

**CHARTER TOWNSHIP OF WHITE LAKE
COUNTY OF OAKLAND
AMENDMENT _____ TO ZONING ORDINANCE**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE
CHARTER TOWNSHIP OF WHITE LAKE BY AMENDING ARTICLE
2.0 DEFINITIONS, ARTICLE 3.0 ZONING DISTRICTS, ARTICLE 4.0
USE STANDARDS, ARTICLE 5.0 SITE STANDARDS, ARTICLE 6.0
DEVELOPMENT PROCEDURES, AND ARTICLE 7 ADMINISTRATION,
APPEALS, AND ENFORCEMENT, ONLY AS PROVIDED FOR HEREIN.**

NOW HEREBY the Charter Township of White Lake ordains the following amendments to the White Lake Charter Township Zoning Ordinance:

PART 1: Amend Article 2.0, Definitions, Section 2.2, Definitions by modifying the following definition as shown below:

ACREAGE PARCEL. Any **single-family residential** parcel of land in White Lake Township which ~~parcel~~ is not located in or part of a recorded plat: **or condominium subdivision.**

PART 2: Amend Article 2.0, Definitions, Section 2.2, Definitions by adding the following definition as shown below:

ALLEY. A public or private way which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

PART 3: Amend Article 2.0, Definitions, Section 2.2, Definitions by modifying the following definition as shown below:

LOT AREA. The total horizontal area within the lot lines, as defined, of a lot. **With the exception of lots zoned AG (Agricultural), SF (Suburban Farms), and R1-A (Single-Family Residential),** the lot area of any lot, zoning lot or parcel of land shall also be interpreted to be exclusive of any land in a public or private road right-of-way or easement.

PART 4: Amend Article 2.0, Definitions, Section 2.2, Definitions by adding the following definition as shown below:

ORDINARY HIGH-WATER MARK. The line between upland and bottomland which persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil and the vegetation. On an inland lake which has a level established by law, it means the high established level. Where water returns to its natural level as the result of the permanent removal or abandonment of a dam, it means the natural ordinary high-water mark.

PART 5: Amend Article 2.0, Definitions, Section 2.2, Definitions by modifying the following definition as shown below:

PARKING SPACE. An area ~~ten feet by twenty feet (9' x 18')~~ for parking of each automobile or motor vehicle, being exclusive of necessary drives, aisles, entrances or exits, and being fully accessible for the storage or parking of permitted vehicles.

PART 6: Amend Article 2.0, Definitions, Section 2.2, Definitions by adding the following definition as shown below:

RIGHT-OF-WAY. A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a street, pathway/sidewalk/trail, water line, sanitary sewer, and/or other public utilities or facilities.

PART 7: Amend Article 2.0, Definitions, Section 2.2, Definitions by modifying the following definition as shown below:

SETBACK. ~~The minimum horizontal distance between the front of the building, excluding steps and unenclosed porches, and the front street or right of way line.~~ **The minimum distance by which any building or structure must be separated from a street right-of-way or lot line.**

PART 8: Amend Article 2.0, Definitions, Section 2.2, Definitions by modifying the following definition as shown below:

1. **Above-the-Roof Sign.** A sign ~~projecting beyond or above the roof or parapet or that is erected, constructed or maintained upon the roof or parapet of a building~~ **that is mounted on, applied to, or otherwise structurally supported by the roof of a building (other than the fascia portion of a mansard roof).**

PART 9: Amend Article 2.0, Definitions, Section 2.2, Definitions by modifying the following definition as shown below:

23. **Wall Sign.** A sign attached to, or placed flat against, the exterior wall or surface of any building, no portion of which projects more than twelve (12) inches from the wall. **No wall sign shall be erected to extend above the top of the wall to which it is attached.**

PART 10: Amend Article 2.0, Definitions, Section 2.2, Definitions by adding the following definition to "SIGN" as shown below:

25. **Parapet Sign.** A sign attached to that portion of a building's exterior wall that projects above the roofline of a building.

PART 11: Amend Article 3.0, Zoning Districts, Section 3.1.1, Agricultural District by modifying the district name as shown below:

~~Agricultural District.~~ **Rural Residential District.**

PART 12: Amend Article 3.0, Zoning Districts, Section 3.1.1, Agricultural District, Subsection 3.1.1.A by modifying the Intent statement as shown below:

The ~~Agricultural~~ **Rural Residential** District is established as a district in which the principal use of land is for ~~farming, dairying, forestry operations and other agricultural activities.~~ **agricultural use and single-family detached dwellings on acreage parcels.** The intent of this article is to protect land needed for agricultural pursuits from encroachment by untimely and unplanned residential, commercial or industrial development.

PART 13: Amend Article 3.0, Zoning Districts, Section 3.1.1, Agricultural District, Subsection 3.1.1.C.iv to read as follows:

iv. Temporary uses within a building §7.20

PART 14: Amend Article 3.0, Section 3.1.2, Suburban Farms by modifying the district name as shown below:

~~Suburban Farms District.~~ **Suburban Estates District.**

PART 15: Amend Article 3.0, Zoning Districts, Section 3.1.2, Suburban Farms, Subsection 3.1.2.A by modifying the Intent statement as shown below:

The Suburban ~~Farms~~ **Estates** District is created to establish areas of the Township for single family residences in a rural environment characterized by low densities and significant open spaces.

PART 16: Amend Article 3.0, Zoning Districts, Section 3.1.2, Suburban Farms, Subsection 3.1.2.F, Development Standards, by modifying the maximum lot coverage as shown below:

~~20%.~~ **30%.**

PART 17: Amend Article 3.0, Zoning Districts, Section 3.1.3, R1-A Single Family Residential, Subsection 3.1.3.E, Development Standards, by modifying the maximum lot coverage as shown below:

~~20%.~~ **30%.**

PART 18: Amend Article 3.0, Zoning Districts, Section 3.1.4, R1-B Single Family Residential, Subsection 3.1.4.E, Development Standards, by modifying the maximum lot coverage as shown below:

~~20%.~~ 25% for lots served by a private septic system.
30% for lots served by public sanitary sewer.

PART 19: Amend Article 3.0, Zoning Districts, Section 3.1.5, R1-C Single Family Residential, Subsection 3.1.5.E, Development Standards by modifying the maximum lot coverage as shown below:

~~20%.~~ 25% for lots served by a private septic system.
30% for lots served by public sanitary sewer.

PART 20: Amend Article 3.0, Zoning Districts, Section 3.1.6, R1-D Single Family Residential, Subsection 3.1.6.E by modifying the maximum lot coverage as shown below:

~~20%.~~ 25% for lots served by a private septic system.
30% for lots served by public sanitary sewer.

PART 21: Amend Article 3.0, Zoning Districts, Section 3.1.12, Local Business District, Subsection 3.1.12.C, Special Land Uses, to add the following section as Paragraph 3.1.12.C.vii:

vii. Entertainment and/or outdoor dining associated with a restaurant §4.18

PART 22: Amend Article 3.0, Zoning Districts, Section 3.1.14, Restricted Business District, Subsection 3.1.14.C, Special Land Uses, to add the following section as Paragraph 3.1.14.C.xviii:

xviii. Entertainment and/or outdoor dining associated with a restaurant §4.18

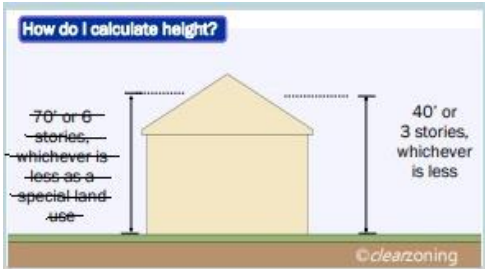
PART 23: Amend Article 3.0, Zoning Districts, Section 3.1.18, Pontiac Lake Gateway District, Subsection 3.1.18.C.v, Special Land Uses, to read as follows:

v. ~~Hotels over three stories~~ §4.33

PART 24: Amend Article 3.0, Zoning Districts, Section 3.1.18, Pontiac Lake Gateway District, Subsection 3.1.18.D, Development Standards, by modifying the maximum building height as shown below:

~~70 feet or 6 stories, whichever is less as a special land use~~
40 feet or 3 stories, whichever is less

PART 25: Amend Article 3.0, Zoning Districts, Section 3.1.18, Pontiac Lake Gateway District, Subsection 3.1.18.D, Development Standards, by modifying the maximum building height illustration as shown below:



PART 26: Amend Article 3.0, Zoning Districts, Section 3.1.18, Pontiac Lake Gateway District, Subsection 3.1.18.D, Development Standards, by modifying the minimum floor height as shown below:

First/ground floor: ~~14~~ 10 feet
Upper floors: ~~10~~ 9 feet

PART 27: Amend Article 3.0, Zoning Districts, Section 3.11, Notes to District Standards, Subsection 3.11.A to read as follows:

- A. Minimum lot area, with the exception of lots zoned AG (Agricultural), SF (Suburban Farms), and R1-A (Single-Family Residential), shall not include any right of way or easement for a public road, private road, or access easement. Calculations for determining maximum density and the number of lots permitted shall be based upon net buildable land area (areas such as regulated wetlands, flood plains and open water bodies, areas devoted to storm water retention/ detention, or other, similar areas of the site that are not available for the use and enjoyment of the residents of a site, shall not be included in calculations for determining maximum density and number of lots permitted).

PART 28: Amend Article 3.0, Zoning Districts, Section 3.11, Notes to District Standards, Subsection 3.11.F to strike and replace the regulation as shown below:

~~If at least 60% of the dwelling units on one side of a block have a narrower front setback than the ordinance standard, the minimum front yard setback for new dwelling units shall be the average front yard setback of the existing dwellings on the same side of the block.~~
Garage sales, rummage sales, yard sales, estate sales, and similar activities may be conducted for no longer than three days and no more than twice per calendar year on the same property.

PART 29: Amend Article 3.0, Zoning Districts, Section 3.11, Notes to District Standards, Subsection 3.11.W to strike and replace the regulation as shown below:

~~A maximum 30% lot coverage may be approved administratively by the Director of the Community Development Department or his/ her designee on existing lots of record where all of the following criteria are present:~~

- ~~i. The lot has sanitary sewer service, and~~
- ~~ii. Storm water collected from the roof of the home and garage is directed to a storm drain, retention or detention basin, lake or other body of water, and~~
- ~~iii. The proposed building development complies with all setback requirements of the appropriate zoning district, unless a variance has been approved by the Zoning Board of Appeals.~~

A modular home may be approved if all of the following criteria are present:

- A. The dwelling shall be attached to a permanent foundation. The foundation shall be constructed in accordance with the state construction code, and attachment of the dwelling to the foundation shall meet all applicable building codes and other state and federal regulations.**
- B. The dwelling shall not have exposed wheels, towing mechanism, undercarriage, or chassis.**
- C. The dwelling shall be certified by the manufacturer or builder to be:**
 - a. Designed only for erection or installation on a site-built permanent foundation;**
 - b. Not designed to be moved once so erected or installed;**
 - c. Designed and manufactured to comply with the state construction code, as adopted by the Township;**
 - d. Not intended to be used other than on a site-built permanent foundation.**

PART 30: Amend Article 3.0, Zoning Districts, Section 3.11, Notes to District Standards, to add the following as Subsection 3.11.Y:

No mechanical units, including heating, ventilation, and air conditioning (HVAC) systems and generators, shall be placed in the front yard or closer than five (5) feet to any side yard lot line or rear yard lot line.

PART 31: Amend Article 4.0, Use Standards, Section 4.18, Eating Establishments with Entertainment and/or Outdoor Dining, to amend the first paragraph to read as follows:

Eating establishments with entertainment and/ or outdoor dining may be permitted in the **LB (Local Business) district, RB (Restricted Business) district, GB (General Business) district, and PB (Planned Business) district**, subject to the following:

PART 32: Amend Article 4.0, Use Standards, Section 4.21, Government Offices and Township Buildings and Uses Without Service or Storage Yards, to add the following section as 4.21.D:

D. Governmental drive-thrus shall be allowed as an accessory use under this section.

PART 33: Amend Article 4.0, Use Standards, Section 4.33, Motels and Hotels, to amend the first paragraph to read as follows:

Motels and hotels may be permitted ~~in the RB (Restricted Business) district~~ subject to the following conditions:

PART 34: Amend Article 5.0, Site Standards, Section 5.11, Off-Street Parking, Subsection 5.11.M by modifying the table of the amount of required off-street parking as follows:

~~5.11.M-Minimum~~ **Maximum** Requirements for Off-Street Parking
(note to Planning Commission only, not ordinance text: this is the table title)

~~Minimum~~ **Maximum** Required Number of Parking Spaces
(note to Planning Commission only, not ordinance text: this is the second column title)

PART 35: Amend Article 5.0, Site Standards, Section 5.11, Off-Street Parking, Subsection 5.11.M by adding a footnote to the table of the amount of required off-street parking as follows:

¹Unless otherwise specified in this Ordinance, at least 75% of the maximum required number of parking spaces shall be provided.

PART 36: Amend Article 5.0, Site Standards, Section 5.11, Off-Street Parking, Subsection 5.11.M.i.e to read as follows:

Each stacking space in the drive-through lane shall be nine (9) feet wide by ~~twenty~~ **eighteen** (~~20~~**18**) feet long.

PART 37: Amend Article 5.0, Site Standards, Section 5.11, Off-Street Parking, Subsection 5.11.Q.xvi to read as follows:

Parking space length may be reduced by ~~two~~ **one** (~~2~~**1**) ~~feet~~ **foot** where the space abuts a raised sidewalk.

PART 38: Amend Article 5.0, Site Standards, Section 5.11, Off-Street Parking, Subsection 5.11.Q.xviii to read as follows:

Concrete curbing and gutter shall be provided at the end of all parking areas and stalls. Curb and gutter shall not be counted towards required drive aisle width and parking stall length and width.

PART 39: Amend Article 6.0, Development Procedures, Section 6.8, Site Plan Review and Approval, Subsection 6.8.I to read as follows:

I. Approval Valid for ~~One (1)~~ Two (2) Years

Upon approval of a final site plan by the Planning Commission ~~and approval of a final engineering plan~~, a building permit shall be requested by the applicant within ~~twelve (12)~~ twenty-four (24) months or the site plan shall be declared invalid. The Planning Commission may grant a twelve (12) month extension based upon confirmation by the Director of the Community Development Department or his/her designee that there have been no Ordinance changes affecting the site plan since the time of original approval. Upon receipt of a building permit, reasonable construction shall be commenced within six (6) months, and shall be completed within twenty-four (24) months, or the site plan and building permit shall be declared to be invalid, unless the applicant requests an extension.

PART 40: Amend Article 6.0, Development Procedures, Section 6.11, Procedures for Review and Approval of All Special Land Uses, Subsection 6.11.A to read as follows:

A. Approval. If the Planning Commission determines that the particular special land use(s) should be allowed, it shall endorse its approval thereof on the written application and clearly set forth in a special land use permit the particular use(s) which have been allowed and applicable conditions. Thereafter, the enforcing officer may issue a building permit in conformity with the particular special land use so approved. In all cases where a particular special land use has been granted as provided herein, application for a building permit in pursuance thereof must be made and received by the Township not later than ~~one (1)~~ two (2) years thereafter, or such approval shall automatically be revoked, provided, however, the Planning Commission or Township Board may grant an extension thereof for good cause shown under such terms and conditions and for such period of time not exceeding one (1) year as it shall determine to be necessary and appropriate. If granted concurrently, the duration of final site plan approval and special land use approval shall be the same.

PART 41: Amend Article 7.0, Administration, Appeals, and Enforcement, Section 7.39, Approval Periods, to read as follows:

No order of the Zoning Board of Appeals permitting the erection or alteration of a building shall be valid for a period longer than ~~six (6)~~ **twelve (12)** months, unless a building permit for such erection or alteration is obtained within such period, and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Zoning Board of Appeals permitting a use of a building or premises shall be valid for a period longer than ~~six (6)~~ **twelve (12)** months unless such use is established within such period; provided, however, that such order shall continue in force and effect if a building permit for said erection or alteration is obtained within such period, and such erection or alteration is started and proceeds to completion in accordance with such permit.

Conflicts.

If any provision of the White Lake Township Code conflicts with this amendment to the regulations, the most restrictive provision shall be applied.

Severability.

Should any section or part of this ordinance be declared unconstitutional, null or void by a court of competent jurisdiction, such declaration shall not have any effect on the validity of the remaining sections or parts of this ordinance.

Adoption.

A public hearing on this Ordinance was held before the Planning Commission of the Charter Township of White Lake at a regular meeting held on Thursday, _____, 2024. This Ordinance was adopted by the Township Board of the Charter Township of White Lake at a meeting duly called and held on the ____ day of _____, 2024, and ordered to be published as prescribed by the law.

STATE OF MICHIGAN)

) ss.

COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of White Lake, Oakland County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of said Township at a regular meeting held on _____, 2024.

Anthony L. Noble, Clerk
Charter Township of White Lake