

**ORDINANCE C-3-2010**

**CITY OF FARMINGTON HILLS**

**OAKLAND COUNTY, MICHIGAN**

**AN ORDINANCE TO AMEND ARTICLE XXII, "GENERAL PROVISIONS," SECTION 34-540, "OFF-STREET PARKING REQUIREMENTS," OF THE FARMINGTON HILLS CITY CODE, IN ORDER TO AUTHORIZE CERTAIN CHANGES OF USE TO BE REVIEWED ADMINISTRATIVELY FOR COMPLIANCE WITH PARKING STANDARDS; TO REVISE STANDARDS FOR SHARED PARKING; TO CHANGE OR CLARIFY REQUIREMENTS FOR LANDBANKING PARKING SPACES; TO REVISE THE MINIMUM NUMBER OF OFF-STREET PARKING SPACES FOR CERTAIN TYPES OF USES; AND TO ADD A PROVISION DEALING WITH DRIVE-THROUGH LANES.**

**THE CITY OF FARMINGTON HILLS ORDAINS:**

**Section 1. Ordinance Amendment.**

Chapter 34, "Zoning", Article XXII, "General Provisions", Section 34-540, "Off-Street Parking Requirements," of the Farmington Hills City Code, is hereby amended to read as follows:

**Sec. 34-540. Off-street parking requirements.**

There shall be provided in all districts, at the time of erection or enlargement of any main building or structure, automobile off-street parking space 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) – (3) [Unchanged]

- (4) In the case of a change of use within a previously approved site plan or a modification to a previously approved parking area, planning department staff may review and administratively approve the following:
- a. Changes to a previously-approved parking area may be reviewed and approved administratively provided the resulting changes meet ordinance requirements. Any area once designated as required off-street parking shall never be changed to any other use unless equal parking facilities are provided elsewhere.
  - b. Changes in tenants or land uses within may be reviewed and approved administratively by planning department staff if the resulting parking changes satisfy all the requirements of the Zoning Ordinance and do not otherwise warrant additional public hearings or other significant changes in the approved site plan.

- (5) [Unchanged]
- (6) In the instance of dual or multiple use sharing of off-street parking spaces, the planning commission may reduce the number of required parking spaces upon review of a shared parking study submitted by the applicant that appropriately documents that fewer spaces are necessary than required to serve the peak demand of all uses combined.
- (7) – (11) [Unchanged]
- (12) For all uses except one and two-family residential units and mobile home sites, the number of off-street parking spaces required, may be reduced provided that the following conditions are met:
- a. The number of off-street parking spaces required for the use or uses must be more than ten (10).
  - b. The applicant shall submit an acceptable site plan showing that an adequate reserve of land is set aside for additional parking spaces, so that the total depicted on the plan is adequate to meet the requirements under paragraph (13) of this subsection. The plan shall indicate the reserve area laid out so that all dimensional requirements as to spaces, aisles, and other applicable requirements of this chapter can be met. The reserve area shall not be used for water retention, for required open spaces, or as the location for replacement trees or other deciduous or evergreen trees required by this chapter. The landscape plan submitted for the site shall include a plan for the reserve area.
  - c. The planning commission has determined that the applicant has submitted substantial evidence showing that the parking needs of the specific occupant will be less than would be required by this chapter.
  - d. The property owner shall execute an agreement prepared by the city attorney requiring the construction of the additional spaces within one hundred and eighty (180) days of notification that the planning commission, at its sole discretion has determined a need exists for such spaces. The agreement shall run with the land, be binding upon successors and assigns and shall be recorded with the register of deeds.
  - e. A permit for change of occupancy shall not be issued until the planning department has reevaluated the need for parking by the new occupant relative to the number of spaces required by this chapter.
- (13) The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule; provided, however, that when a use is required by state statute to provide handicapped parking spaces, the total number of off-street parking spaces required by this chapter shall be increased by one (1) for uses requiring twenty-five (25) parking spaces or less:

Use	Minimum number of parking spaces per unit of measure
a. <b><i>Residential:</i></b>	
1. Residential, one-family and two-family	2 for each dwelling unit
2. Residential, multiple-family	2 for each dwelling unit of 3 rooms or less; 2½ for each dwelling unit of 4 or more rooms
3. Housing for the elderly	Three-quarters (0.75) of a space for each one room dwelling or any dwelling without cooking facilities; one and one-quarter (1.25) spaces for each one bedroom dwelling unit; one and one-half (1½) for each dwelling unit of two (2) bedrooms or more; provided, that the site plan illustrates that the number of off-street parking spaces required for multiple-family residential use can be accommodated
4. Mobile home park	Two (2) for each mobile home site and one (1) for each three and one-third (3.3) mobile homes for visitor parking
b. <b><i>Institutional:</i></b>	
1. Place of worship or religious assembly such as a church, synagogue or mosque	1 for each 3 fixed seats, 1 for each 6 feet of pews or benches and 1 for each 30 square feet of assembly floor area without fixed seats, including all areas used for worship services at any one time
2. Hospitals	2 for each bed

3. Nursery school, day nurseries or child care centers	1 for each employee and 1 for each 10 pupils
4. Convalescent homes	1 for each 4 beds
5. Elementary and junior high schools	1 for each teacher, employee or administrator, in addition to the requirements of the auditorium
6. Senior high schools	1 for every 3 students or the requirements of the auditorium, whichever is greater
7. Private clubs or lodge halls	1 for each 85 square feet of usable floor area
8. Private golf clubs, swimming pool clubs, tennis clubs or other similar uses	1 for each 2 member families or individuals plus spaces required for each accessory use, such as a restaurant or bar
9. Golf courses open to the general public, except miniature or par-3 courses	4 for each 1 golf hole and 1 for each employee, plus spaces required for each accessory use, such as a restaurant or bar
10. Fraternity or sorority	1 for each 5 permitted active members, or 1 for each 2 beds, whichever is greater
11. Stadium, sports arenas or similar place of outdoor assembly	1 for each 4 seats or 8 feet of benches
12. Theaters and auditoriums	1 for each 3.5 seats plus 1 for each 2 employees

c. ***Business and commercial:***

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|---|--|
| 1. Retail store or service establishment except as otherwise specified herein   | 1 for each 175 square feet of usable floor area  |
| 2. Planned commercial or shopping center  | 1 for each 150 square feet of usable floor area for the first 15,000 square feet<br><br>1 for each 175 square feet for the next 15,001 to 100,000 square feet of usable floor area<br><br>1 for each 200 square feet for that area in excess of 100,000 square feet of usable floor area |
| 3. Beauty parlor or barbershop  | 3 spaces for each of the first 2 beauty or barber chairs, and 1½ spaces for each additional chair  |
| 4. Furniture and appliance, household equipment, repair shops, showroom of a plumber, decorator, electrician or similar trade, shoe repair and other similar uses | 1 for each 800 square feet of usable floor area (for that floor area used in processing, 1 additional space shall be provided for each 2 persons employed therein)   |
| 5. Laundromats and coin-operated dry cleaners   | 1 for each 2 washing or dry cleaning machines  |
| 6. Auto wash (automatic)  | 1 for each employee.   |
| 7. Auto wash (self-service or coin-operated)  | 1 for each 5 stalls (1 space minimum)  |
| 8. Motor vehicle sales and service establishments   | 1 for each 100 square feet of usable floor space of sales room or 3 for each 1 auto service stall in service areas, whichever is the greater   |

9. Gasoline service stations	3 spaces for each lubrication stall, rack, pit or similar service area and ½ space for each gasoline pump (nozzle). No spaces are required for self-service pumps. Additional parking shall be provided for any accessory retail use as required for such use
10. Self-service gasoline stations	1 space plus 1 space for each employee on the largest working shift. Additional parking shall be provided for any accessory retail use as required for such use
11. Billiard or pool hall, coin-operated amusement device arcade	1 space for each 100 square feet of usable floor area
12. Bowling alleys	4 for each bowling lane plus spaces required for each use, such as restaurant or bar
13. Dance halls, catering halls, exhibition halls or assembly halls without fixed seats	1 for each 45 square feet of usable floor area
14. Ice or roller skating rinks	1 for each 3 seats or 6 feet of benches, or 1 for each 45 square feet of skating area, whichever is the greater
15. Tennis facilities	4 for each tennis court plus spaces required for each permitted accessory use
16. Miniature or par-3 golf courses	2.5 for each hole
17. Establishments for sale and consumption on the premises of beverages, food or refreshments	1 for each 85 square feet of usable floor area
18. Drive-in, fast-food or carryout restaurants	1 space for each 30 square feet of usable floor area
19. Motel, hotel or other commercial lodging establishments	1 for each occupancy unit plus 1 for each employee

20. Mortuary establishments	1 for each 55 square feet of usable floor area in each assembly room
21. Tanning salon	1 for each 200 square feet of usable floor area
22. Auto Repair	3 for each auto service stall
<b>d. <i>Offices:</i></b>	
1. Banks	1 for each 175 square feet of usable floor area
2. Business offices or professional offices except as indicated in the following items 3-5.	1 for each 220 square feet of usable floor area for the first 15,000 square feet,  1 for each 250 square feet for that area in excess of 15,000 square feet of usable area
3. Professional offices of doctors, dentists or similar profession	1 for each 135 square feet of usable floor area for the first 5,000 square feet  1 for each 175 square feet for that area in excess of 5,000 square feet of usable floor area
4. Telemarketing, call center or similar use	1 for each 100 square feet of usable floor area
5. Chiropractic office	1 for each 200 square feet of usable floor area
<b>e. <i>Industrial:</i></b>	
1. Industrial or research establishments and related accessory offices	3 plus 1 for every 1½ employees in the largest working shift, or 3 plus 1 for each 550 square feet of usable floor area, whichever is the greater

2. Warehouses and wholesale establishments and related accessory offices

3 plus 1 for every 1½ employees in the largest working shift, or 3 plus 1 for every 1,300 square feet of usable floor area, whichever is the greater

(15) Any lane, aisle, drive or path in which vehicles are directed expressly for the purposes of receiving or dispensing persons, goods or services without the driver leaving the vehicle (referred to as a drive-through lane) shall comply with the following requirements:

- a. Drive-through lanes shall be separate from the circulation roads and lanes necessary for ingress to and egress from the property.
- b. Drive-through lanes and stacking spaces shall be setback from all property lines a distance equivalent to the minimum setback for parking lots in the respective Zoning District.
- c. Drive-through lanes shall not use any space that is necessary for adequate access to parking spaces.
- d. Drive-through lanes shall provide one by-pass lane to allow unobstructed travel for vehicles to pass those waiting to be served.
- e. Drive-through lanes shall have a minimum width of nine (9) feet.
- f. Drive-through lanes shall have a minimum centerline turning radius of twenty-five (25) feet.
- g. Drive-through lanes shall be striped, marked or otherwise distinctly delineated.
- h. Drive-through lanes shall have a minimum length of twenty (20) feet per vehicle.
- i. Drive-through lanes shall have a minimum stacking space in accordance with the following standards:

Use Served by Drive-Thru Lane

Minimum Stacking Requirements (per lane)

Restaurant (fast food with indoor seating and drive-thru)

Six (6) vehicles.

Restaurant (fast food drive-thru only)

Ten (10) vehicles

Financial Institution

Three (3) vehicles, inclusive of the vehicle at the window

Car Wash (coin/hand-held wand stall)

Three (3) vehicles in advance of the washing bay and storage for one and one-half (1.5) vehicles beyond the washing bay for drying.



Car Wash (fixed location, when Accessory to a Gas Station)	Five (5) vehicles in advance of the washing bay and storage for one and one-half (1.5) vehicles beyond the washing bay for drying.
Car Wash (tunnel)	Stacking spaces equal in number to five (5) times the capacity of the auto wash. Maximum capacity of the auto wash shall be determined by dividing the length in feet of each wash line by twenty (20).
<u>Use Served by Drive-Thru Lane</u>	<u>Minimum Stacking Requirements (per lane)</u>
Dry Cleaners	Four (4) vehicles inclusive of the vehicle at the window.
Convenience Market or Drug Store	Three (3) vehicles inclusive of the vehicle at the window.
Other Uses	For uses not listed, the planning commission shall make a determination of the minimum required stacking at the time of site plan review, based upon review of information submitted by the applicant, City staff, and consultants.

### **Section 2. Repealer.**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the Farmington Hills Ordinance Code shall remain in full force and effect, amended only as specified above.

### **Section 3. Severability.**

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

### **Section 4. 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 5. Effective Date.**

The provisions of this Ordinance are hereby ordered to take effect on the date provided by applicable law following publication.

**Section 6. Enactment.**

This ordinance is declared to have been enacted by the City Council of the City of Farmington Hills at a meeting called and held on the 19<sup>th</sup> day of July, 2010, and ordered to be given publication in the manner prescribed by law.

AYES:                   BRICKNER, BRIDGES, BRUCE, ELLIS, MASSEY AND OLIVERIO  
NAYES:                NONE  
ABSTENTIONS:      NONE

STATE OF MICHIGAN    )  
                                  ) ss.  
COUNTY OF OAKLAND )

I, the undersigned, the qualified and acting City Clerk of the City of Farmington Hills, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Farmington Hills at a meeting held on the 19<sup>th</sup> day of July, 2010, the original of which is on file in my office.

/S/ Kathryn A. Dornan  
KATHRYN A. DORNAN, City Clerk  
City of Farmington Hills

Introduced:   July 12, 2010  
Adopted:      July 19, 2010  
Effective:     August 9, 2010  
Published:    July 25, 2010

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