

WATERFORD TOWNSHIP

AGENDA REQUEST FORM

Date:

To: Kim Markee, Clerk
Kari Vlaeminck, Deputy Clerk

From:

Please place the following item on the _____ agenda:

Please place this item under:

- Awards and Presentations
- Reports
- Introduction

- Old Business
- New Business
- Closed Session

Please forward the following copies of agenda items:

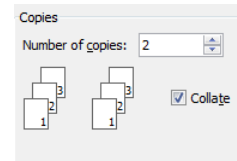
(1) Word File via email



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Please provide a single PDF for each agenda item.



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Please note:

Agenda items must be scheduled by NOON on the TUESDAY prior to Board meeting.

Please schedule agenda items by sending this form to the Clerk and Deputy Clerk by the noon deadline. **DO NOT STAPLE THIS FORM TO THE BOARD MATERIAL.**

IF YOU REVISE ANY OF THE BOARD MATERIAL PLEASE PROVIDE A NEW WORD FILE AND PDF COPY OF THE ENTIRE PACKET. ALSO, YOU MUST ADD REVISED IN THE NAME OF THE TITLE SO IT MAY BE EASILY DIFERENTIAED

Two (2) copies of Board information for this agenda item are attached here.

Two (2) copies of Board information for this agenda item will be delivered to the Clerk's Dept. by **12:00 PM on the Wednesday** prior to meeting. I understand that information that is provided after the deadline might not be included in the packet.

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**DEVELOPMENT SERVICES
DEPARTMENT**

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

Dave Hills
Superintendent of Building
Division

MEMORANDUM

Date: March 7, 2023
To: Honorable Township Board of Trustees
From: Jeffrey M. Polkowski, Superintendent of Planning and Zoning
RE: 2023-Z-007
Proposed Zoning Ordinance Amendment
Short Term Rentals as a Special Approval in all Zoning Districts

This proposed Zoning Ordinance Text Amendment defines Short Term Rentals and adds them to list of uses that would require Special Approval from the Planning Commission.

The proposed ordinance amendment includes owner-occupied single-family homes, multiple-family homes, and mobile homes; where the owner is to vacates the home entirely and permits an exchange or seasonal renter to occupy the premises on a short-term stay under 30 days, this is commonly referred to as a short-term rental.

After due consideration, Planning Staff has recognized this use, although considered necessary and desirable in many situations, to be a sensitive commercial-like use akin to motels or hotels unlike long-term rental dwellings, that should be reviewed on a case-by-case basis by the Planning Commission. This would also require that the public be notified in the case of any new proposed Short Term Rental in any residential zoning districts. The public would then have the right to review and comment on these proposals to make sure that effective site development practices are established so that the quality of life in adjacent residential areas are not adversely affected.

Currently, the owner of a Short-Term Rental is required to register that building and each unit contained within that building with the Township Building Official and subject these registered units to various safety inspections in order to obtain a rental certification. A Certification shall not be issued unless an applicant complies with the registration provisions of the Township Ordinance. However, there is currently no public participation process for this type of use.

The proposed definition for a Short Term Rental is as follows:

Dwelling, Short-term. A dwelling, or portion thereof that is used, offered, or made available for use to occupy the premises or portion thereof, on a short-term stay less than thirty (30) days. This definition does not include hotels and motels as defined by the Township Zoning Ordinance and licensed and inspected by the State of Michigan.

*With us there are no
boundaries*

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on February 28, 2023 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the February 28, 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 March 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.

Dry Cleaning, Commercial. An establishment licensed and defined by the Michigan Department of Environmental Quality as a Type II or III dry cleaning establishment that is a Small Quantity Generator (SQG) of universal waste and/or a Small or Large Perc Source, where the services of dry cleaning machines is made available to the public for the purpose of dry cleaning, dry dyeing, cleaning and spotting and stain removing. Such establishment may also be used for pressing and/or distributing any articles or goods of fabric which have been received therein.

Dry Cleaning, Drop-Off. An establishment providing a convenience service for the dropping-off of dry-clean only clothing which will be dry-cleaned off-site in a licensed dry cleaning establishment.

Dry Cleaning, Industrial or Laundry Plant. An establishment licensed and defined by the Michigan Department of Environmental Quality as a Type I dry cleaning establishment that is a Large Quantity Generator (LQG) of universal waste and Major Perc Source.

DWELLING. A building constructed for the purpose of residential use and occupancy, complying with all of the following standards:

- A. It possesses the minimum floor area requirements of this Zoning Ordinance for the zone in which it is located.
- B. It complies in all respects with the **Waterford Code of Ordinances, Buildings and Building Regulations, Fire Prevention and Protection, and Water and Sewers** for residential construction and occupancy. Where a dwelling is required by federal or state law to possess construction standards more restrictive than those imposed by the **Waterford Code of Ordinances**, then the more restrictive standards shall apply.

Dwelling, Loft. A dwelling containing one (1) or more dwelling units on the second floor of buildings in which the first floor is occupied by commercial uses that are permitted principal uses after wellhead protection compliance, of permitted used after special approval. . (Effective 4/5/2022)

Dwelling, Mobile Home. A dwelling unit designed for transportation to its foundation site, after fabrication, along streets or highways on its own wheels or on flatbed or other trailers, and arriving at the foundation site where it is to be installed in accordance with the requirements of the Michigan Administrative Code for occupancy as a dwelling. A recreational vehicle is not a mobile home dwelling.

Dwelling, Multiple-Family. A dwelling containing three (3) or more dwelling units with a common point of egress and ingress from the building. This definition does not include mobile home parks, hotels, or motels.

Dwelling, Single-Family Attached. A single-family dwelling unit constructed as part of a series of single-family dwelling units, all of which are attached by common walls, and where each dwelling unit possesses an independent entrance directly to the exterior.

Dwelling, Single-Family Detached. A dwelling containing not more than one dwelling unit, or a dwelling unit and an in-law suite.

Dwelling, Single-Family Duplex. A dwelling divided by a common wall extending from the base of the foundation to the roof line into two (2) dwelling units, each of which has an independent entrance either directly to the exterior, or through a common vestibule.

Dwelling, Single-Family Flat. A dwelling containing two or more stories, where a dwelling unit is established in the first story and a separate dwelling unit is established in the upper story(s), and where each unit has an independent entrance either directly to the exterior, or through a common vestibule.

Dwelling, Short-term. A dwelling, or portion thereof that is used, offered, or made available for use to occupy the premises or portion thereof, on a short-term stay less than thirty (30) days. This definition does not include hotels and motels as defined by the Township Zoning Ordinance and licensed and inspected by the State of Michigan.

DWELLING UNIT. A single unit providing complete independent living facilities, for one or more persons and limited to no more than one family, as an independent and separate housekeeping unit, including permanent provisions for living, sleeping, eating, cooking, and sanitation and which is directly accessible from the outside or through a common hall without passing through any other dwelling unit. In case of mixed use occupancy, where a building is occupied in part by a loft dwelling unit, the part so occupied shall be deemed a dwelling unit for the purpose of this Zoning Ordinance and shall comply with the provisions, thereof, relative to dwellings.

SECTION 3-303. R-1, R-1A, R-1B, R-1C SINGLE-FAMILY RESIDENTIAL DISTRICTS

The regulations in the subsections below shall apply to properties in the R-1, R-1A, R-1B, and R-1C Single-Family Residential Zoning Districts:

3-303.1. Purpose and Intent. The R-1, R-1A, R-1B, and R-1C zoning districts are intended to implement the goals of the Single-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 providing areas in the Township for single-family dwellings, affordable housing, and residentially related uses. These districts are designed to provide for a limited range of single-family density to encourage the viability of single-family residential land use, to prohibit uses of land which would adversely affect the health, safety, and welfare of residents and the aesthetics and character of residential neighborhoods and areas, and to preserve and protect required and designated open space and natural features to achieve Master Plan Objectives 6-2, *Promote Open Space Developments*, and 6-3, *Ensure All Development Efforts Respect, Preserve, and Protect Waterford's Natural Characteristics and Constraints*. The R-1C district is also designed to implement the Master Plan goal of sustaining the viability of residential use, lot size characteristics, and neighborhood patterns in subdivisions that were platted prior to the establishment of Township-wide zoning in 1963. The R-1, R-1A, R-1B, and R-1C districts are also intended to discourage any land use that would create excessive or unsafe traffic on local streets, and any use which, because of its size or any other characteristics, would create burdens, demands, and costs for public services substantially in excess of such requirements and costs if the district were developed solely for single-family dwellings.

3-303.2. Conformance to Regulatory Standards. All zoning lots, uses, buildings, and structures within these zoning districts 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, all individual zoning lot developments in these districts consisting of one single-family dwelling shall require approval in accordance with *Section 4-010*. In addition to all other plan review requirements applicable under this Zoning Ordinance, developments in these districts proposed under the **Waterford Code of Ordinances, Subdivision and Land Management Regulations**, or under *Section 4-004.4*, shall require conformance to those regulations and require major site plan review and approval in accordance with *Section 4-004*.

3-303.3. Permitted Principal Uses. The following uses are permitted as principal permitted uses in the R-1, R-1A, R-1B, and R-1C districts:

- A. Detached single-family dwellings (*See Dwelling, Single-Family Detached in Section 1-007*).
- B. Adult day care homes (*See Adult Day Care Facilities in Section 1-007*).
- C. Child family day care homes (*See Child Day Care Facilities in Section 1-007*).
- D. Child foster family homes, adult foster care family homes, and adult foster care small group homes (*See Foster Care Facilities in Section 1-007*).
- E. Neighborhood public utility facilities (*See Public Utility in Section 1-007*) and public utility hardware (*See Public Utility in Section 1-007*).
- F. 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*)

3-303.4. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the R-1, R-1A, R-1B, and R-1C districts, 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. Hobby breeders (*See Hobby Breeding in Section 1-007*) and kennels (*See Kennel in Section 1-007*) on zoning lots five (5) contiguous acres or larger in area. The Planning Commission may consider requests for this activity on zoning lots between two (2) and five (5) contiguous acres in area.
- C. Stables (*See Building in Section 1-007*) on zoning lots five (5) contiguous acres or larger in area.
- D. Nursery establishments (*See Commercial Bulk Vegetation And Soil Resource Establishments in Section 1-007*) on zoning lots five (5) contiguous acres or larger in area.
- E. 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.

- F. Educational facilities (*See Educational Facilities in Section 1-007*), except colleges and universities.
- G. Religious facilities (*See Religious Facilities in Section 1-007*).
- H. One (1) in-law suite, in the R-1 and R-1A districts only, provided: (1) deed restrictions are recorded against the zoning lot prohibiting occupancy of the in-law suite, at any time, by any person other than in-laws of the family occupying the dwelling unit on the same zoning lot, which deed restrictions shall be subject to the review and approval of the Township Attorney prior to recording; (2) the in-law suite is not occupied by more than two (2) in-laws at the same time; (3) the in-law suite shall be not less than five hundred fifty (550) square feet of usable floor area nor more than fifty (50) percent of the usable floor area of the area occupied by the remainder of the family, exclusive of the in-law suite; and (4) the in-law quarters shall be accessory to a dwelling unit principal use, which is occupied by the family of the in-laws.
- I. Sod farm and soil resources excavation establishments (*See Commercial Bulk Vegetation And Soil Resource Establishments in Section 1-007*) on zoning lots twenty (20) contiguous acres or larger.
- J. Short-term dwellings (*See Dwelling, Short-term in Section 1-007*).

3-303.5. 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 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-1, R-1A, R-1B, and R-1C districts, 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.

3-303.6. Open Space Preservation. Zoning lots within the R-1, Single Family Residential District are eligible for open space preservation as provided in *Section 4-004* to encourage the long-term preservation of open space and natural features, to implement the goals of the open space overlay land use designation as described in Chapter 8 of the Waterford Township Master Plan-2003-2023, and to implement Master Plan Goal Six, *To Ensure and Enforce Land Use Development Practices that are Sensitive to Waterford's Natural Environment*, by allowing for creative arrangements of single-family residential units to enable the preservation of open space and natural features present on eligible zoning lots.

SECTION 3-304. R-1D, DUPLEX RESIDENTIAL DISTRICT

The regulations in the subsections below shall apply to properties in the R-1D Duplex Residential Zoning District:

3-304.1. Purpose and Intent. The R-1D zoning district is intended to implement the goals of the Single-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 utilization of residential parcels which, because of their size or location on a major arterial street or minor arterial street, are desirable for the construction of buildings containing two-family dwelling units. This zoning district may be used as a transition zone between a major arterial street and existing single-family zoning districts, or between the least intense office and commercial zoning districts and existing single-family zoning districts. This zoning district is not intended for development of duplex condominium projects, or for infill residential development along collector or local streets where the character of the surrounding properties is detached single-family residential.

3-304.2. 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 *Section 4-010*.

3-304.3. Permitted Principal Uses. The following uses shall be permitted as principal permitted uses in the R-1D district:

- A. Detached single-family dwellings (*See Dwelling, Single-Family Detached in Section 1-007*).
- B. 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*).
- C. Adult day care homes (*See Adult Day Care Facilities in Section 1-007*).
- D. Child family day care homes (*See Child Day Care Facilities in Section 1-007*).
- E. Child foster family homes, adult foster care family homes, and adult foster care small group homes (*See Foster Care Facilities in Section 1-007*).
- F. Religious facilities (*See Religious 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*)

3-304.4. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the R-1D 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. 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.

B-C. *Short-term dwellings (See Dwelling, Short-term in Section 1-007).*

3-304.5. 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 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-1D 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.

SECTION 3-305. R-1E, SINGLE-FAMILY ATTACHED RESIDENTIAL DISTRICT

The regulations in the subsections below shall apply to properties in the R-1E Single-Family Attached Residential Zoning District:

3-305.1. Purpose and Intent. The R-1E zoning district is intended to implement the goals of the Single-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 as well as implement Master Plan Goals Six, *To Ensure and Enforce Land Use Development Practices that are Sensitive to Waterford's Natural Environment*, and Seven, *To Retain, Enhance, and Promote Waterford's Unique Character, Sense of Community, and Identity*, as described in Chapter 9 of the Master Plan by permitting an intermediate density form of single-family housing as a means to creating a transition zone from office or commercial land uses of an intermediate intensity to neighboring detached single-family zoning districts. This zoning district is also intended to enable the preservation and conservation of open and natural spaces. This zoning district is not intended to be utilized when it will result in barriers to the necessary extension and coordination of public utilities and local streets, where a zoning lot could be reasonably developed for detached single-family use in conformance with the character of surrounding properties, or where it would preclude the orderly and reasonable extension of detached single-family uses.

3-305.2. 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 *Section 4-010*.

3-305.3. Permitted Principal Uses. The following uses shall be permitted as principal permitted uses in the R-1E district:

- A. Attached single-family dwellings (*See Dwelling, Single-Family Detached in Section 1-007*) containing no more than four (4) dwelling units.
- B. Adult day care homes (*See Adult Day Care Facilities in Section 1-007*).
- C. Child family day care homes (*See Child Day Care Facilities in Section 1-007*).
- D. Child foster family homes, adult foster care family homes, and adult foster care small group homes (*See Foster Care Facilities in Section 1-007*).
- E. Religious facilities (*See Religious Facilities in Section 1-007*).
- F. Neighborhood public utility facilities (*See Public Utility in Section 1-007*) and public utility hardware (*See Public Utility in Section 1-007*).
- G. 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)

3-305.4. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the R-1E 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. 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.
- C. Attached single-family dwellings containing more than four (4) dwelling units.

~~C.D.~~ *Short-term dwellings (See Dwelling, Short-term in Section 1-007)*.

3-305.5. 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 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-1E 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.

DIVISION 3-4 MULTIPLE-FAMILY RESIDENTIAL ZONING DISTRICTS

SECTION 3-400. PURPOSE AND INTENT

The R-M1, R-M2, and R-MH Multiple-Family Residential Districts are designed to be the most intensive of the residential zoning districts as to use and density. The intent is to provide for a range of environmentally sound areas of higher density dwelling units, through the application of various development options which will accommodate a broad spectrum of housing building sizes and designs appealing to the widest spectrum of the population.

SECTION 3-401. PROHIBITED USES

It is the intent of this Division to specifically prohibit uses which are not listed in this Division as permitted or special approval uses. Subject to the provisions of *ARTICLE II, DIVISION 2-7*, uses that are being conducted upon zoning lots within these districts that are not listed as permitted or special approval uses within the district shall be deemed in violation of this Zoning Ordinance.

SECTION 3-402. REGULATIONS APPLICABLE TO PROPERTIES IN THE R-M1, R-M2, AND R-MH ZONING DISTRICTS

The regulations in the subsections below are applicable to properties in the R-M1, R-M2, and R-MH zoning districts:

3-402.1. Vehicle Regulations. The purpose of this subsection is to preserve and promote the health, safety and general welfare of citizens, motorists and pedestrians alike within the residential districts of the Township through the regulation of parking and storage of personal, commercial, and recreational vehicles and equipment, such that vehicles do not detract from the appearance and character of the surrounding area, do not negatively affect the value and marketability of surrounding properties, do not cause the overcrowding of land and reduction of open space, do not constitute traffic hazards, do not obstruct access to rights-of-way or nonmotorized pathways, do not present an attractive nuisance for children, do not impede crime prevention and/or hamper the effectiveness and access of emergency personnel, vehicles and equipment, or do not become involved in illegal vehicle sales or result in the storage or collection of junk vehicles in residential districts.

A. Vehicle Parking.

- (1) Parking of licensed and operable personal vehicles not prohibited under this Section is permitted in the established parking area.
- (2) The following vehicles, equipment, and/or their attached apparatus are expressly prohibited from being parked on rights-of-way and nonmotorized pathways:
 - (A) Commercial equipment, commercial trailers, intensive commercial vehicles, and construction vehicles, except for the necessary and appropriate period of time when such equipment is lawfully parked on or adjacent to a residential property while being used in the performance of a service for that particular residential property.
 - (B) Recreational vehicles.
 - (C) Junked vehicles.

B. Vehicle Storage. Storage of vehicles is expressly prohibited within the multiple-family residential zoning districts, except when vehicles are in a stored status concurrent with a resident/vehicle owner who is absent from a dwelling unit due to vacation or personal matters.

C. Vehicle Sales. Vehicle sales are expressly prohibited in multiple-family residential zoning districts.

3-402.2. Raising and Keeping of Animals. Only container pets and household pets are permitted to be raised and kept on multiple-family residential zoning lots. However, it is recognized that the keeping of an unlimited number of household pets within multiple-family residential districts for a considerable period of time detracts from and, in many instances, is detrimental to the healthful and comfortable use of such districts. The keeping of household pets are limited to not more than two (2) of any single genus, and no more than a total of three (3) household pets, permanently boarded or kept in each dwelling unit, provided that this use is in compliance with all other applicable provisions in this Zoning Ordinance, the **Waterford Code of Ordinances**, and the regulations of the development.

3-402.3. Accessory Buildings, Accessory Structures, and Accessory Uses. Accessory buildings and accessory structures shall in no instance be located in a right-of-way unless otherwise permitted. The following accessory buildings, accessory structures, and accessory uses (*Unless otherwise referenced, for definitions of specific types of buildings, structures, and uses listed in this subsection, see the respective subdefinitions under **Building, Structure, or Use** in **Section 1-007***) shall be permitted in multiple-family residential districts as secondary and clearly incidental to the principal use and principal building on the same zoning lot when they are established and maintained in conjunction with the permitted principal use, or use granted special approval by the Planning Commission; provided that, except as otherwise provided in this subsection, it is in compliance with **Section 3-900** and **3-901** and all other applicable provisions in this Zoning Ordinance and the **Waterford Code of Ordinances**:

- A. Accessory buildings and accessory structures for the exclusive use of residents and their guests, provided that:
 - (1) They are indicated and approved as part of a final or revised site plan.
 - (2) A building permit is obtained when required, and such building or structure is inspected and approved by the Building Official.
 - (3) All other approval processes, when required by applicable sections of this Zoning Ordinance, are followed and approvals are received.
 - (4) There must be a principal building on the zoning lot to which the subject building or structure is accessory.
 - (5) Where an accessory building or accessory structure is structurally attached to a principal building or is less than ten (10) feet distant from a principal building, it must conform to the setback requirements of the zoning district in which it is located.
 - (6) Accessory buildings and accessory structures shall comply with the following height limitation schedule when the corresponding setback requirements are met:

If such building or structure is:	Then the maximum height is:
No closer than ten (10) feet and no greater than twenty (20) feet from side and rear lot lines	Seventeen (17) feet
No closer than twenty (20) feet from side and rear lot lines	Twenty (20) feet

- (7) Accessory buildings used primarily for on-site maintenance and upkeep of multi-family dwelling units and grounds shall not exceed one thousand four hundred (1,400) square feet in floor area.
 - (8) All accessory buildings and accessory structures creating an impervious surface, as determined by the Building Official, shall be included as part of the total impervious surface area used to determine the maximum impervious surface for the zoning lot.
- B. Driveways and off-street parking areas in accordance with **ARTICLE II, Division 2-4** when they are indicated and approved as part of a final or revised site plan.
- C. Ornamental structures and pole structures used exclusively as flagpoles, provided that they shall comply with all setback restrictions of the zoning district in which they are located and they do not exceed the height limitations of **Section 2-103**.
- D. Antennas (*See **Antenna** in **Section 1-007***), provided they do not exceed the limitations of **Section 2-103**.
- E. Child day care (*See **Child Day Care Facilities** in **Section 1-007***), provided that it is located within a community center built in accordance with an approved site plan for the exclusive use of residents of the facility and is properly licensed by the State of Michigan.
- F. Outdoor living areas (*See **Outdoor Living Area** in **Section 1-007***), personal recreation spaces (*See **Personal Recreation Space** in **Section 1-007***), and private swimming pools.
- G. Temporary construction and temporary real estate buildings, as authorized for the timeframe specified in writing by the Building Official in accordance with **Section 4-014**.
- H. Temporary storage, when conducted in conjunction with a development project approved in accordance with either **Section 4-004, 4-005, 4-006, 4-010, or 4-011**, and as authorized for the timeframe specified in writing by the Building Official.
- I. Home occupations (*See **Home Occupation** in **Section 1-007***).

- J. Dwelling units within a development that are comparable in function and intent to a model home (*See Model Home in Section 1-007*).
- K. Boarding house (*See Boarding House in Section 1-007*), provided that such an accessory use is not initiated and maintained for the purpose of circumventing the purpose and intent of the multiple-family residential district in which it is located.
- L. Solar energy systems and small-scale wind energy systems (*See Alternative Energy Systems in Section 1-007*) approved in accordance with *Section 4-016*.
- M. Neighborhood public utility facilities (*See Public Utility in Section 1-007*) and public utility hardware (*See Public Utility in Section 1-007*).
- N. 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*)

3-402.4. Signs. In addition to those signs described in *ARTICLE II, DIVISION 2-5* as exempted from regulation or as allowed in all zoning districts, no more than two (2) entranceway signs are permitted for each entrance to a multifamily residential development if they are placed on either side of the entranceway; or no more than one (1) entranceway sign is permitted if such sign is placed within a private boulevard entrance, or a public boulevard entrance when approval of the applicable street agency has been received. Entranceway signs shall not exceed a maximum of sixteen (16) square feet in sign face area and four (4) feet in height, and shall be located so that it complies with *Section 2-501.4* and is constructed in accordance with *Sections 2-501.1* and *2-501.2*. The property, owner, condominium association, or similar entity shall have the responsibility for maintaining the entranceway sign. An agreement providing for the maintenance of such sign in recordable form satisfactory to the Township shall be furnished to the Township and recorded with the Oakland County Register of Deeds prior to construction of such sign.

3-402.5. Fences. Fences shall follow the contour of the ground upon which they are secured, subject only to the flexibility limitations of the fencing materials used. Therefore, the height at any given location along a fence shall be measured from a point on the ground perpendicular to the fence height point being measured. Where pre-constructed fence panels limit fencing from following the ground's contour between the fence posts upon which a fence panel is secured, the height of the fence shall be measured from the closest point on the ground perpendicular to where the fence panel is secured to a fence post. All fences of any kind located in multiple-family residential districts shall conform to the following regulations (Please also refer to *Figure VII-62* through *Figure VII-65* on Pages VII-33 and VII-34 in *ARTICLE VII*):

- A. Fences may be located on any property line provided that no fence shall be higher than four (4) feet above the grade plane in any required front yard or lake front yard, or on any lot line bordering a required front yard or corner street front yard. Fences located on any other property line shall be no higher than six (6) feet above the grade plane. For zoning lots with an immediate grade differential along the property line, the intent of this subsection is to allow the maximum fence height to be measured from the highest points of the grade differential along the property line, provided the fence height is not a clear vision obstruction to the movement of motorized and nonmotorized traffic.
- B. All fences shall be constructed of materials listed in *Section 2-801* to meet all standards of the **Waterford Code of Ordinances, Buildings and Building Regulations** and shall be adequately maintained to be safe and in good condition. (*Amended 7/5/2022*)
- D. Fences located off the property line and not within any required yard shall not exceed eight (8) feet in height above the grade plane.
- E. Barbed wire, spikes, nails, or any other sharp pointed protrusions of any kind are prohibited on top of or on the sides of any fence, wall, or protective barrier. For purposes of this subsection, the term "sharp pointed protrusions" shall be defined as meaning all fence material extending above the highest continuous horizontal fence component and possessing a horizontal surface area at the tip of each protrusion that is less than 0.0625 square inch, with the width and/or depth of this horizontal surface area measuring less than 0.25 lineal inch.
- F. Electrical fences above grade shall be prohibited.

3-402.6. Screening and Landscaping.

- A. Effective screening and landscaping is vital to the general welfare and continued vitality of all land uses in the Township. Screening is necessary for certain uses in order to make them more compatible with adjacent uses and to protect the adjacent uses from the effects of noise, light, traffic, litter and other negative or incompatible characteristics. Similarly, landscaping together with the proper utilization and preservation of existing natural features is important in land development because it can enhance the community's quality of life, improve property values, reduce the harsh characteristics of intensive development, and help to make all land uses more compatible.

- B. In order to achieve these objectives, all properties within the multiple-family residential zoning districts shall comply with the following requirements in the manner provided in *Division 2-8*: (Amended 7/5/2022)
- (1) All landscape areas identified on an approved landscape plan shall be continuously maintained in a healthy, growing condition using irrigation systems and maintenance standards, without limitation, identified in *Section 2-802*. Failure to maintain such landscaped areas in such a manner, including removal and replacement of dead or diseased plant materials, shall constitute a violation of this Zoning Ordinance. (Amended 7/5/2022)
 - (2) A greenbelt possessing a minimum width of twenty (20) feet shall be provided along all major arterial streets, minor arterial streets, and collector streets. The Planning Commission may enhance such a greenbelt with a landscaping screen or increase the width of the greenbelt when a residential development abuts a major arterial street and it determines that a larger greenbelt is necessary pursuant to standards set forth in the *SPL Manual*.
 - (3) A greenbelt possessing a minimum width of twenty (20) feet shall be provided on the same zoning lot along all property lines abutting single-family residential zoning districts and previously developed office, commercial, and higher intensity use zoning districts which lack buffering screening and landscaping in accordance with the provisions of this Zoning Ordinance. The Planning Commission may require the enhancement of such a greenbelt with a landscaping screen or increase the width of the greenbelt along a shared property line with a commercial or higher intensity use zoning district when it determines that a larger greenbelt is necessary pursuant to standards set forth in *Division 2-8*. (Amended 7/5/2022)
 - (4) A combination of interior landscape areas shall be provided to: achieve traffic safety through effective definition of off-street parking areas, enhance positive drainage from buildings and impervious surface areas, and to provide for the general welfare of the residents. The total area of interior landscaping provided shall include, but not be limited to, landscaping near building entrances, along building foundations, along pedestrian walkways, along service areas, and in off-street parking areas.
 - (5) All waste material container areas required as part of a site plan shall be screened and maintained.
- C. The Planning Commission may grant a special exception allowing for a reduction or waiver in the landscape area and/or landscape material required under this subsection, but only if such landscaping or screening would serve no useful purpose or would entail substantial noneconomic hardship for the developer relative to achieving the benefits and objectives stated in this subsection. In addition to the above factors, the Planning Commission shall base its decision on the following considerations along with any other relevant information:
- (1) The character, scope, and site design of the multiple-family development, especially the proximity of buildings, parking areas, and common use or recreational areas to the residential property intended to be screened.
 - (2) The character, design, and use of the adjacent properties to be screened.
 - (3) The natural features, including the terrain, trees, and other vegetation that may act as a natural screen or buffer.

SECTION 3-403. R-M1, LOW DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT

The regulations in the subsections below shall apply to properties in the R-M1 Low Density Multiple-Family Residential Zoning District:

3-403.1. Purpose and Intent. The R-M1 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 construction of dwelling units at a density that is slightly higher than, but still compatible with adjacent single-family residential zoning districts. This zoning district is intended to provide many of the amenities of low density living while providing community services commonly available only in higher density developments (e.g., lawn care, recreational facilities, such as a club house or private swimming pool, etc.) This zoning district can serve as a transitional zone between higher density multiple-family residential, office, and commercial zoning districts and single-family residential zoning districts.

3-403.2. 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*.

3-403.3. Permitted Principal Uses. The following uses shall be permitted as principal permitted uses in the R-M1 district:

- A. Multiple-family dwellings (*See Dwelling, Multiple-Family in Section 1-007*).
- B. Attached single-family dwellings containing no more than four (4) dwelling units (*See Dwelling, Single-Family Attached in Section 1-007*). (Effective 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)

3-403.4. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the R-M1 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. Attached single-family dwellings containing more than four (4) dwelling units (*See Dwelling, Single-Family Attached in Section 1-007*). (Amended 8/4/2020)
- B. 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.
- C. Elder care facilities (*See Elder Care Facilities in Section 1-007*).
- D. 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.
- ~~D-E.~~ Short-term dwellings (*See Dwelling, Short-term in Section 1-007*).

3-403.5. 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-M1 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.

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*.

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.

~~C.D.~~ *Short-term dwellings (See Dwelling, Short-term in Section 1-007).*

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.

SECTION 3-405. R-MH, MOBILE HOME PARK DISTRICT

The regulations in the subsections below shall apply to properties in the R-MH Mobile Home Park Zoning District:

3-405.1. Purpose and Intent. The R-MH 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 Map by providing a suitable environment with reasonable accessibility and adequate space and facilities for the health, safety, and welfare of mobile home park occupants.

3-405.2. Mobile Home Park Location. All mobile home parks shall have access to a major arterial street with an existing or planned right-of-way of one-hundred-twenty (120) feet or greater, and currently at least two (2) hard surface lanes in existence.

3-405.3. Accessory Buildings, Accessory Structures, and Accessory Uses. Accessory buildings, accessory structures, and accessory uses shall be permitted in accordance with *Section 3-402.3*. The following accessory structures and uses may also be permitted subject to the regulations in this Section:

- A. Off-street parking and loading requirements to be the same as for single family residential dwelling units with parking facilities also provided for all maintenance vehicles and at the office location.
- B. Signs in accordance with *Section 3-402.4*.

3-405.4. Density, Area, Height, Bulk and Placement Requirements. In accordance with *Section 3-900* and *3-901* and the following:

- A. The minimum zoning lot area shall be ten (10) acres.
- B. The mobile home park shall be developed with each mobile home site averaging five thousand five hundred (5,500) square feet. Such area for any one mobile home site may be reduced by twenty (20) percent provided that the individual site shall be equal to at least four thousand four hundred (4,400) square feet. For each square foot of land gained through the area reduction in such manner, at least an equal amount of land shall be dedicated as open space, but in no case shall the open space be less than the requirements established for manufactured housing by the Michigan Administrative Code.
- C. Mobile home dwellings shall comply with all requirements for distances between homes and other buildings established by the Michigan Administrative Code.
- D. Mobile home dwellings shall not be located any closer than thirty-five (35) feet from any public right-of-way.

3-405.5. General Development Requirements.

- A. An internal road system, as defined by the Michigan Administrative Code, shall provide safe, convenient, vehicular circulation to and from all access points, mobile home sites, and mobile home park facilities.
- B. All internal roads shall be constructed in accordance with the requirements of the Michigan Administrative Code.
- C. Nonmotorized pathways shall be required within the right-of-way of all public streets either adjacent to parks or within parks.
- D. All mobile home parks having fifty (50) or more mobile home sites shall have at least one easily accessible open space area containing not less than the minimum open space area established for manufactured housing by the Michigan Administrative Code.
- E. Each mobile home park and individual mobile home site shall be serviced by and connected to public water and sanitary sewer systems having capacity to serve the proposed development in the same manner as apartment and condominium development within the Township. Fire hydrants shall be installed as required by the Fire Chief.
- F. All utilities shall be installed underground.
- G. No mobile home dwelling shall be permitted to occupy a mobile home park until a permit is granted from the Building Official. All mobile home parks shall be constructed only after a permit to construct shall have been obtained. A bond for one-hundred ten (110) percent of the established cost of all necessary improvements shall be deposited with Waterford Township to guarantee the completion of said improvements.
- H. All mobile home dwellings and mobile home parks are subject to the provisions of Public Act 96 of 1987, The Mobile Home Commission Act, as amended.

3-405.6. Screening and Landscaping. All screening and landscaping shall be in accordance with *Sections 3-402.5* and *3-402.6*. Also, a twenty (20) foot wide greenbelt, landscaped according to the requirements of *Division 2-8*, shall be required around the entire perimeter of the site if it abuts R-1, R-1A, R-1B, or R-1C districts and where it abuts a public right-of-way. In addition, screening in the form of landform buffer strip or fence wall and an adjacent five (5) feet wide greenbelt shall be required along all property lines that border, either contiguous or across an alley, R-1, R-1A, R-1B, R-1C, R-1D, R-1E, R-M1, and R-M2 zoned properties and previously developed O-1, O-2, C-1, C-2, C-3, C-4, C-UB, C-UL, HT-1, HT-2, M-1, and M-2 zoned properties which lack screening in accordance with the provisions of this Zoning Ordinance. The Planning Commission may grant special exception waiving the screening requirement, but not the greenbelt requirement, only if full screening would serve no useful purpose or would entail substantial hardship for the developer relative to the positive screening benefit to the adjacent residential property. The Planning Commission shall base its decision on the following considerations along with any other relevant information: *(Amended 7/5/2022)*

- A. The residential character and density of the multiple family development.
- B. The residential character, design and density of the adjacent residential development to be screened.
- C. The site design of the multiple family development, especially the proximity of buildings, parking areas, and common use or recreational areas to the residential property intended to be screened.
- D. The natural features, including the terrain, trees, and other vegetation that may act as a natural screen or buffer.
- E. Interior landscaping shall be required in accordance with *Section 2-802*. *(Amended 7/5/2022)*

3-405.7. Site Plan Review. All developments in this zoning district shall require major site plan review in accordance with *Section 3-404*. **Exception:** No site plan review shall be required for development on individual mobile home sites in approved mobile home parks.

3-405.8. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the R-MH 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. Short-term dwellings *(See Dwelling, Short-term in Section 1-007)*.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD

ORDINANCE NO. 2023-Z-007

TEXT AMENDMENT TO ZONING ORDINANCE

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A (“Zoning Ordinance”) Single-Family and Multiple-Family Residential Districts to make Short-term Dwellings a permitted use after Special Approval

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 1-007 of the Waterford Township Zoning Ordinance that provides an index of defined terms shall be amended to add a definition for Dwelling, Short-term which shall read as follows:

Dwelling, Short-term. A dwelling or portion thereof that is used, offered, or made available for use or to occupy the premises of portion thereof, on a short-term stay less than thirty (30) days. This definition does not include hotels and motels as defined by the Township Zoning Ordinance and licenses and inspected by the State of Michigan.

Section 2 of Ordinance

Section 3-303.4 of the Waterford Township Zoning Ordinance that lists permitted uses after special approval in the R-1, R-1A, R-1B, R-1C Single-Family Residential Districts shall be amended to add section J Short-term dwellings to read as follows:

3-303.4. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the R-1, R-1A, R-1B, R-1C districts, 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. – I. (unchanged)

J. Short-term dwellings (See **Dwellings, Short-term** in **Section 1-007**).

Section 3 of Ordinance

Section 3.404.4 of the Waterford Township Zoning Ordinance that lists permitted uses after special approval in the R-1D Duplex Residential District shall be amended to add Section C Short-term dwellings to read as follows:

3-304.4. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the R-1D 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. –B. (unchanged)

C. Short-term dwellings (See **Dwellings, Short-term** in **Section 1-007**).

Section 4 of Ordinance

Section 3-305.4 of the Waterford Township Zoning Ordinance that lists permitted uses after Special Approval in the R-1E Single-Family Attached Residential Zoning District, is amended to add section D Short-term Dwellings that may be permitted in the District after Special Approval to read as follows:

3-305.4. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the R-1E 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– C (unchanged)

D. Short-term dwellings (See **Dwellings, Short-term** in **Section 1-007**).

Section 5 of Ordinance

Section 3-403.4 of the Waterford Township Zoning Ordinance that lists permitted uses after Special Approval in the R-M1Low Density Multiple-Family Residential Zoning District, is amended to add section E Short-term dwellings that may be permitted in the District after Special Approval to read as follows:

3-403.4. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the R-M1 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– D (unchanged)

E. Short-term dwellings (See **Dwellings, Short-term** in **Section 1-007**).

Section 6 of Ordinance

Section 3-404.4 of the Waterford Township Zoning Ordinance that lists permitted uses after Special Approval in the R-M2 Multiple-Family Residential Zoning District, is amended to add section D Short-term dwellings that may be permitted in the District after Special Approval to read as follows:

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- C (unchanged)

D. Short-term dwellings (See **Dwellings, Short-term** in **Section 1-007**).

Section 7 of Ordinance

Section 3-405.8 is added to the Waterford Township Zoning Ordinance to list permitted uses after special approval in the R-MH Mobile Home Park District, with Section A Short-term dwellings that may be permitted in the District after Special Approval to read as follows:

3-405.8. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the R-MH 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. Short-term dwellings (See **Dwellings, Short-term** in **Section 1-007**).

Section 8 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 _____, 2023.

Date

Kimberly Markee, Township Clerk