



The City of Ferndale

Agenda

Planning Commission MEETING

Wednesday, May 1, 2019 @ 6:30 PM

City Hall, 300 E 9 Mile, Ferndale, MI 48220

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1. ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

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- A. Approval of Minutes of April 3, 2019
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4. CALL TO AUDIENCE

5. DISCUSSION ITEMS

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- A. Mixed Use, Access Management, and Central Business Ordinances Discussion
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6. ADMINISTRATIVE ITEMS

- A. Tree Canopy Study

7. ADJOURNMENT



MINUTES
Planning Commission MEETING
April 3, 2019 City Hall, 300 E 9 Mile, Ferndale, MI 48220 6:30 PM

Present: Commissioners Christa Azar, Michael Cascio, Corissa Green, Council Member Dan Martin, Patrick Rock, Matthew Showalter, Ian Williamson, and Chair Kate Baker

Absent: Commissioner Deborah Brazen

1. ROLL CALL

Meeting begins at 6:30PM. Deborah Brazen was absent, Planning Commission was notified. Motion to excuse her absence by Christa Azar, seconded by Michael Cascio. All in favor, none opposed. Motion passes.

2. APPROVAL OF AGENDA

Motion to approve agenda as presented as presented by Cascio, seconded by Dan Martin. All in favor, none opposed. Motion passes.

3. APPROVAL OF MINUTES

Approval of Meeting Minutes - March 6, 2019

Motion to approve meetings minutes of March 6, 2019 by Martin, seconded by Azar. Roll call vote - all in favor, none opposed. Motion passes.

4. CALL TO AUDIENCE

Evelyn Elster, 760 W Drayton, shares her thoughts that the community portion of Community and Economic Development (CED) team has fallen by the wayside and their goal is to sell the public on any and every development that come in, regardless of any holes or nefarious intent hidden by unethical developers. Talks about manipulation of data and skirting of requirements allowed regarding the Drayton church application. In this time of hyper-development, the community may like a goalie to deflect assaults by unethical developers. Neighboring communities are driving themselves off the cliff, we need to hit the brakes. Royal Oak is realizing their mistakes and objecting unbridled development. Mention of public office mimicking the president. Please exercise mote scrutiny, we've been a cut above for so long, please don't ask us to move to the shallow end of the pond. Talks about civil engineering parallel with circuit boards, metaphor of placing components in wrong areas. Fit form

function, without which, any project is destined for failure. Thank you, commission members, for doing the right thing by the community.

7. DISCUSSION ITEMS

Baker College - Discussion Item

Justin Lyons: Brief overview of memo provided in packet and update from Jordan Twardy. We were here on February 20th to talk about design, master plan design elements, got a 3rd party moderator involved to have a discussion. Related to the initial design questions about windows, doors, etc., TMP Architecture is here to talk through those details. A reminder for some of the initial reasons to why we would consider a school in the central business district– the site is in the downtown core zone. Schools are a permitted use in that district. Discusses protocol for developments coming in. Mixed use deck discussion. Most updates you see will be based on Baker college. Talks about Planning Commission having discussions before a vote to garner feedback where it's not a vote, no decisions are made. We talk about on renderings and site plans before a lot of effort and time has been put into drawings. Windows were updated, new doors were added to fit requirements. Changing the roof, adding projections to avoid having a flat-wall appearance, not wanting to be imposing. Arcade removed. Greenspace added. Trees added. TMP Architecture will elaborate. Wanted to discuss with community and Planning Commission.

Jordan Twardy: Quick update on the ENRA, describes the ENRA period, tentative timeline – the ENRA expires 4/24. The original plan was to have meetings and come up with agreements in place ahead of the end date. Community feedback has slowed that process based on the feedback given. Talks about items available for viewing on the website. Where we are now, the ENRA had a few options. The one honed in on from the initial ideas was the city hall lot, the properties north of the site, and other potential locations. Significant feedback from all avenues, Baker will elaborate on the details. Baker's big item was loss of parking during construction. Traffic studies, etc. all of that stuff is on hold. We intended to have more info, based on what we're looking at, we're still waiting. Process of collection information and putting it out before the ending of the ENRA. Expect an outcomes report from the process all put together. More detail at City Council on the 8th.

John Miller from TMP Architecture: Not talking about parking today, just the academic building. Still planned for the same site. Since last time, community feedback and Planning Commission feedback came back, and the site is still in the same location. Aware of more issues, intent to follow through with comments, code requirements, respond to intent and spirit of code. Pulls up images from packet. Talks about curb line and right of way. Property line and street line are askew. They pushed the building line back from 9 mile, shrunk the building 8 ft. due to buried electrical line under the sidewalk, will have to take that into consideration. Talks about curb line movement to place the trees. Must be raised in planters because of electrical.

Talk of raised planters and placement based. Beyond the amenity zone, a walkable sidewalk, concerns with property line. Can't make final design until city tells them where the property line is and how the zoning issues will be addressed.

Chair Kate Baker: Along 9 Mile?

Miller: Yes.

Chair Baker: Are there issues in the alley?

Miller: No. also, the columns have been pushed back, discussed features that have changed along the amenity zone. Plenty of room along Bermuda to accommodate all requirements. Maintaining outdoor seating area to west side of the site. Loading dock are hasn't changed. The articulation of the building itself: there were a number of code requirements that they didn't quite meet last time, so they redesigned to meet all zoning requirements. Discusses details of meeting articulation requirements, shows slides/images and describes the visuals. Distance ground floor articulation was met. Variation of roof form met requirements. Discusses specs. Changes in color and texture. Combination of light and color to break up façade. Had arcade and are allowed but removed after a discussion with the city. Focal point encouraged by code on south side of building. Talks about more details, shows slides. Roof originally had a smaller roof terrace, received comments about extending to 9 Mile. Brought up building stairs on which side. Added types of rooms to 4th floor along side terrace. Certifiable up to LEED Silver, talks about building materials. Precast or stone buff color. Many buildings downtown like this. Baker decided to go with precast, chosen for its prominence and permanence. Black metal trim, light green tint on the windows. Same number of floors, building shrank a little bit, essentially same building as before with changes made per feedback.

Chair Baker clarifies topics that will be covered this evening. We review proposal against design, since this uses city land, we can have more input. We don't plan a development contract. Comments about business integrity aren't for the Planning Commission, they're more for City Council. Reputation and business model comments may be limited if they are repetitive. Parking economic spillover, economic opportunity costs, building resiliency, signage and storefronts, business hours, fit with DDA + master plan, materials proposed, active street space, traffic study, ally activation. Not trying to limit comments, just differentiate what the Planning Commission does versus City Council.

Richard Neill, 865 W Marshall St: My first time seeing the proposal – the lot behind Como's, is that city owned? Already agreed to sell to Baker? Heard that the Mayor allegedly stated that residents want it? Where is this quote located?

Chair Baker clarifies that we have not agreed to sell the city lot to Baker. She is not sure how that works, staff will answer later.

Sharon Chess, 1119 Earl Blvd: Baker came here because they want to be here and offer a benefit to the community? If they don't succeed with the city lot can they build on Vester and do what they want if they follow the rules?

Chair Baker: I don't know, we're not negotiating.

Chess: It'll be the biggest building on the block, this building feels cold and is not welcoming to the community. With all of our architects on Planning Commission, they should steer Baker to a better site.

Chair Baker: Public versus private property – your statement was correct, if this were on private property, it would be a narrower conversation.

Rich Kennedy, 747 W Oakridge St: What came out of the meet & greet? Got this info from a former attendee, an Oakland Community College (OCC) employee, who said that OCC doesn't bring business traffic. Someone he knows lives on Vester and is terrified about people speeding where his kids get picked up for school. Doesn't mind Baker, just not downtown. Parking timing will be awful.

Dave Bray, 741 Leroy St: Comment about the proposed structure in the City Hall lot - in 2016 a parking site evaluation was done, they found natural gas and evacuated the library. Boring was done in different locations recently than in 2016. Can the results of 2016 be made available?

Jordan Smellie, 242 Ardmore: Will likely missing all further meetings before ENRA expires, will provide bullet points: land use – OCC Royal Oak is an economic dead zone in terms of traffic friendly and pedestrian at all times of all days. The building design - loading, dumpster as the face from view at 9 & Woodward. Rooftop greenspace is inaccessible from pedestrians. Even if they were unlocked, there are ways they could keep people out. No plan for garage, no traffic study, how are we supposed to evaluate? Baker touts a traffic study, but no one can see it. If these become available before the ENRA ends, its disrespectful because they do not have proper time to evaluate. A 6-story garage would be taller than the dot, bigger than everything else in town. Community benefit - contribution towards services as proposed are not community benefits, just compensation for strain on our services, this is not a benefit. Neither Baker nor city have mentioned any benefit that would actually benefit residents. Talks about first street without parking passes and people parking in front of his house on weekend nights, it'll get worse with students. It's like Ferndale 360 all over again – exciting at the time, a shiny proposal, but a rotten plan underneath. This is not a fit in any way.

Evelyn Elster, 760 W Drayton St: I cannot fathom how this commission, CED planning manager, how can you address the building and not the parking at the same time – they're intertwined. You must address this. In letter of intent, quote from Lyons about 1500 students only needing 200 spaces? Is this information being misrepresented by the same person using magic math to make all of this work? Talks about traffic being

bad near 4th and Washington in Royal Oak. In this case they'd be crossing 9 Mile. Hundreds of people crossing 9 every day. Only public access to lot when class is not in session. Can we see plans sooner than after a project? Mentions billboard on Woodward.

Chair Baker clarifies about private money/property.

Jason McCaffrey, 253 Flowerdale St: Greenspace on roof, how does that affect public shooting concerns? Echoing concerns of lack of data on parking traffic studies. Posted a poll on forum – shows pie chart showing large majority of people 100% against it, out of approximately 345 polltakers, wanted to enter in public record.

Michael Gordon, 212 Leroy St, Ferndale DDA Design Review Committee: A lot of issues have already been brought up: ingress/egress, setback along 9 Mile, etc. The green roof – how will it be accessed? Its impossible to vet this clearly without all of the requested info. Consolidating campuses - they chose us, will we choose them? Chose Ferndale because of the future he saw, that of an appealing community. We need to decide if this is a good fit for Ferndale, the building itself should reflect our eclecticism which it does not. Why are they deciding to look like buildings that have been there decades ago? Need leader not gushing over offers, negotiate, and push the envelope forward. Don't give developers a red carpet. We need someone willing to say no, so please say no.

Leah Deasy, 631 W Marshall St: Is also on the DDA Design Committee, gave design critiques at prior meetings, to the architect - adding an outdoor component would add to the site, wasn't well received last night. Main reason for comment tonight is to try to bring up conflict of interest – I know we have one Planning Commission that works on that project, she has directly presented it, will there be a way to address that fact with the community? When it gets to City Council, Baker has ties to Ford, we have a City Council member that works for Ford. Baker has ties to ford, hopefully these potential conflicts of interest are addressed and made public.

Bridget Bowler, 843 Laprairie, 30-year business owner on Woodward: concerned that we're losing festival Space; more young families are moving in, our school system is improving, flat lots are good for festivals. Brings up the OCC person mentioned by an earlier speaker - students don't bring money. Baker is now non-profit, they're coming here for promise dollars from Detroit residents. Hopes the Planning Commission or perceived liaison between Ferndale and Baker is really looking out for changing the landscape of Funky Ferndale.

Sarah Brown, business owner at 160 Vester: The view of the dumpster and delivery area from Woodward and 9 Mile... I'm a visual learner – where are the renderings showing it from 9 and Woodward? It's not currently accurate. What about deliveries? It'll be an eyesore when trucks are delivering. Rendering didn't show an accurate truck. Is that a through-alley now? It is now closed.

Dan Moyer, 2005 Central: Reiterates comments about lack of leadership. Mentions Chair Baker taking different roles, thinks she is an excellent leader to affect positive change. It's telling that you have asked to limit comments to the Planning Commission on Baker's reputation tonight...

Chair Baker clarifies that she is directing comments to the correct body.

Moyer talks about this not being a community fit, about soliciting feedback and not replying, while Greg Pawlica and Martin are tied and can't share their feedback with residents. That's not democratic. The city and Baker have not made a good case. There is no data supporting economic benefit to the city. Business owners are vocally against it. What type of lecture series does Baker offer their other communities? Do they have data supporting their economic benefit in the areas they're closing campuses? No parking study? Traffic study? No taxes – is the net gain truly 40 parking spaces? Pawlica mentioned not making decisions based on the loudest voices. When something like this comes along, the city hasn't properly vetted Baker, you're hearing thoughtful, well-researched feedback from intelligent residents. Discussed McCaffery's chart and breaks down the numbers. The community has been crystal clear. I hope our elected officials respond.

Tim Risk, 541 W Hazlehurst St: Has been trying to do research on ENRAs – went to our website to find ENRA, it was not there. Jordan responded quickly via email with a copy, will return to City Council with questions after more research. Flags and spray paint on the proposed site, boring on old church site - what those are about? Possible sales agreement? Structural design? I would assume that's for design which leads to the assumption it was a done deal.

Charlie Cavell, DDA Business Development Committee: Been following online, mentioned stuff being tracked online, info and opinions. Mention of what value is placed on inclusivity and value of what Baker will bring. Has read online that this will be one campus, mostly Detroit residents, maybe there's some coded language, but would like to know what, if any importance Planning Commission is putting on inclusion of diversion. Likes that Baker is mostly first generation black and brown student body, not sure about anything else.

Chair Baker: Questions about how property sales are negotiated in the city - How does the city execute this type of sale?

Twardy: City properties are sold, I've been here for 3 years, and the city hasn't been selling. Small pieces, tax foreclosures – are listed with a broker, like a home sale, through City Council. Brokers give opinion of value, which is held up against market value. One example is a tax-reverted property. In terms of larger properties, he hasn't haven't been involved in his time. The ENRA was chosen, we are in one with the DOT. When there are a lot of moving parts with law, etc., it defines the terms through which property can be legally conveyed. We haven't been going for sale of public property. We were cold-called by Baker, they want to explore this over the 100 days,

that is what we want, to explore. This period is about collecting information. As staff, we collect information for the decision makers. "We're good, we need more info, we're not good with this, etc." - Nothing is guaranteed. On private property, when developers come in, they spend money once site plan is approved. Here, it's not the same, we conveyed that any investments they make on anything, comes with no guarantee. We can't bring something and go the public without this information. Talks about the frustration but emphasizes that we are still collecting. If there aren't sufficient answers to our questions, then we don't continue. Soil testing – standard due diligence. Shared 2016 info. That being a potential spot for the deck. Goes over details of all the data collected from a boring. That its happening does not mean anything beyond that they are testing. They followed protocol 100%.

Chair Baker talks about the natural gas pocket discovered near city hall in the past, Baker is aware of that. Comments about business delivery impact - is there hard data that people will want to shop?

Twardy: We looked at peer cities and did not find that anyone tracked this with any specific parameters. Looked in many areas. A lot of what is talked about in the articles he read, theme of long-term spending, spending generated inside the city, and generated from the city. ROI in terms of staff, were compartmentalizing different pieces of these. That informs that the strategy is long term, not basing anything on anecdotal evidence. Nothing real saying it's good or bad either way. Talks about digestibility. Talk of community benefits not being finalized, the scope of what is possible in that negotiation, high-level themes. Talk of nonprofit, no taxes – commercial space will pay taxes. Want to make sure they cover cost of increased demand on city services. Community wants – seniors auditing classes, partnerships with community organizations, those elements are part of that, the scope of what we can fight for is all predicated on the final footprint, the cost to develop, meet all ordinances. The caboose of the train is predicated on the rest of the information coming. If it's not there, we're expecting it. Staff will not approve anything that is missing information.

Chair Baker: We don't have a strong demonstration of an equivalent type school that we can look to for a commuter-model school that says how much students are going to spend here.

Twardy: There is plenty of data on bigger schools like U of M, but nothing for this scale.

Chair Baker: In terms of deliverables, would a building be approved without parking?

Twardy: Absolutely not.

Chair Baker: They need to address a plan that deals with timing around the dot.

Twardy: Yes – as proposed, if they use city hall lot for deck, they have to show what is the phasing of the project. Both lots can't be offline at the same time. Talk about providing mitigation about any space lost. Public comment says we can't lose any spaces, Baker is retooling to adjust. Request for deck to be build first.

Chair Baker: Traffic study, parking structure... Public access to greenspace – is it required? Is access up to discussion?

Lyons: Public space is not required on typical site plan, landscaping is. Where that changed is that this is partially city property. We haven't talked about programming, but it is to be discussed.

Chair Baker talks about Jordan Smellie's (resident) concern about Detroit public spaces not being accessible/shut-off.

Chair Baker: Questions about circulation and dumpster placement.

Lyons: We've talked about circulation. Where the dumpster is now meets the requirements. The ordinance requires a loading zone. None of the businesses on Woodward have their own loading. Yes, the thought was that the dumpster is more enclosed than the current dumpster. Intent is to make the alley more pedestrian friendly.

Chair Baker: The alley circulation? Currently one way?

Lyons: It's limited – east-west you cannot pass because of the dumpster there. It does have to remain open. Businesses must have access.

Chair Baker: Can we have better info on the alley, feedback from businesses?

Lyons: Yes.

Chair Baker: The narrowing of 9 Mile – how does the bigger picture fit? We'll need that in the site plan.

Lyons: Yes. We do not want to undo what has been done, we will absolutely need it.

Chair Baker: The loss of festival space? Any concerns?

Twardy: I haven't heard anything, but we can look into it, involve Michael Lary.

Chair Baker: Conflict of interest – Deborah Brazen brought it up in advance and was clear that she talked with the city clerk, city clerk offered some advice. Brazen wanted to go further and completely remove herself. Can information be brought to discern conflict of interest versus appearance of conflict of interest?

Martin: Public safety issues - discussion with police chief to report out for public safety.

Chair Baker: Access to spaces, a school shooting, information provided with site plan.

Martin: Point of clarification – the dumpster and loading area, the final proposal – a compactor or dumpster, which is it?

Miller: City compactor and city dumpster in the alley. The school would need one as well as the business.

Martin: I've heard it's a hot mess back there, I want to make sure we tackle the opportunity to fix the issue.

Miller: It's in both entities interest to work that out.

Corissa Green: Comments - I did go to OCC years back, it was sort of a dead zone, but there is an opportunity to put local business in there. Mentioned area in Grand Rapids that has a focus on getting local business in spaces. A way to keep Ferndale funky and mitigate eyesore concerns is to commission some art pieces, sculptures for public spaces.

Chair Baker: Does the arts commission still have programs that you guys sponsor? Could that be a community benefit?

Green: Yes, that's something we could talk about.

Ian Williamson: A lot of Planning Commission and the public are waiting on the package of community benefits that the city is expecting, I want to hear that. The design, the commercial spaces - they aren't differentiated and there's no mention of signage. Interested to hear what thoughts there are.

Chair Baker to Lyons about signs represented: Are there tradeoffs to meet the sign ordinance? How is the differentiation managed?

Lyons: There's been discussion between Baker and staff, talks about what ordinance allows and what would be applied. Details sign ordinance. We haven't done measurements, may have to be reduced. Can have signage on different sides. Small business in a business would not need a smaller sign because Baker has a big one.

Chair Baker: Sustainability – Baker question – I'm interested in learning about sustainability for the campus. Is the green roof diverting water? Or is it a park on a roof? Equivalent or park smart for deck or new buildings? What about LEED Silver Standard? What are the sustainability goals for Baker?

Miller: Yes. The green roof will contribute to the water situation, but that's not why it was up there. We don't need to have it to affect civil engineering requirements. Its desirable to energize the space. In terms of reaching LEED certification levels, we do all educational buildings. Our firm is geared to using sustainable materials. Better materials available than 10 years ago. Baker is fully on board with it. If we do our general sustainable kind of design, we get very close to LEED standards. We don't see that as a difficulty.

Chair Baker: The library next door - talks about sustainable features and how they embody values of the organization.

Miller: We would approach those goals, though geothermal is not an option at this site. Mechanical and electrical services would certainly be included in the scope.

Chair Baker asks if Jacqui has anything to add - compostable food containers, on site recycling, philosophy of how buildings work.

Jacqui Spicer: in terms of HVAC, yes, charging stations, talking with EQ. local catering, etc.

Patrick Rock: Would enclosing compactors/dumpster affect LEED status?

Lyons: We haven't gotten there yet, but it would be part of the conversation.

Rock: The traffic study, will it be included? How will traffic be altered during festivals?

Lyons: Festivals were not part of the traffic study, but we can follow up with that team. We've shared the traffic study from the dot. There was not a traffic study required for the 409 on Nine project, but we shared the plans. The Institute of Transit Engineers (ITE) have projections for that type of use, so they look at potential commercial space in the building and residential units on how that would factor in on this.

Rock: It would be nice to see comments from Baker on festivals/parking. The alleys – it's an active alley, its important to make it viable, bring life to it.

Lyons: I agree, part of the master plan recommendation from a few years ago - prioritizing alleys. This alley came up a lot when DDA was looking at areas to focus capital improvements. This alley was high on the list.

Matthew Showalter: The green roof, with it being public space, seeing mechanical units, will there be noise mitigation? The HVAC is close to public space, has that been considered?

Miller: Yes, it is screened. There's always a bit of a rumble, but we do not believe it would be overpowering to anything going on up there. They have discussed with their mechanical engineers. We have indeed discussed that.

Showalter: You're looking at a bunch of different options for facade material, what else did you look at besides precast?

Miller: When there was the initial talk back in September, the feedback we got through Pat Ong (Acquest Realty) was that a metal, modern building would be DOA at the city, so it was not explored. Talks about materials and what the client liked, thought the stone best expressed the solidarity with the school and design.

Chair Baker: To clarify, when we say precast and stone, they are not the same, correct?

Azar: They can look the same.

Cascio: They have a different feel, they do not look the same.

Showalter: They can take on many different finishes.

Rock: Materials are probably part of the LEED scoring, the precast is probably beneficial – is that part of why it was selected?

Miller: Yes, you can use recycled materials with precast instead of opening up a quarry. Carved limestone is used very little except for trim. It is precast, not limestone.

Cascio: First, as it's been stated, it's difficult to have this conversation with only 50% of the project, as in, no information on the deck. Having this conversation without explanation of community benefits is problematic. We need to discuss this as soon as possible. As this becomes more rigid, we are losing the opportunity for more benefits. The alley for example - as we're structuring the building, we're losing the ability to move the building to improve public space. Materials facade architecture – what's been brought today is improved over last time, but I don't think this precast is as harmonious with surrounds features. Cited flat arch, still feels drab for such an important site in Ferndale. The alley being the first view of the buildings from 9 Mile and Woodward needs to be addressed.

Azar: Parking – the proposed height of the deck to get the proper amount of parking. When the study was done initially was there a height restriction?

Lyons: The previous study the city did worked within the zoning. It will not be taller than the dot.

Azar: Did the city review other uses for that city lot?

Lyons: No, it wasn't focused on in the section of key redevelopment sites, I think it would likely be in the next round.

Azar: I appreciate that this wants to be iconic, but the Ferndale professional building is forgettable. Looking at surrounding buildings, it should be harmonious. The site is tight against the right of way, does it keep the themed street lighting? Will there be continuity of what's already there?

Lyons: That's the intent - to carry on the DDA's vision. They're thinking about existing infrastructure and if it should change.

Chair Baker: I don't have a handle on materials. Please share DDA design committee meeting minutes for reference. Don't like to be beige. It looks almost easy to miss. Monochromatic. It's 3 stories tall but not a lot jumps at you. Same as any office building. Nothing jumps out. Looking forward to more conversations about materials. Conversation back in March – the city's goals might be in a city-led negotiation project. Would love to see Baker grab one of these and go with it. Recites bullet points from Ferndale FAQ website. Grab a couple Ferndale values and explain how they line up with Baker values, that will help align. This is the first project with form-based code. Should we have been more prescriptive? Interested to think about how far we need to go and in which direction with form-based code to make developers and community happy. Public versus private property – should go beyond “Did you tick the box” for the site plan review? Our library and court took it to next level. I don't feel this is a marquee-level public space. It feels like an office building downtown.

Spicer: I would say the form-based code is helpful, going through as the first project, it impacts the status for us. There are a lot of things to figure out – windows, materials, etc. Someone mentioned that we were newly non-profit, we've always been. We are not a Detroit promise school, that is not a thing for us.

Chair Baker: Can you clarify student numbers?

Spicer: 1,500 students enrolled, 65% during day, the rest at night. If you look at full time students, it would be roughly 300 or so a day, then 65% of that.

Rich Kennedy from the audience asks how that math works out.

Spicer: 300 Students a day, 5 times a week. Talk of math behind numbers

Chair Baker: 1,500 unique students?

Spicer: Not necessarily, more like 1,500 is a headcount for the week.

Martin: Are there online students?

Spicer: Yes.

Chair Baker: So, is it better to say 1,500 "visits"?

Spice: Yes.

Rock: That's been really misunderstood.

Williamson: What type of computer lab and library facilities will you have?

Spicer: A library in the building, there's an academic resource center where students can get tutoring, material, books, and student services, though most resources are online. Computer labs are available for online classes/students.

Williamson: You would be anticipating on a given day, no more than 250 or 300 people coming in on a specific day.

Spicer: Correct. Thanks Planning Commission for all of their help in with the process, their service, allowing Baker to be here.

Lyons: Follow up on formed based code, would like more specifics of dislikes of Planning Commission on design elements, specifically materials and architecture.

Martin to Lyons: Can you email the design committee minutes?

Lyons: I'll get with the DDA, yes.

928 E. 10 Mile - Discussion Item

Lyons introduces the item, a conditional rezoning discussion. Goes over specification of the site, history of a previous site plan approval and issues with financing it. Talks about medical office not being permitted in this area, but thought it was worth a discussion. Talks about uses in the zone and details of a conditional rezoning. Existing site has a larger parking lot in some degree of disrepair, but it is fixable. Talks about surrounding zoning. Introduces Dr. Derek Hill, the potential applicant.

Dr. Derek Hill introduces himself and thanks everyone for their help. He's looking to convert the church from its current state into a medical office. He and his wife are both surgeons, they share office space in Warren. Saw the site for sale and became interested. Talks about approved site plan, shows images of before and after mockups. He likes the building, likes the location, talks about other locations of practices and how this would be centralized between all the areas they work in.

Shows slides with current plan benefits versus his plan: Current plan for proposed has concerns about traffic, activity all hours of day and night, parking issues, difficulty in funding development. The building remains eyesore as is if not developed. His benefits improve neighborhood aesthetic, maintain character of neighborhood by renovating current structure, bring walkable bikeable jobs to Ferndale, plenty of parking, on-street parking no longer an issue. They will be neighbors looking to contribute to the neighborhood, community, and city in general. They will increase greenspace, maintain a landmark building, add landscaping to green adjacent properties, possibly add park benches, bike racks, even playground equipment. He's willing to do whatever it takes to make it palatable to Planning Commission.

Chair Baker: Have you hired an architect?

Hill: Yes, walked through the building, had contractor come through to get an idea of cost, basic costs of renovation. Talk about mold remediation. Believes it is savable.

Chair Baker asks for questions from the public.

Matt Osiecki, real estate broker representing the seller: They've been trying to sell the property for over a year as condo development, but rents in the area aren't justifying construction yet. No good offers have come in so far. He thinks this use is good, if this doesn't go through, the city may need to consider opening the site up to other uses to make it saleable.

Rich Kennedy speaks, says he likes church, thinks the plan looks good for that part of Ferndale.

Chair Baker: This would be the second small church changed into medical/school space. Twardy and Lyons – are you getting a sense that these old churches are lending to a particulate use, or is this simply a coincidence?

Twardy: That's an interesting question, though two instances are not necessarily a trend. We're excited about adaptive use. Hill has been great about learning the process and following protocol.

Osiecki: It's supply and demand. Low vacancy rate available for medical, people are having to look at something out of the ordinary. Medical and industrial spaces are occupied.

Hill: We've been looking for a while between Southfield and Warren areas. Along the Woodward corridor, you can find a space, but no parking. This building has appeal because of that. Nice big doors, easy access. This is the only location I can find that's big enough. I don't feel like part of the community as a renter in Warren. It would be nice to be in Ferndale, we have always come here, love the vibe. Would love to be part of it.

Chair Baker: The master plan says this should be a higher density use.

Rock: To the broker – did any church group have any interest?

Broker: Yes, but the level of renovation needed turned them away.

Rock: I like the proposal, I think we should be in the business of saving these structures.

Martin: I love the idea. How will waste water be managed? We'll probably see more of this, churches are downsizing.

Hill clarifies that the garage at 3352 Horton faces the church property and he wanted to mention they would keep their access.

Chair Baker: Actively engaging the neighbors was great.

Williamson: The parcel identified by the master plan as high density residential, there could be a negative impact from that here. It's a unique site. Streets are blocked off, no residential spill over. Talks about unique building with storefront on service drive. Questions if high density housing is a fit for this area.

Azar: I appreciate noticing the building. Would you keep the front doors as the actual front door?

Hill: That's to be determined, talks about layout of hallways in building, foyer. Would like to maintain that as an entryway, but likely will maintain both to maximize accessibility. Plans to put in electric doors. At his current location his patients have a difficult time getting in the door.

Azar: With multiple tenants – will they have the same thing?

Hill: There'll be a single entrance to the foyer. He describes navigating the building to different suites. Place to put medical suites, lawyers, therapist.

Broker: There are not many new nice medical facilities in Ferndale.

Azar: Dark Sky initiative – I have a peeve of over-lit buildings. Initially looking for high density and it doesn't work, likes that Hill spoke to Iron Ridge and thinks it fits the idea for the area. Will there be adequate parking if the building is built out?

Lyons: Based on the church's approximate 17,000 square feet, potentially yes. Depends on the layout.

Pawlica: If the church held 400 in its heyday, was there parking for that many?

Chair Baker: I would not assume so.

Lyons talks about parking requirements.

Rich Kennedy, audience member: To the point of church versus church and residential, this is on main thoroughfare, being a 9 to 5 operation, is not putting as much strain on the neighborhood as Drayton church. Talks about mostly daylight hours being great.

Hill: From a bird's eye view, the other plan was approved for 40 something spots, we could fit 50.

Chair Baker: I'm sure you can make the math work.

Rock: Anything savable from there?

Hill: Because of the water damage, it's unlikely. Maybe the pews.

Cascio: What would be the hours of operation and expected number of patients per day?

Hill: Can't speak for the other spaces, but for mine usually about 25 patients a day. My wife, a vascular surgeon, even less. If someone rented the other suites, it's hard to say.

Cascio: Hours of operation?

Hill: Maybe to 8, 9, or 10PM at the latest for an orthopedic urgent care. General office hours are 8-5.

Cascio: I like the design and think it's great to save a building. The hours and number of patients are my two big questions.

Hill: We will skew low numbers because we like to take time with our patients.

Showalter: My questions were all answered, I like it, relatively sustainable.

Hill: Can't save the stained glass, it's not stained glass, it's cheap plastic.

Chair Baker: How many staff do you have currently?

Hill: 5 to 6, considering as part of the proposal an apartment, not sure if that's viable.

Chair Baker likes keeping the space on west side open. It could be a cool demonstration of something. Maybe unique stormwater retention, etc. Cool opportunity to change how rainwater drains when replacing the roof.

Hill: Maybe divert water to planter boxes.

Chair Baker: This isn't hugely different than the OS zone. Is there a conversation about uses? Mixed uses? Allow small residential? What is the best use?

Lyons: These are all good points. OS and MX-1 are similar, allow upper level residential. Consideration for overnight patients. Limit use to restaurants, probably a finite number of uses we can change to. Maybe not 100% medical is a possibility.

Pawlica: It's a mature neighborhood diverting to younger, newer neighborhoods. Suggests a tot lot, something not address in Harding Park. This is a safe and protected area.

Chair Baker doesn't want to reduce use if they need to expand parking.

Hill likes the tot lot idea, has kids of his own. Potentially fencing area, maybe a little dog park if weren't an eyesore.

Lyons: We have our direction to move forward.

8. ADMINISTRATIVE ITEMS

Chair Baker Welcome back Showalter, who introduces himself and talks about his background in architecture. Planning Commission does a round of welcoming and introductions.

Chair Baker mentions the resident comments about integrity of information and the CED staff; she felt like she shouldn't intervene and wanted people to speak their minds, but completely disagrees with the sentiment. Staff is going above and beyond to research and offer the best information possible.

Lyons: As a department we appreciate that, we are all passionate about it here, we're trying to update what we think is lacking, we're here to see the community thrive. We appreciate the support. A few updates – we're still working on ordinance update for missing middle housing districts. We've been going back and forth with some of the residential updates. Some Planning Commissioners thought it might make sense to allow certain uses in the community, will bring something forward with staff in the future.

Twardy: Thank you to Planning Commission, we take our roles serious but not ourselves. We thrive on accountability, not run from it. Mentions Drifter Coffee ribbon cutting. Gives details on opening/ribbon cutting.

Cascio: It was brought up earlier - Baker being the first in the form-based code; Planning Commission should think about how they're reacting to it. What we like about the process and what we don't. Should monitor. Things are maybe being interpreted differently than we meant them, not necessarily good or bad, just differently. Maybe a topic for a study session.

Chair Baker suggests testing this soft form-based residential conversation the commission is having.

9. ADJOURNMENT

Meeting adjourned at 9:52PM.

Rich Tschirhart, CSR Building
Department

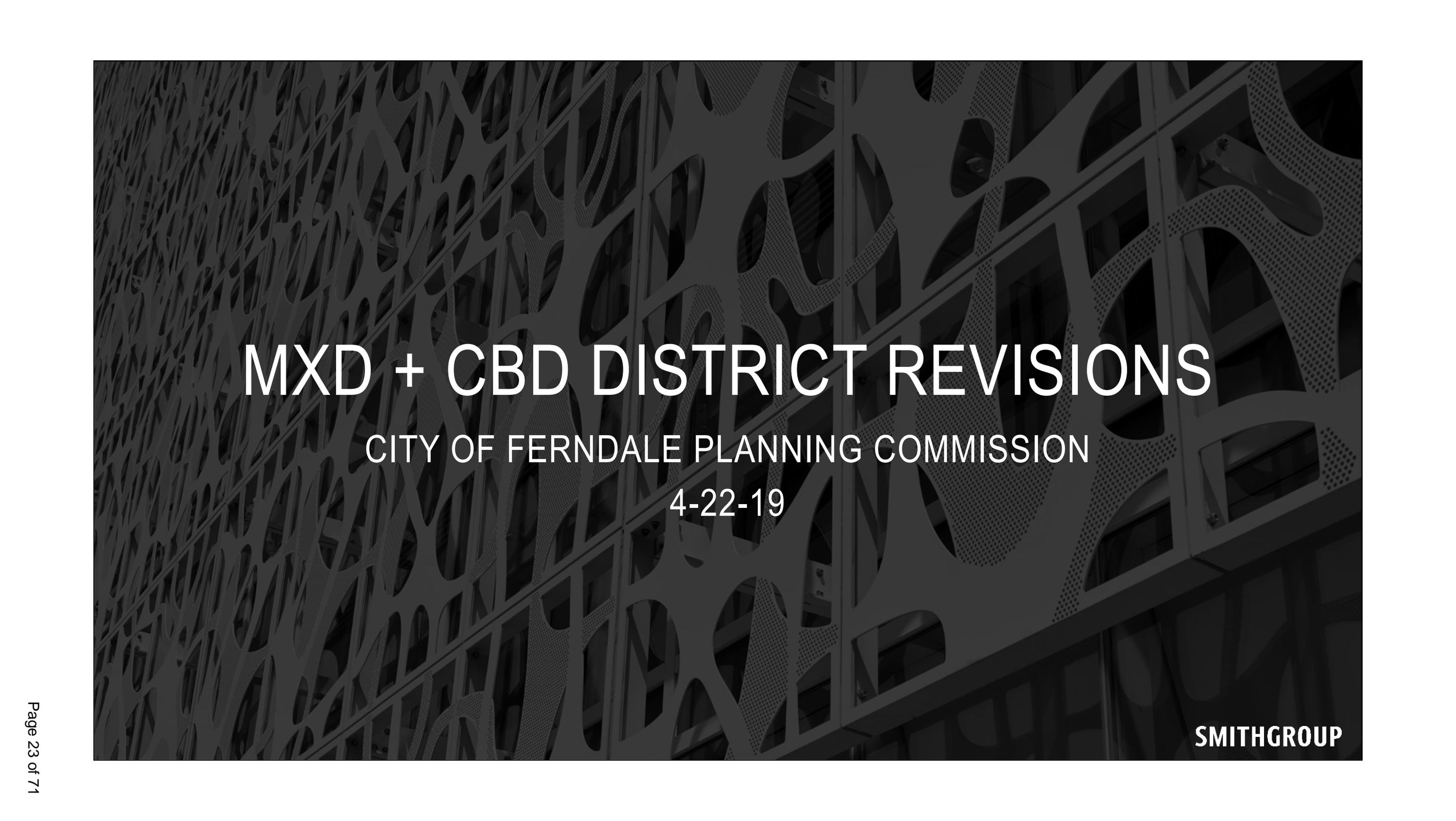


To: Planning Commission
From: Justin Lyons, Planning Manager
Date: April 24, 2019
Re: Mixed-Use and Central Business District Zoning Amendments

Staff has been working on proposed text amendments to align with recommendations in the Master Plan to encourage missing middle housing and implement a form/design-based code. Staff presented an initial draft of the proposed amendments to Residential districts and Mixed-Use districts at the [November 14, 2018 Planning Commission meeting](#) and had a follow-up [discussion on February 6, 2019](#). Since that time, staff has focused on the Mixed Use districts and potential refinements to the CBD ordinance. The new approach intends to achieve the following:

- Incorporate similar design standards from CBD to MXD districts, while acknowledging different contextual considerations.
- Extract definitions and rules of measurement from CBD article to definitions article so they will apply to both CBD and MXD.
- Clarify a few regulations in CBD now that it's been in practice:
 - Build to flexibility
 - Entrances
 - Articulation
 - Add intent to parking structures to encourage design for future uses
- Amend off-street parking to revise standards (electric vehicle and enclosed bicycle parking requirements) and include access management components (alley access requirements, number of driveways, front yard parking, driveway spacing, etc.).
- Strike a balance between code (form, scale, massing) and architecture (character) without being too prescriptive.

ATTACHMENTS: Ordinance Amendment Presentation
Mixed Use Zoning District Draft Amendments
Access Management and Off-Street Requirements Draft Amendments



MXD + CBD DISTRICT REVISIONS

CITY OF FERNDAL PLANNING COMMISSION

4-22-19

SMITHGROUP

APPROACH

GOAL: REVISE MXD AND RESIDENTIAL DISTRICTS TO BETTER ACCOMMODATE MISSING MIDDLE HOUSING AND INCORPORATE SOME OF CBD DESIGN APPROACH

- Proposed Amendments

- MXD districts

- CBD tweaks after a year

- Extract general standards to appropriate chapters to apply to MXD as well
- Definitions/rules of measurement
- Architectural standards

- Parking

- Expand to include access management
- Bike and EV parking amendments

- Pausing residential district changes for now

MXD DIFFERENCES

- MXD 1 and 2
- Is there a scale difference?
- Uses?

24-184 ARCHITECTURAL COMPATIBILITY AND DESIGN GUIDELINES

MOVE CBD STANDARDS

- Apply to CBD and MXD
- Eventually amend residential
- Modify waivers with stronger relation to design standards (next slide)
- What do you want to do with materials?
- Specific CBD storefront/streetscape standards will remain in that article

New Non-Residential Architectural Design Standards:

1. Materials and Colors AMEND?
2. Articulation MOVED
3. Balconies MOVED
4. Awnings
5. Overhead loading doors
6. Sustainable design
7. Waivers AMEND TO MODIFICATIONS

ARCHITECTURAL DESIGN STANDARDS

WAIVERS BECOME MODIFICATIONS WITH STRONGER CRITERIA

▪ **Modifications Requiring Planning Commission Approval**

— Modifications to the architectural standards of this section may be approved by the Planning Commission. A modification shall require an application that includes a site plan and a front elevation drawing of the proposed building superimposed on a color drawing or photograph of the entire block showing the relationship of the proposed building to other buildings on the block. The application shall be reviewed by the Planning Commission based upon the following criteria:

- The design of the building shall be in keeping with the architectural character of the district, as articulated in the Master Plan. This shall not prevent innovation and creativity in design that is in keeping with the Master Plan, as determined by the Planning Commission.
- The building shall be oriented toward the front sidewalk, have a functioning entrance and enhance the continuity of the pedestrian-oriented environment. A modification shall not result in increasing the dominance of vehicular parking or garage doors along the front of the building.
- The design of the roof shall be compatible with character of other buildings along the block and shall meet district height requirements.
- The exterior finish materials shall be of equal or better quality, in terms of durability and appearance/texture similar to brick, stone, or wood, as those permitted in the district. The intent is to accommodate new technologies and building material while maintaining the desired character of Ferndale, as defined in paragraph 1, above.
- Ground floor windows shall be provided along the front sidewalk to maintain the pedestrian-orientation of the streetscape and upper story windows and shall not be incompatible with the rhythm and proportions of windows on other buildings along the block.

Existing:

Waiver. The planning commission may waive the requirements of this section if it finds that a proposed building design is in keeping with the intent of this section and the recommendations of the master plan and meets all of the following conditions:

- a. It is determined to not be grossly dissimilar in exterior design and appearance to nearby buildings and it does not adversely affect property values in the surrounding area.
- b. It does not adversely affect the desirability of immediate and neighboring areas.
- c. It does not impair the stability of the area or prevent the most appropriate use and development of real estate.
- d. It does not adversely affect the public health, safety, comfort and welfare of the citizens of the city.
- e. A structure may be determined to be compatible in design and appearance to other structures in the context in which it is to be located, even if it does not comply with the above criteria, if it has other design features that make it harmonious with other structures or improve the character of the area in which it is located.

This would not give PC power to grant modifications in use, placement, height, which would still be covered in the district chapters. Only architectural modifications.

MATERIALS

AMEND 24-184 ARCHITECTURAL COMPATIBILITY AND DESIGN GUIDELINES

- The following exterior finish materials shall be permitted: natural clay brick, glazed brick, ceramic tile, stone, finished metal panels, glass, glass block, molded cornices and trim, plank wood, fiber cement materials, cement plaster and similar materials.
 - The following exterior finish materials shall be prohibited: vinyl siding; E.I.F.S. covering more than ten (10) percent of any elevation; concrete masonry units covering more than ten percent of any wall facing a public right-of-way; T1-11 and other plywood siding materials; and cantilevered mansard roofs.
 - Building materials shall be durable, weather-resistant, rustproof and kept in good condition by the property owner or tenant at all times.
 - The color of each façade material shall be harmonious with the color of all other façade materials used on the same building and on adjacent buildings and shall be in character with or improve the character of the surrounding area. For the purposes of this chapter, colors are harmonious if they are complementary in hue, tone and intensity.
- We had discussed that these were fine last year
 - Any changes based on recent submittals?

MOVE TO DEFINITIONS

ADD A “RULES OF MEASUREMENT” SECTION

- Height
- Build-to
- Fenestration
- Stoop/entrance/portico

(2) *Stoops, Porches, and Porticos*

a. Definitions.

A stoop is a small staircase ending in a platform and leading to the entrance of the building.

An enclosed porch is a covered stoop that has walls enclosing the platform on all sides.

A portico is a defined entry landing or platform that serves a similar architectural purpose as a porch or stoop as defining a clear entryway, but with a ramp or at-grade entrance instead of steps.

- b. Depth shall be measured perpendicular from the building facade to the opposite edge of the platform. Steps shall not be included in the measurement.
- c. In CBD and MXD districts, the platform of the stoop may not encroach past the build-to. Stairs leading to the stoop may encroach past the build-to.
- d. In residential districts where there is a minimum setback of at least 15 feet, stoops may project into the front yard a maximum of 5 feet.

ENTRANCES

- Increase spacing minimum from 50' to 60' for MXD and CBD Urban Flex
- Remove unobstructed and unlocked from definition
- Clarify how measurement taken from center of doors
- Require one entrance per storefront articulated façade bay in CBD

MXD - PROPOSED FORM STANDARDS

COMPARABLE TO CBD

- Current regulations were very minimal:
 - Only building height max of 45'
 - Context-sensitive setbacks in footnotes

- Embeds better siting and design standards into these regulations
- Articulation standards from CBD
- Added minimum height
- Removed corner lot side setback footnote

Items in red indicate changes or additions

Height	Proposed	Existing
Feet (min)	25'	
Feet (max)	45'	45'
Siting		
Build-to		
Primary frontage (min % of lot width/min-max build-to) ¹	80% / 0'-10'	
Secondary frontage (min % of lot width/min-max build-to)	30% / 0'-10'	
Primary façade width (max)	125'	150'
Setbacks		
Side, adjacent to residential district (min)	6'	6'
Rear, adjacent to residential district (min)	20'	
Rear, above third story (when adjacent to R-1 or R-2)	35'	
Parking		
Surface parking between building and frontage	Not allowed	Not allowed
Parking setback (min)	15'	
Vehicle access	From alley; when no alley present or alley less than 20' wide, per Sec. 24-225	
Design Elements		
Ground Floor Fenestration		
Primary frontage (min)	30%	
Secondary frontage (min)	20%	
Pedestrian Access		
Primary frontage	60' maximum distance between entrances	
Private Open Area		
Minimum	10%	

1. Development in MXD districts shall front on a Major or Minor Arterial street (excluding Pinecrest), or on Marshall, Woodward Heights, or Vester.

2. Sec. 24-151 Multiple-family dwellings does not apply to Mixed Use Districts.

CBD ARTICULATION CLARIFICATION

Storefront Frontage Design Standards:

- 1) Intent. This frontage type promotes ground floor storefront uses and architectural requirements in order to preserve the walkable, active downtown interface with the public realm. Storefront buildings shall also meet the design specifications of this article and Section 24-184, except as provided herein:
 - a. Ground floor windows may not be made opaque by window applications. Operable sun blocking devices are permitted, as well as solar protection tinting with no less than 60 percent light transmittance and no more than 20 percent visible reflection.
 - b. A minimum of 80 percent of the window surface on the ground floor shall allow a view into the building interior for a depth of at least 12 feet.
 - c. Upper level windows shall be vertically proportioned.
 - d. Buildings shall be designed to create a distinct and separated ground floor area through the use of a horizontal expression line, such as a string course, change in material or textures, awnings or canopies, or sign band between the first and second stories.
 - e. For each block frontage, facades shall be divided into discreet horizontally articulated bays at no greater than 60 feet wide each. Each articulated bay shall include an entrance.
 - f. Adjacent façades shall contain different wall materials and rhythm of bays to distinguish each storefront in the horizontal plane.
 - g. Recessed entries at a maximum depth of 15 feet, measured perpendicular to the build-to, and a maximum width of 15 feet, measured parallel to the build-to may be utilized in the length of applicable building wall meeting the build-to.

DESIGN GUIDELINES

INCLUDE SOME “HOW TO” EXAMPLES OUTSIDE CODE

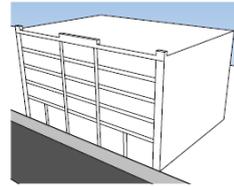
- Started ideas for a Missing Middle Housing Handbook, so what if we expanded with more ideas for how to apply the design standards for mixed-use buildings too?
- Code (form, scale, massing)
- Guidelines (architecture, character)

A1. Accent Line

Accent lines include vertical and horizontal moldings and attached columns, as in this example. An accent line projects sufficiently from the face of a building wall to cast a distinct shadow.

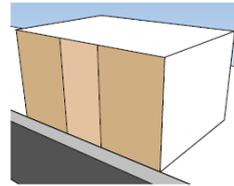
Examples include:

- Moldings
- Sills
- Coronices
- Canopies



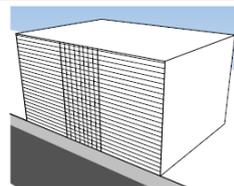
A2. Color Change

Color changes may occur as significant vertical or horizontal area on a building wall. In this example, different facade modules vary in color.



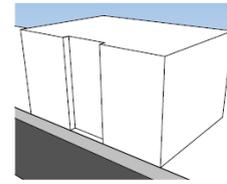
A3. Material Change

Material change may appear as a significant vertical or horizontal surface. In this example of townhomes, a change in material expresses each unit.



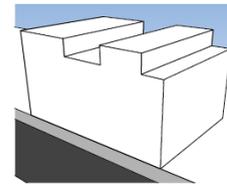
A4. Minor Wall Offset

A minor wall offset is a vertical expression line created by notching a building wall for its full height. Minor wall offsets are typically 5 feet or less. In this example the central bay is inset from the flanking walls.



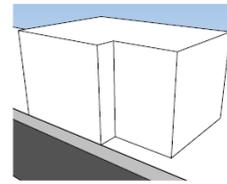
A5. Height Variation

A variation in height may occur as a setback of part of a floor or a change in roof line. In this example of a single building, a portion on the right is one story less than that on the left.



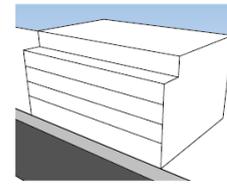
A6. Increased Wall Setback

An increased setback is similar to a minor wall offset, but with a larger dimension. It often provides an outdoor amenity space along part of the front of a building.



A7. Upper Floor Setback

An upper floor setback is similar to an increased setback, but it only occurs on an upper floor(s). In this example, a portion of the top floor is set back from the front wall plane.



Expression lines create a vertical articulation of base, middle, and top of a facade



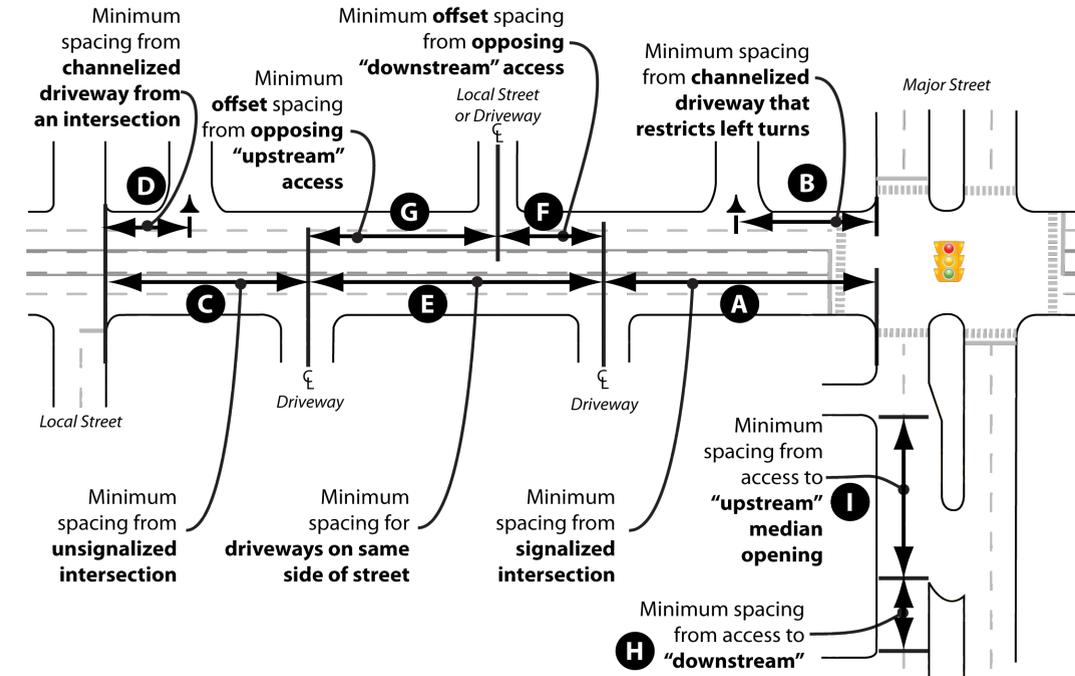
Buildings are organized into horizontally repeated modules to reflect traditional building and lot widths

Diagram 3-3 Options for Building Articulation

ACCESS

SEC. 24-225

- Recommendations:
 - Driveway spacing conditional on street type
 - Reduce to one driveway per frontage (must demonstrate need for 2)
 - Promote shared access/ cross access
 - Ensure proper driveway alignment
 - Promote access from alleys, where present
 - Give intent for why this is important
 - Waiver criteria
- Still a work in progress – what have been recent concerns?



d) Driveway spacing from intersections

Ingress and egress driveways shall be located a minimum of 20 feet from any corner at the intersection of the property lines

Location of Driveway	Minimum Spacing
On Woodward	150 feet or as required by MDOT
Along arterial street intersecting with Woodward or other signalized intersection	80 feet
Along local streets near an intersection	20 feet or as far as practical

e) Driveway spacing from other driveways

Driveways shall be located a minimum of 50 feet apart as measured from the edge of the driveway along the property line.

Posted Speed Limit (MPH)	Arterial Street	Local Street
25	130 feet	90 feet
30	185 feet	120 feet
35	245 feet	150 feet

EV INFRASTRUCTURE

- **Currently:**
 - No EV requirements/regulations
- **Recommendations:**
 - Minimum requirements for new development
 - Regulations for signage, ADA access
 - Think about how to integrate into single family housing development – “EV Ready”

Required # of Stations per Use

Land Use Type	Percentage of Parking Spaces
Multi-household Residential	10%
Lodging	10%
Retail, Restaurant, Café	3%
Office, Medical	10%
Industrial	10%
Institutional, Municipal	10%
Recreational, Entertainment, Cultural	3%
Other	3%

Required # of ADA Stations per Total # Stations

Number of EV Charging Stations	Minimum Accessible EV Charging Stations
1-25	1
26-50	2
51-100	3
101 and up	4%

ARTICLE V. - MIXED USE DISTRICTS

Sec. 24-81. - Intent.

- (a) *MXD-1 mixed use district.* The MXD-1 district is intended to encourage a complementary mixture of small-scale uses including residential, local business and office uses that are compatible in a neighborhood setting. It is the purpose of these regulations to provide a mechanism for mixed use developments that are compatible with the surrounding environment and characteristics of the site and to ensure that the infrastructure will be adequate to accommodate the needs of the development.
- (b) *MXD-2 mixed use district.* The MXD-2 district is intended to encourage a complementary mixture of uses including residential, local business and office uses. It is the purpose of these regulations to provide a mechanism for mixed use developments that are compatible with the surrounding environment and characteristics of the site and to ensure that the infrastructure will be adequate to accommodate the needs of the development.

(Ord. No. 1087, § 5.01, 3-8-10)

Sec. 24-82. - Uses.

Mixed Use Districts Permitted (P) and Special Land Uses (S)			
Use	MXD-1	MXD-2	Additional Regulations
Residential:			
Home businesses	P	P	Section 24-147
Multiple-family dwellings (including a maintenance building, community buildings and private swimming pools intended to serve the occupants of the complex)	P	P	Section 24-151
Multiple-family dwellings (at a higher density than R-3, developments of at least 40 units may have convenience/service establishments located on the ground floor, if designed and intended primarily for use by residents)	P	P	Section 24-151
Single-family attached dwellings, 3 or more	P	P	Section 24-158
Single-family dwellings in existence at the time of adoption of this ordinance	P	P	
Upper level residential uses	P	P	Section 24-159
Health Care Facilities:			
Assisted living facilities	S	S	Section 24-143
Medical, dental and physical therapy offices, clinics, medical and dental laboratories and similar uses (overnight patients not permitted)	P	P	
State licensed day care centers	P	P	Section 24-145
Entertainment and Recreational:			
Banquet halls	—	S	
Health, fitness and exercise clubs	P	P	
Private clubs	P	P	

Service, Retail and Office:			
Art, music, dance, craft, ceramic, glass, cooking, and similar schools and studios	P	P	
Banks, credit unions, savings and loans and similar uses	P	P	
Business service establishments (including printing and photocopying services, mail and packaging services, data processing and office support services and similar uses)	P	P	
Computer service centers and similar uses (including maintenance of electronic equipment)	P	P	
Novelty store	P	P	Section 24-166
Office buildings	P	P	
Production facilities that have a minimum of 20% floor area dedicated to retail sales (production of consumer goods such as food, beverages, art, clothing, textiles, etc.)	S	P	
Retail establishments, small	P	P	
Service and repair establishments (photographic studios; barber and beauty shops; tanning studios, body decorating salons; watch, clothing and shoe repair shops; dressmaking, interior decorating, lock smith, small household appliances, musical instruments, bicycles, furniture, eyeglasses, office or business machines and similar establishments)	P	P	
Shops of building trades, caterers, blue printers and similar services	P	P	
Sidewalk cafés	P	P	
Standard restaurants	P	P	
Standard restaurants with outdoor seating	S	S	Section 24-155
Vehicle filling and service stations	—	S	Section 24-161
Vehicle repair, minor	—	S	Section 24-161
Vehicle washes	—	S	Section 24-161
Veterinary offices and hospitals, groomers (including accessory boarding, but outdoor exercise runs or pens are prohibited)	P	P	
Video rental and sales establishments (no more than 20% of floor space is occupied by adult-related items)	P	P	
Public, Institutional and Utilities:			
Business and technical schools	P	P	
Essential services, associated buildings	S	S	
Institutions for religious worship	S	S	Section 24-148
Libraries	P	P	
Museums	P	P	

Public buildings (governmental offices, police and fire stations and community centers, but not including service or storage yards)	P	P	
Prohibited Uses:			
Outdoor storage of goods or materials including, but not limited to, equipment, machinery, trash or recyclable materials, debris, construction materials, tractors or trailers			

(Ord. No. 1087, § 5.02, 3-8-10; Ord. No. 1126, Pt. I, 7-9-12)

Sec. 24-83. - Schedule of regulations.

Height	Proposed	Existing
Feet (min)	25'	
Feet (max)	45'	45'
Siting		
Build-to		
Primary frontage (min % of lot width/min-max build-to) ¹	80% / 0'-10'	
Secondary frontage (min % of lot width/min-max build-to)	30% / 0'-10'	
Primary façade width (max)	125'	150'
Setbacks		
Side, adjacent to residential district (min)	6'	6'
Rear, adjacent to residential district (min)	20'	
Rear, above third story (when adjacent to R-1 or R-2)	35'	
Parking		
Surface parking between building and frontage	Not allowed	Not allowed
Parking setback (min)	15'	
Vehicle access	From alley: when no alley present or alley less than 20' wide, per Sec. 24-225	
Design Elements		
Ground Floor Fenestration		
Primary frontage (min)	30%	
Secondary frontage (min)	20%	
Pedestrian Access		
Primary frontage	Min. one entrance per 50'	
Private Open Area		
Minimum	10%	

Commented [KD1]: Less? 100'? 125"

Commented [KD2]: Reference parking lot screening requirements

Commented [KD3]: Potentially revise... there are some access management concerns on some of these corridors (some alleys, but not enough...)

Commented [KD4R3]: Revise this section and in CBD

Mixed Use Districts Schedule of Regulations		
	MXD-1	MXD-2
Maximum Height		
— Building height (feet)	45	45
Lot Size (minimum unless otherwise noted)		
— Area (square feet)	—	—
— Lot width (feet)	—	—
Maximum Lot Coverage		
— Buildings	—	—
— Impervious surfaces	—	—
Maximum Density		
— Units per acre	—	—
Setbacks (minimum unless otherwise noted)		
— Front (feet) ^{a,b}	—	—
— Side (least) (feet) ^c	—	—
— Side (total) (feet) ^c	—	—
— Rear (feet)	—	—

Notes:

a. Where 50 percent or more of the frontage on the same side of the street within 600 feet has previously been built, then principal buildings hereafter constructed shall have a minimum front setback established by using the average depth of the yards on the lots so constructed, measured from the forwardmost edge of construction. No improvements may encroach upon the front setback.

b. Except as otherwise allowed by this chapter, uses shall not be conducted in front of the building façade abutting a public street. Such front yard space shall be used only for landscaping purposes and shall not be used at any time for the sale, storage, or display of merchandise or for parking.

c. On corner lots, there shall be a side setback for all buildings, structures and accessory buildings whenever there are any lots fronting on either side of the side street. The setback shall be equivalent to the required front setback of the side street or the average setback as determined in footnote a. above. In cases where residential lots are back-to-back, the side setback for principal buildings abutting a side street shall be a minimum of six feet.

a, d. Development in MXD districts shall front on a Major or Minor Arterial street (excluding Pinecrest), or on Marshall, Woodward Heights, or Vester.

b. See Definitions and rules of measurement. (specific section references in table?)

c. Sec. 24-151 Multiple-family dwellings and sec. 24-158 do not apply to Mixed Use districts.

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(Ord. No. 1087, § 5.03, 3-8-10)

Sec. 24-84. - Applicability

(a) All provisions of the Zoning Ordinance not addressed by the provisions of the Mixed Use districts shall be applicable.

Secs. 24-854—24-100. - Reserved.

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Sec. 24-184. - Architectural compatibility and design guidelines.

- (a) *Purpose.* The purpose of this section is to advance the interest of public health, safety and general welfare as related to the exterior of buildings by:
- (1) Stabilizing and reinforcing property values to protect private and public investment, reverse area decline and upgrade building quality.
 - (2) Promoting the renovation of existing buildings and neighborhoods in order to preserve and reinforce their natural, historic, cultural, social and architectural qualities.
 - (3) Encouraging the enhancement and maintenance of the economic vitality and character of the city.
 - (4) Ensuring that new projects are compatible with the character of the surrounding area.
- (b) *Standards.* The community development department shall determine whether the standards of this section are met and shall have discretion to forward the matter to the planning commission for final determination.
- (c) *Existing sites.* Existing buildings and structures undergoing improvement, alteration, or change in use or expansion shall be brought into reasonable compliance with the minimum standards of this section.
- (d) *Non-residential, mixed use and multiple family residential buildings.* The following design standards apply to all non-residential buildings and structures, including upper level residential in non-residential districts:
- (1) *Building Materials and colors.*
 - a. ~~a.~~ The following exterior finish materials shall be permitted: natural clay brick, glazed brick, ceramic tile, stone, finished metal panels, glass, glass block, molded cornices and trim, plank wood, fiber cement materials, cement plaster and similar materials.
 - b. ~~b.~~ The following exterior finish materials shall be prohibited: vinyl siding; E.I.F.S. covering more than ten (10) percent of any elevation; concrete masonry units covering more than ten percent of any wall facing a public right-of-way; T1-11 and other plywood siding materials; and cantilevered mansard roofs.
 - c. ~~c.~~ Building materials shall be durable, weather-resistant, rustproof and kept in good condition by the property owner or tenant at all times.
 - d. ~~d.~~ The color of each façade material shall be harmonious with the color of all other façade materials used on the same building and on adjacent buildings and shall be in character with or improve the character of the surrounding area. For the purposes of this chapter, colors are harmonious if they are complementary in hue, tone and intensity.
 - e. ~~(2) Balconies, railings and porch structures shall be metal, wood, glass, cast concrete or stone.~~
 - f. ~~Mullion storefront systems shall be primed and painted, anodized or powder-coated.~~
 - g. ~~Structural elements that support signage shall be primed and painted, anodized or powder-coated.~~
 - (2) *Details/Articulation.*
 - a. ~~Buildings may provide architectural variety, but shall enhance the overall cohesive community character or the character of the neighborhood.~~
 - b. ~~Buildings shall provide architectural features, including but not limited to details and ornaments such as archways, colonnades, cornices, recesses, projections, wall insets, arcades, window display areas, peaked roof lines or towers.~~

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~~c. Building walls and roofs over 100 feet in length shall be articulated with varying building lines, windows, gables, architectural accents and vegetation that provide adequate visual variation.~~
~~(1) Vertical articulation. Buildings greater than two stories or taller than 30 feet shall be designed to reduce apparent mass by including a clearly identifiable base, body, and top, with horizontal elements separating these components.~~

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~~(2) Horizontal articulation. Buildings shall be designed to reduce apparent mass by dividing facades into a series of smaller components. No individual component shall have a length of more than 60 feet. Components shall be distinguished from one another through a combination of the following:~~

- ~~a. Variations in roof form;~~
- ~~b. Change in parapet height, minimum of three feet;~~
- ~~c. Pronounced recesses and projections, minimum of three feet;~~
- ~~d. Distinct changes in texture and color of wall surfaces;~~
- ~~e. Ground level arcades and second floor galleries/balconies; and~~
- ~~f. Vertical accents or focal points.~~

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~~d. Building setback and roof lines shall generally match the established pattern of buildings on adjacent properties to maintain the existing street patterns and design.~~

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- ~~e. Balconies, railings and porch structures shall be metal, wood, glass, cast concrete or stone.~~
- ~~f. Mullion storefront systems shall be primed and painted, anodized or powder-coated.~~
- ~~g. Structural elements that support signage shall be primed and painted, anodized or powder-coated.~~

(j) Balconies.

- ~~(1) Balconies shall not be located within five feet of any common lot line and shall not encroach into the public right-of-way.~~
- ~~(2) Balconies may be a single level or multiple balconies stacked vertically for multiple stories.~~
- ~~(3) Where balconies are used as a method for achieving the required private open area, the balcony shall be enclosed by balustrades, railings, or other means that block at least half of the view through them.~~
- ~~(4) The balcony support structure shall be integrated with the building facade; separate columns or posts supporting any balcony from the ground are prohibited.~~

~~h. In the CBD district, building facades at street level facing public rights of way shall consist of at least 50 percent window area. Upper level windows shall be vertically proportioned and tinted and reflective glass are prohibited.~~

- ~~(3) *Sustainable Design.* Building design that promotes sustainable development, including Leadership in Energy and Environmental Design (LEED), shall be encouraged.~~
- ~~(4) *Overhead loading doors.* Overhead loading doors shall not face a public street or residential district. The planning commission can waive this requirement upon a determination that there is no reasonable alternative, it is essential to the operation of the business, and the visual impact will be moderated through use of building materials, architectural features or landscaping. This provision is not intended to regulate retail customer access; however, overhead vehicular access doors facing a public street are discouraged.~~

- (5) *Awnings.*
- a. Façades may be supplemented by straight-shed or domed awnings.
 - b. Glass, steel, canvas and other natural fabric awnings shall be permitted, while slatted metal, vinyl, plastic and other synthetic awnings are prohibited.
 - c. The front extended edge of awnings shall be compatible in height to others in the same block, but in no case shall be lower than eight feet six inches above grade.
 - d. Awnings shall be compatible in color to others in the same block.
 - e. Back-lit and internally illuminated awnings shall be prohibited, however directional down lighting is permitted for illumination of grade.
 - f. Awnings shall be constructed so as to discourage harborage of birds and their structural elements shall be primed and painted, anodized or powder-coated.
 - g. Signage on awnings shall be restricted to the name and address of the businesses located on the site. Refer to the sign ordinance for other requirements.
- (6) *Waiver.* The planning commission may waive the requirements of this section if it finds that a proposed building design is in keeping with the intent of this section and the recommendations of the master plan and meets all of the following conditions:
- a. It is determined to not be grossly dissimilar in exterior design and appearance to nearby buildings and it does not adversely affect property values in the surrounding area.
 - b. It does not adversely affect the desirability of immediate and neighboring areas.
 - c. It does not impair the stability of the area or prevent the most appropriate use and development of real estate.
 - d. It does not adversely affect the public health, safety, comfort and welfare of the citizens of the city.
 - e. A structure may be determined to be compatible in design and appearance to other structures in the context in which it is to be located, even if it does not comply with the above criteria, if it has other design features that make it harmonious with other structures or improve the character of the area in which it is located.
- (e) *Residential dwellings.* New construction of single family detached and attached residential dwellings shall be compatible in design and appearance to dwellings in the surrounding neighborhood. The following design standards apply:
- (1) The rhythm established in the neighborhood through the existing architectural elements shall be maintained. Building setback and roof lines shall generally match the established pattern of buildings on adjacent properties to maintain the existing street wall patterns and design. The elements considered for the purposes of this standard shall include, but not be limited to, frequency and spacing of windows and doorways.
 - (2) The façade materials used are not grossly dissimilar to the materials typically found in the surrounding neighborhood, including, but not limited to, roof pitch, materials, architectural style and details and fenestration. Brick may be used as an acceptable building material in neighborhoods where it is not typically found.
 - (3) The roof pitch of the dwelling is comparable to or greater than the roof pitch of dwellings typically found in the surrounding neighborhood.
 - (4) If applicable, the dwelling has steps and/or a porch that is permanently attached to the ground and is compatible with the architecture of the building.
 - (5) The dwelling has a garage located no closer to the front property line than the garages of dwellings typically found in the surrounding neighborhood.

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1. Modifications to the architectural standards of *Part 6* may be approved by the Planning Commission. A modification shall require an application that includes a site plan and a front elevation drawing of the proposed building superimposed on a color drawing or photograph of the entire block showing the relationship of the proposed building to other buildings on the block. The application shall be reviewed by the Planning Commission based upon the following criteria:

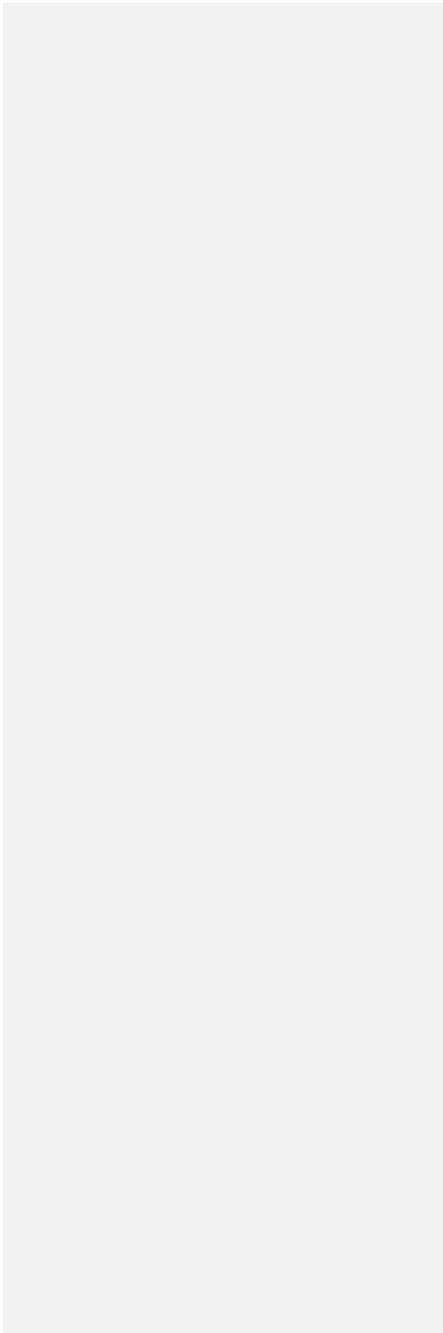
- a. The design of the building shall be in keeping with the architectural character of Downtown East Lansing, as articulated in the Master Plan. This shall not prevent innovation and creativity in design that is in keeping with the Master Plan, as determined by the Planning Commission.
- b. The building shall be oriented toward the front sidewalk, have a functioning entrance and enhance the continuity of the pedestrian-oriented environment. A modification shall not result in increasing the dominance of vehicular parking or garage doors along the front of the building.
- c. The design of the roof shall be compatible with character of other buildings along the block and shall meet district height requirements.
- d. The exterior finish materials shall be of equal or better quality, in terms of durability and appearance/texture similar to brick, stone, or wood, as those permitted in the district. The intent is to accommodate new technologies and building material while maintaining the desired character of Downtown East Lansing, as defined in paragraph *a*, above.
- e. Ground floor windows shall be provided along the front sidewalk to maintain the pedestrian-orientation of the streetscape and upper story windows and shall not be incompatible with the rhythm and proportions of windows on other buildings along the block.

2. Relief from Unlisted Standards. Any request for relief from a required Form District standard other than those listed above shall be made through the variance permit procedures set forth in *Article II*.

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- (6) The exterior colors of the dwelling are compatible with the colors of dwellings typically found in the surrounding neighborhood. Bright or contrasting colors may be used on trim only.
- (7) The planning commission may waive the requirements of this Section if it finds that a proposed building design and the materials are in keeping with the intent of this section and the recommendations of the master plan.

(Ord. No. 1087, § 9.04, 3-8-10)



Additions to Definitions/Rules of Measurement

Moved from CBD and clarified

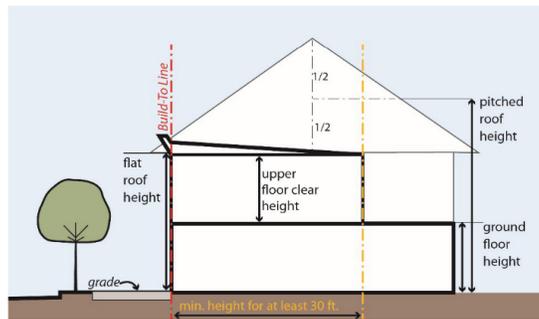
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(a) *Measuring height.*

- (1) The minimum and maximum building heights are measured from the average fronting sidewalk to the halfway point of a pitched roof or to the top of a wall plate for flat roofs.
- (2) The minimum height shall be satisfied from the build-to line back to a depth of at least 30 feet for the specified build-to percentage of frontage.

(b) *Building element heights.*

- (1) Ground floor elevation shall be measured from the average fronting sidewalk grade to the first story finished floor elevation.
- (2) Ground floor height shall be measured from the average fronting sidewalk grade to the second story finished floor elevation.
- (3) Upper floor clear height shall be measured from finished floor elevation to finished ceiling elevation.
- (4) Sill height shall be measured from the average fronting sidewalk grade to the top of the ground floor sill.



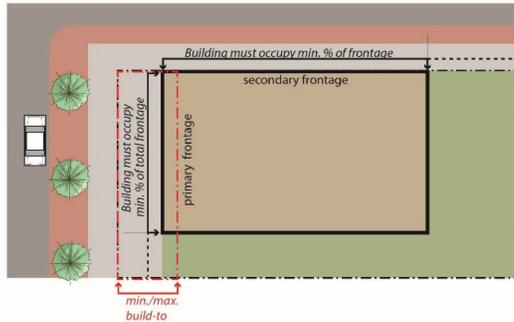
(d) *Frontage designation.*

- (1) Reference Sec. 19.09 for lot line designations.
- (2) Primary frontage is located along the front lot line.
- (3) Corner lots, through lots, or any lot with more than one street frontage, shall have a secondary frontage on every lot line abutting a street other than the front lot line. Alleys shall not be considered street frontage.

(e) *Build-to.*

- (1) *Definition.* Build-to is a line parallel to the public street right-of-way to which buildings must be constructed to.
- (2) *Build-to measurement.* Build-to is measured from and perpendicular to the lot line abutting a street. Where a public access easement abuts the public street right-of-way on a lot, the build-to shall be measured from the easement rather than the lot line.

- (3) *Percentage of frontage.* Required build-to is calculated as a percentage using the length of the primary building wall divided by the total lot width, as measured at the lot line abutting the subject street right-of-way. Buildings shall be built at or within the build-to requirement for at least the minimum percentage (%) required along the primary and/or secondary frontage.



- a. For recessed vehicle garage doors that provide direct entrance to an integrated parking structure, but which are setback farther than the max of the build-to range due to city standards or safety concerns, the width in linear feet may be added to the length of the applicable building wall for purposes of meeting the minimum percentage.
- (4) *Building depth.* The horizontal distance at the ground floor measured perpendicular from the exterior of the street facing building wall at the build-to line to the opposite exterior wall enclosing the permitted street level active uses.
- (5) Architectural features utilized for building wall articulation that are within two feet of the primary building wall may be utilized in the length of applicable building wall meeting the build-to.
- (f) *Dooryard*
- a. The dooryard is defined as the area between the property line and the front facade/build-to. It is intended as a transitional area between the public realm and private property for pedestrian-oriented amenities.
- b. The dooryard shall accommodate entrances, outdoor seating, projections such as awnings, balconies, stoops and porches.
- (h) *Fenestration.*
- (1) *Definition.*
Fenestration is defined as openings in the building wall, including windows, doors and open areas.
- (2) *Measurement.*
- a. When measuring fenestration, framing elements (such as muntins) with a dimension of two inches or less are considered part of the opening.
- b. Ground floor fenestration shall be measured as a percentage of glass per total wall area between two and eight feet above the ground floor elevation.
- (i) *Pedestrian access.*
- (1) *Entrance.*
- a. The entrance shall be a door parallel to a street frontage within 15 feet of the building face; or a door at approximately a 45-degree angle to the intersecting streets of a corner lot.

- b. The distance between entrances shall be measured from the center of the door or set of doors.

(2) *Stoops, Porches, and Porticos*

a. Definitions.

A stoop is a small staircase ending in a platform and leading to the entrance of the building.

An enclosed porch is a covered stoop that has walls enclosing the platform on all sides.

A portico is a defined entry landing or platform that serves a similar architectural purpose as a porch or stoop as defining a clear entryway, but with a ramp or at-grade entrance instead of steps.

- b. Depth shall be measured perpendicular from the building facade to the opposite edge of the platform. Steps shall not be included in the measurement.
- c. In CBD and MXD districts, the platform of the stoop may not encroach past the build-to. Stairs leading to the stoop may encroach past the build-to.
- d. In residential districts where there is a minimum setback of at least 15 feet, stoops may project into the front yard a maximum of 5 feet.

(l) *Private open area.* Private open area is defined as an unenclosed occupiable area within the buildable area, which is accessible only to occupants of the particular development. A private or semi-private usable open area is required on every lot, defined as a percentage of the total buildable area. This requirement may be satisfied in a variety of configurations, at or above grade. A minimum private open area, within, and equal to a percentage of, the total buildable area, is prescribed in the districts. The parameters are as follows:

- (1) Where located at grade, such private open area shall not include any required side or rear setbacks.
- (2) At least 20 percent of the private open area shall be in no more than two contiguous areas.
- (3) Up to 80 percent of the required private open area may be satisfied through individual balconies or decks.
- (4) Any development on a lot that is exclusively reusing existing structures (without external expansion) is exempt from the private open area requirement.

ARTICLE X. ~~ACCESS MANAGEMENT~~ OFF-STREET PARKING AND LOADING

Sec. 24-221. - Intent.

The purpose of this article is to ensure the provision of off-street parking facilities that are sufficient in number, adequately sized and properly designed to meet the range of parking needs and demands that are associated with land uses now in place in the city or with land uses allowed by this chapter.

(Ord. No. 1087, § 10.01, 3-8-10)

Sec. 24-222. - General provisions.

(a) *Applicability.* For all buildings and uses established after the effective date of the ordinance from which this chapter derives, off-street parking shall be provided as required by this article.

- (1) Whenever use of a building or lot is changed to another classification of use, off-street parking facilities shall be provided as required by this article.
- (2) If the intensity of use of any building or lot is increased through the addition of floor area, increase in seating capacity or other means, additional off-street parking shall be provided for such increase in intensity of use.
- (3) Off-street parking facilities in existence on the effective date of the ordinance from which this article derives shall not be reduced below the requirements of this article.
- (4) An area designated as required off-street parking shall not be changed to another use unless equal facilities are provided elsewhere in accordance with the provisions of this article.

(b) *Location.* The required off-street parking shall be located on the same lot or site as the uses that it is intended to serve, except as provided for in subsection (g), Collective/shared parking provisions.

(c) *Residential parking.*

- (1) Residential parking areas shall be located on hard or pervious concrete, asphalt or permeable/grass pavers. Lawn and yard areas, other than designated parking areas, shall not be utilized for off-street parking.
- (2) A minimum one-foot wide lawn or landscape strip shall be required between the edge of the parking area and all lot lines to provide adequate room for drainage, snow storage and privacy screening.
- (3) Single and two-family dwellings.
 - a. Parking areas shall consist of a parking strip, driveway, garage or combination thereof and shall be located on the premises they are intended to serve.
 - b. Parking areas shall not exceed 20 percent of the lot area and the pavement shall not extend into or include any part of that area enclosed by the front lot line, the front line of the principal building and the extended side lines of the principal building.
 - c. One curb cut and approach is permitted per parcel.
 - d. Front yard circular or horseshoe drives are prohibited.
 - e. Residential driveways and garages may not be used for parking or storage of any vehicle with a payload greater than one and one-half tons.

(4) It is strongly encouraged that all new single-family and multiple-family homes with or without garages be constructed to provide a 220-240-volt / 40 amp outlet on a dedicated circuit and in close proximity to designated vehicle parking to accommodate the potential future hardwire installation of a AC Level 2 electric vehicle charging station.

Industry experts have advised that the majority of electric vehicle charging will occur at the owner's home in the evening. Retrofitting a home for electric vehicle charging is considerably more expensive than the cost of including the capacity at the time of construction. To minimize

the unnecessary cost to retrofit a home, the City of Ferndale considers electric vehicle readiness in new home construction necessary.

For housing developments with 3 or more single family units, a 220-240 volt/40 amp outlet on a dedicated circuit and in close proximity to designated vehicle parking to accommodate the potential future hardwire installation of an AC Level 2 electric vehicle charging station shall be required.

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- (4) Recreational vehicles. In all residential districts, a recreational vehicle may be parked or stored subject to the following conditions:
- a. No recreational vehicle parked or stored on single-family residential property shall exceed 30 feet in length or ten feet in width.
 - b. Motor homes may be parked on a single- or two-family lot for a maximum of two weeks in any six-month period. During that period only, a motor or mobile home may be occupied and temporarily connected to electricity.
 - c. Recreational vehicles, other than motor homes, may be parked or stored within the side or rear yard, but no closer than three feet from any side or rear lot line.
 - d. Recreational vehicles must be parked or stored on a hard-surface consisting of asphalt, concrete or other material approved by the building inspector.
 - e. No recreational vehicle shall have fixed connections to electricity, water, gas or sanitary sewer facilities. Temporary connections for recharging batteries and filling water tanks shall be permitted.
 - f. All recreational vehicles must be kept in good repair and carry a current license and registration.
 - g. No recreational vehicle shall be parked on a public street, alley or right-of-way, except as required for loading and unloading purposes for no more than twenty-four (24) hours.
 - h. Outdoor parking or storage of no more than two recreational vehicles, other than motor homes, is permitted on a single or two-family residential lot. Recreational vehicles may not be parked or stored outdoors in the R-3 and R-4 Districts.

(d) *Use limitations.*

- (1) It shall be unlawful for any person, firm or corporation to use private property for vehicle parking without the express consent, authorization or ratification of the owner, holder, occupant, lessee, agent or trustee of the property.
- (2) Off-street parking areas are intended only for temporary vehicle parking for public safety by keeping parked cars off the streets. Except when land is used as storage in compliance with section 24-162, Vehicle storage facilities, or connection with the business of a repair or service garage, use of parking areas or open land is not permitted for the storage or parking of wrecked or junked cars or for creating a junk yard or nuisance in the area.
- (3) Loading spaces and parking spaces are subject to separate requirements and shall be considered separate components on a proposed site plan. In no case shall one component be construed as meeting the requirements of the other required components.
- (4) It shall be unlawful to use a parking lot or open area for the storage of merchandise, materials, trucks, trailers, construction trailers, recreational vehicles and equipment, except as otherwise provided for in this chapter. This provision shall not apply to areas designated for fleet and company vehicles provided they are located in the side and rear yards of the business they serve.

- (5) It shall be unlawful to use a parking lot or open area to park any vehicle for the purpose of displaying vehicles for sale, except in an approved vehicle dealership or as provided in Article VIII, Use Regulations.
- (6) It shall be unlawful to use a parking lot or open area to repair any vehicle.
- (7) Commercial vehicle storage facilities must comply with section 24-157, Self-storage facilities. All other vehicle storage must comply with the following standards:
 - a. In all districts, commercial vehicles or power driven construction equipment shall not be parked or stored outdoors for a period of more than 48 hours except in an off-street loading and unloading area as defined in section 24-225, Off-street loading and unloading requirements or in an approved outdoor vehicle storage facility in compliance with section 24-162, Vehicle storage facilities.
 - b. These requirements shall not apply to contractor's storage yards, which are regulated by section 24-144, Contractor's offices and storage yards, nor to contractor's trailers and equipment situated on a construction site, provided that a temporary permit, renewable every 90 days, shall first be obtained from the community development department.
 - c. Contractor's trailers must be removed within 6) days after the issuance of the certificate of occupancy.
- (8) Storage or parking of any vehicle, machinery, or equipment shall not be permitted on vacant lots or parcels. Except as otherwise permitted by this chapter, junk vehicles, machinery or equipment may not be parked or stored outdoors at any time.

(Ord. No. 1087, § 10.02, 3-8-10)

Sec. 24-223. - Off-street parking requirements.

- (a) The number of required off-street parking spaces shall be determined in accordance with the table on the following pages.
- (b) Required parking shall not include space required for loading and unloading or stacking spaces for drive-through facilities.
- (c) *Units and methods of measurement.* For the purpose of determining off-street parking requirements, the following units of measurement shall apply:
 - (1) *Floor area.* Floor area shall mean 80 percent of the gross floor area.
 - (2) *Fractional requirements.* When units or measurements determining the number of required parking spaces result in a fractional space, one additional parking space shall be provided.
 - (3) *Uses not listed.* For uses not specifically listed in the Parking Requirements Table the required parking shall be in accordance with that of a similar use as determined by the community development department, based on documentation regarding the specific parking needs of the use.
 - (4) *Bench seating.* In calculating bench seating for places of assembly, each 24 inches of bench, pew or similar seating facilities shall be counted as one seat, except that where specifications and plans filed with the community development department specify a certain seating capacity, they may be used as the basis for required parking space.
 - (5) *Employees.* Where the number of spaces required is based on the number of employees, calculations shall be based upon the maximum number of employees likely to be on the premises during the peak shift.
 - (6) *Compliance with codes.* Where parking requirements are based upon maximum seating or occupancy capacity, the capacity shall be as determined by the building and fire codes.

Parking Requirements

Use	Number of Required Parking Spaces
Residential:	
Single- or two-family dwellings	2 per dwelling unit
Multiple-family dwellings	1.5 per dwelling unit, plus 1 per each 10 dwelling units for guest parking
Senior housing	1 per dwelling unit
Upper level residential units in non-residential districts	1 per dwelling unit
Health Care Facilities:	
Assisted living facilities	1 per employee per shift, plus 1 for every 10 dwelling units
Hospitals	1 per 4 beds
Medical, dental and physical therapy offices, clinics and medical and dental laboratories and similar uses	1 per each 250 sq. ft. of floor area
State licensed adult foster care facilities	1 per 4 clients, plus 1 per employee
State licensed day care centers	1 per 350 sq. ft. of floor area, plus 1 per employee per shift
Entertainment and Recreational	
Amusement arcades	1 per each 4 occupants
Billiard and pool halls	1 per each 3 occupants
Bowling alleys	1 per each bowling lane
Health, fitness and exercise clubs	1 per each 200 sq. ft. of floor area
Miniature golf courses	2 per each hole
Private clubs	1 per each 3 occupants
Roller and ice skating rinks and indoor court game facilities	1 per each 4 occupants
Theaters	1 per each 3 occupants
Service, Retail and Office:	
Art, music, dance, craft, ceramic, glass, cooking and similar schools and studios	1 per each 2 occupants
Banks, credit unions, savings and loans and similar uses	1 per each 300 sq. ft. of floor area
Business and professional offices	1 per each 300 sq. ft. of floor area
Cemeteries	2 per employee per shift
Drive-through bank and retail facilities (see also restaurants, with drive-through facilities)	4 stacking spaces per window, plus spaces required for principal use
Dry cleaning facilities	1 per each 500 sq. ft. of floor area
Funeral homes or mortuaries	1 per each 100 sq. ft. of viewing area
Laundromats	1 per each 2 washing machines, plus 1 per each employee per shift

Lodging facilities	1 per each guest bedroom
Open air businesses	1 per each 500 sq. ft. of land area being used for retail sales, uses and services
Personal service establishments (including: barber/beauty shops, hair, nail & skin care services, tanning salons)	1 per 300 sq. ft. of useable floor area or 2.5 per barber or beautician's chair/station, whichever is greater
Radio and television studios	1 per each 500 sq. ft. of floor area
Research and development centers	1 per each 300 sq. ft. of office area, plus 1 per each 1,000 sq. ft. of lab/storage area or 1 per each employee at maximum shift capacity
Restaurants, carryout (with limited seating for eating on premises)	6 per service or counter station, plus 1 per each employee
Restaurants, with drive-through facilities	1 per 2 employees, plus 1 per 2 seats, plus 1 space per 30 sq. ft. of building floor area within the waiting area plus 10 stacking spaces per drive-through window
Restaurants, standard	1 per each 100 sq. ft. of floor area
Restaurants with additional and/or accessory use of the sale of alcoholic beverages for on-premises consumption	1 per each 100 sq. ft. of floor area
Retail stores except as otherwise specified herein	1 per each 250 sq. ft. of floor area
Self-storage facilities	4 adjacent to the business office, plus 1 per each 200 storage cubicles
Service and repair establishments (photographic studios; barber and beauty shops; watch, clothing and shoe repair shops; dressmaking, catering, interior decorating, lock smith, small household appliances, musical instruments, bicycles, furniture, eyeglasses, office or business machines and similar establishments)	1 per each 800 sq. ft. of floor area
Shops of building trades, caterers, blue printers and similar services	1 per each 800 sq. ft. of floor area
Vehicle dealerships	1 per each 500 sq. ft. of showroom floor area, plus 1 per each service stall
Vehicle filling and service stations	1 per each employee, plus spaces required for other uses within the station, such as the retail floor area, carryout restaurants or automotive repair stalls, subtracted by one half space for each automobile fueling position
Vehicle repair, major and minor	1 per each service stall, plus 1 per each employee
Vehicle wash, full-service	4, plus 10 stacking spaces per washing stall, plus a minimum 20 foot long drying lane at the exit of the wash
Vehicle wash, self-service (coin operated)	4, plus 1 stacking space per washing stall

Veterinary offices and hospitals, groomers	1 per each 400 sq. ft. of floor area
Video stores and rental establishments	1 per each 400 sq. ft. of floor area
Wholesale sales	1 per each 1,000 sq. ft. of floor area
Institutional Uses:	
Libraries and museums	1 per each 350 sq. ft. of floor area, excluding area devoted to stacks or archival storage
Educational institutions: senior high, business, technical, trade and vocational schools	1 per employee, plus 1 per 10 students
Educational institutions: elementary or junior high schools	1 per employee, plus 1 per 100 students
Institutions for religious worship and other places of general assembly	1 per each 3 seats in the main place of assembly or 6 ft. of benches/pews
Public buildings (governmental offices, police and fire stations and community centers, but not including service or storage yards)	1 per each 250 sq. ft. of floor area
Industrial Uses:	
Contractor's storage yards	1 per each 300 sq. ft. of office area, plus either 1 per each 1,000 sq. ft. of shop/storage area (exterior or interior), or 1 per employee at maximum shift capacity
Manufacturing, processing and assembly, and reuse facilities	1 per each 300 sq. ft. of office area, plus either 1 per each 1,000 sq. ft. of shop/storage area, or 1 per each employee at maximum shift capacity
Recycling facilities	
Sheet metal fabrication, pattern making shops, tool and die shops and similar uses	
Vehicle storage facilities	1 per each 100 leaseable spaces
Warehouses, distribution centers and freight yards	1 per each 300 sq. ft. of office area, plus 1 per each 2,000 sq. ft. of shop/storage area, or 1 per each employee at maximum shift capacity

(d) *Barrier free parking.*

- (1) Within each parking lot, signed and marked barrier free spaces shall be provided in accordance with the Michigan Department of Labor, Construction Code Commission, Barrier Free Design Division.
- (2) Barrier free spaces shall be located as close as possible to building entrances and walkways.

- (e) *Bicycle parking facilities.* All developments, including commercial, industrial, civic, schools, and residential (excluding single-family detached residential), shall be designed to accommodate bicycle travel, including bike racks. All parking structures and parking lots shall provide sufficient bike racks based on a minimum of one bike for every ten automobiles or one bike for every 3,000 square feet of building floor area, whichever is greater. A minimum of 4 bicycle parking spaces is required. All other specific use requirements are noted in the chart below. All developments are required to contain a

~~portion of The use of enclosed bicycle storage parking and/or shared facilities is encouraged. For the purposes of this section, enclosed bicycle parking is defined as a fully enclosed room or shelter for long-term storage of bicycles.~~

Use Categories	Bicycle Parking Space Minimums	% Enclosed Bicycle Parking/% Fixed Bicycle Racks
Residential, excluding single-family detached residential	1 per bedroom, a minimum of 4	60%/40%
Restaurants	1/500 sq. ft., minimum of 4	0%/100%
Retail stores	1/1000 sq. ft., minimum of 4	0%/100%
Office	1/2000 sq. ft., minimum of 4	20%/80%
Industrial	1/4000 sq. ft., minimum of 4	10%/90%

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- (f) *Collective/shared parking provisions.* Nothing in this article shall be construed to prevent collective provisions for off-street parking for two or more buildings or uses, provided that:
- (1) The total number of spaces provided collectively shall not be less than the sum of spaces required for each separate use as required in this section. However, the planning commission may reduce the total number of spaces by up to 50 percent where it can be determined that one or more of the factors listed in subsection (h) apply.
 - (2) Written easements that provide for continued use and maintenance of the parking shall be filed with the Oakland County Register of Deeds and the city. Such agreement shall include provisions to address any changes in use or intensity.
 - (3) The collective off-street parking shall not be located farther than 500 feet from the buildings or uses being served.
- (g) *Reduction of parking requirements.* The planning commission may reduce the parking requirements based upon a finding that there will be a lower demand for parking due to one or more of the following factors:
- (1) Shared parking by multiple uses with peak parking demands during differing times of the day or days of the week.
 - (2) Convenient municipal off-street parking or on-street spaces are located within 500 feet that have the capacity to handle additional parking.
 - (3) Expectation of walk-in business due to sidewalk connections to adjacent residential neighborhoods or employment centers. The site design incorporates pedestrian connections to the site and on-site pedestrian circulation providing safe and convenient access to the building entrance.
 - (4) Availability of other forms of travel such as transit. The planning commission may require that the site design incorporate transit stops, pedestrian connections to nearby transit stops or enhanced bicycle parking facilities.
 - (5) The applicant has provided a parking study, conducted by a qualified traffic engineer, that demonstrates that another standard would be more appropriate based on actual number of employees, expected level of customer traffic or actual counts at a similar establishment. The planning commission may require a parking study to document that any one of the criteria (1) through (4) above would be met.
- (h) *Maximum allowed parking.*
- (1) In order to minimize excessive areas of pavement which reduce aesthetic standards and contribute to high rates of storm water runoff, exceeding the minimum parking space requirements by more than ten percent shall only be allowed with approval by the planning commission.
 - (2) In granting such additional space, the planning commission shall determine that such parking will be required, based on documented evidence, to accommodate the use on a typical day.

- (3) The planning commission may require that additional spaces be constructed with alternative paving materials, such as permeable/grass pavers or pervious concrete.

(i) *Banked parking.*

- (1) Where a reduction in the number of parking spaces is not warranted but an applicant demonstrates that the parking requirements for a proposed use would be excessive, the planning commission may allow the applicant to defer some of the parking. The site plan shall designate portions of the site for future construction of the required parking spaces, which shall be maintained in a landscaped appearance and not occupy required greenbelts or parking lot setbacks or be used for any other purpose. Landscaping, such as parking lot trees that would otherwise be required for the banked parking, shall be installed in the area of the banked parking.
- (2) The banked parking shall be required to meet chapter requirements if constructed. Construction of the deferred parking area to add parking spaces may be initiated by the owner or required by the community development department, based on parking needs or observation, and shall require administrative approval of an amended site plan. The community development department may request a performance guarantee to cover the cost of developing the deferred parking lot.

(j) *CBD parking exemption.*

- (1) Buildings and uses, except restaurants with additional and/or accessory use of the sale of alcoholic beverages for on-premises consumption, located within the CBD zoning district shall be exempt from providing off-street parking, loading and unloading areas and stacking spaces, except as required for upper level residential units in section 24-159, Upper level residential.
- (2) New buildings must provide parking in compliance with the Table in section 24-223.
- (3) In no case shall a building or use in the CBD be expanded to remove off-street parking, loading and unloading areas and stacking spaces in existence on the effective date of the ordinance from which this chapter derives, unless an equivalent number of spaces is provided within 500 feet.

(k) *Payment in lieu of parking in the CBD.*

- (1) In lieu of physically providing some or all of the off-street parking spaces required in subsection (a) of this section, city council may permit an applicant to pay a one-time fee to the city in lieu of one or more of the required parking spaces upon a finding and determination by council.
- (2) City council shall take into account the current inventory of public parking and future needs of CBD parking, the plan for parking by the applicant necessitated by cash payments in lieu of parking and the amount of cash that will be contributed in lieu of parking, considering the benefit to the public and to private owners from such parking which would subsequently be provided by the city. In implementing such policy, city council shall assure that the future needs for parking in the CBD shall be adequately met by such cash payments in lieu of parking. Council may approve, deny, or approve in part an application to provide payment in lieu of off-street parking. Where existing parking spaces are proposed for elimination, the payment shall be calculated using the existing number of parking spaces proposed for removal regardless of the spaces' actual configuration, dimensions or compliance with the parking regulations of this chapter.
- (3) The one-time fee shall be established and reviewed annually by council. In setting the fee, council shall take into consideration the cost of constructing a new off-street parking space in a municipal facility, including the cost of land acquisition, the cost of engineering, financing and constructing the facility and other appropriate considerations.
- (4) Payments and fees collected and interest earned shall be placed in a fund established by city council to be used for acquisition, development and maintenance of municipally owned or leased off-street parking facilities for the benefit of the CBD.
- (5) The city clerk shall maintain records of the fees and parcels involved together with any additional records required or necessary to administer this program.

(l) Electric vehicle parking

Development for each of the land uses identified in the Required EV Table shall be required to provide electric vehicle infrastructure shown in the table. Electric Vehicle Charging Stations shall be provided when the development is 10,000 square feet or more, or has one of the following occurs:

1. A new building or a new off-street parking facility is developed
2. An addition or improvement of an existing building is made that meets a certain threshold of previous non-conforming uses
3. The parking capacity of an existing building, site, or parking facility is increased by more than 50%.

The first column of the Required EV Table shows the type of land use for which electric vehicle charging stations shall be provided, pursuant to this section. The Second column shows the minimum percentage of the facility's parking spaces that shall provide a connection to electric vehicle charging stations.

Required Number of Electric Vehicle Charging Stations

<u>Land Use Type</u>	<u>Percentage of Parking Spaces</u>
<u>Multi-household Residential</u>	<u>10%</u>
<u>Lodging</u>	<u>3%</u>
<u>Retail, Restaurant, Café</u>	<u>1%</u>
<u>Office, Medical</u>	<u>3%</u>
<u>Industrial</u>	<u>1%</u>
<u>Institutional, Municipal</u>	<u>3%</u>
<u>Recreational, Entertainment, Cultural</u>	<u>1%</u>
<u>Other</u>	<u>3%</u>

Design for Expansion. In order to allow for additional electric vehicle parking in the future as the market for such vehicles grows, all development that meets the criteria of this section shall be designed to allow for double the amount of electric vehicle parking shown in the table above.

Site design must provide electrical, associated ventilation, accessible parking, and wiring connection to transformer to support the additional potential future electric vehicle charging stations.

Permitted Locations

Commented [EQ2]: From Mountlake Terrace, WA code of ordinance

Level-1 and Level-2 Electric Vehicle Charging Stations are permitted in every zoning district. When accessory to the primary permitted use. Such stations located in any of the residential districts, or where residential is permitted shall be designated as private restricted use only, with the exception of the Transit Overlay District.

Level 3 Electric Vehicle Charging Stations are permitted in all districts when accessory to the primary permitted use. Installation may be subject to permit approval administered by the Community and Economic Development Department.

If the primary use of the parcel is the retail electric charging of vehicles, then the use shall be considered a vehicle filling and service station for zoning purposes. Installation shall be subject to Special Land Use approval by the Planning Commission and located in zoning districts which permit vehicle filling and service stations.

Commented [EQ3]: From Auburn Hills Electric Vehicle Infrastructure Amendment to the Zoning Ordinance

Commented [EQ4]: JL – Interested in your feedback on this.

General station requirements

A. Size. A standard size parking space shall be used for an electric vehicle charging station where such a station is required or planned.

B. Installation and Equipment. The station installation and equipment shall be consistent with the rules and regulations under the City's building code and fire code.

C. Location, Design, and Maintenance. Where provided, parking for electric vehicle charging purposes shall meet the standards of subsections (C)(1) through (5) of this section.

1. Signage. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operation shall be included if time limits or tow-away provisions are to be enforced.

2. Clearance. Charging station equipment mounted on pedestals, light posts, bollards or other devices shall be a minimum of 24 inches clear from the face of curb.

3. Charging Station Equipment. Charging station outlets and connector devices shall be no less than 36 inches or no higher than 48 inches from the top of surface where mounted and shall contain a retraction device and/or a place to hang permanent cords and connectors sufficiently above the ground or paved surface.

4. Charging Station Equipment Protection. When the electric vehicle charging station space is perpendicular or at an angle to curb face and charging equipment, adequate equipment protection, such as wheel stops or concrete-filled steel bollards shall be used.

5. Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.

D. Data to Be Available. To allow for maintenance and notification, the owners of any private new electric vehicle infrastructure station that will be publicly available (see definition of "electric vehicle charging station – public") shall provide information on the station's geographic location, date of installation, equipment type and model, and owner contact information.

E. Time limits may be placed on the number of hours that an electric vehicle is allowed to charge prohibiting indefinite charging/parking. If applicable, warnings shall be posted to alert charging station users about hours of use and possible actions affecting electric vehicle charging stations that are not being used according to posted rules.

F. Electric vehicle signage shall be provided pursuant to signage ordinance (INSERT REFERENCE).

G. Location. Placement of a single electric vehicle charging station is preferred at the beginning or end stall on a block face.

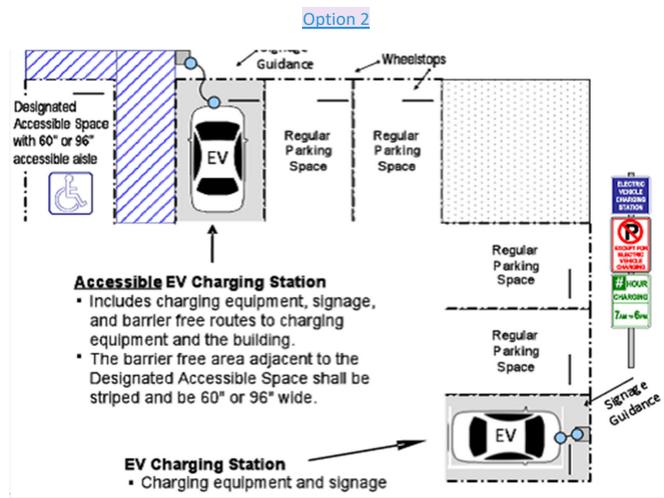
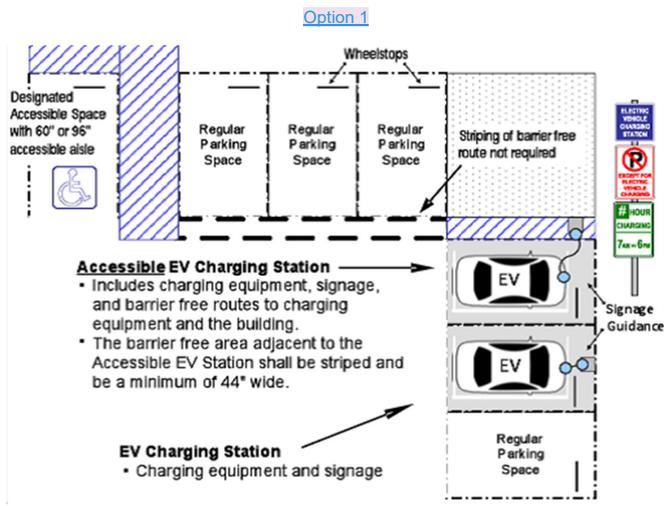
Accessible facilities

A. Where electric vehicle charging stations are provided in parking lots or parking garages, excluding garages in single-household residential units, accessible electric vehicle charging stations shall be provided according to the ratios shown on the table below. The first column indicates the number of electric vehicle stations being provided on site and the second column indicates the number of accessible charging stations that are to be provided for the corresponding number(s) of charging stations.

<u>Number of EV Charging Stations</u>	<u>Minimum Accessible EV Charging Stations</u>
<u>1-25</u>	<u>1</u>
<u>26-50</u>	<u>2</u>
<u>51-100</u>	<u>3</u>
<u>101 and up</u>	<u>4%</u>

Commented [EQ5]: Plug In Ready and Mountlake Terrace, WA

B. Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and shall be connected to a barrier-free accessible route of travel. It is not necessary to designate the accessible electric vehicle charging station exclusively for the use of disabled persons. Below are two options for providing for accessible electric vehicle charging stations.



Charging and parking.

A. Electric vehicle charging stations, where provided for public use, are reserved for parking and charging electric vehicles only, except as otherwise provided by this chapter.

B. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.

Parking restrictions.

A. No person shall stop, stand or park any nonelectric vehicle in a space designated through signage as an electric vehicle charging station. Any nonelectric vehicle is subject to removal by the property owner or the property owner's agent.

B. Any electric vehicle in an electric vehicle parking stall that is signed exclusively for electric vehicle charging and that either (1) is not electrically charging or (2) is parked beyond the days and hours designated on regulatory signs posted at or near the space shall be subject to removal as posted by the property owner or the property owner's agent. For purposes of this subsection, "charging" means an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment.

Commented [EQ6]: From Mountlake Terrace, WA code of ordinance

Usage Fees

The property owner is not restricted from collecting a service fee for the use of an electric vehicle charging station made available to visitors of the property.

Commented [EQ7]: From Auburn Hills Electric Vehicle Infrastructure Amendment to the Zoning Ordinance

Signage.

A. Electric vehicle charging stations, other than in residential use, shall have posted signage, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this subsection, "charging" means that an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment.

B. Signage for parking of electric vehicles shall include:

1. Information on the charging station to identify voltage and amperage levels and any time of use, fees, or safety information.

2. As appropriate, directional signs to effectively guide motorists to the charging station space(s).

C. Optional Signage. Optional information may be posted to alert potential charging station users to other expectations.

Commented [EQ8]: From Mountlake Terrace, WA code of ordinance

~~**Vehicle removal by police—when a sign provides notice that a parking space is a publicly designated electric vehicle charging station, no person shall park or stand any non-electric vehicle in a designated electric vehicle charging station. Further, no person shall park or stand an electric vehicle in a publicly designated electric vehicle charging station space when no electrically charging or parked beyond the days and hours designated on the regulatory signs posted. For purpose of this subsection, charging manes and electric vehicle is parking in an electric vehicle charging station and is connected to the charging equipment.~~

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(Ord. No. 1087, § 10.03, 3-8-10; [Ord. No. 1178, Pt. I, 2-22-16](#))

Sec. 24-224. - Parking design.

Whenever the off-street parking requirements in this section require the building of an off-street parking facility, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following regulations.

(1) *Dimensional requirements.*

- a. All parking lots shall be striped and maintained showing individual parking bays in accordance with the Off-Street Parking Dimensional Requirements Table.

Off-Street Parking Dimensional Requirements				
Parking Pattern	Parking Space		Maneuvering Lane Width	
	Width	Length	One Way	Two Way
0° (Parallel)	9 ft.	24 ft.	12 ft. ¹	20 ft.
30° to 53°	9 ft.	18 ft.	12 ft.	24 ft.
54° to 74°	9 ft.	18 ft.	15 ft.	24 ft.
75° to 90°	9 ft.	18 ft.	24 ft.	24 ft.

¹ May be required to be increased in instances where fire or safety apparatus is required to use maneuvering lanes

Commented [JDL9]: Should provide clarity of one-way requirements

- b. Angled parking between these ranges shall be measured to the nearest degree.
- c. Space length may be reduced by up to two feet if an unobstructed overhang of not less than two feet is provided, such as a landscaped area or sidewalk. A sidewalk shall have a minimum width of seven feet where abutting a parking area.
- d. Up to 20 percent of the parking spaces may be designated as small car spaces which shall be at least eight feet wide and 16 feet long and clearly signed "For Small Cars Only."

(2) *Access.* ([Proposed amendments in a supplemental document](#)).

- a. All spaces shall be provided with adequate access by means of maneuvering lanes.
 - b. Adequate ingress and egress to all off-street parking areas shall be provided by means of limited and clearly defined driveways.
 - c. Ingress and egress driveways shall be located a minimum of 20 feet from any corner at the intersection of the property lines and shall not be more than 25 feet wide.
 - d. Driveways shall be located a minimum of 50 feet apart as measured from the edge of the driveway along the property line.
 - e. A maximum of two driveways per street frontage shall be allowed.
 - f. Parking lots shall be designed to prevent vehicles from backing into the street or requiring use of the street for maneuvering between parking rows.
- (3) **Construction and maintenance.** The construction of any parking lot shall require approval of a site plan in accordance with Article XI, Site Plan Review. Construction shall be completed and approved by the community development department before issuance of a certificate of occupancy.
- a. All parking lots and vehicle and equipment storage areas shall be paved with an asphalt or concrete binder. Alternative paving materials, such as permeable/grass pavers, may be approved based upon the review and recommendation of the city engineer. For storage areas, the city engineer may approve a substitute for hard-surfaced pavement upon a determination that there are no adverse effects.
 - b. Bumper blocks shall not be used in parking lots except where the planning commission determines they are necessary, or in the case of administrative approvals, the community development department.
 - c. Surface water from parking areas shall be detained on site.
 - d. A six-inch concrete curb, or alternative as determined by the planning commission, shall be provided around all sides of the parking lot to protect landscaped areas, sidewalks, buildings or adjacent property from vehicles that might otherwise extend beyond the edge of the parking lot. Curb openings are required to allowed for storm water drainage, as recommended by the city engineer. Plantings shall be set back two (2) feet from curbs to allow for bumper overhang.
 - e. Off-street parking areas shall be landscaped in accordance with the requirements of section 24-191, Landscaping. Any end islands shall also comply with section 14-197, Visibility at intersections and ASHTO standards, as amended.
 - f. Off-street parking areas shall be illuminated in accordance with the requirements of environmental performance standards ordinance.
 - g. Fire lanes shall be designated on the site and posted with signage prior to occupancy. Vehicle circulation shall meet turning radius requirements set by the fire department.
 - h. All parking lots shall be maintained free of trash and debris. Surface, curbing, light fixtures and signage shall be maintained in good condition.
- (4) **Stacking spaces for drive-through facilities.** All businesses which provide drive-through facilities for serving customers in their vehicles shall provide adequate off-street stacking spaces and lanes which meet the following requirements:
- a. Each stacking space shall measure nine feet in width and 20 feet in length. Each drive-through lane shall be a minimum of 12 feet in width.
 - b. Clear identification and delineation between the drive-through lanes and stacking spaces and off-street parking areas shall be provided. Drive-through facilities shall be designed in a manner which promotes pedestrian and vehicular safety. Driveways, maneuvering lanes and pedestrian walkways shall not intersect stacking spaces and lanes.

- c. For all drive-through facilities which have a single stacking lane, an escape lane shall be provided to allow other vehicles to pass those waiting to be served.
- d. Public streets, alleys and sidewalks shall not be used as stacking spaces.
- e. The number of stacking spaces required per service lane shall be determined in accordance with the table in the following page. When a use is not specifically mentioned, the requirements for a similar use shall apply.

Stacking Space Requirements	
Use	Stacking Spaces Per Service Lane
Minor auto repair	3
Pharmacy	3
Banks and credit unions	6
Photo service	4
Dry-cleaning	4
Drive-through restaurants	6
Auto wash	In compliance with the auto wash ordinance, 992, Article IX, Section 7-193, as amended

(Ord. No. 1087, § 10.04, 3-8-10)

Sec. 24-225. - Off-street loading and unloading requirements.

- (a) *When required.* Adequate space for loading and unloading shall be provided on the same lot as any building erected or altered for any use which involves receiving trucks, delivery vehicles, material or merchandise and whenever else it is required by this chapter. The planning commission may permit central loading areas to be shared by multiple uses.
- (b) *Size.* Loading and unloading areas, unless completely and adequately provided for within a building, shall measure no less than ten feet by 50 feet, with 14-foot height clearance, and shall be provided in accordance with the following table. The planning commission may modify this requirement for uses that will involve smaller delivery trucks.

Off-Street Loading Requirements	
Gross Floor Area of Building (sq ft)	Required Loading and Unloading Spaces
Office Uses:	
Less than 10,000	0
10,001—50,000	1
Greater than 50,000	2
Commercial and Industrial Uses:	
Less than 5,000	0

5,001—20,000	1
20,001—50,000	2
50,001—100,000	3
Greater than 100,000	4

- _____
- (c) *Location.* Off-street loading and unloading and stacking spaces, including maneuvering lanes, shall not be located within the front greenbelt or yard. Off-street loading and unloading shall be permitted within the required side or rear setbacks, provided that a minimum of ten-foot setback is maintained between off-street loading and unloading and the abutting side and rear lot lines. In instances where a public alley is the only means for loading and unloading, no setbacks shall be required.
 - (d) *Required greenbelts, setbacks and screening.* Off-street loading and unloading which abuts residentially zoned or used property shall be screened in accordance with section 24-191 Landscaping.
 - (e) *Calculation.* Off-street loading and unloading spaces shall not be counted as off-street parking spaces or stacking spaces nor shall they conflict with the maneuvering lanes required to access off-street parking areas.

(Ord. No. 1087, § 10.05, 3-8-10)

Secs. 24-226—24-240. - Reserved.

Proposed Access Management Revisions

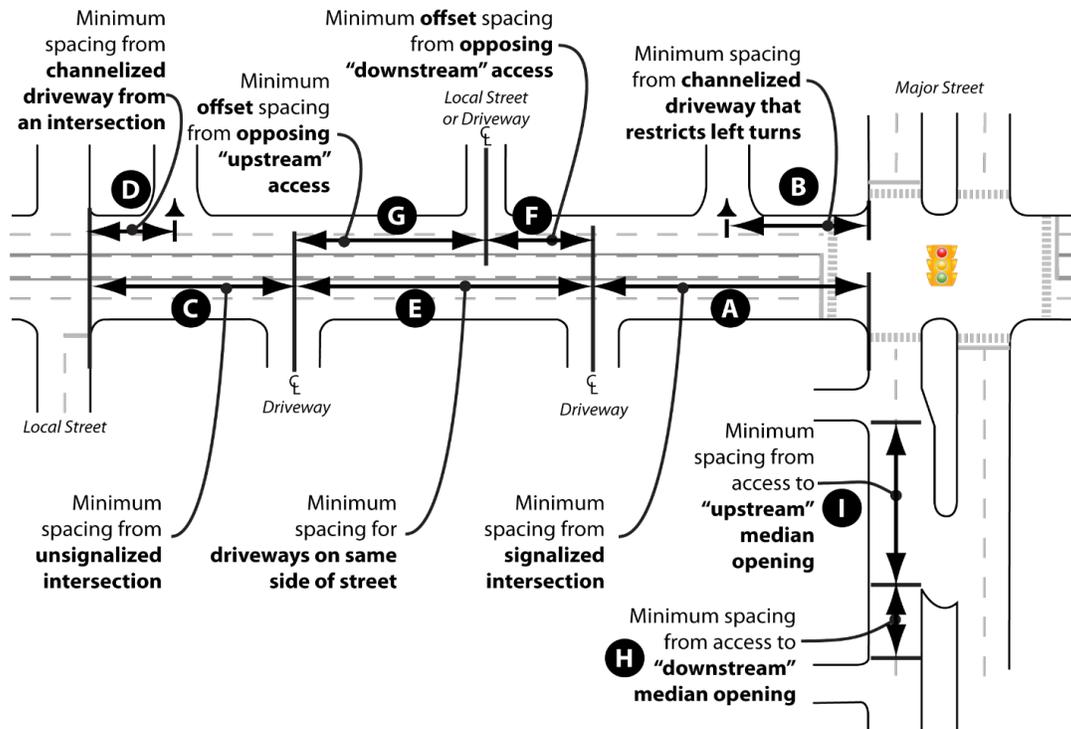
a) Purpose

The purpose of the driveway standards below is to provide landowners with reasonable access but to regulate that access to reduce conflicts between vehicles turning into or from access points with through traffic, pedestrians and bicyclists, thereby reducing the potential for congestion and crashes. The spacing standards are based on research and publications by numerous national and international transportation organizations and the Michigan Department of Transportation. These standards apply to all roads in the City, including those under the jurisdiction of the Road Commission for Oakland County and the Michigan Department of Transportation wherever the City has a more restrictive standard. For those streets, an applicant must also obtain an access permit from the applicable road agency.

b) Driveway location in General

- 1) The requirements of this Section shall apply to all commercial, industrial, mixed-use, and multiple-family driveways, which will include driveways serving all uses except single-family homes.
- 2) Driveways shall be located to minimize interference with the free movement of traffic, provide adequate sight distance, and provide the most favorable driveway grade.
- 3) Driveways, including the radii but not including right turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage, unless approved by the City and upon written certification from the adjacent property owner agreeing to such encroachment.
- 4) When alleys are present, access shall be from alleys and via side streets.
- 5) Required spacing shall be measured as illustrated in Figure A below.
 - a. Spacing from intersections from the near edge of the street pavement to the centerline of the driveway. See "A".
 - b. Off-set spacing from the centerline of a driveway to the centerline of a driveway on the other side of the street. See "G".
 - c. Spacing between driveways along the same side of the street centerline to centerline. See "E".

Figure A. Measurement for Driveway Spacing Requirements



c) Number of driveways

EXISTING: A maximum of two driveways per street frontage shall be allowed.

- 1) The number of driveways serving a property shall be the minimum necessary to provide reasonable access for traffic and emergency vehicles, while preserving traffic operations and safety along the public roadway.
- 2) Access to a parcel shall consist of either a single two-way driveway or a pair of one-way driveways wherein one driveway is designed and appropriately signed to accommodate ingress movements and the other egress movements.
- 3) Access shall be provided for each separately owned parcel. This access may be from an individual driveway, shared driveway or a service drive.
- 4) The Planning Commission may permit additional driveways for property meeting the following requirements:
 - a. One additional driveway for properties with a continuous frontage of over 300 feet, and one driveway for each additional 300 feet of frontage.
 - b. A traffic impact study is provided that demonstrates to the City Engineer that additional access is justified without compromising traffic operations along the public street.
 - c. The Planning Commission may permit two one-way driveways rather than a single two-way driveway when it is found to be the most reasonable access for a given site, when other spacing standards of this Article are met, the design helps reduce potential conflicts with a nearby intersection or driveways, when the site has at least 125 feet of

frontage, and when it is determined the additional pavement will not create additional conflicts with pedestrians along the street.

d) Driveway spacing from intersections

EXISTING: Ingress and egress driveways shall be located a minimum of 20 feet from any corner at the intersection of the property lines

1) Minimum spacing requirements between a proposed non-single-family driveway and an intersection either adjacent or on the opposite side of the street may be set on a case-by-case basis, but in no instance shall be less than the distances listed in this Section and in Tables below.

Table (a)	
Minimum Non-Single-Family Driveway Spacing from Street Intersections	
Location of Driveway	Minimum Spacing
On Woodward	150 feet or as required by MDOT
Along arterial street intersecting with Woodward or other signalized intersection	80 feet
Along local streets near an intersection	20 feet or as far as practical

e) Driveway spacing from other driveways

EXISTING: Driveways shall be located a minimum of 50 feet apart as measured from the edge of the driveway along the property line.

1) Minimum spacing between two non-single-family residential driveways, measured from centerline to centerline, shall be determined based upon posted speed limits along the parcel frontage as indicated below and dependent upon the street’s classification on the City’s Act 51 Street Map.

Table (b)		
Minimum Driveway Spacing Same Side of Road		
Posted Speed Limit (MPH)	Arterial Street	Local Street
25	130 feet	90 feet
30	185 feet	120 feet
35	245 feet	150 feet

2) To reduce left-turn conflicts, new non-single-family driveways shall be aligned with those across the roadway where possible. If alignment is not possible along arterial streets, driveways shall be offset from those on the opposite side of the roadway as follows:

- a. A proposed drive shall be offset a minimum of one-hundred-fifty (150) feet from a “downstream” access where left-turn conflicts along the street will not occur (see “F” in diagram).
- b. A proposed drive shall have the minimum offset listed in the table below from an “upstream” access where left-turn conflicts could occur (see “G” in diagram).

f) Driveway Spacing from Median Openings

1) For roads that have a center median such as Woodward Avenue, to reduce conflicts between traffic entering and exiting a median crossover and driveways, driveways should not be directly aligned

with crossovers unless it would be signalized or where direct ingress from the crossover would result in acceptable traffic operation and safety, as determined by the City Engineer or road agency.

Driveways shall be offset from median crossovers as follows:

- a. A proposed driveway shall be offset a minimum of 150 feet from a “downstream” access where turning movements will not interfere with the median crossover (see “H” in diagram).
- b. A proposed driveway shall be offset a minimum of 525 feet from an “upstream” access to provide adequate weaving distance to or from the driveway to or from the median crossover, or as determined by the City Engineer based on anticipated volumes along the road and volumes in the driveway (see “I” in diagram).

g) Shared driveways

- 1) Where the spacing standards are not met, the Planning Commission may require a shared commercial driveway or construction of a frontage road or rear service drive connecting two (2) or more properties. In particular, shared access may be required near existing traffic signals or near locations having potential for future signalization; along major streets or arterial roadways with high traffic volumes; and where there is a relatively high number of crashes or limited sight distance. Provisions for shared access or cross access shall be required between sites that are in the same or similar zoning district (e.g. between adjacent commercially zoned properties).
- 2) Shared commercial driveways and service roads shall be within an access easement recorded with the Oakland County Register of Deeds prior to construction. A draft of the access easement shall be provided to the City for approval prior to filing.
- 3) Shared driveways, frontage roads, and service drives shall be designed in accordance with the following standards:
 - a. **Location.** Service roads shall generally be parallel or perpendicular to the front property line and may be in front of, adjacent to, or behind, principal buildings. The Planning Commission shall determine the most appropriate alignment, taking into account setbacks of existing buildings, topography, and anticipated traffic flow.
 - b. **Access Easement.** The service road shall be within an access easement permitting traffic circulation between properties. This easement shall be sixty (60) feet wide, except an access easement parallel to a public street right-of-way may be forty (40) feet wide, if approved by the Planning Commission. The required width shall remain free and clear of obstructions, unless otherwise approved by the Planning Commission.
 - c. **Construction and Materials.** Service roads shall have a base, pavement and curb with gutter in accordance with the public street cross section in the City of Ferndale Engineering Standards Manual. The minimum required width of the service road shall be twenty-seven (27) feet, measured back to back of curb.
 - d. **Parking.** The service road is not intended as a parking maneuvering aisle. The Planning Commission may require the posting of “no parking” signs along the service road to be posted by the property owner/developer at the property owner’s/developer’s expense. The Planning Commission may permit temporary parking in the easement area where a continuous service road is not yet available, provided that the layout provides for the removal of the parking to allow extension of the service road.
 - e. **Access to Service Road.** The Planning Commission shall approve the location of all accesses to the service road, based on the driveway spacing standards of this Section. The Commission may allow additional driveways if recommended by the City Engineer.
 - f. **Temporary Access.** The Planning Commission may approve temporary accesses where a continuous service road is not yet available and a performance guarantee is provided to

assure elimination of temporary access when the service road is continued. Building permits shall not be issued until performance guarantee has been deposited with the City.

- g. Elevation.** The site plan shall indicate the proposed elevation of the service road at the property line. The City shall maintain a record of all service road elevations so that their grades can be coordinated.
- h. Maintenance.** Each property owner shall be responsible for maintenance of the easement and service drive across their frontage.

h) Driveway Design

and shall not be more than 25 feet wide

- 1) Driveways shall be designed to the standards of Oakland County, except where stricter standards are included herein or by the city's driveway construction standards.
 - 2) Driveway width and radii, for non-single-family residential developments.
 - a. The typical driveway design shall include one ingress and one egress lane, with a combined minimum throat width of 25 feet and a maximum throat width of 35 feet, measured from face to face of curb.
 - b. Wherever the planning commission determines that traffic volumes or conditions may cause significant delays for traffic exiting left, two exit lanes may be required.
 - c. For one-way paired driveway systems, each driveway shall be 20 feet wide, measured perpendicularly.
 - d. In areas with pedestrian traffic, the exit and enter lanes may be separated by a median with a maximum width of ten feet. Concrete sidewalks shall be continued and/or maintained across driveways.
 - e. Driveways shall be designed with a 25-foot radii; 30-foot radii shall be required where daily truck traffic is expected.
 - 3) Directional driveways, divided driveways and deceleration tapers. Directional driveways, divided driveways, and deceleration tapers and/or by-pass lanes may be required by the planning commission where they will reduce congestion and accident potential for vehicles accessing the proposed use or site. Right-turn tapers shall be a minimum of 75 feet in length and at least 11 feet wide.
- i) **Waiver of Access Standards.** It is recognized that certain existing site conditions may prohibit full compliance with the driveway spacing standards of this Section. The Planning Commission may, after considering the criteria in (j) below, grant a waiver from the standards of this Section in the following situations:
- 1) The request involves a change in use, expansion, alteration or redesign of an existing development where it can be demonstrated that pre-existing conditions prohibit adherence to the minimum commercial driveway spacing standards.
 - 2) The modification will allow an existing driveway to remain that does not meet the standards of this Section but that has, or is expected to have very low traffic volumes (less than 50 in- and out-bound trips per day) and is not expected to significantly impact safe traffic operations.
 - 3) The use is expected to generate a relatively high number of trips and an additional driveway will improve overall traffic operations.
 - 4) Practical difficulties exist on the site that make compliance unreasonable (sight distance limitations, existing development, topography, unique site configuration or shape), or existing off-site driveways make it impractical to fully comply with the standards.

- 5) Because of restricted turning movements or the presence of a median that restricts turning movements, the driveway does not contribute to congestion or an unsafe situation.

j) Waiver Criteria

The Planning Commission may waive certain requirements of this Section upon consideration of the following:

- 1) The proposed modification is consistent with the general intent of the standards of this Section.
- 2) To the degree practical, the access is designed to maximize spacing from any adjacent major intersection, is either aligned with or adequately spaced from access points across the street, and finally, after consideration of the above, is spaced at least 60 feet from other access points.

EXISTING:

(2) Access.

- a. All spaces shall be provided with adequate access by means of maneuvering lanes.
- b. Adequate ingress and egress to all off-street parking areas shall be provided by means of limited and clearly defined driveways.
- c. Ingress and egress driveways shall be located a minimum of 20 feet from any corner at the intersection of the property lines and shall not be more than 25 feet wide.
- d. Driveways shall be located a minimum of 50 feet apart as measured from the edge of the driveway along the property line.
- e. A maximum of two driveways per street frontage shall be allowed.
- f. Parking lots shall be designed to prevent vehicles from backing into the street or requiring use of the street for maneuvering between parking rows.

- From alley; when no alley present or alley less than 20' wide, per *Sec. 24-225*
- Recommendations:
 - Adopt an Access Management ordinance (across all districts)
 - Driveway spacing conditional on street type
 - Reduce to one driveway per frontage (must demonstrate need for 2)
 - Promote shared access/ cross access
 - Ensure proper driveway alignment
 - Promote access from alleys, where present
 - Remove the ability to have parking in the front yard in all zoning districts