

ORDINANCE NO. 1240

CITY OF FERNDALE
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND ARTICLE X, OFF-STREET PARKING AND LOADING, SECTIONS 24-221 THROUGH 24-226 TO THE ZONING ORDINANCE, ORDINANCE NO. 1087, OF THE FERNDALE CODE OF ORDINANCES.

THE CITY OF FERNDALE ORDAINS:

Part I.

The City of Ferndale Zoning Ordinance, being Ordinance No. 1087, Article X, Off-Street Parking and Loading, Sections 24-221 through 24-226 are amended as follows:

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.

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) All new single-family and two-family dwellings homes with or without garages shall 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.

All new housing developments with 3 or more single family unit shall 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 an AC Level 2 electric vehicle charging station.

- (5) 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.

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
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; hair, nail & skin care services, tanning salons 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 parking. 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 four bicycle parking spaces is required. All other specific use requirements are noted in the chart below. All developments are requirement to contain enclosed bicycle parking. 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	60%/40%
Industrial	1/4000 sq. ft., minimum of 4	60%/40%

Bicycle parking shall be designed according to the Essentials of Bike Parking guide published by the Association of Pedestrian and Bicycle Professionals, as amended. A copy of such manual shall be maintained in the Community of Development Department office. The standard bicycle parking space is 2 feet wide, 6 feet long and 3 feet 4 inches tall. There must be at least 5 feet behind all required bicycle parking spaces to allow room for bicycle maneuvering. Where required bicycle parking is adjacent to a sidewalk, the maneuvering may be extended into the right-of-way. A wall clearance of 2 feet 6 inches must be provided.

(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 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

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%

(m) *Permitted Locations.*

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.

(n) *General station requirements:*

- (1) **Size.** A standard size parking space shall be used for an electric vehicle charging station where such a station is required or planned.
- (2) **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.
- (3) **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.
 - (a) **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.
 - (b) **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.
 - (c) **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.
 - (d) **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 concrete-filled steel bollards shall be used.
 - (e) **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.

- (4) 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.
 - (5) 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.
 - (6) Location. Placement of a single electric vehicle charging station is required at the beginning or end stall on a block face.
- (o) *Accessible facilities.*
- (1) 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.

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

- (2) 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.

Option 1

Option 2

- (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.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) 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. Signage for parking of electric vehicles shall include: Information on the charging station to identify voltage and amperage levels and any time of use, fees, or safety information.

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				

- 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) *Parking setback.*

- a. *Setback.* Surface and structured parking and loading spaces are not permitted within a parking setback on the ground level.
- b. *Vehicle access.* Vehicle maneuvering lanes are prohibited within parking setbacks and are only permitted when alternative locations such as an alley per Section 24-226 are not available, and it is determined necessary during site plan review.



- (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 allow 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

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

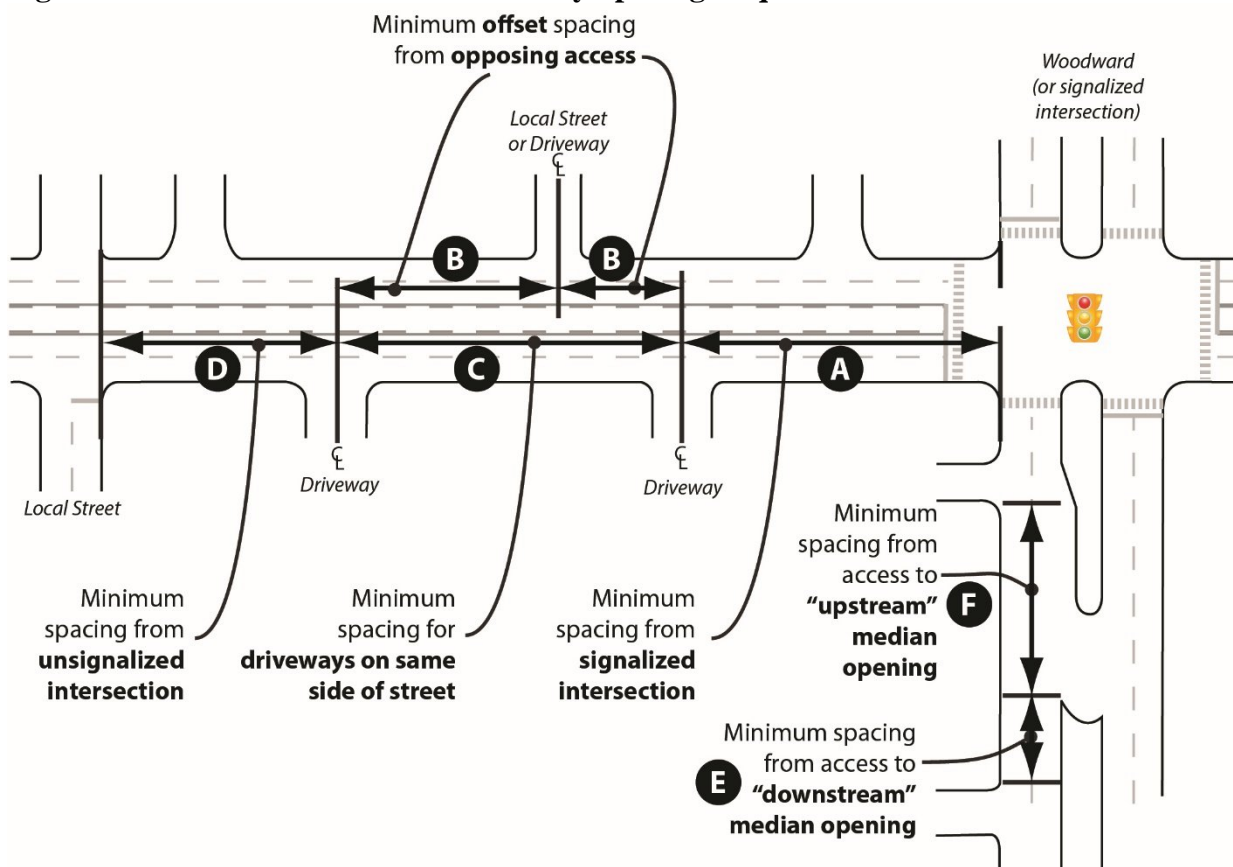
- (c) *Location.* Off-street loading and unloading and stacking spaces, including maneuvering lanes, shall not be located within the front greenbelt or yard. Off-street loading and unloading shall be permitted within the required side or rear setbacks, provided that a minimum of ten-foot setback is maintained 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.

Sec. 24-226 Access Management

- (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 subject to the jurisdiction of the Road Commission for Oakland County and the Michigan Department of Transportation.
- (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 that meet minimum road design standards and safety criteria of the city, access shall be from alleys and via side streets.
- (5) Required spacing shall be measured as illustrated in Figure 24-226 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 “B”.
 - c. Spacing between driveways along the same side of the street centerline to centerline. See “C”.

Figure 24-226. Measurement for Driveway Spacing Requirements



(c). Number of driveways

- (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.* 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
Along arterial street intersecting with Woodward or other signalized intersection	80 feet "A" in Figure 24-226
Along local streets near an intersection	20 feet or as far as practical "D" in Figure 24-226

- (e) *Driveway spacing from other driveways.*

- (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 "C" in Figure		
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 a minimum of one-hundred fifty (150) feet (see “B” in Figure 24-226):

- (f) *Driveway spacing from median openings.* 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:

- (1) 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 “E” in diagram).
- (2) 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 “F” 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 shall be appropriate 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 considered 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.*

- (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) 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.

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 25th DAY OF November, 2019.


DAN MARTIN, MAYOR


MARNE MCGRATH, CITY CLERK

Date of Adoption: 11/25/19

Date of Publication: 12-13-2019

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 25 day of November 2019.


MARNE MCGRATH, CITY CLERK

CITY OF FERNDALE
NOTICE OF ADOPTION
ORDINANCE 1240

The City of Ferndale has adopted Ordinance No. 1240 amending Article X, Off-Street Parking and Loading 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