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**DEVELOPMENT SERVICES
DEPARTMENT**

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

Dave Hills
Superintendent of Building
Division

MEMORANDUM

Date: December 8, 2022

To: Honorable Township Board Members

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

RE: Proposed Zoning Ordinance Text Amendment: Veterinary Clinics as a Special Use Approval
C-1, Neighborhood Business District
C-2, Small Business District

This proposed Zoning Ordinance Text Amendment includes Veterinary Clinics as a Special Use Approval in the Zoning Ordinance within the C-1, Neighborhood Business District and C-2, Small Business District.

Planning Staff has recently been approached by an applicant who was looking at utilizing a property zoned C-2, Small Business District to open a Veterinary Clinic. Considering Veterinary care is an essential need in our community that is allowed in the O-1 and O-2 Zoning Districts, after some deliberation, Township Planning Staff has made the decision to recommend this ordinance amendment to accommodate this use as it is already available in our community in similarly intensive, and less intensive, Zoning Districts. That being said, because of the sensitive nature of Veterinary Clinics, Township Staff feels that this landuse should be set for Special Approval by a vote from the Planning Commission. Doing so would require that public hearing be carried out and that any site plan would be held to the full scrutiny of the Planning Commission.

Section 1-007 of the Zoning Ordinance defines Veterinary Clinics as:

Veterinary Clinic. A veterinary establishment for the care, diagnosis, and treatment of sick or injured animals on an outpatient basis.

As with all other Veterinary Clinic uses Township-wide, staff is proposing this as a use in the C-1 and C-2 with the stipulation that customary pens or cages, if any, be permitted only within the clinic building limited to overnight observation and shall only be incidental to such clinic use.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on December 13, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the December 13, 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 January 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.

*With us there are no
boundaries*

**MOTION TEMPLATE FOR PLANNING COMMISSION CASE NO. 22-11-01,
Proposed ZONING ORDINANCE AMENDMENT, by including Veterinary
Clinics as a Special Use Approval in the C-1, Neighborhood Business
District and C-2, Small Business District**

Motion

I move to forward a **favorable** / **unfavorable** [**Strike One**] recommendation in Case No. 22-11-01 on to the Township Board, to amend the C-1, Neighborhood Business District and C-2, Small Business District on the findings and conclusions under the Ordinance approval recommendation guidelines which are based on assessment of the information and statements presented in this case by the Township Staff, and members of the public.

SECTION 3-703. C-1, NEIGHBORHOOD BUSINESS DISTRICT

The regulations in the subsections below shall apply to properties in the C-1 Neighborhood Business Zoning District:

3-703.1. Purpose and Intent. The C-1 zoning district is intended to implement the goals of the Local Business 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 Seven, *To Retain, Enhance, and Promote Waterford's Unique Character, Sense of Community, and Identity*, and Master Plan Objective 7-2, *Plan and Encourage Development of Neighborhood Nodes*, as described in Chapter 9 of the Master Plan by permitting business uses designed for the convenience of persons residing in adjacent residential neighborhoods, such as personal service and personal grooming establishments, shopfront retail uses, and neighborhood shopping centers that are designed in scale with the character of the surrounding residential neighborhood, do not generate large volumes of vehicular traffic, encourage pedestrian traffic, provide buildings in landscaped settings with off-street parking areas, operate only during generally accepted normal business hours, and promote the viability of neighborhood nodes. This zoning district is intended to limit the intensity of commercial development through the height and usable floor area restrictions specified within *Section 3-900* and *3-901*. This zoning district shall be primarily located along minor arterial streets and collector streets near residential neighborhoods to ensure effective vehicular and pedestrian accessibility and minimize the impact of nonresidential uses on adjacent residential neighborhoods. The C-1 zoning district shall be coordinated and balanced with the O-1, Local Office District within neighborhood nodes to ensure complementary land uses and minimize the effect of competitive economic pressures, such as the location of the same permitted use on each of the four (4) corners of a neighborhood node that can jeopardize the viability of a neighborhood node.

3-703.2. 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 require approval through the applicable site plan review procedure in accordance with *Section 4-004*.

3-703.3. Permitted Principal Uses. The following uses shall be permitted as principal permitted uses in the C-1 district:

- A. Convenience stores, limited merchandise stores, and specialty retail stores (*See Retail Establishments in Section 1-007*).
- B. Animal grooming establishments, commercial school establishments, laundry establishments, media production establishments, media communications establishments, personal advice establishments, personal grooming establishments, personal improvement service establishments, and personal service establishments (*See Commercial Service Establishments in Section 1-007*).
- C. Drop-off dry cleaning establishments (*See Dry-Cleaning Establishments in Section 1-007*).
- D. Professional medical care offices (*See Medical Establishments in Section 1-007*).
- E. Office establishments (*See Office Establishments in Section 1-007*).
- F. Carryout restaurants and fast food/delicatessen/sandwich shop restaurants (*See Restaurant Establishments in Section 1-007*) without drive-thru facilities. (Amended 11/30/2021)
- G. Entertainment rental establishments (*See Rental Establishments in Section 1-007*).
- H. Fitness centers (*See Recreational Facilities in Section 1-007*).
- I. Used book shops (*See Resale Establishments in Section 1-007*).
- J. Neighborhood public utility facilities, public utility hardware, and area public utility facilities (*See Public Utility in Section 1-007*).
- K. Outfitters (*See Outfitters in Section 1-007*). (Effective 8/17/2021)

3-703.4. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the C-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. Outdoor dining patios (*See Structure in Section 1-007*) conducted in areas structurally attached to and/or located directly adjacent to or upon the principal building used for restaurant establishments. The Planning Commission shall review and may stipulate requirements for: reasonable restrictions on the hours of operations, additional screening and fencing, service area accessibility, waste material containers and disposal of waste materials, effective pedestrian circulation, seating capacity, additional required parking, and future review to ensure that such use does not violate the performance standards established in this Zoning Ordinance.

Article III - Zoning Districts

**Division 3-7 - Commercial Zoning Districts
Section 3-703 - C-1, Neighborhood Business District**

- B. Regional 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*)
- C. **Veterinary clinics (*See **Veterinary Establishments in Section 1-007***). A veterinary clinic may include customary pens or cages which are permitted only within the clinic building and limited to overnight observation and shall only be incidental to such clinic use.**
- D. Electric Vehicle Charging Stations (*See **Electric Vehicle Charging Stations in Section 1-007***). (*Effective 5/4/2021*)
- E. Carryout restaurants and fast food/delicatessen/sandwich shop restaurants (*See **Restaurant Establishments in Section 1-007***) with drive-thru facilities. (*Effective 11/30/2021*)

SECTION 3-704. C-2, SMALL BUSINESS DISTRICT

The regulations in the subsections below shall apply to properties in the C-2 Small Business Zoning District:

3-704.1. Purpose and Intent. The C-2 zoning district is intended to implement the goals of the Community Business 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 Objective 4.1, *Develop and Utilize Township Capacity for Proactive Economic Development*, by permitting commercial uses properly scaled and designed for zoning lots with limited lot area that were established along commercial corridors prior to the adoption of commercial zoning regulations in Waterford Township.

3-704.2. 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 require approval through the applicable site plan review procedure in accordance with *Section 4-004*.

3-704.3. Permitted Principal Uses. The following uses shall be permitted as principal permitted uses in the C-2 district:

- A. Convenience stores, limited merchandise stores, and specialty retail stores (*See Retail Establishments in Section 1-007*).
- B. Animal grooming establishments, building systems repair establishments, commercial school establishments, household service repair establishments, laundry establishments, media production establishments, media communications establishments, personal advice establishments, personal grooming establishments, personal improvement service establishments, personal service establishments, and pet shop establishments (*See Commercial Service Establishments in Section 1-007*).
- C. Drop-off dry cleaning establishments (*See Dry-Cleaning Establishments in Section 1-007*).
- D. Professional medical care offices (*See Medical Establishments in Section 1-007*).
- E. Office establishments (*See Office Establishments in Section 1-007*).
- F. Bar/lounges, carryout restaurants and fast food/delicatessen/sandwich shop restaurants (*See Restaurant Establishments in Section 1-007*) without drive-thru facilities. (Amended 11/30/2021)
- G. Entertainment rental establishments (*See Rental Establishments in Section 1-007*).
- H. Used book shops (*See Resale Establishments in Section 1-007*).
- I. Neighborhood public utility facilities (*See Public Utility in Section 1-007*) and public utility hardware (*See Public Utility in Section 1-007*).
- J. Area public utility facilities (*See Public Utility in Section 1-007*) and regional 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)
- K. Licensed medical marihuana provisioning centers that comply with the applicable regulations in *Section 2-604*. (*See MEDICAL MARIHUANA USES AND DEFINED TERMS in Section 1-007*).
- L. Outfitters (*See Outfitters in Section 1-007*). (Effective 8/17/2021)

3-704.4. Permitted Uses after Wellhead Protection Compliance. Minor vehicle service facilities (*See Vehicle Repair Facilities in Section 1-007*) shall be permitted as a principal permitted use in the C-2 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*.

3-704.5. Permitted Uses after Special Approval The following uses shall be permitted as special approval uses in the C-2 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. Banquet and food preparation establishments (*See Commercial Service Establishments in Section 1-007*). (Effective 8/4/2020)
- B. **Veterinary clinics** (*See Veterinary Establishments in Section 1-007*). A veterinary clinic may include customary pens or cages which are permitted only within the clinic building and limited to overnight observation and shall only be incidental to such clinic use.
- C. Electric Vehicle Charging Stations (*See Electric Vehicle Charging Stations in Section 1-007*). (Effective 5/4/2021)

- C. Restaurant Establishments (*See **Restaurant Establishments in Section 1-007***) with outdoor dining patios conducted in areas structurally attached to and/or located directly adjacent to or upon the principal building used for restaurant establishments. The Planning Commission shall review and may stipulate requirements for reasonable restrictions on the hours of operation, additional screening and fencing, service area accessibility, waste material containers and disposal of waste materials, effective pedestrian circulation, seating capacity, additional required parking, and future review to ensure conformance with such stipulations and the performance standards established in this Zoning Ordinance. (Effective 9/27/2021)
- D. Bar/lounges, carryout restaurants and fast food/delicatessen/sandwich shop restaurants (*See **Restaurant Establishments in Section 1-007***) with drive-thru facilities. (Amended 11/30/2021)

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2023-Z-002

TEXT AMENDMENT TO ZONING ORDINANCE

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A (“Zoning Ordinance”) Business Zoning Districts, C-1 and C-2, to permit Veterinary clinics as permitted uses after Special Approval.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 3-703.4 of the Waterford Township Zoning Ordinance that lists permitted uses after Special Approval in the C-1 Neighborhood Business Zoning District, is amended to add section C Veterinary clinics that may be permitted in the District after Special Approval to read as follows:

3-703.4. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the C-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. Outdoor dining patios (*See Structure in Section 1-007*) conducted in areas structurally attached to and/or located directly adjacent to or upon the principal building used for restaurant establishments. The Planning Commission shall review and may stipulate requirements for: reasonable restrictions on the hours of operations, additional screening and fencing, service area accessibility, waste material containers and disposal of waste materials, effective pedestrian circulation, seating capacity, additional required parking, and future review to ensure that such use does not violate the performance standards established in this Zoning Ordinance.
- B. Regional 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)
- C. Veterinary clinics (*See Veterinary Establishments in Section 1-007*). A veterinary clinic may include customary pens or cages which are permitted only within the clinic building and limited to overnight observation and shall only be incidental to such clinic use.
- D. Electric Vehicle Charging Stations (*See Electric Vehicle Charging Stations in Section 1-007*). (Effective 5/4/2021)

- E. Carryout restaurants and fast food/delicatessen/sandwich shop restaurants (*See Restaurant Establishments in Section 1-007*) with drive-thru facilities (Effective 11/30/2021)

Section 2 of Ordinance

Section 3-704.5 of the Waterford Township Zoning Ordinance that lists permitted uses after Special Approval in the C-1 Neighborhood Business Zoning District, is amended to add section C Veterinary clinics that may be permitted in the District after Special Approval to read as follows: to read as follows:

3-704.5. Permitted Uses after Special Approval The following uses shall be permitted as special approval uses in the C-2 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. Banquet and food preparation establishments (*See Commercial Service Establishments in Section 1-007*). (Effective 8/4/2020)
- B. Veterinary clinics (*See Veterinary Establishments in Section 1-007*). A veterinary clinic may include customary pens or cages which are permitted only within the clinic building and limited to overnight observation and shall only be incidental to such clinic use.
- C. Electric Vehicle Charging Stations (*See Electric Vehicle Charging Stations in Section 1-007*). (Effective 5/4/2021)
- D. Restaurant Establishments (*See Restaurant Establishments in Section 1-007*) with outdoor dining patios conducted in areas structurally attached to and/or located directly adjacent to or upon the principal building used for restaurant establishments. The Planning Commission shall review and may stipulate requirements for reasonable restrictions on the hours of operation, additional screening and fencing, service area accessibility, waste material containers and disposal of waste materials, effective pedestrian circulation, seating capacity, additional required parking, and future review to ensure conformance with such stipulations and the performance standards established in this Zoning Ordinance. (Effective 9/27/2021)
- E. Bar/lounges, carryout restaurants and fast food/delicatessen/sandwich shop restaurants (*See Restaurant Establishments in Section 1-007*)with drive-thru facilities. (Amended 11/30/2021)

Section 3 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 January 23, 2023.

Date

Kimberly Markee, Township Clerk