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

MEMORANDUM

Date: July 6, 2020

To: Honorable Township Board Members

From: Jeffrey Polkowski, Superintendent of Planning and Zoning

RE: Proposed Zoning Ordinance Text Amendment Cases for the March 24, 2020
Planning Commission Meeting:

Text Amendment Case No. 20-03-02 – R-M1, Low Density Multiple Family
– R-M2, Multiple Family

Attached for your review and consideration, please find two (2) proposed Zoning Ordinance Text Amendments.

The evaluation of the most recent site plan for the proposed Redwood Living residential development at 2455 Richardson Court revealed inconsistencies in the Zoning Ordinance with respect to levels of intensity for Multiple Family Residential Districts.

The proposed ordinance amendment would allow for lower density multiple family options to be developed in both the R-M1 Low Density Multiple Family Residential District and the R-M2 Multiple Family Residential District. I have attached a map highlighting the affected parcels within the Township.

Currently, attached single-family dwellings are allowed in the R-1E, Single-Family Attached Residential District. The R-1E Zoning District is a significantly less intense Zoning District than either the R-M1 or R-M2 Zoning District.

Section 1-007 of the Zoning Ordinance defines single family attached dwelling units as “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.”

Motion

If the Township Board concurs with the Planning Commission’s favorable recommendation for this, a motion to “introduce” the case should be made which would then provide for consideration of “final adoption” of the Ordinance Amendment at your July 27, 2020 meeting.

Upon your review, if you have any questions or require further information, please contact this office.

**With us there are no
boundaries**

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:

- 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.
- 2. Conformance to Regulatory Standards.** All zoning lots, uses, buildings, and structures within this zoning district shall comply with **Sections 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. 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*).
 - CB. 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.
 - DC. Adult day care homes (*See Adult Day Care Facilities in Section 1-007*).
 - ED. Child family day care homes (*See Child Day Care Facilities in Section 1-007*).
 - FE. Child foster family homes (*See Foster Care Facilities in Section 1-007*).
 - GF. Neighborhood public utility facilities (*See Public Utility in Section 1-007*) and public utility hardware (*See Public Utility in Section 1-007*).
 - HG. 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 the SPL Manual 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.
- 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*).
 - BA. 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.
 - CB. Elder care facilities (*See Elder Care Facilities in Section 1-007*).
 - DC. 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.
- 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 DISTRICT

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

- 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.
- 2. Conformance to Regulatory Standards.** All zoning lots, uses, buildings, and structures within this zoning district shall comply with **Sections 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. 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*).
 - CB. 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.
 - DC. Adult day care homes (*See Adult Day Care Facilities in Section 1-007*).
 - ED. Child family day care homes (*See Child Day Care Facilities in Section 1-007*).
 - FE. Child foster family homes (*See Foster Care Facilities in Section 1-007*).
 - GF. Neighborhood public utility facilities (*See Public Utility in Section 1-007*) and public utility hardware (*See Public Utility in Section 1-007*).
 - HG. 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 the SPL Manual 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.
- 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.
- 5. Permitted Uses after Special Accommodation Use Approval.** Adult group day care homes (*See Adult Day Care Facilities in Section 1-007*), and adult foster care family homes, adult foster care small group homes, and adult foster care medium group homes (*See Foster Care Facilities in Section 1-007*) shall, after receiving approval of the use in accordance with **Section 4-008**, be permitted as special accommodation uses in the R-M2 district, when meeting the statutory standards of Public Act 110 of 2006, Michigan Zoning Enabling Act, as amended, and subject to the conditions hereinafter imposed for each use.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD

ORDINANCE NO. _____

TEXT AMENDMENT TO ZONING ORDINANCE

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A (“Zoning Ordinance”) R-M1, Low Density Multiple-Family Residential District and R-M2, Multiple-Family Residential District text to allow attached single-family dwellings.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 3-403.3 of the Waterford Township Zoning Ordinance that lists permitted principal uses in the R-M1, Low Density Multiple-Family Residential District, is amended to read as follows:

- 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*).
 - 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 the SPL Manual 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.

Section 2 of Ordinance

Section 3-403.4 of the Waterford Township Zoning Ordinance that lists permitted uses after special approval in the R-M1, Low Density Multiple-Family Residential District, is amended to read as follows:

- 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*).
- 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.

Section 3 of Ordinance

Section 3-404.3 of the Waterford Township Zoning Ordinance that lists permitted principal uses in the R-M2, Multiple-Family Residential District, is amended to read as follows:

- 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*).
 - 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 the SPL Manual 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.

Section 4 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 _____, 2020.

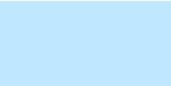
Date

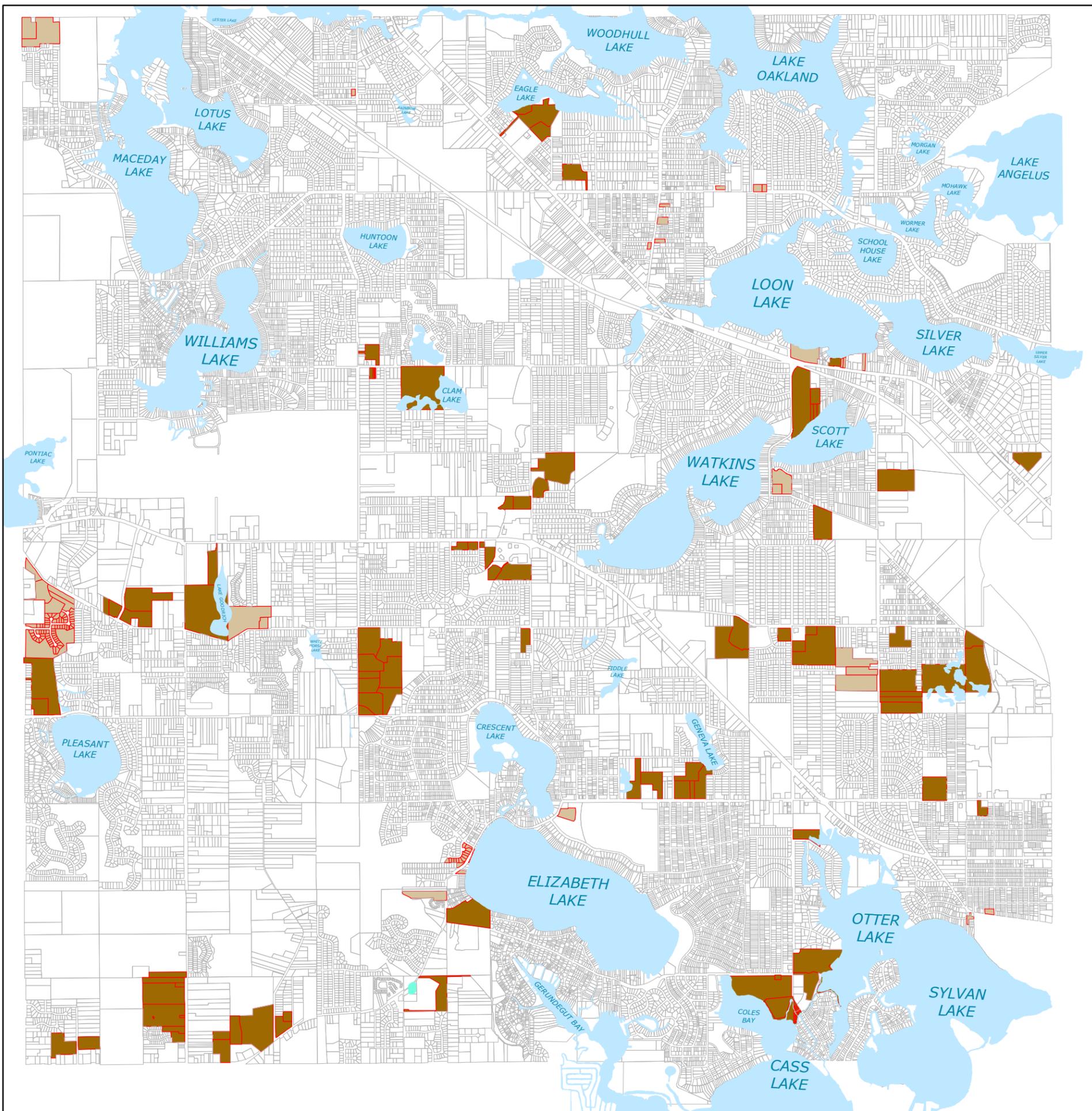
Kimberly Markee, Township Clerk



Proposed Zoning Ordinance Text Amendment
 Case No. 20-03-02
 R-M1, Low Density Multiple Family
 R-M2, Multiple Family
 Single Family Attached Housing

Legend

-  Lakes
-  R-M1, Low Density Multi-family
-  R-M2, Multi-family
-  All Other Districts



Charter Township of Waterford
 Development Services Department
 Planning and Zoning Division

Drawn By; J. Polkowski
 March 11, 2020