

memo

To: White Lake Planning Commission

From: David Waligora, AICP

Date: May 14, 2026

RE: Proposed Zoning Ordinance Amendments for Discussion

Overview

The attached ordinance amendment package includes a series of proposed text amendments to multiple sections of the White Lake Township Zoning Ordinance intended to improve clarity, consistency, and administration of the Ordinance, particularly as it relates to historically platted residential lots, lawful nonconforming residential structures, dimensional flexibility, access management standards, accessory structures, and performance standards.

Many of the proposed amendments are administrative and clarifying in nature and are intended to better align the written language of the Ordinance with longstanding Township review practices, current development patterns, and recurring zoning issues encountered during site plan review, zoning administration, and Zoning Board of Appeals proceedings.

Several of the proposed amendments related to lawful nonconforming single-family residential structures are not intended to establish entirely new forms of relief or substantially expand the authority of the Zoning Board of Appeals. Rather, **the amendments are primarily intended to clarify, formalize, and codify longstanding Township administrative and Zoning Board of Appeals practices involving dimensional variance requests and reasonable residential reinvestment in historically developed residential neighborhoods.** The proposed amendments are intended to reconcile existing ordinance language with historical administrative practices in order to improve consistency, predictability, and defensibility in ordinance administration moving forward.

The proposed amendments are not intended to eliminate the Township's existing variance process or substantially alter the authority of the Planning Commission or Zoning Board of Appeals. Rather, the amendments are intended to:

- establish clearer dimensional standards;
- reduce internal ordinance conflicts;
- improve consistency between related ordinance sections;
- reduce recurring variance requests for common residential lot conditions;

- improve ordinance readability and usability;
- and provide clearer review procedures and standards for applicants, staff, boards, and residents.

Organization of the Amendment Package

For ease of review, the proposed amendments have generally been organized into related topic areas. Several amendments are intended to function together as part of a coordinated review framework and should be reviewed in relation to one another.

1. Substandard Lots and Residential Dimensional Relief

Sections 5.4 and 7.27

These amendments are intended to establish clearer standards for legally created substandard lots used for single-family residential purposes, particularly within older lake area subdivisions and historically developed neighborhoods that predate current zoning standards.

The amendments:

- establish objective dimensional standards for certain substandard lots,
- provide limited setback flexibility for narrow lots,
- clarify continued residential use rights for legally created lots,
- and formalize the Township's longstanding administrative practice of allowing the Zoning Board of Appeals to consider dimensional variance requests involving lawful nonconforming single-family residential structures.

These amendments are intended to reduce recurring variance requests for common and longstanding lot conditions while preserving Zoning Board of Appeals oversight where additional relief may still be necessary.

2. Nonconforming Structure Relief

Section 7.36 and 7.23

The proposed amendment to Section 7.23 and 7.36 is intended to clarify that increases in dimensional nonconformity may be considered by the Zoning Board of Appeals where specifically authorized through the variance procedures established in Section 7.36.

This amendment is intended to reconcile existing ordinance language with historical Township variance practices involving lawful nonconforming single-family residential structures.

3. Access Management Standards

Section 6.4

The proposed amendments to Section 6.4 are intended to improve consistency between the ordinance text, spacing tables, and illustrative figures related to driveway spacing and opposite-side driveway offsets.

The amendments primarily:

- clarify spacing reductions by individual posted speed limits,
- improve ordinance readability,
- and reduce ambiguity during site plan review and access management review.

4. Additional Administrative and Clarifying Amendments

Additional amendments included within the attached package address:

- accessory structure standards (Section 5.7)
- Noise Ordinance Standards (Section 5.18-A)
- site plan review procedures, (Section 6.8)
- internal roadway setbacks within multiple-family developments, (Section 6.4)
- Multiple Family Development Setbacks (Section 3.11.U)
- childcare and use matrix clarifications, (Section 4.22)
- and related administrative references throughout the Ordinance.

Many of these amendments are intended to improve internal consistency, readability, and administration of the Ordinance based upon recurring review issues identified by staff, applicants, consultants, and the Planning Commission.

How to Review the Attached Amendments

Each amendment section generally includes:

- a goal of amendment statement,
- a summary of proposed changes,
- and an “existing versus proposed” ordinance comparison format.

The Planning Commission is encouraged to review the proposed amendments both individually and in relation to other associated sections, as several amendments are intended to work together as part of a coordinated ordinance framework.

Particular attention should be given to:

- how the proposed substandard lot provisions interact with the proposed residential nonconforming structure relief provisions,
- how proposed dimensional standards may reduce recurring variance requests,
- and how the amendments may improve consistency between existing ordinance administration practices and the written language of the Ordinance.

Planning Commission Considerations

In reviewing the proposed amendments, the Planning Commission may wish to consider:

- whether the proposed standards appropriately balance reasonable residential reinvestment with neighborhood compatibility;
- whether the proposed amendments improve predictability and consistency in ordinance administration;
- whether the proposed standards reduce unnecessary or repetitive variance requests;
- and whether the amendments remain consistent with the overall intent and character of the Township's Zoning Ordinance and historically developed residential areas.

Recommendation

Staff recommend the Planning Commission review and discuss the proposed ordinance amendment concepts and provide direction to staff regarding the preparation of formal ordinance amendment language. Following discussion, the Planning Commission may direct staff to proceed with the proposed amendments as presented, or with such revisions, modifications, or additional changes as determined appropriate by the Planning Commission prior to the June 4, 2026, public hearing and formal ordinance amendment consideration process.

Section 5.4 – Substandard Lots & Section 7.27 – Nonconforming Lots of Record

Goal of Amendment:

The following ordinance amendments are proposed to establish clear and consistent standards for **legally created substandard lots used for single-family residential purposes** within the Township:

- Expands the existing substandard lot provisions of the Zoning Ordinance to address common dimensional issues associated with the expansion, rehabilitation, and improvement of lawful single-family homes located on historically platted substandard lots.
- Clarifies that legally created substandard lots may continue to be used for single-family residential purposes in districts where such use is permitted.
- Establishes reduced side yard setback standards for substandard lots that do not meet minimum lot width requirements in order to provide reasonable dimensional flexibility for historically platted residential lots and reduce the need for unnecessary substandard lot reviews before the Zoning Board of Appeals.
- Allows existing single-family dwellings located on substandard lots to be reasonably expanded, altered, rehabilitated, and improved consistent with the character of historically developed residential neighborhoods within the Township. The amendment also creates a more consistent review framework between vacant substandard lots and existing residential dwellings located on substandard lots.
- Recognizes the Township's historical development patterns, including the prevalence of older lake area subdivisions and residential lots created prior to current zoning standards.
- Reduces the need for recurring dimensional variance requests for conditions common to historically platted residential lots.
- Improves consistency in the administration and review of substandard lot requests by establishing objective dimensional standards within the Zoning Ordinance rather than relying upon repeated case-by-case review through the Zoning Board of Appeals.
- Includes amendments to Section 7.27(A) for consistency with the proposed revisions to Section 5.4.
- Clarifies that properties unable to comply with the modified dimensional standards established by this amendment may still seek additional relief through the Zoning Board of Appeals in accordance with the applicable variance procedures of the Zoning Ordinance.

Existing	Proposed
<p>Section 5.4 Substandard Lots</p> <p>Any lot which was of record at the time of the adoption of this Ordinance, that does not meet the requirements of Article 6 for lot area and width, may be utilized for single-family residences in zones permitting this use, provided that the setback and open space provisions of the Ordinance are met. (Also see Article 7.27 regarding non-conforming lots).</p>	<p>Substandard Lots – Single-Family Use and Dimensional Standards</p> <p>Intent The purpose of this Section is to establish reasonable dimensional standards for legally created substandard lots used for single-family residential purposes. The Township recognizes that many existing 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 lot width requirements. The standards of this Section are intended to allow reasonable residential use, reinvestment, rehabilitation, expansion, and improvement of such properties while maintaining orderly development patterns and reducing the need for recurring dimensional variance requests for common and longstanding lot conditions.</p> <p>A. Applicability Any lot that was legally created and does not meet the minimum lot area and/or width requirements of the zoning district in which it is located shall be considered a substandard lot for purposes of this Section.</p> <p>The provisions of this Section shall apply only to single-family residential uses.</p> <p>B. Permitted Use A substandard lot may be used for a single-family dwelling in any zoning district where such use is permitted, provided that all other applicable requirements of this Ordinance are met, except as modified by this Section.</p>

	<p>C. Side Yard Setbacks 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.</p> <p>This provision applies only to substandard lots and does not apply to conforming lots.</p> <p>D. Existing Dwellings on Substandard Lots An existing single-family dwelling located on a substandard lot may be expanded, altered, or improved in compliance with the applicable requirements of this Ordinance, including any reduced setback provisions for substandard lots. Where such requirements cannot be met, additional relief may be sought through the Zoning Board of Appeals in accordance with Sections 7.27 and 7.36 of this Ordinance</p>
<p>Section 7.27 A</p> <p>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.</p>	<p>A. 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.</p>

Staff Notes: For your information, any new request involving a substandard lot that does not qualify under the proposed provisions would still be required to seek relief through the Zoning Board of Appeals (ZBA) and satisfy the existing variance standards of the Ordinance. No changes are proposed to those standards at this time. This information is provided simply to give the Planning Commission a complete understanding of the level of scrutiny and review that would continue to apply to these requests.

7.27.B. If all front, side, rear, and open space requirements cannot be met, no building permit shall be issued for a nonconforming lot, except with approval of the Board of Appeals after public hearing in accordance with the Section 7.35 of this ordinance. The application to the Board of Appeals shall simply state, "Nonconforming Lot." The application shall be on forms established by the Township and shall include at a minimum, a drawing showing all proposed structures on the lot, all applicable setbacks, and areas designated for parking of automobiles. The Board of Appeals shall permit the use of such nonconforming lot or lots if it finds that the following standards have been met:

- i. The lot was legally established pursuant to all applicable provisions of Michigan law or White Lake Township ordinance.
- ii. The construction that will result from the issuance of said permits will be in keeping with the general character of the neighborhood in which the construction will take place.
- iii. The proposed use will not have a significant effect on adjoining and nearby property owners.
- iv. The design of the proposed structure is appropriate for the area, width, and shape of the lot, and is designed in such a fashion as to provide adequate access for fire and other emergency vehicles.
- v. The proposed design is consistent with the extent to which other developed lots in the subdivision have maintained the setbacks and other required provisions of this Ordinance.
- vi. The nonconforming lot shall meet all other requirements of this Ordinance, which requirements for the purpose of this Section shall be deemed to include reasonable provisions for automobile parking.
- vii. In no event shall the side yards be less than five (5) feet to permit fire equipment and other emergency vehicles reasonable access and further to prevent the spreading of fire; the Board of Appeals shall not have the right to vary this provision.

Sections 7.36 and 7.23 – Residential Nonconforming Structure Relief

Goal of Amendment:

The following ordinance amendments are proposed to clarify and formalize the Township's review and administration of lawful nonconforming single-family residential structures. Historically, the Township's Zoning Board of Appeals has considered and, where appropriate, approved dimensional variance requests permitting reasonable residential additions, expansions, and improvements to lawful nonconforming single-family residential structures, including situations where the degree of an existing dimensional nonconformity may be increased.

The proposed amendments are intended to reconcile this longstanding administrative practice with the existing language of Sections 7.23 and 7.36 by expressly authorizing the Zoning Board of Appeals to consider such requests through the existing variance procedures and standards of the Zoning Ordinance.

The amendments are further intended to provide a more consistent and coordinated review framework between the Township's nonconforming structure regulations, variance procedures, and proposed substandard lot amendments.

Summary of Proposed Changes:

- Amends Section 7.23 to clarify that lawful nonconforming structures may be enlarged or altered where specifically authorized by the Zoning Board of Appeals in accordance with Section 7.36.
- Adds new provisions to Section 7.36 expressly authorizing the Zoning Board of Appeals to consider dimensional variance requests involving lawful nonconforming single-family residential structures, including requests that may increase an existing dimensional nonconformity.
- Clarifies the Township's historical administrative practice of permitting reasonable residential improvements and reinvestment in lawful nonconforming single-family residential structures through the dimensional variance process.
- Provides a more consistent and coordinated review framework between the Township's nonconforming structure regulations, variance procedures, and proposed substandard lot amendments.

Existing	Proposed
<p>Section 7.36 POWERS OF ZONING BOARD OF APPEALS CONCERNING ADMINISTRATIVE REVIEW AND VARIANCES</p> <p>The Zoning Board of Appeals as herein created, is a body of limited powers. The Zoning Board of Appeals shall have the following specific powers and duties:</p> <p>A. Purpose. To hear and decide appeals where it is alleged there is an error of law in any order, requirement, decision or determination made by Township officials in the enforcement of this Ordinance, and to hear and decide appeals where there are practical difficulties in the way of carrying out the strict letter of this Ordinance so that the spirit of the Ordinance shall be observed, public safety secured, and substantial justice done.</p> <p>B. Authorization. In hearing and deciding appeals, the Zoning Board of Appeals shall have the authority to grant such variances as may be in harmony with the general purpose and intent of this Ordinance, so that the spirit of the zoning ordinance is observed, public safety secured, and substantial justice done, including the following:</p> <p>i. Interpret the provisions of the Ordinance in such a way as to carry out the intent and purpose of the plan, as shown upon the Zoning Map, fixing the use districts accompanying this Ordinance, where street layout actually on the ground varies from the street layout as shown on the map aforesaid. In case of any question as to location of any boundary line between zoning</p>	<p style="text-align: center;"><i>Look on pg 4, whole ordinance is provided to the left to provide context for proposed amendment</i></p>

districts, the Zoning Board of Appeals shall interpret the Zoning Map after recommendation from the Township Planning Commission.

ii. Permit the erection and use of a building, or an addition to an existing building, of a public service corporation or, for public utility purposes, in any zoning district to a greater height or of a larger area than the district requirements herein established, and permit the location in any district of a public utility building or structure if the Zoning Board of Appeals shall find use, height, area, building, or structure reasonably necessary for the public convenience and service.

iii. Permit the modification of the off-street motor vehicle parking space and loading space requirements where, in the particular instance, such modifications will not be inconsistent with the purpose and intent of such requirements.

iv. Permit such modification of the height, lot area, yard setbacks, floor area and lot width regulations as may be necessary to secure an appropriate improvement of a lot which is of such shape or size, or so located with relation to surrounding development or physical characteristics, that it cannot otherwise be appropriately improved without such modifications, provided that modification of lot area regulations shall be permitted only in instances where the nature of the soil and drainage is such that there is sufficient area for safe water supply and sanitary disposal of waste (unless

<p>central water distribution and/or sanitary sewage are provided). Whenever the Zoning Board of Appeals determines that the same are necessary in order to render a decision, it may require the appellant to submit a topographical survey or the results of percolation tests certified by a Registered Engineer or Land Surveyor.</p> <p>v. Permit utilization of substandard lots as regulated by Section 5.4.</p>	<p><i>Added at the end of 7.36, after v.</i></p> <p>vi. Permit the enlargement, extension, or structural alteration of lawful nonconforming single-family residential structures, including dimensional modifications approved through the variance process where practical difficulties prevent strict compliance with the requirements of this Ordinance.</p>
<p>Section 7.23 NONCONFORMING STRUCTURES</p> <p>Where a lawful structure exists at the effective date of adoption of this Ordinance, or any applicable amendment thereto, that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:</p> <p>A. No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity.</p>	<p>A. 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).</p>

Section 6.4.C – Minimum Driveway Spacing

Goal of Amendment:

The following ordinance amendments are proposed to clarify and improve the consistency of the Township’s access management standards related to minimum driveway spacing and opposite-side driveway offsets. The amendments are intended to better align the ordinance text with the corresponding tables and illustrative figures by utilizing consistent five (5) mile-per-hour speed increments throughout the section. The proposed amendments are further intended to reduce ambiguity during site plan review and improve the administration and interpretation of driveway spacing requirements along arterial and collector roadways within the Township.

Summary of Proposed Changes:

- Revises the opposite-side driveway offset standards contained within Section 6.4.C.ii to utilize consistent five (5) mile-per-hour speed increments.
- Replaces generalized speed range groupings with individual posted speed limit categories and corresponding offset distances.
- Establishes graduated opposite-side driveway offset reductions corresponding to individual roadway speed limits.
- Clarifies that roads with posted speed limits of fifty (50) mph or greater are not eligible for reduced opposite-side driveway offsets and must comply with the minimum spacing standards established in Table 6.4.C.i.
- Improves consistency between the ordinance text and the Township’s driveway spacing standards and illustrative figures.

Existing	Proposed
<p>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.</p> <p>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.</p>	<p>ii. Opposite Side of Road: Minimum opposite-side driveway offsets shown in the following figure may be reduced as follows:</p> <p>a. Two hundred fifty (250) feet for roads with posted speed limits of twenty-five (25) mph;</p> <p>b. Two hundred seventy-five (275) feet for roads with posted speed limits of thirty (30) mph;</p> <p>c. Three hundred (300) feet for roads with posted speed limits of thirty-five (35) mph;</p> <p>d. Three hundred twenty-five (325) feet for roads with</p>

	<p>posted speed limits of forty (40) mph; and</p> <p>e. Three hundred fifty (350) feet for roads with posted speed limits of forty-five (45) mph.</p> <p>Roads with posted speed limits of fifty (50) mph or greater shall comply with the minimum four hundred fifty-five (455) foot driveway spacing standard established in Table 6.4.C.i and shall not be eligible for reduced opposite-side driveway offsets.</p> <p>Driveways expected to serve a relatively high volume of entering left turns, or an unusually high number of entering large vehicles, may require greater opposite-side spacing, as determined by the Planning Commission and/or the agency having jurisdiction over the road.</p>
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Section 5.7 – Accessory Buildings

Goal of Amendment:

The following ordinance amendments are proposed to reorganize and clarify the accessory building and structure regulations within residential zoning districts in order to improve readability and usability for residents, contractors, and staff:

- Reorganizes existing accessory building regulations into a more user friendly and streamlined format.
- Clarifies standards related to setbacks, building separation, height, and building size limitations.
- Updates subsection formatting and organization to improve readability and interpretation of ordinance requirements.
- Removes rear yard coverage limitations for accessory buildings and structures, as this standard has historically not been reviewed or enforced by the Township and is not commonly regulated in surrounding communities.
- Adds a summary standards table intended to provide a simplified overview of accessory building requirements for residential properties.

Existing	Proposed
<ul style="list-style-type: none"> • ACCESSORY BUILDINGS OR STRUCTURES IN RESIDENTIAL DISTRICTS <p>In residential districts accessory buildings or structures, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:</p> <ul style="list-style-type: none"> • No detached garage or accessory building or structure shall be located closer than ten (10) feet to any principal structure or building, unless it conforms to all regulations of this Ordinance applicable to principal structures and buildings. • 	<p>5.7 ACCESSORY BUILDINGS OR STRUCTURES</p> <p>Accessory buildings or structures shall comply with the following regulations:</p> <p>A. Residential Districts</p> <p>Accessory buildings or structures in residential districts, unless otherwise specifically regulated elsewhere in this Ordinance, shall comply with the following regulations:</p> <p>i. Separation from Principal Structure</p> <p>No detached garage or accessory building or structure shall be located closer than ten (10) feet to any principal building or structure, unless it complies with all regulations applicable to principal buildings.</p> <p>ii. Setbacks</p> <p>a. General Setbacks</p> <p>Accessory buildings or structures in residential districts shall be located at least five (5) feet from all side and rear lot lines, measured to any portion of the structure, including overhangs and gutters, except as otherwise provided in this Section.</p>

- Accessory buildings or structures in (R1) residential zoning districts shall have a minimum setback of five (5) feet from the rear lot line and five (5) feet from the side lot lines to any portion of the structure

including overhangs or gutters, except as modified by Section 5.7.A of this Ordinance. Accessory buildings or structures in (SF) and (AG) zoning districts with wall heights exceeding 14 ft and/or building height exceeding 18 ft shall have a minimum setback of ten (10) feet from the rear lot line and ten (10) feet from the side lot lines.

C. Accessory building or structure walls in all residential districts, with the exception of Suburban Farm (SF) and Agricultural (AG), shall not exceed fourteen (14) feet in height and the building shall not exceed eighteen (18) feet in height. Accessory buildings or structures in (SF) and (AG) shall be permitted to have structure walls not to exceed sixteen (16) feet in height, and the building shall not exceed twenty

(20) feet in height, provided the lot is a minimum of two (2) acres in size. The accessory building or structure may occupy not more than twenty-five (25) percent of a required rear yard and/or forty (40) percent of any non-required rear yard. With the exception of the (SF) and (AG) zoning districts, in no instance shall the sum total of the ground floor areas of all accessory buildings or structures on a single lot exceed 125% of the ground floor area of the principal building or structure, excluding

b. Increased Setbacks for Taller Structures in SF and AG Districts

In Suburban Farm (SF) and Agricultural (AG) districts, accessory buildings or structures permitted to exceed the height limitations established in Section 5.7.A.iii.c shall be located at least ten (10) feet from all side and rear lot lines.

iii. Height Limitations

a. Measurement Standards

For purposes of this Section, wall height shall mean the vertical distance measured from the average finished grade adjacent to the structure to the highest point of the exterior wall plate or eave line.

b. Standard Height Limits

In all residential districts, including SF and AG districts on parcels less than two (2) acres in area:

- Maximum wall height: fourteen (14) feet;
- Maximum building height: eighteen (18) feet.

c. Increased Height Allowances in SF and AG Districts

In SF and AG districts, accessory buildings or structures located on parcels at least two (2) acres in area may have:

- A maximum wall height of sixteen (16) feet; and
- A maximum building height of twenty (20) feet.

iv. Total Accessory Building Area

In all residential districts except SF and AG districts on parcels at least two (2) acres in area, the total combined ground floor area of all accessory buildings or structures on a lot shall not exceed one hundred twenty five (125%) percent of the ground floor area of the principal building or structure, excluding attached garages.

v. Maximum Size of a Single Building

No single accessory building or structure shall exceed four thousand (4,000) square feet of ground floor area, except in SF and AG districts where the parcel is at least five (5) acres in area.

B. 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.

<p>attached garages. No single accessory building or structure may exceed 4,000 square feet of ground floor area, with the exception of those located in the (SF) or (AG) districts, and where the parcel size is a minimum of five (5) acres.</p>	
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Standard	Residential Districts & SF/AG Districts Under 2 Acres	SF/AG Districts 2 Acres or Greater
Distance from Principal Building	Minimum 10 ft	Minimum 10 ft
Side Setback	Minimum 5 ft	Minimum 5 ft; increases to 10 ft for structures utilizing increased height allowances
Rear Setback	Minimum 5 ft	Minimum 5 ft; increases to 10 ft for structures utilizing increased height allowances
Maximum Wall Height	14 ft	16 ft
Maximum Building Height	18 ft	20 ft
Total Combined Accessory Building Area	Maximum 125% of principal building ground floor area (excluding attached garages), except SF and AG districts on parcels at least 2 acres in area	Not Limited (within the lot coverage ratio)
Maximum Size of Single Accessory Building	4,000 sq ft	4,000 sq ft, except no maximum on parcels 5 acres or larger

Section 5.18.A – Maximum Allowable Noise Levels

Goal of Amendment:

The following ordinance amendments are proposed to revise the Township’s maximum allowable noise standards in order to promote compatibility between differing land uses, preserve residential quality of life, and maintain the Township’s historically quieter nighttime environment. The proposed amendments are intended to reduce the potential impacts associated with sustained operational noise, particularly during nighttime hours, while recognizing the Township’s suburban and semi-rural development character and the proximity of industrial, commercial, and residential land uses in certain areas of the community. The amendments are further intended to provide clearer and more consistent noise expectations for future development and redevelopment within the Township.

Changes Between Existing and Proposed Section 5.18.A Table Noise Standards

- Revises the daytime and nighttime measurement periods from:
 - 6:00 a.m. – 9:00 p.m. to 7:00 a.m. – 9:00 p.m. for daytime noise standards.
 - 9:00 p.m. – 6:00 a.m. to 9:00 p.m. – 7:00 a.m. for nighttime noise standards.
- Reduces the allowable nighttime noise level for **Multiple-Family Residential** districts from:
 - 60 dB(A) to 45 dB(A).
- Expands the **Office / Commercial / Recreation** category to include:
 - NMU (Neighborhood Mixed Use)
 - TC (Town Center)
 - PG (Pontiac Gateway District).
- Reduces the allowable nighttime noise level for **Office / Commercial / Recreation** districts from:
 - 65 dB(A) to 60 dB(A).
- Reduces the allowable nighttime noise level for **Industrial / Extractive / Research** districts from:
 - 70 dB(A) to 45 dB(A).
- Retains the existing daytime noise standards for all land use categories.
- Adds an exemption for temporary and infrequent residential, landscaping, construction, and maintenance related noise occurring between **7:00 a.m. and 9:00 p.m.** including activities such as lawn maintenance, refuse collection, tree trimming, snow removal, and the operation of small gas-powered equipment.

Existing Table

Land Use Category	Zoning Districts Included	Daytime (6 AM – 9 PM)	Nighttime (9 PM – 6 AM)
Single-Family Residential	AG, SF, R1-A, R1-B, R1-C, R1-D, MHP, PD (single-family)	60 dB(A)	45 dB(A)
Multiple-Family Residential	RM-1, RM-2	65 dB(A)	60 dB(A)
Office / Commercial / Recreation	NB-O, LB, RB, GB, PB, ROS, NMU, TC, PG	70 dB(A)	65 dB(A)
Industrial / Extractive / Research	LM, E, ROP	80 dB(A)	70 dB(A)

Proposed Table

Land Use Category	Zoning Districts Included	Daytime (7 AM – 9 PM)	Nighttime (9 PM – 7 AM)
Single-Family Residential	AG, SF, R1-A, R1-B, R1-C, R1-D, MHP, PD (single-family)	60 dB(A)	45 dB(A)
Multiple-Family Residential	RM-1, RM-2	65 dB(A)	45 dB(A)
Office / Commercial / Recreation	NB-O, LB, RB, GB, PB, ROS, NMU, TC, PG	70 dB(A)	60 dB(A)
Industrial / Extractive / Research	LM, E, ROP	80 dB(A)	45 dB(A)

Existing	Proposed
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,	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,

<p>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.</p>	<p>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.</p> <p>Temporary and infrequent noises associated with routine residential, landscaping, construction, or property maintenance activities, including lawn maintenance, tree trimming, refuse collection, snow removal, and the operation of small gas-powered equipment, shall be exempt from the noise standards of this Section between the hours of 7:00 a.m. and 9:00 p.m.</p>
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Explanatory Notes:

Understanding Decibel Levels

Noise levels are measured using a logarithmic scale known as the decibel scale, expressed as dB(A). Unlike a normal linear scale, small increases in decibel levels can represent significant increases in perceived loudness and sound energy.

As a general reference:

- An increase of approximately 10 dB(A) is commonly perceived by the human ear as roughly twice as loud.
- An increase of approximately 3 dB(A) represents a doubling of sound energy, even though the perceived change in loudness is less noticeable to most people.

For example:

- A sound measured at 60 dB(A) is generally perceived as about twice as loud as a sound measured at 50 dB(A).
- Likewise, a sound measured at 70 dB(A) is generally perceived as about twice as loud as a sound measured at 60 dB(A).

Real World Examples of Common Noise Levels

Because decibel levels are measured on a logarithmic scale, increases in sound levels can quickly become much more noticeable and disruptive. The following examples are approximate real world comparisons:

Approximate Noise Level Real World Example

40–45 dB(A)	Quiet suburban neighborhood at night
50 dB(A)	Moderate rainfall or a quiet office
60 dB(A)	Normal conversation at close distance
70 dB(A)	Vacuum cleaner or busy street traffic nearby
80 dB(A)	Gas powered lawn mower or loud restaurant
90 dB(A)	Motorcycle, leaf blower, or heavy truck at close range
100 dB(A)	Chainsaw or loud industrial equipment
110–120 dB(A)	Rock concert or emergency siren at close range

For reference, the proposed nighttime industrial standard of 45 dB(A) is intended to maintain a quieter nighttime environment and reduce the impacts of sustained operational noise on nearby residential and mixed-use areas.

Section 3.11.U – Multiple Family Development Setbacks

Goal of Amendment:

The following ordinance amendment is proposed to clarify setback requirements for structures located within multiple family developments, including attached condominiums, row houses, townhouse developments, and similar residential projects. The amendment is intended to clarify that the required setback applies not only to public road frontage, but also to internal private streets, internal roadways, and internal vehicular circulation drives within a development. The proposed amendment is intended to improve consistency in ordinance interpretation and administration during the site plan review process.

Existing Language	Proposed Language
U. 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.	U. Structures located within a multiple-family development, including attached condominiums, row and townhouse dwellings, 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.

Section 4.22 – Group Adult or Childcare Center, Including Nursery School

Goal of Amendment:

The following ordinance amendments are proposed to clarify the regulation and zoning classification of group adult or child care centers and nursery schools within the Township Zoning Ordinance:

- Clarifies which zoning districts permit group adult or child care centers and nursery schools by right versus Special Land Use, consistent with the Township Use Matrix.
- Adds the PG (Pontiac Gateway District) as a district where the use may be permitted as a Special Land Use.
- Updates Section 3.1.18 and adds an “S” to the Use Matrix for the PG District.
- Revises the title of Section 4.22 from “Childcare” to “Child Care” for consistency with terminology used elsewhere in the Ordinance.

Existing Language	Proposed Language
<p>4.22 GROUP ADULT OR CHILDCARE CENTER, INCLUDING NURSERY SCHOOL</p> <p>Group adult or child care centers and nursery schools are permitted uses in the <u>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)</u> districts subject to the following conditions:</p>	<p>4.22 GROUP ADULT OR CHILD CARE CENTER, INCLUDING NURSERY SCHOOL</p> <p>Group adult or child care centers and nursery schools are permitted uses in the 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:</p>

Section 6.8 – Site Plan Review and Approval

Goal of Amendment:

The following ordinance amendments are proposed to clarify the review and approval process for Final Site Plans by establishing the Township Board as the final approving authority, while retaining Planning Commission review and recommendation responsibilities. Additional amendments are proposed to revise related administrative references throughout Section 6.8 for consistency with the revised approval process.

Existing Language	Proposed Language
<p>Section 6.8</p> <p>...Following approval of the Preliminary Site Plan by the Township Board, the Planning Commission will review the Final Site Plan. Following Planning Commission approval of the Final Site Plan, Final Engineering Plans must also be submitted</p>	<p>...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 Township Board approval of the Final Site Plan, Final Engineering Plans must also be submitted</p>
<p>Section 6.8 F</p> <p>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:</p>	<p>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. The Final Site Plan shall be reviewed by the Planning Commission, which shall forward a recommendation for approval, approval with conditions, or denial to the Township Board for final action.</p>
<p>Section 6.8 G.</p> <p>Criteria for Final Engineering Plan Approval</p> <p>i. Final Site Plan Approval has been granted by the Planning Commission, and...</p>	<p>Criteria for Final Engineering Plan Approval</p> <p>i. Final Site Plan Approval has been granted by the Township Board, and...</p>

<p>Section 6.8.H.ii</p> <p>The Planning Commission 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 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.</p>	<p>The 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. Township Board approval of a Final Site Plan shall not occur prior to Township Board approval of the Preliminary Site Plan, and receipt of a report from all appropriate Township departments, Township Planner, Township Engineer, and/or Township Attorney.</p>
<p>Section 6.8.I</p> <p>Approval Valid for Two (2) Years Upon approval of a final site plan by the Planning Commission, 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 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.</p>	<p>Approval Valid for Two (2) Years Upon approval of a final site plan by the 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 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.</p>