not be granted by the Zoning Board of Appeals for proposed uses that are only listed in the HT-1, HT-2, or M-1 Districts.
- D. If an M-1 use is proposed adjacent to an existing multiple family use, side and rear yard setbacks shall be increased by 100% from the adjoining lot lines or unit boundaries of the multiple family use.
- E. Setbacks from Telegraph Road., Elizabeth Lake Road. and Summit Drive shall be increased by 50% for M-1 uses.

8. Greenbelt and Landscaping Requirements. The greenbelt and landscaping requirements for land in the District are as follows:

- A. Table of District Greenbelt Requirements.

For Uses Listed in Districts:	Greenbelt Requirements
C-1	• 20' wide along roads per Ordinance Section 3-702(5)(B)(2) • 5'-10' wide along property lines abutting residential districts per Ordinance Section 3-702(5)(B)(3) • 5'-10' wide along property lines abutting office and higher intensity use districts which lack screening per Ordinance Section 3-702(5)(B)(4)
C-2	• 20' wide along roads per Ordinance Section 3-702(5)(B)(2) • 5'-10' wide along property lines abutting residential districts per Ordinance Section 3-702(5)(B)(3) • 5'-10' wide along property lines abutting office and higher intensity use districts which lack screening per Ordinance Section 3-702(5)(B)(4)
C-3	• 20' wide along roads per Ordinance Section 3-702(5)(B)(2) • 5'-10' wide along property lines abutting residential districts per Ordinance Section 3-702(5)(B)(3)

	• 5'-10' wide along property lines abutting office and higher intensity use districts which lack screening per Ordinance Section 3-702(5)(B)(4)
C-4	• 20' wide along roads per Ordinance Section 3-702(5)(B)(2) • 5'-10' wide along property lines abutting residential districts per Ordinance Section 3-702(5)(B)(3) • 5'-10' wide along property lines abutting office and higher intensity use districts which lack screening per Ordinance Section 3-702(5)(B)(4)
HT-1	• 20' wide along roads per Ordinance Section 3-802(5)(B)(2) • 30' – 50' wide along property lines abutting residential per Ordinance Section 3-802(5)(B)(3) • 20'-30' wide along property lines abutting a use which lacks screening approved under this Ordinance
HT-2	• 20' wide along roads per Ordinance Section 3-802(5)(B)(2) • 30' – 50' wide along property lines abutting residential per Ordinance Section 3-802(5)(B)(3) • 20'-30' wide along property lines abutting a use which lacks screening approved under this Ordinance
M-1	• 20' wide along roads per Ordinance Section 3-802(5)(B)(2) • 30' – 50' wide along property lines abutting residential per Ordinance Section 3-802(5)(B)(3) • 20'-30' wide along property lines abutting a use which lacks screening approved under this Ordinance

- B. For greenbelt widths expressed as a range, the actual width required shall be determined by the Planning Commission and made a requirement and condition of site plan approval.
- C. For a proposed M-1 use, the height and/or quantity of required evergreen or deciduous tree and vegetation screening from what is required under Section 3-802 and the SPL Manual shall be determined by the Planning Commission and made a requirement and condition of site plan approval.
- D. Prior to the Planning Commission's site plan approval for a proposed use with frontage on Telegraph Road, Elizabeth Lake Road, or Summit Drive, a conceptual Streetscape Plan for the entire frontage of the District on that street shall have been submitted to the Planning Commission.
Consistency and compatibility, but not strict compliance, with the conceptual Streetscape Plan, which may be amended from time to time, shall be a requirement and condition of site plan approval for all subsequent proposed uses with frontage on that street.

9. Higher Intensity Use Standards. For a proposed higher intensity, HT-1, HT-2, or M-1 use listed in Sections 3-802, 3-804, 3-805, and 3-806 to be considered a permitted principal use in the District under this Section, it must comply with all requirements and standards in this Section and all of the following:

- A. No loading or unloading areas, outdoor storage areas, dumpsters, or above-ground accessory structures or buildings other than signs, screened

exterior appliances, flag poles, sidewalks, non-motorized pathways, and improvements allowed or required by an approved Streetscape Plan, shall be allowed in the yard between the principal building for the use and Telegraph Road, Elizabeth Lake Road, or Summit Drive.

- B. Areas for loading/unloading, staging of trucks, trailers and equipment, or outdoor storage, shall be located within the interior of the zoning lot, and shall not be located in a yard adjacent to an existing residential use.
- C. Any reports, studies, or plans that have been required by or prepared for any governmental entity or agency that contain Development Impact Analysis Report or Traffic Impact Analysis Report (as defined in Section 1-007) information reasonably related to a proposed use shall be submitted with the application for site plan review and approval of that proposed use by the Planning Commission.
- D. Any requirements and conditions of site plan approval established by the Planning Commission regarding hours of operation, architectural compatibility of materials in the District, improved nonmotorized pathways, traffic calming, primary access to major arterial streets, mitigation of sources of noise and fumes, and performance standards under Division 2-2.

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 and Map 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 _____, 2019.

Date

Kimberly Markee, Township Clerk