MEMORANDUM

Date: November 11th, 2026

To: City of Madison Heights Planning Commission [November 16th, 2026 Meeting]

From: Matt Lonnerstater, AICP – City Planner

Subject: Introduction - Religious Institutions in the B-1 Zoning District.

Introduction

The potential buyer of an existing church in Madison Heights has approached the Community and Economic Development Department to discuss opportunities for building expansion. The property in question is currently zoned B-1, Neighborhood Business district, which permits as a Special Land Use religious institutions (and private clubs and lodges) with an occupancy of less than 75 people. However, religious institutions with an occupancy of greater than 75 people are not permitted. To enable the building expansion, the applicant has requested that the City explore a zoning text amendment to permit religious institutions with an occupancy of 75 people or greater within the B-1 district.

Background and Discussion

Per the Madison Heights Zoning Ordinance, the B-1, Neighborhood Business, zoning district is, *"designed to meet the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas. The B-1 District shall encourage uses and design that are compatible with, and accessible to, nearby residential uses, thus reducing the number of vehicle tripes required in these areas."*

Based on the Permitted Use Table, Section 3.06, the following use is permitted as a Special Land Use within the B-1 district:

- Religious Institutions, Private Clubs, and Lodges (less than 75 persons).

The following use is not permitted at all within the B-1 district:

- Religious Institutions, Private Clubs, and Lodges (greater than 75 persons).

Under the current B-1 zoning designation, an existing church/religious institution has no means to expand above the 75-person threshold. In order to facilitate an expansion, a property owner would need to seek a rezoning to a district which permits larger religious institutions or seek a rezoning to a Planned Unit Development (PUD). Refer to the use table below for the full list of zoning districts which permit religious institutions, private clubs, and lodges.

Section 3.06 – Permitted Use Table

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Religious Institutions, Private Clubs, and Lodges (less than 75 persons)	S	S	S	S	S	S	S	P	P	P*	P	P	P	P			7.03(39)
Religious Institutions, Private Clubs, and Lodges (greater than 75 persons)	S	S	S	S	S			P	P	S*	S	P					7.03(39)

As an alternative to a rezoning, which would open up all of the land uses permitted under the new zoning district, the City could explore a zoning text amendment to permit religious institutions, private clubs, and lodges with an occupancy greater than 75 people within the B-1 zoning district, either by right or as a Special Land Use. For the church/property in question, a text amendment would eliminate the need for a rezoning and would reduce the potential for an undesirable development on the property.

If the Planning Commission decides to move forward, staff recommends a text amendment to permit religious institutions, private clubs, and lodges with an occupancy of greater than 75 persons as a **Special Land Use**. The Special Land Use process would require a public hearing in front of the Planning Commission and final action by City Council, ensuring that larger religious institutions can be reviewed on a case-by-case basis within the B-1 zoning district. For example, a large church proposed on a B-1-zoned property along Dequindre may not be as controversial as one proposed on a B-1-zoned property along Lincoln. The Special Land Use process would allow for public input, Planning Commission discussion, and City Council action prior to approval.

A Note on RLUIPA

The Religious Land Use and Institutionalized Persons Act (RLUIPA), adopted by Congress in 2000, provides that religious assemblies and institutions must be treated at least as well as nonreligious assemblies and institutions; this is known as the "equal terms" provision. The Madison Heights Zoning Ordinance groups religious institutions, private clubs, and lodges as one use in order to comply with RLUIPA.

Clerical Amendment

The use table currently divides religious institutions, private clubs, and lodges into thresholds of "less than 75 persons" and "greater than 75 persons." The zoning language inadvertently misses those that may have an occupancy of exactly 75 persons. To remedy this, as part of a text amendment, staff recommends modifying the thresholds to read "75 persons or less" and "greater than 75 persons."

Planning Commission Discussion and Next Steps

If the Planning Commission elects to move forward with text amendments to permit religious institutions, private clubs, and lodges with occupancy greater than 75 persons as a Special Land Use in the B-1 zoning district, staff could set a public hearing for an upcoming Planning Commission meeting and begin the public notice process. If desired, staff could present more defined language to the Planning Commission prior to setting a public meeting date.

Attachments
B-1 Zoning Map
Section 3.14 – Neighborhood Business District