

Ordinance No. 2173
City of Madison Heights,
Oakland County, Michigan
Zoning Text Amendment 21-09

An ordinance to amend Ordinance 571, being an ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, by amending Appendix A, to regulate off-street parking, bicycle parking and loading and unloading standards by replacing the following sections in their entirety, except for section 10.200 which is amended.

Sec. 10.200. - Definitions

Sec. 10.505. - Parking requirements and Section

Sec. 10.506. - Off-street parking space layout, standards, construction and maintenance.

Sec. 10.507. - Off-street loading and unloading.

The City of Madison Heights ordains:

Section 1. Sec. 10.200 (Definitions) is hereby amended as follows:

[...]

- (25) *Floor area, usable:* That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways, or utilities and sanitary facilities, shall be excluded from this computation of "Usable Floor Area." Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls. Floor space to be used for servicing vehicles in automobile service establishments and public garages shall be considered as usable floor area.

[...]

- (30) *Housing for the Elderly:* A planned housing development or facility for elderly residents, defined for purposes of this ordinance as individuals who have attained the age of fifty (50) years or couples of which either spouse has attained the age of fifty (50) years, except as may be otherwise provided for in any applicable state or federal laws or regulations.

- (a) *Congregate Elderly Living Units:* Housing for the elderly that consists of dwelling units containing kitchen, sanitary, sleeping and living spaces in addition to common service areas, including, but not limited to, central dining room(s), recreational room(s) and central lounge(s).

- (b) *Convalescent Home*: A structure with sleeping rooms, where persons are housed or lodged and are furnished with meals, nursing and limited medical care.
- (c) *Independent Elderly Living Units*: Housing for the elderly that includes attached or detached cottage-type dwellings, townhouses, or apartments.

[...]

- (54) *Personal Service Establishment*: An establishment primarily engaged in providing services involving the care of a person or his or her goods or apparel, but not including those regulated uses as listed in Section 10.502(A). Personal service establishments may include, but are not limited to, barber shops, beauty shops, copy centers, florist shops, locksmiths, home furnishings, photo finishing services, stationers and shoe repair shops.

[...]

- (57) *Restaurant*: An establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state, and whose method of operation is characteristic of a fast food restaurant, sit-down restaurant, bar/lounge, or combination thereof, as defined below:

- (a) *Restaurant, Fast Food*: A business establishment in which a patron purchases food or beverages, which may have been previously prepared, and which is served in disposable containers or wrappers and in which the patron consumes while seated in the restaurant or off the premises. Fast food restaurants may include drive-through and take-out establishments.
- (b) *Restaurant, Sit-Down*: A business establishment in which a patron purchases food or beverages, which is then prepared after the patrons order, on the premises and which is thereafter served to the patron and is consumed by the patron while seated in the restaurant.
- (c) *Bar/lounge*: An establishment which is operated primarily for the dispensing of alcoholic beverages with the ancillary sale of prepared food or snacks.

[...]

Section 2. Sec. 10.505 (Parking Requirements) is hereby replaced in its entirety as follows:

(A) 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.

(B) General Provisions

There shall be provided in all districts at the time of erection or enlargement of any main building or structure, or at the time of change of use, an off-street vehicle parking area with adequate access to all spaces. The number of off-street parking spaces, in conjunction with all land or building uses, shall be provided prior to the issuance of a certificate of occupancy, as hereinafter prescribed.

1. **Use.** Except as specifically permitted in the P-1 and P-2 district, off-street parking or off-street parking lots shall not be permitted as the sole or principal permitted use in any zoning district.
2. **Use of parking spaces.** The use of required parking spaces for material storage, refuse storage and containers, storage and display of vehicles and/or other merchandise, or for vehicle or machinery repair or maintenance is expressly prohibited.
3. **Remote (off-site) parking facilities for non-residential uses.** Required off-street parking facilities, for other than residential use, shall be located on the same lot as the principal building, or on a lot within 300 feet thereof, measured from the nearest point of the property lines to the nearest point of the off-site parking lot.

Where parking is proposed to be located off-site, a remote parking agreement shall be submitted to the Community and Economic Development Department and shall be subject to approval by the City Planner and City Attorney. Pedestrian access between the remote parking facility and the served use(s) shall be provided in a safe and convenient manner. If remote parking becomes unavailable and minimum parking is not able to be accommodated, the served use(s) shall be discontinued.

The shared parking agreement shall, at minimum, contain the following, and shall be recorded for the properties where the parking and served use(s) are located:

- a. A term of at least five (5) years to protect the City's interest in providing long-term, stable parking for the served use.
 - b. Maintenance requirements.
 - c. Termination, violation and enforcement provisions.
4. **Off-street parking facilities for residential uses.** Residential off-street parking spaces shall occur on a driveway or in a garage, private parking area, or any combination thereof. A driveway must be at least nine feet wide. Both the driveway and the garage shall be located on the premises they are intended to serve and be

subject to the provisions of section 10.504 of this Ordinance. All driveways or approaches within the public right-of-way shall be paved with concrete and all other driveways shall be paved with asphalt or concrete and drained in accordance with the requirements of, and upon approval of, the city engineer. Outdoor devices which facilitate the vertical stacking of vehicles shall be prohibited.

5. **Modifications to existing parking.** Changes to a previously approved parking area or changes in tenants or land uses may be reviewed and approved administratively by the City Planner provided the resulting parking changes meet ordinance requirements, unless otherwise noted in section 10.505.E. Such changes shall satisfy all the requirements of the zoning ordinance and shall not otherwise warrant additional public hearings or other significant changes in the approved site plan. Any area once designated as required off-street parking shall not be changed to any other use unless equal parking facilities are provided elsewhere.

(C) Other Vehicle Parking Requirements

1. Parking of motor vehicles in residential districts.

- a. Such parking shall be limited to passenger vehicles and commercial vehicles of the light delivery type, such as a van or pick-up truck, not to exceed a three-quarter ton manufacturers rating.
- b. Not more than one commercial vehicle shall be permitted per dwelling unit. Parking of commercial vehicle, trailer or truck over three-fourths-ton on private property within the R-1, R-2 and R-3 residential zoning districts, may be permitted as a special land use subject to the use-specific standards contained in section 10.307. - Principal uses permitted.
- c. The parking of any other type of commercial vehicle, limousine, taxi or bus, except for school or church owned vehicles parked on the school or church's property, is prohibited in a residential zone. Parking spaces for all types of uses may be provided either in garages or parking areas conforming with the provisions of this Ordinance.

2. Commercial Vehicles in General.

- a. Unless otherwise permitted in this ordinance, the storage or parking of motor vehicles (licensed or unlicensed), including, but not limited to, automobiles, trucks, recreational vehicles and limousines for periods of longer than 24 hours is prohibited.
- b. Parking or storage of any motor vehicle, including, but not limited to, automobiles, trucks, recreational vehicles and limousines, that is not on pavement having an asphaltic or Portland cement binder as approved by the city engineer is strictly prohibited. This paragraph shall apply to all districts other than residential and shall apply to all parking areas at all times. Residential districts are governed by other provisions in this Ordinance.
- c. Trucks over three-quarters ton manufacturers rating, trailers and semi-trailers, licensed or unlicensed, may not be parked for periods of longer than four hours. Such parking, when associated with the primary use in the building, may be

permitted in industrial districts in areas designated for such purpose on an approved site plan or as permitted elsewhere in this Ordinance.

- d. Detached semi-trailers may not be stored or parked at any time except at an approved loading dock or storage area designated on an approved site plan in industrial districts.
 - e. The Site Plan Review Committee or any approving body may modify the minimum standards of this section related to outside storage if it finds that the proposed use will be compatible with, and will not have a material negative impact upon, existing and planned uses located on adjacent and surrounding properties, taking into consideration the size and configuration of the site and any other relevant aspects of the site.
3. **Fleet and Company Vehicles.** For the purpose this section, Fleet and Company Vehicles shall include vehicles of a similar nature which are also of a type commonly used by electrical, plumbing, heating and cooling, and other construction-oriented contractors and may also include taxicabs and other rental passenger vehicles.
- a. Such vehicles which are over eight (8) feet in width and/or nineteen (19) feet in length shall not be located in the front yard or in any required off-street parking, loading/unloading spaces or stacking spaces. Such vehicles shall be parked or stored in areas designated for such purpose on an approved site plan to the rear or interior side of the principal building when not in use or during non-business hours.
 - b. In case of a corner lot or lots with no available space to park in rear or interior side yard, the approving body may permit parking in alternate locations. The approving body shall have the right to impose other restrictions such as, but not limited to landscape buffer or screen wall as it may deem advisable for the welfare of the surrounding area.
 - c. Parking or storage areas for such vehicles shall be hard surfaced, paved with asphalt or concrete. Such areas shall comply with all applicable standards for regular parking areas, unless otherwise approved by the approving body.
 - d. Such parking shall be screened from adjoining properties by an enclosure consisting of a wall not less than the height of the equipment, vehicles and all materials to be stored. A fence or alternative screening options such as landscape buffer that comply with related standards in section 10.510 Landscape and screening, may be permitted if the subject property is surrounded by similar non-residential uses.
4. **Delivery Vehicles.** For the purpose this section, delivery vehicles shall include commonly used vehicles for the delivery of ice cream, milk, bread, fruit or similar vending supply or delivery trucks. Parking of such vehicles is permitted subject to the following conditions listed below
- a. Delivery vehicles for uses such as retail and restaurants may be permitted in the front yard during business hours in parking areas that are not directly adjacent to the public right-of-way.

(D) Minimum off-street parking requirements.

1. General Standards.

- a. **For those uses not specifically mentioned.** The requirements for off-street parking facilities for such uses shall be in accordance with a use which the approving body considers is similar in type. If no use is deemed to be similar, the applicant shall propose a minimum count based on a parking study or another acceptable alternative, subject to the approval of the approving body.
- b. **Units and methods of measurement.** For the purpose of determining off-street parking requirements, the following units of measurement shall apply:
 - i. **Floor area.** Where floor area is the unit for determining the required number of off-street parking spaces, said unit shall mean the usable floor area ('UFA'; see section 10.200 for definition), unless otherwise noted herein. For purposes of minimum parking calculations, when a floor plan is not available, usable floor area shall be considered 75% of total gross floor area.
 - ii. **Occupancy.** For requirements stated in terms of occupancy, the calculation shall be based upon the maximum permitted occupancy determined by the City Fire Marshal.
 - iii. **Places of assembly.** In stadiums, sports arenas, places of worship, theaters, auditoriums, and other places of assembly in which those in attendance occupy benches, pews, or other similar seating facilities, each 24 inches of such shall be counted as one seat. In cases where a place of assembly has both fixed seats and open assembly area, requirements shall be computed separately for each type and added together.
 - iv. **Number of Employees.** For requirements stated in terms of number of employees, the calculation shall be based on the number of employees in the largest working shift.
- b. **Accessible Parking.** Parking spaces for those with physical disabilities shall be provided as part of the minimum number of parking spaces required by this Ordinance, and shall be designed, constructed and marked in accordance with Title III of the Americans with Disabilities Act, Public Law 101-336 (ADA) and Section of Act 230 of the Public Acts of 1972, as amended (Michigan Barrier Free Design Standards).
- c. **Temporary Construction Parking.** Such parking shall be exclusive of any rights-of-way shall be provided for all construction workers during periods of construction.

2. **Off-street Parking Minimum Requirements.** The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule. Requirements for accessory uses associated with the primary use shall also be met as established for such uses in the table below.

Type of Use	Minimum spaces required
a. Housing	
Convalescent Homes	1 per each 4 beds + 1 per employee
Independent Senior Living	1 per each unit + 1 per each employee; for detached units, requirements for one-family residential shall apply
Congregate Senior Facility	3 per each 4 units + 1 per each employee
Mobile home park	1 per unit + 1 per 10 units for guest parking
Residential, one-family and two-family	2 per dwelling
Residential, multiple family	1 per each one bedroom unit; 1.5 spaces for each two or more-bedroom units
b. Assembly	
Places of Assembly (Stadiums, banquet halls, etc.)	1 per each 4 seats (Sec. 10.505.D.1.e. for unit measurement) or in case of no seating, 1 per each 4 persons allowed within the maximum occupancy load as established by the fire marshal.
Places of Worship	1 per each 4 seats (Sec. 10.505.D.1.e. for unit measurement) or in case of no seating, 1 per each 4 persons allowed within the maximum occupancy load as established by the fire marshal.
c. Office	
General Office	1 per each 300 sq. ft. UFA
Medical Office	1 per each 200 sq. ft. UFA
d. Institutional	
High schools	1 per employee + 1 per each ten students, in addition to the requirements of any auditorium.
Higher education; trade or technical; all other adult education	1 per employee + 1 per each ten students, in addition to the requirements of any auditorium.
Hospitals	1 per each bed, plus as required for accessory uses
Pre-school and Daycare	1 per 350 sf of UFA + 1 per employee
Elementary and junior high schools	1 per employee + 1 per each ten students, in addition to the requirements of any auditorium.
e. Commercial	
Financial Institutions (Banks/credit unions)	1 per each 200 sq. ft. UFA
Personal Service Use	1 per each chair/booth or 1 per 250 sq. ft. UFA,

Type of Use	Minimum spaces required
	whichever is greater.
Hotel, motel or other commercial lodging establishment	1 per each sleeping unit + 1 per employee.
Major Retail with display (similar to furniture and appliance sales)	1 per 250 sq. ft. UFA + 1 per 700 sq. ft. UFA for areas used for storage and processing.
Retail Shopping Center	1 per each 250 sq. ft. UFA + 1 per 700 sq. ft. of storage area
Self-storage	<i>Indoor unit access:</i> 5 per office +1 per every 50 units spread throughout (indoor access). <i>Outdoor unit access:</i> 5 per office + adequate space in front of exterior unit as long as access is not blocked
Pet Boarding Facilities	1 per 700 sq. ft. UFA
f. Restaurants	
Fast-food restaurants	1 per 2 seats + 1 per 2 employees
Sit-down Restaurants/Bars and Lounges	1 per 70 sq. ft. UFA (excluding kitchen areas) + 1 per each employee.
Fast-food carry out only	1 per 2 persons allowed per maximum occupancy
g. Recreational	
Private fitness facilities	1 per 250 sq. ft. UFA
Bowling Alleys	5 for each bowling lane
Indoor/Outdoor Recreational Facilities	To be determined by the site plan review committee based on parking demand data provided by the applicant.
h. Auto related	
Gasoline service stations which may include minor repair or retail	1 space at each pump + 2 spaces per service bay; 1 additional space at each service bay if towing service is offered; Retail is subject to retail standards listed in this section
Motor vehicle sales and service establishments	1 per 300 sq. ft. UFA plus 2 per each service bay
Auto Wash Facilities	Two plus 1 per each employee
i. Industrial	
Industrial Uses	1 per 300 sq. ft. UFA for office uses + 1 per 1,000 sq. ft. warehouse, storage, data. For speculative uses 1 per 550 sq. ft. GFA.
Medical Marihuana Caregiver	1 per 550 sq. ft. of UFA. A minimum of four spaces shall be provided.

(E) Reduction from minimum off-street parking standards.

It is the intent of this subsection to recognize that, based on site-specific conditions, certain uses may function with less off-street parking than required in the table above. As such, reductions in the requirement for minimum parking spaces may be permitted as follows:

1. Parking Reduction Waivers

- a. **Administrative Waiver.** The Site Plan Review Committee may grant up to a 15% reduction in the minimum required number of parking spaces where the applicant can demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), below.
- b. **DDA Waiver:** The Site Plan Review Committee may grant up to a 25% parking reduction for properties located within the boundaries of the Southend Downtown Development Authority (DDA) where the applicant can demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), below.
- c. **Planning Commission Waiver.** As part of the site plan review process outlined in Section 10.514, the Planning Commission may grant up to a 30% reduction in the minimum required number of parking spaces where the applicant can demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), below.
- d. **Adaptive Reuse Waiver**
 - i. **Eligibility.** To qualify for a parking reduction, adaptive reuse projects shall satisfy the following criteria:
 - (a) The existing building(s) shall be at least twenty-five (25) years old and constructed in accordance with building and zoning codes in effect at the time of construction; and
 - (b) A minimum of 50% of the total building area shall be converted to a land use category other than the land use category for which the building was originally designed.
 - ii. **Parking Reduction:**
 - (a) Where the applicant can demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), below, the Site Plan Review Committee/approving body may reduce the minimum number of parking spaces by up to 25% for eligible adaptive reuse projects. Where a mix of uses is proposed, the 25% reduction shall be applied to the minimum parking requirement for each individual land use type.

- (b) Shared parking arrangements are encouraged for adaptive reuse projects pursuant to 10.505(E)(3), below. Shared parking studies for eligible adaptive reuse projects may apply the 25% reduction offered under this sub-section to determine minimum parking requirements for each land use type.
 - (c) Expansions/additions to the floor area of a building(s) associated with an eligible adaptive reuse project shall comply with minimum parking requirements and shall not be included within the 25% parking reduction.
- 2. **Standards for Parking Reductions.** As permitted by Section 10.505(E), the approving body may reduce minimum parking requirements where the applicant can demonstrate that all of the following standards can be satisfied:
 - a. The applicant has demonstrated through substantial evidence that the specified occupant or building use would require less parking than what would typically be required by this Section; and
 - b. Parking will not occur on any street or driveway; and
 - c. Parking will not occur on any area not approved and developed for parking; and
 - d. The requested parking reduction shall not create traffic or circulation problems on or off site; and
 - e. The approved waivers shall apply only to the proposed site use and shall not be carried over to another use or occupant of the site. Any substantial changes to the use mix or parking demand from the original approval shall require approval from the approving body prior to the issuance of a certificate of occupancy.
- 3. **Shared Parking.** Where multiple land uses occupy a single property, or properties in close proximity, the City of Madison Heights encourages the use of shared parking arrangements. Approval of shared parking shall be subject to the following conditions.
 - a. **Parking Computation.** The number of shared spaces for two (2) or more distinguishable land uses shall be determined by the following procedure:
 - i. Multiply the minimum parking required for each individual use, as set forth in Section 10.505(D)(2), by the appropriate percentage indicated in the Shared Parking Calculations table (below) for each of the six (6) designated time periods.
 - ii. Add the resulting sums for each of the six (6) columns.

- iii. The minimum parking requirement shall be the highest sum among the six (6) columns resulting from the above calculations.

Shared Parking Calculations						
General Land Use classification	Weekdays			Weekends		
	2:00 a.m.— 7:00 a.m.	7:00 a.m.— 6:00 p.m.	6:00 p.m.— 2:00 a.m.	2:00 a.m.— 7:00 a.m.	7:00 a.m.— 6:00 p.m.	6:00 p.m.— 2:00 a.m.
Office	5%	100%	5%	0%	10%	0%
Retail sales and services	0%	90%	80%	0%	100%	60%
Restaurant	10%	70%	100%	20%	70%	100%
Residential	100%	60%	100%	100%	75%	90%
Theater	0%	40%	90%	0%	80%	100%
Hotel						
Guest rooms	100%	55%	100%	100%	55%	100%
Restaurant/lounge	40%	60%	100%	50%	45%	100%
Conference rooms	0%	100%	100%	0%	100%	100%
Religious institution	0%	25%	50%	0%	100%	50%
Reception or meeting hall	0%	70%	90%	0%	70%	100%
Museum	0%	100%	80%	0%	100%	80%
School, grades K—12	0%	100%	25%	0%	30%	10%

- b. **Other uses.** If one (1) or all of the land uses proposing to make use of shared parking facilities do not conform to the general land use classifications in the Shared Parking Calculations table, as determined by the approving body, then the applicant shall submit sufficient data to indicate the principal operating hours of the uses. Based upon this information, the approving body shall determine the appropriate shared parking requirement, if any, for such uses.
- c. **Shared Parking Waivers.** The applicant may request an additional reduction of minimum shared parking requirements by employing one or more of the parking reduction waivers outlined in Section 10.505(E)(1), above. The applicant shall demonstrate that the project can satisfy the standards listed in subsection 10.505(E)(2), above.
- d. **Remote Shared Parking.** The approving body may consider off-site (remote) parking for shared parking arrangements, subject to the standards of Section 10.505(B)(3), above.

(F) Bicycle parking facilities general requirements.

At the time of erection or enlargement of any principal building or structure, or at the time of change of use, a bicycle parking facility shall be required and be provided as part of site plan review in accordance with the following requirements:

1. **Minimum count.** A minimum of two bicycle parking spaces shall be provided. Auto wash uses and single-family and two-family uses are exempt from this requirement. Any use that requires bicycle parking and has more than forty (40) off-street vehicle parking spaces shall provide one additional bicycle parking space for each twenty vehicle parking spaces.
2. **Location.** Bicycle parking facilities shall be no greater than one hundred fifty (150) feet from the entrance being served.
3. Minimum required bicycle parking spaces shall not be replaced by any other use unless and until equal facilities are provided elsewhere.
4. **Layout and Design standards.** All bicycle parking spaces shall be paved and shall feature a bicycle rack of the inverted "U" design that is permanently affixed to the ground. Alternative installations and designs may be considered if the proposed rack design functions similar to the inverted "U" design and is easily visible and accessible.
5. **Access.** All bicycle parking facilities shall be accessible from adjacent street(s) and pathway(s) via a paved route that has a minimum width of five (5) feet.
6. **Waiver.** Upon the written request of an applicant, the approving body may waive or modify the bicycle parking facility layout, location, and design requirements in this subsection upon a satisfactory showing by the applicant of a practical difficulty with complying with the requirement due to site constraints or other factors, and that the applicant's proposed plan will adequately serve the needs of the site and the bicycling public.

Section 3. Sec. 10.506 (Off-Street Parking Space Layout, Standards, Construction and Maintenance) is hereby replaced in its entirety as follows:

Wherever the off-street parking requirements in section 10.505 above require the building of an off-street parking facility, or where P-1 or P-2 Vehicular Parking Districts are provided, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations.

- (A) No parking lot shall be constructed unless, and until, all required permits are issued by the building official after site plan review and approval.
- (B) Adequate ingress and egress to the parking lot shall be provided. All traffic directional signs and controls required by the approved site plan shall be established and maintained by the owner or lessee of the parking lot.
- (C) All drives and parking spaces shall be surfaced in a manner equivalent to that which is provided for the parking areas under section 10.340. Permeable asphaltic or concrete pavement or pavers may be permitted after review and approval of the design by the city engineer for conformance with city standards.

- (D) All spaces shall be provided adequate access by means of on-site maneuvering lanes.
- (E) Each off-street parking space shall be in accordance with the following table and shall be of usable shape and condition. Access drives shall be a minimum of 12 feet in width and where a turning radius is necessary it will be of an arc of sufficient size to reasonably allow an unobstructed flow of vehicles.

Parking Pattern	Minimum Maneuvering Lane Width (b,c)	Minimum Parking Space Width	Minimum Parking Space Length (c,d)	Minimum Total Width of One Tier of Spaces Plus Maneuvering Lane	Minimum Total Width of Two Tiers of Spaces Plus Maneuvering Lane
90°	22 ft.	9 ft.	20 ft.	42 ft.	62 ft.
60°	18 ft.	9 ft.	20 ft.	37 ft.	56 ft.
45°	15 ft.	9 ft.	20 ft.	30 ft.	53 ft.
Parallel	12 ft.	9 ft.	20 ft.	31 ft.	
45° Herringbone	12 ft.	9 ft.	20 ft.		50 ft.
<p>a. All above dimensions are measured from back of curb to back of curb.</p> <p>b. The minimum maneuvering lane width shall be increased to a minimum of 24 feet, if the lane is determined to be a fire lane by the City Fire Marshal.</p> <p>c. The City Engineer may require the maneuvering lane widths to be increased to 24 feet, when it is warranted to allow safe turning movements for larger vehicles. When the maneuvering lane width is proposed at a minimum of 24 feet, the parking space length can be reduced by 2 feet.</p> <p>d. Two feet of the minimum parking space length may overhang a landscaped area or a sidewalk, where the walk is a minimum seven feet wide.</p>					

- (F) All maneuvering lane traffic shall permit only one-way movement, with the exception of the 90° and parallel patterns where two-way movement may be permitted.
- (G) **Screening Wall.** On all sides where the adjacent zoning district is designated as a residential district, off-street parking areas shall be provided with a continuous and completely obscuring wall in accordance with the specifications of section 10.513.
- (H) **Sidewalk.** All principal uses shall be connected to the adjacent public sidewalk system with 5' wide concrete sidewalk(s) meeting the city's public sidewalk standards. Existing uses shall incorporate this requirement into any development or expansion that requires site plan review. The internal sidewalk design shall be designed to permit safe ingress and egress of pedestrians and encourage walkability and non-motorized access.
- (I) **Drainage.** Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or toward buildings.

- (J) **End Islands.** In order to delineate on-site circulation, improve sight distance at the intersection of parking aisles, ring roads, and private roads, protect the vehicle at the end of a parking bay, and define the geometry of internal intersections, end islands (landscaped with raised curb) shall be required at the end of all parking bays that abut traffic circulation aisles in off-street parking lots. End islands with raised curbs and landscaping shall not be required in parking structures; however, painted islands must be provided. For surface lots where internal traffic circulation is forecast to be low or where the raised islands would not be appropriate, the Site Plan Review Committee or the approving body may waive the requirement for raised end islands and may allow for painted islands only. The end islands, whether raised or painted, shall generally be at least ten (10) feet wide, have an outside radius of fifteen (15) feet, and be constructed three (3) feet shorter than the adjacent parking stall.
- (K) **Landscaping.** Right-of-way screening and parking lot landscaping shall be provided in accordance with Section 10.510.

Section 4. Sec. 10.507 (Off-Street Loading and Unloading) is hereby replaced in its entirety as follows:

On the same premises with every building, structure or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading in order to avoid undue interference with public use of dedicated streets or alleys. Such loading space(s) shall be subject to the following standards:

- (A) Loading dock approaches shall be provided with a pavement having an asphaltic or Portland cement binder so as to provide a permanent, durable and dustless surface.
- (B) Loading and unloading of freight shall be on those sides of the building which do not face on any street or proposed street.
- (C) Loading areas shall be designed so that maneuvering of vehicles will take place off the public right-of-way.
- (D) **Minimum requirements.** Such loading and unloading space(s), unless completely and adequately provided for within a building, shall be an area 12 feet by 50 feet, with clearance of 14 feet high, and shall be provided according to the following schedule:

Gross Floor Area of Building (square feet)	Required Loading and Unloading Spaces
First 2,000	None
2,000-20,000	1
20,000-100,000	1 + 1 for each 20,000 square feet in excess of 20,000 square feet
100,000-500,000	5 + 1 for each 40,000 square feet in excess of 100,000 square feet
Over 500,000	10 + 1 for each 80,000 square feet in excess of 500,000 square feet

- a. **Double count.** Off-street loading space areas shall not be counted as off-street parking spaces, nor shall they conflict with the maneuvering lanes required to access off-street parking.
- b. **Waiver.** In cases where the applicant has sufficiently demonstrated that the minimum loading and unloading requirements of this section are excessive for their use, the approving body may grant a waiver from the minimum standards listed in this subsection. The approved waiver shall apply only to the current site use and shall not be carried over to another use or occupant of the site.

Section 5. Repealer

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 6. Severability

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 7. Savings

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 8. Effective Date

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

Section 9. Enactment

A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 a.m. and 11:30 a.m. and 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2022.

Cheryl Rottmann, City Clerk

ZOTXT 21-09 (Ordinance 2173)

Planning Commission Introduction and Discussion: September 21st, 2021

Planning Commission Discussion: October 19, 2021

Planning Commission Public Hearing: November 16th, 2021

City Council First Reading: December 13th, 2021

City Council Second Reading: January 10th, 2022

Adopted: TBD

Published: TBD

Effective: TBD