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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 June 23, 2020  
Planning Commission Meeting:

Text Amendment Case No. 20-04-01 – C-2, Small Business District  
– C-UB, Urban Business District

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Attached for your review and consideration, please find a proposed Zoning Ordinance Text Amendment. This proposed Zoning Ordinance Text Amendment allows Banquet halls within the C-2 Small Business Zoning District to operate with a Special Use Approval granted by the Planning Commission.

Township Staff has recently identified small banquet halls to be in demand within the community. Although banquet halls are available in larger, more intense, lots that are zoned C-3 General Business Zoning District and C-4 Extensive Business Zoning District. There are few options for smaller banquet halls that would be rented out for bridal showers, parties, small weddings, religious gatherings, etc.

Due to the nature of this development, Township Staff feels that it would be appropriate to establish this use as a Special Use, where a proposed development would be reviewed by the Township Planning Commission to ensure the development is appropriately sized and will operate harmoniously with all adjacent land uses.

The C-2 Small Business Zoning District is the only district within the Township that does not offer any Special Use approvals and is generally considered to be an underutilized district that offers limited development options when compared to the other commercial Zoning Districts that are designed to increase with incremental intensity ranging from C-1 Neighborhood Business to C-4 Extensive Business District.

Additionally, this Zoning Ordinance Text Amendment clarifies a discrepancy within Section 3-707.3 and Section 3-707.5 of the Zoning Ordinance. Within the C-UB Urban Business District, 'banquet and food preparation establishments' are listed as both a Permitted Principal Uses and a Permitted Uses after Special Approval.

**With us there are no  
boundaries**

Township Staff recommends maintaining ‘banquet and food preparation establishments’ as a Permitted Principal Use within the Urban Business District due to the intention of the Waterford Township Master Plan 2023 to utilize this Zoning District to “reflect and promote the urban neighborhood area” and to “create an economic climate conducive to the attraction, retention, and expansion of business within Waterford.”

Section 1-007 of the Zoning Ordinance defines a Banquet And Food Preparation Establishment as “*A commercial service establishment in which food and beverages are prepared for catered consumption off the zoning lot on which preparation occurs, and for the purposes of on-premise catering to large groups of people for special occasions such as banquets, weddings, receptions or similar functions when the zoning lot possesses the capacity for a banquet facility.*”

**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.

## 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:

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

## **SECTION 3-707. C-UB, URBAN BUSINESS DISTRICT**

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

- 1. Purpose and Intent.** The C-UB zoning district is intended to implement the goals of the Urban 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 Four, *To Create an Economic Climate Conducive to the Attraction, Retention, and Expansion of Business within Waterford*, Objective 4.4, *Improve the Physical Appearance and Functional Character of the Commercial Corridors*, and Goal Seven, *To Retain, Enhance, and Promote Waterford's Unique Character, Sense of Community, and Identity*, by permitting a mixture of commercial, office, and residential land uses on zoning lots properly scaled and designed to enhance and improve the traditional urban neighborhood characteristics contained within this zoning district, with an emphasis on streetscape aesthetics and walkability; clusters of free-standing retail shops, restaurants, and offices; a linear landscape pattern along State Highway M-59; improved nonmotorized pathways and traffic calming; allowance for dwelling units located above commercial uses at moderate density; and coordinated street furniture throughout the district. This zoning district is intended to limit the intensity of commercial development through the height, usable floor area, and setback restrictions specified within **Sections 3-900 and 3-901**, and to ensure that sufficient parking is provided without conflicting with streetscape aesthetics and walkability. This zoning district shall be located specifically within, and limited to, the geographic area designated as Urban Business on the Future Land Use Maps.
- 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 require approval through the applicable site plan review procedure in accordance with **Section 4-004**.
- 3. Permitted Principal Uses.** The following uses conducted completely indoors, with no outdoor service or drive-thru service facilities, shall be permitted as principal permitted uses in the C-UB district:
  - A. Convenience stores, department stores, drug stores, limited merchandise stores, merchandise display stores, specialty retail stores, and supermarket establishments (*See Retail Establishments in Section 1-007*).
  - B. Shopping centers (*See Retail Establishments in Section 1-007*).
  - C. Animal grooming establishments, banquet and food preparation 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*).
  - D. Cultural facilities (*See Cultural Facilities in Section 1-007*).
  - E. Religious facilities (*See Religious Facilities in Section 1-007*).
  - F. Drop-off dry cleaning establishments (*See Dry-Cleaning Establishments in Section 1-007*).
  - G. Professional medical care offices and medical clinics (*See Medical Establishments in Section 1-007*).
  - H. Office establishments (*See Office Establishments in Section 1-007*).
  - I. Bar/lounges, brewpubs, cabaret/night clubs, cafeterias, carryout restaurants, and fast food/delicatessen/sandwich shop restaurants (*See Restaurant Establishments in Section 1-007*).
  - J. Entertainment rental establishments and rent-to-own establishments (*See Rental Establishments in Section 1-007*).
  - K. Entertainment activity centers and theaters (*See Entertainment Establishments in Section 1-007*).
  - L. Private clubs and philanthropic institutions (*See Institutional Facilities in Section 1-007*).
  - M. Fitness centers and health/recreation facilities (*See Recreational Facilities in Section 1-007*).
  - N. Antique stores, used book shops, consignment shops, and thrift shops (*See Resale Establishments in Section 1-007*).
  - O. Public utility facilities and public utility hardware (*See Public Utility in Section 1-007*).
- 4. Permitted Uses after Wellhead Protection Compliance.** Local dry cleaning establishments (*See Dry-Cleaning Establishments in Section 1-007*) and minor vehicle service facilities (*See Vehicle Repair Facilities in Section 1-007*) shall be permitted as principal permitted uses in the C-UB 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**.

5. **Permitted Uses after Special Approval.** The following uses shall be permitted as special approval uses in the C-UB 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. The uses permitted under **Section 3-707.3.I** with 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 conformance with such stipulations and the performance standards established in this Zoning Ordinance.
  - ~~B. Banquet and food preparation establishments (*See Commercial Service Establishments in Section 1-007*).~~
  - ~~BC.~~ 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.
  - ~~CD.~~ Funeral home establishments (*See Funeral Home Establishments in Section 1-007*).
  - ~~DE.~~ Precious metal and gem dealers (*See Section 1-006*) in conformance with **Section 2-602**.
6. **Planned Unit Developments.** Planned unit developments consisting of mixed uses that incorporate one or more of the uses listed in **Section 3-707.3** with one or more of the uses listed in **Section 3-707.4, Section 3-707.5, Section 3-404.3.A**, and/or dwelling units located above commercial uses, subject to the review and approval of the development in accordance with **Section 4-005**, are permitted.

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CHARTER TOWNSHIP OF WATERFORD  
ORDINANCE NO. 2020-Z-004

**TEXT AMENDMENT TO ZONING ORDINANCE**

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A (“Zoning Ordinance”) C-2, Small Business District text to allow banquet and food preparation establishments as a permitted use after special approval, and to correct the C-UB, Urban Business District text by removing banquet and food preparation establishments from the list of permitted uses after special approval because they are also listed as a permitted principal use.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

**Section 1 of Ordinance**

Section 3-704 of the Waterford Township Zoning Ordinance for the C-2, Small Business District, is amended to add a new subsection 5 to read as follows:

- 5. Permitted Uses after Special Approval.** The following uses shall be permitted as special approval uses in the C-2 District, subject to 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*).

**Section 2 of Ordinance**

Section 3-707.5 of the Waterford Township Zoning Ordinance that lists permitted uses after special approval in the C-UB, Urban Business District, is amended to delete banquet and food preparation establishments that was subsection B, and now read as follows:

- 5. Permitted Uses after Special Approval.** The following uses shall be permitted as special approval uses in the C-UB 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. The uses permitted under Section 3-707.3.I with 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 conformance with such stipulations and the performance standards established in this Zoning Ordinance.

- 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. Funeral home establishments (See Funeral Home Establishments in Section 1-007).
- D. Precious metal and gem dealers (See Section 1-006) in conformance with Section 2-602.

**Section 3 of Ordinance**

The effective date of this Ordinance shall be on the 8<sup>th</sup> 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

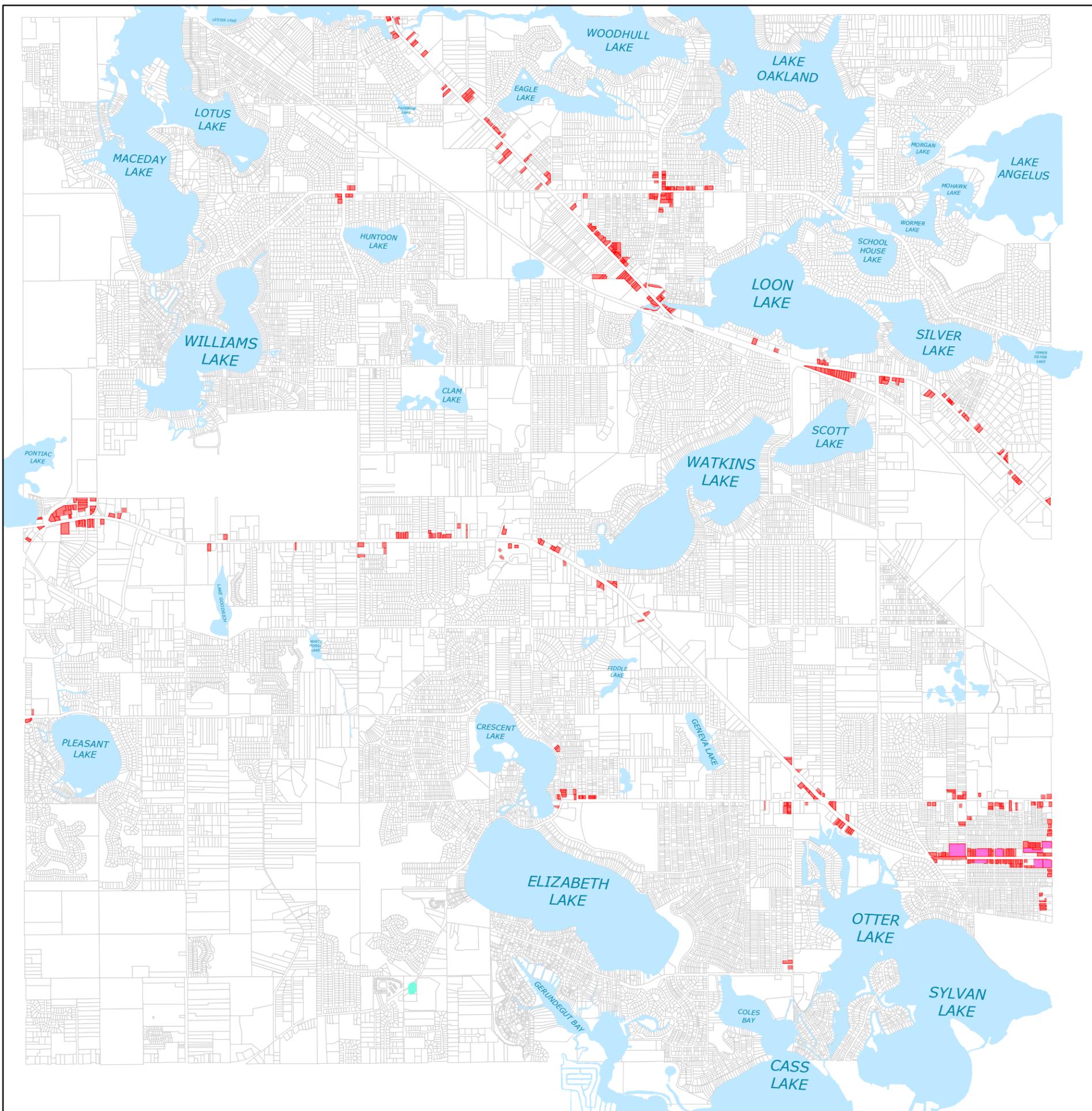
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Kimberly Markee, Township Clerk



Proposed Zoning Ordinance Text Amendment  
 Case No. 20-04-01  
 C-2, Small Business District  
 C-UB, Urban Business District  
 Banquet And Food Preparation Establishments

## Legend

-  Lakes
-  C-2, SMALL BUSINESS
-  C-UB, URBAN BUSINESS
-  All Other Districts



Charter Township of Waterford  
 Development Services Department  
 Planning and Zoning Division

Drawn By; J. Polkowski  
 March 11, 2020