

CHARTER TOWNSHIP OF WHITE LAKE
COUNTY OF OAKLAND
AMENDMENT 26-01 TO ZONING ORDINANCE

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CHARTER TOWNSHIP OF WHITE LAKE BY AMENDING SECTION VII.4 – USE MATRIX, ARTICLE 3.0 (ZONING DISTRICTS), ARTICLE 4.0 (USE STANDARDS), ARTICLE 5.0 (SITE STANDARDS), ARTICLE 6.0 (DEVELOPMENT PROCEDURES), ARTICLE 7.0 (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 SECTION VII.4 – USE MATRIX, by adding “S” into the appropriate column and row of the Use Matrix, to establish that “Nursery schools, group adult and child care centers” are permitted in the Pontiac Lake Gateway (PG) District by Special Land Use:

	PG
Nursery schools, group adult and child care centers	S

PART 2: Amend Article 3.0, Zoning Districts, Section 3.1.18.C, Special Land Uses, by adding the following as Paragraph vi:

vi. Nursery schools, group adult and child care centers

PART 3: Amend Article 3.0, Zoning Districts, Section 3.11.U, to provide additional clarity regarding setback requirements within multiple-family developments, to read as follows:

Structures located within a multiple-family development, including attached condominiums, row and townhouse dwellings, and the like, shall have a minimum setback of 25’ from the back of sidewalk or 25’ from back of curb for developments without sidewalks. **and similar developments, shall maintain a minimum setback of twenty-five (25) feet from the back of curb or back of sidewalk along any public or private street, internal roadway, or internal drive. Where sidewalks are not provided, the setback shall be measured from the back of curb.**

PART 4: Amend Article 4.0, Use Standards, Section 4.22, Group Adult or Childcare Center, Including Nursery School, by revising the introductory paragraph to read as follows:

Group adult or child care centers and nursery schools are permitted uses in the ~~RM-1 and RM-2 (Multiple Family), NB-O (Neighborhood Office), LB (Local Business), PD (Planned Development District), PB (Planned Business District), LM (Light Manufacturing), and ROP (Research Office Park)~~ **LB (Local Business), PD (Planned Development District), NMU (Neighborhood Mixed Use), RB (Regional Business), GB (General Business), PB (Planned Business District), and TC (Town Center) districts. Group adult or child care centers and**

nursery schools may be permitted as Special Land Uses in the RM-1 and RM-2 (Multiple-Family), NB-O (Neighborhood Office), LM (Light Manufacturing), ROP (Research Office Park), and PG (Pontiac Gateway) districts subject to the following conditions:

PART 5: Replace Article 5.4, SUBSTANDARD LOTS, in its entirety, to read as follows:

Intent

The purpose of this Section is to establish reasonable dimensional standards for legally created substandard lots containing or intended for single-family residential development. The Township recognizes that many existing single-family residential lots, particularly within older lake area subdivisions, were created prior to the adoption of current zoning standards and do not conform to current lot area and/or lot width requirements. The standards of this Section are intended to allow for the reasonable use, maintenance, expansion, and improvement of single-family homes on such lots while maintaining orderly development patterns.

A. Applicability

For purposes of this Section, a substandard lot shall mean a legally created lot that does not comply with the minimum lot area and/or minimum lot width requirements of the zoning district in which it is located. This Section shall apply only to substandard lots located in zoning districts where single-family dwellings are permitted and which contain an existing single-family dwelling or are intended to be developed with a single-family dwelling. The standards of this Section shall apply to the construction, expansion, alteration, and improvement of single-family dwellings on such lots.

B. Side Yard Setback Reductions for Substandard Lots

For substandard lots that do not meet minimum lot width requirements, side yard setbacks may be reduced to ten percent (10%) of the lot width, with a minimum of five (5) feet, whichever is greater.

C. Additional Relief

Where a proposed construction, expansion, alteration, or improvement cannot comply with the standards of this Section, the applicant may seek additional relief under Section 7.27 of this Ordinance, if applicable.

PART 6: Amend Article 5.0, Site Standards, Section 5.7, Accessory Buildings or Structures in Residential Districts, including the section title, to read as follows:

ACCESSORY BUILDINGS OR STRUCTURES

A. Separation from Principal Structure

No detached garage or accessory building or structure shall be located less than ten (10) feet from a principal building or structure unless it complies with all regulations applicable to principal buildings or structures.

B. Setbacks

1. Residential Districts (Except SF and AG parcels above 2 acres)

Accessory buildings or structures shall be set back a minimum of five (5) feet from side lot lines and five (5) feet from rear lot lines. Setbacks shall be measured to the nearest part of the structure, including overhangs and gutters. These requirements are subject to Section 5.7.A.

2. SF and AG Districts

Accessory buildings or structures in the Suburban Farm (SF) and Agricultural (AG) districts utilizing the height allowances permitted under Section 5.7.C.1 shall be set back a minimum of ten (10) feet from side lot lines and ten (10) feet from rear lot lines.

C. Height and Size

1. Residential Height Limits

Accessory buildings or structures shall not exceed fourteen (14) feet in wall height or eighteen (18) feet in building height. In Suburban Farm (SF) and Agricultural (AG) districts, on parcels at least two (2) acres in size, maximum wall height may be increased to sixteen (16) feet and maximum building height may be increased to twenty (20) feet.

2. Total Accessory Building Area

In all residential districts except Suburban Farm (SF) and Agricultural (AG), the combined ground floor area of all accessory buildings or structures on a lot shall not exceed 125% of the ground floor area of the principal building. Attached garages shall be excluded from this calculation. The Township's Assessing records shall be used to determine the ground floor area.

3. Maximum Ground Floor Area of One Accessory Building

No single accessory building or structure shall exceed 4,000 square feet of ground floor area, except in Suburban Farm (SF) and Agricultural (AG) districts on parcels at least five (5) acres in size.

D. Nonresidential Districts

Accessory buildings or structures in nonresidential districts shall comply with the development standards applicable to the zoning district in which the property is located.

Table 5.7- Residential Accessory Buildings or Structures Summary

Standard	Residential Districts	SF & AG Districts
Distance from Principal Building	Minimum 10 ft	Minimum 10 ft
Front Setback	Meets District Front Yard Setback	Meets District Front Yard Setback
Side Setback	Minimum 5 ft	5 ft, or 10 ft if utilizing height allowances for parcels ≥ 2 acres
Rear Setback ¹	Minimum 5 ft	5 ft, or 10 ft if utilizing height allowances for parcels ≥ 2 acres
Wall Height	Max 14 ft	Max 14 ft Max 16 ft (lot ≥ 2 acres)
Building Height	Max 18 ft	Max 18 ft Max 20 ft (lot ≥ 2 acres)
Total Accessory Building Area (All Combined) ²	$\leq 125\%$ of principal building ground floor area (attached garages excluded) per Assessing Records	N/A
Max Size (Single Building) ²	4,000 sq ft	Not limited if lot ≥ 5 acres

¹If the accessory building/ structure is adjacent to a water feature, a 25-foot setback is required per Section 3.11.Q.

² Zoning District Lot Coverage Standards Still Applicable

PART 7: Amend Article 5.0, Performance Standards, Section 5.18-A, Noise, to revise permitted noise levels, modify daytime and nighttime measurement periods, update listed zoning district classifications, and to add an exemption for temporary and infrequent maintenance-related to read as follows:

A. Noise: No operation or activity shall cause or create noise that exceeds the sound levels prescribed below, using a A-weighted decibel scale dB(a), when measured at the lot line of any adjoining use, based upon the following maximum allowable levels for each use district:

5.18.A Maximum Allowable Noise Level		
Zoning of Adjoining Land Use	Maximum Allowable Noise Level Measured in dB(A)	
	6 7 a.m. – 9 p.m.	9 p.m. – 6 7 a.m.
AG, SF, R1-A, R1-B, R1-C, R1-D, MHP, PD (single-family residential)	60	45
RM-1, RM-2 (multiple-family residential)	65	60 45
NB-O, LB, RB, GB, PB, ROS, NMU, TC, PG (office, commercial, recreation)	70	65 60
LM, E, ROP (industrial, extractive, research)	80	70 45

An approving body may request a predictive noise analysis as part of site plan approval (Planning Commission), special land use approval (Planning Commission), rezoning or planned development approval (Township Board) to document the compliance of anticipated or existing noise sources to this standard. The approving body shall have the sole discretion to decide whether or not a predictive noise analysis shall be required, based on review of the application and use in relation to adjoining properties and uses. It shall be the responsibility of the applicant to submit this noise analysis if requested by the approving body or official. The analysis and report shall be completed by a board-certified noise control engineer competent to conduct predictive noise analysis.

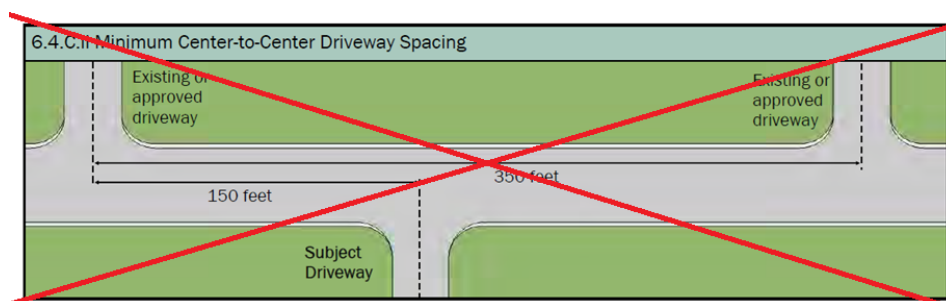
Temporary and infrequent noises associated with routine landscaping, permitted construction or property maintenance activities, such as lawn maintenance, tree trimming, refuse collection, snow removal, shall be exempt from the noise standards of this Section between the hours of 7:00 a.m. and 9:00 p.m.

PART 8: Amend Article 6.0, Development Procedures, Section 6.4.C, Minimum Driveway Spacing, Subsections i and ii, to remove the driveway spacing table, graphic, and related references, to read as follows:

- i. Same Side of Road: For sites with insufficient frontage to meet the minimum driveway spacing standards ~~in Table 6.4.C.i,~~ a waiver will be considered by the Planning Commission only after the Applicant has demonstrated that both alternative access (per Section 6.4.B.vi) and access restriction (per Section 6.4.B.vii) have been seriously considered and incorporated in the site plan where feasible.

~~| | | | | | |
|--|----------|----------|----------|----------|----------|
| 25 mph | 30 mph | 35 mph | 40 feet | 45 mpg | >=50 mpg |
| 130 feet | 185 feet | 245 feet | 300 feet | 350 feet | 455 feet |
| ¹ If unposted, assume 25 mph in commercial or residential area and 55 mph in rural area, unless safe operation indicates lower speed. | | | | | |~~

- ii. Opposite Side of Road: The 350-foot minimum offset ~~shown in the following figure~~ may be reduced to 300 feet for speed limits of 35-40 mph, or to 250 feet for speed limits of 25-30 mph. Driveways expected to serve a relatively high volume of entering left turns, or an unusually high number of entering large vehicles, may require a greater opposite-side spacing, as determined by the Planning Commission and/or the agency having jurisdiction over the road. **A waiver will be considered by the Planning Commission only after the Applicant has demonstrated that both alternative access (per Section 6.4.B.vi) and access restriction (per Section 6.4.B.vii) have been seriously considered and incorporated in the site plan where feasible.**



PART 9: Amend Article 7.0, Administration, Appeals, and Enforcement, Section 7.23.A, Nonconforming Structures, to establish an exception for expansions authorized by the Zoning Board of Appeals, to read as follows:

No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity, **except as may be authorized by the Zoning Board of Appeals in accordance with Section 7.36(B)(vi).**

PART 10: Amend Article 7.0, Administration, Appeals, and Enforcement, Section 7.27.A, Nonconforming Lots, to revise the standards applicable to legally created nonconforming and substandard lots and reference Section 5.4, to read as follows:

~~Where the owner of a nonconforming lot cannot reasonably acquire sufficient land to enable him to conform to the requirements of this Ordinance relating to lot area, lot width, or both, such nonconforming lot may be used by such owner as a building site, provided that all front, side, and rear setback and open space requirements are met.~~

Where the owner of a legally created nonconforming or substandard lot cannot reasonably acquire sufficient land to enable the lot to conform to the minimum lot area and/or lot width requirements of this Ordinance, such lot may be used as a building site, provided that all applicable setback and open space requirements of this Ordinance are met, including any modified setback provisions applicable to substandard lots pursuant to Section 5.4.

PART 11: Add Article 7.0, Administration, Appeals, and Enforcement, Section 7.36.B.vi, Powers of the Zoning Board of Appeals Concerning Administrative Review and Variances, to authorize the enlargement, extension, or structural alteration of lawful nonconforming single-family residential structures through the variance process, to read as follows:

Permit the enlargement, extension, or structural alteration of lawful nonconforming single-family residential structures, including dimensional modifications approved through the variance process and in accordance with the standards of Section 7.37.

PART 12: Article 6.0, Development Procedures, Section 6.8, Site Plan Review and Approval, to assign the Township Board as the approving body for Final Site plans, to read as follows:

A site plan shall be submitted for all new construction, structural alteration, or substantial change in use, as determined by the Director of the Community Development Department, for all principal permitted uses in the AG; SF; NB-O; LB; RB; GB; PB; PD; ROS; LM; E; ROP; TC; PG; NMU; RM-1; RM-2; R1-A, R1-B,

R1-C, and R1-D (except individual single-family homes on an established lot or unit), for all Special Land Uses in every district, and for any other use which requires an off-street parking lot.

An application for site plan approval shall be filed with the Director of the Community Development Department at least twenty-one (21) days prior to the next regularly scheduled meeting of the Planning Commission. Nothing in this section shall be construed

to guarantee an application will be considered by the Planning Commission within 21 days of filing unless all staff and consultant reviews have been received. A fee may be established by the Township Board to cover the cost of processing such site plans. When the required number of copies of the application and the site plan drawing are received, the matter will be scheduled for review by the Township and their consultants. Once all comments and reviews of the staff and consultants indicate the plans are ready for Planning Commission consideration, they will be forwarded to the Planning Commission for their next regular meeting with a recommendation for preliminary approval, conditional approval, or denial.

The Planning Commission will review the Preliminary Site Plan and will forward it on to the Township Board with a recommendation for approval, approval with conditions, or denial. Following the review and recommendation by the Planning Commission of the Preliminary Site Plan, the plan will be reviewed by the Township Board. The Township Board will either approve, approve with conditions, or deny the Preliminary Site Plan.

Following approval of the Preliminary Site Plan by the Township Board, the Planning Commission will review the Final Site Plan and **will forward it on to the Township Board with a recommendation for approval, approval with conditions, or denial.**

Following ~~Planning Commission~~ **Township Board** approval of the Final Site Plan, Final Engineering Plans must also be submitted for review by the Township and their consultants. The following chart lists the items required on all site plans and the stage(s) at which the information is required.

PART 13: Amend Article 6.0, Development Procedures, Section 6.8-F, to assign the Township Board as the approving body for Final Site plans and provide additional clarity in the written ordinance, to read as follows:

~~Criteria for Preliminary and Final Site Plan Approval – The Preliminary Site Plan shall be reviewed by the Planning Commission and approved by the Township Board, and the Final Site Plan shall be reviewed and approved by the Planning Commission upon finding that:~~

Criteria for Preliminary and Final Site Plan Approval – The Planning Commission shall review all Preliminary and Final Site Plans and forward a recommendation for approval, approval with conditions, or denial to the Township Board. The Township Board shall take final action on all Preliminary and Final Site Plans, upon finding:

- i. The applicant has submitted the required information, and it is insufficiently complete and understandable form to allow an accurate description of the proposed uses(s) and structure(s) in terms of density, location, area, height, bulk, placement, setbacks, performance, characteristics, parking, and traffic circulation.

- ii. There is proper relationship between major thoroughfare and proposed service drives, driveways and parking areas so as to encourage the safety and convenience of pedestrian and vehicular traffic and points of access to public thoroughfares have been minimized.
- iii. The location of buildings, outside storage receptacles, parking areas screen walls and utility areas is such that the adverse effects of such uses will be minimized for the occupants of that use and the occupants of surrounding areas.
- iv. Provisions have been made for proper development of roads, easements and public utilities and to protect the general health, safety and welfare of the Township.
- v. The development of the site is such that it does not serve as a physical barrier or detriment to the development of adjacent land.
- vi. The extent to which natural features and characteristics of the land will be preserved has been addressed.
- vii. The use proposed for the site is a use permitted in the district and complies with all applicable requirements of the White Lake Township Zoning Ordinance and any other applicable code or ordinance.
- viii. The proposed use is consistent with the Township's Master Plan and the Highland Road Corridor Plan as amended.

PART 14: Amend Article 6.0, Development Procedures, Section 6.8.G.i, Site Plan Review and Approval, to assign the Township Board as the approving authority for Final Site Plans, to read as follows:

Final Site Plan Approval has been granted by the ~~Planning Commission~~ **Township Board**, and

PART 15: Amend Article 6.0, Development Procedures, Section 6.8-H.ii Site Plan Review and Approval, to assign the Township Board as the approving body for Final Site plans, to read as follows:

The ~~Planning Commission~~ **Township Board** shall review and have the authority to grant Final Site Plan Approval, once the site plan is determined to be in compliance with the applicable standards of the Zoning Ordinance. ~~Planning Commission~~ **Township Board** approval of a Final Site Plan shall not be made prior to Preliminary Site Plan Approval by the Township Board, and receipt of a report from all appropriate Township departments, Township Planner, Township Engineer, and/or Township Attorney.

PART 16: Amend Article 6.0, Development Procedures, Section 6.8.I, Site Plan Review and Approval, to assign the Township Board as the approving body for Final Site plans, to read as follows:

Approval Valid for Two (2) years

Upon approval of a final site plan by the ~~Planning Commission~~ **Township Board**, a building permit shall be requested by the applicant within twenty-four (24) months, or the site plan shall be declared invalid. The ~~Planning Commission~~ **Township Board** 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.

REMAINDER OF ORDINANCE

Except as expressly amended by this Ordinance Amendment, the balance of the Charter Township of White Lake Zoning Ordinance, as amended, shall remain unchanged and in full force and effect.

SAVINGS CLAUSE

This Ordinance Amendment does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired, or any liability, penalty, forfeiture, or punishment pending or incurred prior to the effective date of this Ordinance Amendment.

SEVERABILITY

Should any section, subsection, sentence, clause, phrase, or portion of this Ordinance Amendment be declared unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance Amendment, which shall continue in full force and effect.

PUBLIC HEARING AND ADOPTION

A public hearing on this Ordinance Amendment was held before the Planning Commission of the Charter Township of White Lake at a regular meeting held on June 4, 2026. Following receipt of the Planning Commission's recommendation, this Ordinance Amendment was adopted by the Township Board of the Charter Township of White Lake at a meeting duly called and held on the ____ day of _____, 2026, and ordered to be published as prescribed by law.

EFFECTIVE DATE

This Ordinance Amendment shall become effective seven (7) days after publication as prescribed by 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 an Ordinance Amendment adopted by the Township Board of the Charter Township of White Lake at a regular meeting duly called and held on the ____ day of _____, 2026.

Anthony L. Noble, Clerk
Charter Township of White Lake