

ORDINANCE NO. 1044

CITY OF FERNDALE
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND ARTICLE V, MIXED USE DISTRICTS, TO THE ZONING ORDINANCE, ORDINANCE NO. 1087, OF THE FERNDALE CODE OF ORDINANCES.

THE CITY OF FERNDALE ORDAINS:

Part 1.

The City of Ferndale Zoning Ordinance, being Ordinance No. 1087, Article V, Mixed Use Districts is amended as follows:

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.

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 (which may include a maintenance building, community buildings and private swimming pools intended to serve the occupants of the complex) ^d	P	P	

Single-family attached dwellings, 3 or more ^d	P	P	
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,	P	P	

bicycles, furniture, eyeglasses, office or business machines and similar establishments)			
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
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			

Sec. 24-83. - Schedule of regulations.

Height	
Feet (min)	25
Feet (max)	45'
Siting^a	
Build-to	
Primary frontage (min % of lot width/min-max build-to) ^b	80% / 0'-10'
Secondary frontage (min % of lot width/min-max build-to)	30% / 0'-10'
Primary façade width (max)	125'
Setbacks	
Side, adjacent to residential district (min)	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
Parking setback (min)	15'
Vehicle access	From alley; when no alley present or alley less than 20' wide, per Sec. 24-225
Design Elements^c	
Ground Floor Fenestration	
Primary frontage (min)	30%
Secondary frontage (min)	20%
Private Open Area	
Minimum	10%

Notes:

- a. Development in MXD districts shall front on a Major or Minor Arterial street (excluding Pinecrest), or on Marshall, Woodward Heights, or Vester.
- b. The primary build-to may be reduced to 60% minimum if the remainder of the building frontage is an extension of the dooryard.

- c. See Architectural compatibility and design standards in Sec. 24-184 Architectural Compatibility.
- d. Sec. 24-151 Multiple-family dwellings and sec. 24-158 do not apply to Mixed Use districts.

Sec. 24-84. - Applicability

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

Part II. Savings Clause.

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 enforced when they are commenced.

Part III. Severability.

The various parts, sections and clauses of this ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected.

Part IV. Repeal.

All regulatory provisions contained in other city ordinances which are inconsistent with the provisions of this ordinance, are repealed.

Part V. Effective Date; Publication.

This ordinance shall become effective seven (7) days after publication.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FERNDALE, OAKLAND COUNTY, MICHIGAN. THIS 16 DAY OF November, 2019.

DAN MARTIN, MAYOR

Marne McGrath

MARNE MCGRATH, CITY CLERK

Date of Adoption: 10.16.2019

Date of Publication: 10.18.2019

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CERTIFICATE OF ADOPTION

I certify that the foregoing is a true and complete copy of the Ordinance passed at a meeting of the Ferndale City Council held on the 16 day of December, 2019.



MARNE MCGRATH, CITY CLERK

CITY OF FERNDALE
NOTICE OF ADOPTION
ORDINANCE 1544

The City of Ferndale has adopted Ordinance No. 1544 amending Article V, Mixed Use Districts to the Ferndale Zoning Ordinance, Ordinance No. 1087. This Ordinance shall become effective seven (7) days after publication. A true copy of the ordinance may be inspected or obtained at the office of the City Clerk.

MARNE MCGRATH, CITY CLERK