

Ordinance No. 2116

Zoning Text Amendment 15-01

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, Section 10.332 and 10.332A– Permitted Uses and Uses Permissible on Special Approval in M-2 District; Section 10.505 and 10.506 – Parking; Section 10.510 – Planting Materials, and Section 10.513 Screen Walls, of the Zoning Ordinance to establish measures and safeguards to provide for the public health, safety and welfare.

The City of Madison Heights ordains:

Section 1. Section 10.332 is hereby amended by deleting paragraphs (4) and (5) in their entirety.

Section 2. Section 10-332A is hereby amended by adding a new Paragraph (6) as follows:

- (6) Yard Waste Transfer, Composting Facilities, Recycling Facilities and Junkyards are subject to the special approval requirements in Section 10.508(5). For purposes of this Section, Junkyards shall meet the standards for Recycling Processing Facilities as outlined in Section 10.508(5)f.

Section 3. Section 10-505(1) is hereby amended to read as follows:

- (1) 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 three hundred (300) feet thereof, measured from the nearest point of the property lines to the nearest point of the off-street parking lot. Easements shall be required for all required parking facilities located on separate parcels.

Section 4. Section 10-505(4) is hereby amended to read as follows:

- (4) Any area once designated as required off-street parking shall not be changed to any other use unless parking facilities are provided elsewhere in conformance with current standards.

Section 5. Section 10-505(6) is hereby amended to read as follows:

- (6) Two (2) or more buildings or uses may collectively provide ~~the~~ required off-street parking. The required number of parking spaces shall not be less than 90% of the sum of the requirements for the individual uses computed separately.

Section 6. Section 10-505(7) is hereby amended to read as follows:

- (7) Two or more buildings or uses may share off-street parking spaces where operating hours of buildings and uses do not overlap, subject to compliance with Sections 10.505(1) and (6).

Section 7. Section 10-505(10)(b) is hereby amended to read as follows:

- (b) PLACES OF ASSEMBLY - In stadiums, sport arenas, churches, and other places of assembly in which those in attendance occupy benches, pews, or other similar seating facilities, each twenty four (24) inches of such seating facilities shall be counted as one (1) 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.

Section 8. Section 10-505(11)(a) is hereby amended to read as follows:

- (a) Banks / Credit Unions
One (1) for each two hundred (200) square feet of gross building area plus adequate stacking for any drive-thru area.

Section 9. Section 10-505(11)(b) is hereby amended to read as follows:

- (b) Beauty parlor, barbershops, nail salons, tanning facilities
Two (2) spaces for each chair and / or booth.

Section 10. Section 10-505(11)(h) is hereby amended to read as follows:

- (h) General industrial
One (1) space for every five hundred fifty (550) square feet of gross building area.

Section 11. Section 10-505(11)(j) is hereby amended to read as follows:

- (j) Housing for senior citizens
Convalescent homes: One (1) for each three (3) beds.

Independent senior residential: Where residents live unassisted in an individual dwelling unit.
Two (2) spaces for each unit.

Congregate senior residential: Where residents occupy a private or shared room or dwelling unit, and have meal, medical, laundry or other services provided on a daily basis. One (1) space for each room or unit, and visitor parking at one (1) space for each five (5) rooms or units.

Section 12. Section 10-505(11)(q) is hereby amended to read as follows:

- (q) Offices.
 - Business and professional:
One (1) space for each three hundred (300) square feet of gross floor area.
 - Medical and dental:
One (1) space for each two hundred (200) square feet of gross floor area.

Section 13. Section 10-505(11)(r) is hereby amended to read as follows:

- (r) Planned business district and shopping centers greater than 25,000 square feet.
One (1) for each three hundred (300) square feet of gross building area. Parking requirements for ~~such~~ places of assembly shall be determined in accordance with their individual requirements as provided in this section. The parking requirement for the remaining portion of the planned business district or shopping center shall be in accordance with that indicated above. The term "place of assembly" shall include all uses listed in Use Group A in the adopted building code including, but not limited to, restaurants, private clubs and churches.

Section 14. Section 10-505(11)(v) is hereby amended to read as follows:

- (v) Retail sales in wholesale establishments:
One (1) space for each one hundred ninety (190) two hundred fifty (250) square feet of retail sales floor area.

Section 15. Section 10-505(11)(w) is hereby amended to read as follows:

- (w) Retail stores except as otherwise specified herein
One (1) for each two hundred fifty (250) square feet of gross building area.

Section 16. Section 10-505(11)(x) is hereby amended to read as follows:

- (x) Restaurants, bars, taverns and night clubs:
Carry-out only facilities: One space for each two hundred fifty (250) square feet of gross area. Drive through facilities must also provide sufficient stacking space separate from required parking spaces and drives.

Self-service, fast food and drive through facilities: One (1) space for each two (2) patrons of maximum seating capacity plus one (1) space for each two (2) employees. Drive through facilities must also provide sufficient stacking space separate from required parking spaces and drives.

Full service restaurants, bars, taverns and night clubs: One (1) space for each two (2) patrons of maximum seating capacity plus one (1) space for each employee. Drive through or pick-up facilities must also provide sufficient stacking space separate from required parking spaces and drives.

Section 17. Section 10-505(11)(dd) is hereby amended to read as follows:

- (dd) Veterinarian offices and clinics:
One (1) space for each two hundred (200) square feet.

Section 18. Section 10-506(4) is hereby amended to read as follows:

- (4) 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 twelve (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 | Minimum Parking Space Width | Minimum Parking Space Length* | Minimum Total Width of One Tier of Spaces Plus Maneuvering Lane | Minimum Total Width of Two Tiers of Spaces Plus Maneuvering Lane |
|-----------------|--------------------------------|-----------------------------|-------------------------------|---|--|
| 90° | 22ft. | 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. |

*Two (2) feet of the minimum parking space length may over hang a landscaped area or a sidewalk, where the walk is a minimum 7' wide.

Section 19. Section 10-506(8) is hereby amended to read as follows:

- (8) A bicycle rack shall be provided on all sites that require site plan review. The rack shall not block walks or drives. One required parking space may be designated for bicycle parking by the owner or developer of any land use. Said space shall be noted on the approved site plan for the site and shall include a bicycle rack permanently affixed to the ground

Section 20. Section 10.510 of the Zoning Ordinance is hereby deleted in its entirety and replaced as follows:

Section 10.510. Landscaping and Screening

Screening and landscaping, where required, shall adhere to the following minimum standards where new development (or major redevelopment where existing buildings and / or parking areas are demolished) requires site plan review,

(A) General Provisions

In all zoning districts the following minimum standards apply:

- (1) All landscaping as shown on the approved site / landscape plan shall be continuously maintained in a healthy condition.
- (2) All required landscape plantings that are diseased or dead must be replaced in conformance with the approved landscape plan.
- (3) All required landscape areas that abut vehicular drives, parking or other uses areas shall be separated from the vehicular use area with a 6" concrete curb.
- (4) Landscaping shall be designed to maintain clear vision at intersection, drives, sidewalks and building entrances at time of planting as well as mature plant growth.
- (5) Where greenbelts, landform buffers or buffer strips are required or proposed, they may be encroached upon or punctuated by approved driveways, sidewalks and structures, in conformance with applicable setback standards. Common driveways between two or more properties are encouraged. Where a common driveway serving two or more parcels is located on or adjacent to a property line no greenbelt, landform buffer or buffer strip is required adjacent to areas occupied by the common drive.
- (6) Use of landscape areas for storm water management is encouraged. Design of storm water systems may include swales and infiltration areas to convey water to drainage structures and detention areas. Curbing requirements may be flexible to achieve storm water management objectives. Detention ponds, swales and infiltration areas may be considered in calculating minimum area requirements for parking lot landscaping, where they include required plantings and meet the applicable location and size requirements.

(B) Landscaping Standards

This subsection is intended to define the various types of landscaping required in specific instances by this ordinance. These standards are applicable wherever they are specifically required in this ordinance.

(1) Landform Buffer

A landform buffer is ~~any~~ combination of a raised earthen berm and plantings intended to form a visual barrier at least three (3) feet above the surrounding grade and a visual buffer of varying additional height. All landform buffers shall also conform to the following:

a. Planting design standards:

1. The landform buffer shall be comprised of soil and covered with grass, except for planting areas, which shall consist of planting materials, living groundcover, woodchips, mulch, stone, or any combination of the above.
 2. One (1) two and one-half (2 1/2) inch caliper deciduous tree or one (1) five (5) foot high evergreen tree for every fifteen (15) linear feet of required landform buffer.
 3. Four (4) 24-30" high or wide evergreen or deciduous shrubs for every fifteen (15) linear feet of landform buffer.
 4. Plantings shall be a mixture of evergreen and deciduous trees, shrubs and groundcover.
- b. The berm shall have a maximum side slope of 3:1 and a minimum height of three (3) feet.

(2) Buffer Strip

A Buffer Strip is a landscaped area of trees, shrubs and groundcover intended to form a visual buffer of varying height. All Buffer Strips shall conform to the following:

- a. The Buffer Strip shall be a minimum of fifteen (15) feet wide.
- b. Planting design standards:
 1. The buffer strip shall be covered with grass, except for planting areas, which shall consist of planting materials, living groundcover, woodchips, mulch, stone, or any combination of the above.
 2. One (1) two and one-half (2 1/2) inch caliper deciduous tree or one (1) five (5) foot high evergreen tree for every twenty (20) linear feet of required buffer strip.
 3. Four (4) 24-30" high or wide evergreen or deciduous shrubs for every twenty (20) linear feet of buffer strip.
 4. Plantings shall be a mixture of evergreen and deciduous trees, shrubs and groundcover.

(3) Screen Wall Greenbelt

A Screen Wall Greenbelt is a combination screen wall and landscape area intended to form a complete visual barrier at least six (6) feet in height. When a screen wall is required it shall meet the following standards:

- a. All walls shall conform to the following provisions:
 1. Screen walls shall be located where required by subsection (C) *Required Minimum Screening and Landscaping* below. Required walls shall be a minimum six (6) feet high or, after approval by the Site Plan Review Committee, to a height which is in continuity with an existing adjacent screen wall. The Site Plan Review Committee may require screening walls

up to eight (8) feet where they find it necessary due to the nature and location of the use district, proposed use, or adjoining use(s) or district(s).

2. Required screen walls shall be located on the property line except where underground utilities interfere and except in instances where this Ordinance requires conformance with front yard setback lines in abutting residential districts. Required screen walls may be located on the opposite side of an alley right-of-way from a nonresidential zone that abuts a residential zone.
 3. Screen walls shall have no openings for vehicular traffic or other purposes, except as approved after site plan review. All screen walls herein required shall be constructed only of poured concrete or masonry materials on a concrete foundation.
 4. Screen walls shall be reduced to a maximum three (3) feet in height for fifteen (15) feet to maintain visibility at the intersection of driveways or alleys with rights of way and sidewalks.
- b. Required screen walls shall include a minimum five (5) foot wide greenbelt adjacent to the required wall for its entire length, planted in accordance with the greenbelt planting standards below.

(4) Greenbelt

A greenbelt is a landscaped planting area of trees, shrubs and groundcover. All greenbelts shall conform to the following planting design standards:

- a. The greenbelt shall be covered with grass, living groundcover, woodchips, mulch, stone, or any combination of the above.
- b. One (1) two and one-half (2 1/2) inch caliper deciduous tree or one (1) five (5) foot high evergreen tree for every thirty (30) linear feet of required greenbelt. No evergreen trees are permitted where a greenbelt is adjacent to a public or private road right of way
- c. Four (4) 24"-30" high or wide evergreen or deciduous shrubs for every thirty (30) linear feet of greenbelt.
- d. Minimum width for required greenbelts shall be five (5) feet unless otherwise specified in this ordinance.

(5) Right of Way Screen Wall Option

Wherever a greenbelt is required in this ordinance which is adjacent to a public street right of way, a masonry screen wall may substituted for the required greenbelt subject to the following:

- a. Approval of the right of way screen wall option is required as a part of site plan approval.
- b. The wall shall be thirty (30) inches in height and shall be of common or face brick, or a masonry material that is compatible with that of the principal building(s) on site and other existing walls in the area.

- c. The wall shall be designed to maintain adequate separation from vehicular drives and parking areas.
- d. Greenbelts are encouraged adjacent to right of way screen walls and, where installed, should meet the guidelines in subsection (4) *Greenbelts* above.
- e. Concrete curbing, wheel blocks or guard posts may be installed where necessary to prevent vehicular damage to the wall.

(6) Interior Landscaping

For every new development that requires site plan review, except site condominiums as regulated in Section 10.515, interior landscaping areas shall be provided, equal to at least five (5) percent of the total impervious area (buildings and paved areas). These landscaped areas may be grouped near building entrances, building foundations, pedestrian walkways and service areas. All interior landscaping shall be designed to the following general design standards:

- a. The interior landscaping area shall be covered with grass, ground cover, wood chips, mulch, or any combination of the above.
- b. One (1) two and one-half (2 1/2) inch caliper deciduous tree; and then one (1) two and one-half (2 1/2) inch caliper deciduous tree for every additional four-hundred (400) square feet of required interior landscaping area.
- c. Two (2) eighteen (18) inch high or wide shrubs; and then two (2) eighteen (18) inch high or wide shrubs for every additional four hundred (400) square feet of required interior landscaping area.

(7) Parking Lot Landscaping

In addition to the Interior Landscaping above and the other required landscaping herein, within every parking area containing ten (10) or more required spaces there shall be parking lot landscaping in accordance with this subsection. These landscaping areas shall be located so as to better define parking spaces, drives and required fire lanes. All required parking lot landscaping shall conform with the following:

- a. Any off-street parking areas containing ten (10) or more parking spaces shall provide five (5) square feet of parking lot landscaping per parking space.
- b. All required parking lot landscaping shall be designed to conform to the following requirements:
 - 1. The parking lot landscaping area groundcover shall be grass, living ground cover, wood chips, mulch, or any combination of the above.
 - 2. One (1) two and one-half (2 1/2) inch caliper deciduous canopy tree shall be required for every one hundred (100) square feet of required parking lot landscaping area.
 - 3. Parking lot landscaping areas shall be curbed with 6" concrete curbing.

(8) Trash Receptacle, Transformer, and Mechanical Equipment Screening

a. Dumpsters and Trash Storage Enclosures

All areas used for the storage of trash, and other waste products or materials, shall be completely screened from view. The following standards shall apply to all such trash enclosures:

1. Enclosure shall be constructed of masonry materials similar to the buildings to which they are accessory.
2. Enclosures shall be at least six (6) feet but not more than eight (8) feet high and shall obscure all wastes and/or containers within. An obscuring gate shall be installed which forms a complete visual barrier the same height as that of the other three sides.
3. No enclosures shall be permitted within a required front yard or street-side side yard setback.
4. All dumpsters and the truck maneuvering area immediately in front of the dumpster shall be located on a minimum eight (8) inch concrete pad. Bollards shall be placed where necessary to protect walls.

b. Transformer and Mechanical Equipment Screening

All ground mounted transformers, generators, mechanical equipment, and similar equipment shall be screened from view from any street or adjacent property by a wall constructed of the same exterior materials as the building and not less than the height of the equipment to be screened. As an alternative, the equipment may be screened by landscaping if approved as a part of site plan review.

(C) Required Minimum Screening and Landscaping

The following Table specifies the minimum required screening and landscaping between a subject parcel and adjacent properties, excluding those properties with common driveways as specified in subsection (A)(7) above:

| Zoning / Use of Subject Parcel | Zoning of Adjacent Parcel | | | | | | | | | Adjacent Public ROW |
|--|---|---------------|---------------|-----------|-----------|-----------|---------------|-----------|-----------|---------------------|
| | N-P | R-1, R-2, R-3 | R-T, R-C, R-M | HM | H-R | O-1 | B-1, B-2, B-3 | M-1, M-2 | P-1, P-2 | |
| | Required Landscaping Options | | | | | | | | | |
| N-P / Natural Preservation | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| R-1, R-2, R-3 / Single Family Residential | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| R-T, R-C, R-M / Two Family & Multiple Family Residential | -- | A, B or C | A, B or C | A, B or C | A, B or C | A, B or C | C | C | C | D |
| H-M / Mobile Home | See Section 10.344 | | | | | | | | | |
| H-R / High Rise Mixed Use | -- | C | A, B or C | A, B or C | A, B or C | A, B or C | A, B or C | A, B or C | A, B or D | D, E |
| O-1 / Office | -- | C | A, B or C | A, B or C | A, B or D | A, B or D | A, B or D | A, B or D | D | D, E |
| B-1, B-2, B-3 / Commercial | -- | C | A, B or C | A, B or C | A, B or D | A, B or D | A, B or D | A, B or D | D | D, E |
| M-1, M-2 / Industrial | -- | C | A, B or C | A, B or C | A, B or D | A, B or D | A, B or D | A, B or D | D | D, E |
| P-1, P-2 / Parking Lots | See Section 10.339, 10.342A, and 10.506.6 | | | | | | | | | D, E |
| Outdoor Storage | -- | C | C | C | C | C | C | C | C | C |

KEY:

- A) Land Form (Section 10.510(B)1)
- B) Buffer Strip (Section 10.510(B)2)
- C) Screen Wall Greenbelt (Section 10.510(B)3)
- D) Greenbelt (Section 10.510(B)4)
- E) Right of Way Screen Wall Option (Section 10.510(B)5)
- Not Required

(D) Suggested and Prohibited Trees and Shrubs for Landscaping

The City may maintain a list of suggested or prohibited trees and shrubs for landscaping, however, it is the responsibility of the professional site designer to determine appropriate plantings in compliance with City regulations.

(E) Exceptions:

It is the intent of this Ordinance to promote development, redevelopment and/or reuse of sites that may be unable to meet the standards herein. Therefore, any of the forgoing requirements may be waived or modified, through the site plan review process, where cause can be shown that no good purpose would be served, due to site design, parking, parcel configuration, building location and/or other pertinent and relevant factors, by the strict application thereof.

Section 21. Section 10.513 of the Zoning Ordinance is hereby deleted in its entirety and replaced as follows:

Section 10.513. Screen walls.

- (1) Screen walls shall be constructed in accordance with Section 10.510(B)(3).

Section 22. 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 23. 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 24. 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 25. Effective Date.

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

Section 26. 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.