



CITY OF MADISON HEIGHTS
CITY HALL - COUNCIL CHAMBERS, 300 W. 13 MILE RD.
CITY COUNCIL REGULAR MEETING AGENDA
OCTOBER 28, 2024 AT 7:30 PM

CALL TO ORDER

ROLL CALL

INVOCATION and PLEDGE OF ALLEGIANCE - MAYOR GRAFSTEIN

APPROVAL OF THE AGENDA:

- [1.](#) Additions/Deletions

PRESENTATIONS

- [2.](#) Historical Commission - Certificate of Recognition for Lindell "Lin" Ross
- [3.](#) Police Chief - Co-Responder Program Presentation
- [4.](#) Domestic Violence Awareness Month Proclamation

PUBLIC HEARINGS:

ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE

MEETING OPEN TO THE PUBLIC:

CONSENT AGENDA:

COMMUNICATIONS:

REPORTS:

ITEMS FOR FUTURE PUBLIC HEARINGS:

BID AWARDS/PURCHASES:

- [5.](#) Skynet IT Contractor - Storage Area Network and Host Servers Replacement

ORDINANCES:

- [6.](#) CED Director - Zoning Text Amendment ZTA 24-01 [Ordinance 2022] - Accessory Buildings, Structures, and Uses - Second Reading
- [7.](#) CED Director - Zoning Text Amendment ZTA 24-02 [Ordinance 2023] - Use Specific Standards for Detached One-Family Dwellings [Driveways] - Second Reading
- [8.](#) CED Director - Zoning Text Amendment ZTA 24-03 [Ordinance 2024] - Use Specific Standards for Temporary Uses - Second Reading
- [9.](#) CED Director - Zoning Text Amendment ZTA 24-04 [Ordinance 2025] - Measurement of Sign Area and Height and Regulations for Permitted Signs [Wall Signs] - Second Reading

UNFINISHED BUSINESS:

MINUTES:

EXECUTIVE SESSION:

ADJOURNMENT

NOTICE: Persons with disabilities needing accommodations for effective participation through electronic means in this meeting should contact the City Clerk at (248) 583-0826 or by email: clerks@madison-heights.org at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

DATE: October 24, 2024

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments - Regular Council Meeting of Monday, October 28, 2024

The following are my comments on items appearing on the agenda of the Regular Council Meeting on Monday, October 28, 2024.

PRESENTATIONS

CERTIFICATE OF RECOGNITION FOR LINDELL “LIN” ROSS

The City Council is scheduled to recognize Lindel “Lin” Ross for his contributions to the City of Madison Heights following the dedicating of the Executive Conference Room in his honor.

POLICE CHIEF - CO-RESPONDER PROGRAM PRESENTATION

Chief LeMerise and the Oakland County Health Network Social Workers Sabrina Fallone and Alyssa Waters are presenting a brief explanation on the Co-Responder Program, a partnership between the Madison Heights Police Department and three neighboring agencies of Ferndale, Hazel Park and Royal Oak to provide resources to combat social crisis issues in the community.

DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION

The City Council is scheduled to proclaim October as Domestic Violence Awareness Month in the City of Madison Heights and encourage all citizens to work together to raise awareness, support victims, and promote prevention efforts, and call upon all community members to join in this important cause.

BID AWARDS/PURCHASES:

SKYNET IT CONTRACTOR - STORAGE AREA NETWORK AND HOST SERVERS REPLACEMENT

Skynet, the City's IT contractor, is requesting the purchase of Dell CTO R6615 9124 1024GB server along with three (3) years of VMware vSphere standard licensing to replace end of life end of service Server hardware and licensing to increase security and reliability of existing applications as part of their Storage Area Network and Host Server project for \$72,288.08. The cost of labor will be \$37,740, with a total project cost of \$110,028.08. The cost of this project increased due to the change of the VMware Licensing model, due to the acquisition of VMware by Broadcom; however, we anticipate savings in the Networking Equipment Upgrade Phase II that should cover the increased expenditure.

Staff recommends the approval of the purchase of Dell CTO R6615 9124 1024GB server along with three (3) years of VMware vSphere standard licensing under the Michigan Master Computing-Mi Deal in the amount of \$72,288.08, plus labor costs of \$37,740 for a total amount of \$110,028.08. Funding has been budgeted in the FY 24/25 budget in account number 101-228-982-0000.

ORDINANCES:**CED DIRECTOR - ZONING TEXT AMENDMENT ZTA 24-01 [ORDINANCE 2022] - ACCESSORY BUILDINGS, STRUCTURES, AND USES - SECOND READING**

Madison Heights City Council adopted the new Zoning Ordinance on May 13th, 2024. Since going into effect, staff has encountered several ordinance sections that could benefit from clarification or refinement.

This amendment relates to Accessory Buildings, Structures, and Uses – pertaining to the regulation of small gazebos, pergolas, and utility structures (e.g., exterior air conditioner units). The Planning Commission recommended approval of the proposed text amendment at their September 17th, 2024, meeting.

Specifically, due to the ten-foot building setback requirement, gazebos, pergolas, and other unenclosed patio covers need to be physically attached to the main house as a building addition or be located ten feet from the house. To provide more flexibility for homeowners and reduce the need for future variances, this amendment exempts small unenclosed accessory structures such as gazebos and pergolas from the building setback requirement; such structures would still be subject to other accessory structure standards, such as minimum yard setbacks, height, and lot coverage.

Based on the Planning Commission’s recommendation, staff recommends that the City Council approve ordinance # 2022 (ZTA 24-01) on second reading.

CED DIRECTOR - ZONING TEXT AMENDMENT ZTA 24-02 [ORDINANCE 2023] - USE SPECIFIC STANDARDS FOR DETACHED ONE-FAMILY DWELLINGS [DRIVEWAYS] – SECOND READING

Madison Heights City Council adopted the new Zoning Ordinance on May 13th, 2024. Since going into effect, staff has encountered several ordinance sections that could benefit from clarification or refinement.

This amendment relates to the overall width of a residential driveway to the garage door's width (outer edges). Since adopting the new Zoning Ordinance, staff has received several requests for slightly wider driveways to accommodate larger vehicles and provide the ability to step out from a vehicle without stepping onto grass. The existing driveway width limitation intends to ensure that front yards are not entirely inundated with pavement, which can lead to poor pedestrian environments and unsightly appearances. The existing ordinance language limits the width of a driveway at the property line to 12 feet for detached garages and 20 feet for attached garages but allows a driveway to taper/widen to the outer edges of the garage door. Staff acknowledges that a modest additional width beyond the edges of the garage door (18 inches) would allow for the storage of larger vehicles and provide for a paved area in which to step out from the vehicle without compromising the general intent of the width limitation.

Based on the Planning Commission’s recommendation, staff recommends that the City Council approve ordinance #2023 (ZTA 24-02) on second reading.

CED DIRECTOR - ZONING TEXT AMENDMENT ZTA 24-03 [ORDINANCE 2024] - USE SPECIFIC STANDARDS FOR TEMPORARY USES - SECOND READING

Madison Heights City Council adopted the new Zoning Ordinance on May 13th, 2024. Since going into effect, staff has encountered several ordinance sections that could benefit from clarification or refinement.

Specifically, this amendments to Use Specific Standards related to Temporary Uses – pertaining to recurring special events. The Planning Commission recommended approval of the proposed text amendment at their September 17th, 2024 meeting.

The Zoning Ordinance currently contains provisions for temporary uses and divides them into three general categories: temporary outdoor displays/sales, seasonal sales lots, and special events. Since the Ordinance's adoption, staff has received several requests for weekly cornhole tournaments in the parking lots of bars and restaurants. While this type of recurring event most appropriately fits into the “special events” category, the current language limits properties to three (3) special events per calendar year, with a fourteen (14) day gap between events.

When drafted, the original intent of the “special event” category was to accommodate larger events such as fairs and carnivals. In its application, the current language would only permit restaurants to hold three recurring events per year, separated by fourteen days; this is restrictive and inhibits the ability for restaurants and bars to hold unique recurring events such as cornhole tournaments, farmers markets, craft markets, etc. To allow more flexibility to business owners and allow for more active and unique events throughout the community, staff recommends adding a “recurring event” provision to the Special Events category, allowing business owners/property owners to hold a recurring event (1-2 consecutive days each) up to a total of ten (10) days per calendar year. A recurring event could be applied for under a single special event permit, which would count toward the total number of special events allotted per year.

An additional minor modification clarifies that if the applicant for a temporary use permit is not the property owner, they shall provide a signed letter of authorization from the property owner with the application.

Based on the Planning Commission’s recommendation, staff recommends that the City Council approve ordinance #2024 (ZTA 24-03) on second reading.

CED DIRECTOR - ZONING TEXT AMENDMENT ZTA 24-04 [ORDINANCE 2025] -
MEASUREMENT OF SIGN AREA AND HEIGHT AND REGULATIONS FOR PERMITTED SIGNS
[WALL SIGNS] - SECOND READING

Madison Heights City Council adopted the new Zoning Ordinance on May 13th, 2024. Since going into effect, staff has encountered several ordinance sections that could benefit from clarification or refinement.

Specifically, amendments are being proposed to the measurement and allowances for wall signs. The Planning Commission recommended approval of the proposed text amendment at their September 17th, 2024 meeting.

Section 12.06 – Measurement of Sign Area and Height – and Section 12.07 – Regulations for Permitted Signs – contain definitions and calculations pertaining to the measurement of wall signs, as well as the various wall sign allowances per zoning district. The existing language splits wall sign allowances into the categories of “street-facing facades” and “non-street-facing facades,” with greater bonus allowances for street-facing facades. While these categories work for many properties/buildings in Madison Heights, there are certain buildings within the City whose main building entrances do not face a street, and several properties that do not have street frontage at all. In order to adequately allocate wall signage allowances and to avoid the need for variances, staff recommends recategorizing building facades into “primary facades” and “secondary facades.” Primary facades would include any façade that fronts a public street or any façade that serves as a main entrance to a building or tenant space, regardless of street frontage. Secondary facades would include any other façade, typically along the side or rear of a building. The existing language provides a bonus wall sign area allowance for tenants with street-fronting facades over 200 feet. Staff proposes changing this bonus allowance to apply to primary façade lengths, even those not fronting a street, in excess of 200 feet. Staff also proposes to extend this bonus allowance to buildings/tenants whose primary façade is greater than 150 feet from the right-of-way line of the adjacent street to allow for greater visibility.

Based on the Planning Commission's recommendation, staff recommends that the City Council approve ordinance #2024 (ZTA 24-03) on second reading.

CERTIFICATE OF RECOGNITION

WHEREAS, Lindell “Lin” Ross served the City of Madison Heights with unwavering commitment and exceptional leadership for a total of fifteen years on the City Council, including six years as Mayor Pro Tem; and

WHEREAS, during his tenure, Lin guided the City through a series of complex and challenging issues, employing his profound knowledge, skill, and sound judgment to promote the well-being of the community; and

WHEREAS, Lin was known for his eloquence and thoughtfulness as a speaker, effectively communicating the needs and aspirations of Madison Heights residents and inspiring collaboration among council members; and

WHEREAS, his visionary leadership led to significant accomplishments, including the successful shutdown of the incinerator, thus enhancing public health and environmental quality, and the protection of nature at Suarez Friendship Woods, ensuring that future generations can enjoy this vital green space; and

WHEREAS, Lin Ross was not only a dedicated public servant but also is a cornerstone of the Madison Heights community, embodying the spirit of civic engagement and dedication to the common good; and


WHEREAS, his legacy will endure as future City Councils and community leaders draw upon his wisdom and build upon the foundations he laid during his distinguished service;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Madison Heights hereby expresses its profound gratitude to Lindell “Lin” Ross for his extraordinary service and dedication to the City and its residents; and


BE IT FURTHER RESOLVED that the Executive Conference Room shall be renamed in his honor as the Lindell “Lin” Ross Executive Conference Room at the Madison Heights City Hall.




Roslyn Grafstein
Mayor



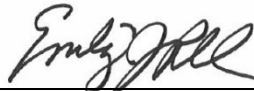
Mark Bliss
Mayor Pro Tem



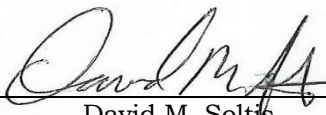
Sean D. Fleming
Councilman



William J. Mier
Councilman



Emily J. Rohrbach
Councilor



David M. Soltis
Councilor



Quinn J. Wright
Councilor



AGENDA ITEM SUMMARY FORM

MEETING DATE: October 28, 2024

PREPARED BY: Chief Brent LeMerise

AGENDA ITEM CONTENT: Presentation of Co-Responder Program to Madison Heights City Council

AGENDA ITEM SECTION: Presentation

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY: The Madison Heights Police Department, along with 3 neighboring agencies of Ferndale, Hazel Park, and Royal Oak, have partnered up with OCHN (Oakland Community Health Network) to begin the Co-Responder Program, commonly referred to as CoRe. CoRe is comprised of 2 social workers from OCHN named Sabrina Fallon and Alyssa Waters. They rotate amongst the 4 departments to provide resources to combat mental health crises, substance abuse, homelessness, etc. Their work schedule is designed to respond to both in-progress concerns and to provide continued follow-up for those in need. The purpose of the presentation is to briefly explain the partnership and to officially introduce CoRe to City Council and the citizens of Madison Heights.

RECOMMENDATION: N/A

National Co-Responder Week Spotlight!

Item 3.

Meet

ALYSSA



Alyssa has been a Co-Responder with OCHN since August 2024. Alyssa has a strong background in helping families through transitional and traumatic experiences and a passion for volunteer work. Thank you Alyssa, for all that you do!

Fun Fact: Alyssa has been actively involved with the Metro Detroit Youth Foundation and Attack Hunger Detroit!

National Co-Responder Week Spotlight!

Item 3.

Meet

SABRINA



Sabrina has been a Co-Responder with OCHN for one month, and has loved creating a positive effect on the communities served. Sabrina comes from a background in the prison system, which allowed insight to the role mental health services play in supporting individuals and law enforcement. Sabrina is committed to merging mental health expertise with law enforcement to support the communities served. Thank you Sabrina for all that you do!

Fun Fact: Sabrina is a born and raised Canadian!

**Proclamation for Domestic Violence Awareness Month
City of Madison Heights
October 2024**

Whereas, Domestic Violence Awareness Month is observed in October to raise awareness about domestic violence, a serious issue affecting individuals and families in our community; and

Whereas, according to the Michigan Coalition to End Domestic and Sexual Violence, approximately 1 in 4 women and 1 in 9 men in Michigan experience severe intimate partner physical violence, highlighting the urgent need for education, prevention, and support; and

Whereas, in Michigan, nearly 60% of domestic violence victims report experiencing multiple incidents, demonstrating the cyclical nature of abuse and the importance of providing resources and assistance to those affected; and

Whereas, the Michigan State Police reported over 70,000 incidents of domestic violence in the past year, underscoring the pervasive nature of this issue across our state; and

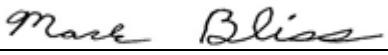
Whereas, the City of Madison Heights is committed to fostering a community free from violence, providing support for victims, and promoting healthy relationships through education and advocacy; and

Whereas, local organizations, such as HAVEN and OCHN, and other community resources, play a vital role in providing shelter, counseling, and support for those affected by domestic violence;


Now, therefore, the Mayor of the City of Madison Heights, along with the City Council, do hereby proclaim October 2024 as Domestic Violence Awareness Month in the City of Madison Heights. We encourage all citizens to work together to raise awareness, support victims, and promote prevention efforts, and we call upon all community members to join in this important cause.



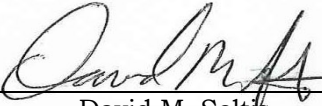
Roslyn Grafstein
Mayor




Mark Bliss
Mayor Pro Tem




William J. Mier
Councilman



David M. Soltis
Councilor



Sean D. Fleming
Councilman



Emily J. Rohrbach
Councilor



Quinn J. Wright
Councilor



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/23/24

PREPARED BY: Cheryl Rottmann, Deputy City Manager/City Clerk

AGENDA ITEM CONTENT: Skynet IT Contractor - Storage Area Network and Host Servers Replacement

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT: \$192,000

FUNDS REQUESTED: \$110,028.08

FUND: 101-228-982-0000

EXECUTIVE SUMMARY:

Skynet, the City's IT contractor, is requesting the purchase of Dell CTO R6615 9124 1024GB server along with three (3) years of VMware vSphere standard licensing to replace end of life end of service Server hardware and licensing to increase security and reliability of existing applications as part of their Storage Area Network and Host Server project for \$72,288.08. The cost of labor will be \$37,740, with a total project cost of \$110,028.08. The cost of this project increased due to the change of the VMware Licensing model, due to the acquisition of VMware by Broadcom; however, we anticipate savings in the Networking Equipment Upgrade Phase II that should cover the increased expenditure. Attached please find the quote for the equipment and Statement of Work.

RECOMMENDATION:

Staff recommends the approval of the purchase of Dell CTO R6615 9124 1024GB server along with three (3) years of VMware vSphere standard licensing under the Michigan Master Computing-Mi Deal in the amount of \$72,288.08, plus labor costs of \$37,740 for a total amount of \$110,028.08. Funding has been budgeted in the FY 24/25 budget in account number 101-228-982-0000.

City of Madison Heights

Date: October 15, 2024
Expiration Date: October 31, 2024

Host Server Replacement

Objectives

The Scope of Work agreement is designed to outline deliverables for replacing the host server.

Scope of Work

Technical Project Phases: Completed within three months of receiving equipment.

- Rack Critical Infrastructure
 - o Rack cable management
- Setup and Configuration
 - o ESXi host configuration
 - o vSphere configuration
 - o SAN configuration
 - o AD/AAD role configuration in new critical infrastructure
- Migration of Server Roles or Standup of New Servers
 - o Beyond Compare migration
 - o Test & verify configuration roles and permissions as systems are cutover
- Data Migration from old infrastructure to new
 - o Test & verify configuration after data migration
- Decommission old Infrastructure
 - o Remove all HDD/SSDs from old infrastructure and put aside for drive destruction
 - o Unrack all old server equipment
 - o Remove old cabling from the rack
 - o Contact e-cycling company for destruction of drives (we will require these drives to be destructed on site).
- Update documentation in ITGlue, IP addressing schema, port mapping and configuration documentation

Project Management Support

- Schedule meetings and provide agendas
- Track and report on progress
- Project scheduling and escalation
- Scope management
- Document project change requests if applicable
- Project closure

Budget Hours

- Budgeted hours are determined based on the information provided and accessible at the time of scoping. Hours are subject to change.

Materials			
One-Time Items	Quantity	Unit Price	Total Price
Custom Built Dell Server AMD Hybrid see separate quote CDWG #PBSP370	1	\$65,530.32	\$65,530.32

VMware vSphere+ Standard - Commitment Plan (3 years) - 1 core Minimum of 16 cores licensed per cpu socket	64	\$105.59	\$6,757.76
Tax			\$0
Total			\$72,288.08

*Note: For the custom build server, the client will place order directly with the vendor.

Anticipated Budget Hours			
Labor	Hours (Up To)	Unit Price	Total Price
Senior Network Engineering	260	\$135	\$35,100
Project Management	16	\$165	\$2,640
Total			\$37,740

*Note: Skynet Innovations will bill for the number of project labor hours that are worked each month. Should additional time be needed, Skynet will bill direct time at our current rate.

TOTAL \$110,028.08

Resources Dedicated

- Colin Wynn – Skynet Senior Engineer
- Tim Bank – Skynet Senior Engineer
- Amanda Lawrence – Skynet Project Manager

Authorizing Signature: _____ Date: _____



Thank you for choosing CDW. We have received your quote.

Item 5.

Hardware Software Services IT Solutions Brands Research Hub

QUOTE CONFIRMATION

COLIN WYNN,

Thank you for considering CDW•G for your technology needs. The details of your quote are below. **If you are an eProcurement or single sign on customer, please log into your system to access the CDW site.** You can search for your quote to retrieve and transfer back into your system for processing.

For all other customers, click below to convert your quote to an order.

Convert Quote to Order

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
PBSP370	8/27/2024	3000180615564.1	4558647	\$65,530.32

QUOTE DETAILS

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
NEW ITEM Mfg. Part#: NEW-ITEM Contract: Standard Pricing	1	NEW-ITEM	\$65,530.32	\$65,530.32

SUBTOTAL	\$65,530.32
SHIPPING	\$0.00
SALES TAX	\$0.00
GRAND TOTAL	\$65,530.32

PURCHASER BILLING INFO	DELIVER TO
Billing Address: CITY OF MADISON HEIGHTS 300 W 13 MILE RD MADISON HEIGHTS, MI 48071-1853 Phone: (248) 583-0826 Payment Terms: NET 30-VERBAL	Shipping Address: CITY OF MADISON HEIGHTS ATTN: IT DEPARTMENT 300 W 13 MILE RD MADISON HEIGHTS, MI 48071-1853 Shipping Method: FEDEX Ground
	Please remit payments to: CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515



Sales Contact Info

Haris Imamovic | 800.808.4239 | haris.imamovic@cdwg.com

LEASE OPTIONS

FMV TOTAL	FMV LEASE OPTION	BO TOTAL	BO LEASE OPTION
\$65,530.32	\$1,878.10/Month	\$65,530.32	\$2,147.43/Month

Monthly payment based on 36 month lease. Other terms and options are available. Contact your Account Manager for details. Payment quoted is subject to change.

Why finance?

- Lower Upfront Costs. Get the products you need without impacting cash flow. Preserve your working capital and existing credit line.
- Flexible Payment Terms. 100% financing with no money down, payment deferrals and payment schedules that match your company's business cycles.
- Predictable, Low Monthly Payments. Pay over time. Lease payments are fixed and can be tailored to your budget levels or revenue streams.
- Technology Refresh. Keep current technology with minimal financial impact or risk. Add-on or upgrade during the lease term and choose to return or purchase the equipment at end of lease.
- Bundle Costs. You can combine hardware, software, and services into a single transaction and pay for your software licenses over time! We know your challenges and understand the need for flexibility.

General Terms and Conditions:

This quote is not legally binding and is for discussion purposes only. The rates are estimate only and are based on a collection of industry data from numerous sources. All rates and financial quotes are subject to final review, approval, and documentation by our leasing partners. Payments above exclude all applicable taxes. Financing is subject to credit approval and review of final equipment and services configuration. Fair Market Value leases are structured with the assumption that the equipment has a residual value at the end of the lease term.

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Support



Call 800.800.4239

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This order is subject to CDW's Terms and Conditions of Sales and Service Projects at <http://www.cdw.com/content/terms-conditions/product-sales.aspx>
For more information, contact a CDW account manager.

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Skynet Innovations



Quote

Quote Number: 2700
Opportunity ID: 2567

Payment Terms: Net30
Expiration Date: 10/09/2024

Quote Prepared For

Cheryl Rottmann
City of Madison Heights
300 West Thirteen Mile Road
Madison Heights, MI 48071
United States
Phone:
cherylrothmann@madison-heights.org

Quote Prepared By

Mark Crase
Skynet Innovations
PO. Box 715762
Cincinnati, Ohio 45271-5762
United States
Phone:513-549-5031
Fax:
Mark.Crase@skynetinnovations.com

Item#	Item	Unit Price	Quantity	Total Price
One-Time Items				
1)	VMware vSphere+ Standard - Commitment Plan (3 years) - 1 core Minimum of 16 cores licensed per cpu socket	\$105.59	64	\$6,757.76
One-Time Total				\$6,757.76
Subtotal				\$6,757.76
Total Taxes				\$0.00
Total				\$6,757.76

*Note: Quoted quantities and prices are subject to change depending on vendor availability at time of purchase. In this case, the client will be notified prior to order placement with the vendor.

Authorizing Signature _____

Date _____

Please understand that we are trusted advisors and respected IT specialists; not salespeople. We will never try and sell you anything that you do not need or push you in a direction for only our benefit.

We want to help your business be successful. We thrive on a business model of building lasting relationships with all of our clients and understand if you grow we grow.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/28/24

PREPARED BY: Matt Lonnerstater, AICP

AGENDA ITEM CONTENT: CED Director - Zoning Text Amendment ZTA 24-01 [Ordinance 2022] - Accessory Buildings, Structures, and Uses - Second Reading

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

City staff proposes the attached text amendment [ZTA 24-01; Ordinance 2022] pertaining to the regulation of small gazebos, pergolas and utility structures (e.g. exterior air conditioner units).

RECOMMENDATION:

Staff recommends that City Council approve and adopt ordinance # 2022 (ZTA 24-01) upon second reading.



MEMORANDUM

Date: October 17th, 2024
 To: City of Madison Heights City Council
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Zoning Text Amendment (24-01) – Accessory Buildings, Structures, and Uses – Gazebos, Pergolas, and Utility Structures – Second

Introduction

Madison Heights City Council adopted the new Zoning Ordinance on May 13th, 2024. Since going into effect, staff has encountered several ordinance sections that could benefit from clarification or refinement:

- Section 7.03.10 – Use Specific Standards related to Detached One-Family Dwellings
- Section 7.03.43 – Use Specific Standards related to Temporary Uses
- **Section 8.03 – Accessory Buildings, Structures, and Uses [Addressed in this Memo]**
- Sections 12.06 and 12.07 - Signs

This memo addresses proposed text amendments to Section 8.03 – Accessory Buildings, Structures, and Uses – pertaining to the regulation of small gazebos, pergolas and utility structures (e.g. exterior air conditioner units). The Planning Commission recommended approval of the proposed text amendment at their September 17th, 2024 meeting.

Background and Proposed Amendments

Gazebos, Pergolas and Open/Unenclosed Accessory Structures

Since the adoption of the new Zoning Ordinance, staff has received several building permit applications for detached gazebos, pergolas, or other similar small unenclosed accessory structures located on rear decks or patios. Under the current standards, unenclosed accessory structures (roofed, but open on all sides) such as gazebos and pergolas are subject to the same minimum setback standards as all other accessory structures, including detached garages or sheds: five (5) feet from side/rear property lines and ten (10) feet from the principal structures.

Due to the ten-foot building setback requirement, gazebos, pergolas, and other unenclosed patio covers either need to be physically attached to the main house as a building addition or be located ten feet from the house. In order to provide more flexibility for homeowners and reduce the need for future variances, staff recommends exempting small unenclosed accessory structures such as gazebos and pergolas from the building setback requirement; such structures would still be subject to other accessory structure standards, such as minimum yard setbacks, height, and lot coverage.

Staff has confirmed with the Building Official and Fire Marshal that the proposed amendments are compatible with building and fire codes.

Detached Pergolas and Gazebos on Patios



Utility Structures

Current ordinance language restricts utility structures such as generators and air conditioner units to the rear yard, with the exception that such structures may be permitted in a side yard only if enclosed by a masonry enclosure (e.g. bricks or stone). Since the adoption of the Ordinance, staff has received several requests for new or replacement side yard air conditioner units which would require the construction/installation of a masonry enclosure. Due to the price of masonry materials and needed labor to install, the additional cost adds a financial burden to homeowners.

In order to provide more flexibility for screening methods (while keeping the general intent) and to reduce the cost burden of replacing or installing air conditioning units or exterior generators, staff recommends removing the masonry enclosure requirement and replacing it with a standard that screening be constructed of, *“materials similar/compatible to the building(s) to which they are accessory.”* Evergreen shrubbery or plant material would also be appropriate in certain cases. The revised language would allow screening methods to include wood, vinyl, evergreen landscaping, etc., and provide administrative flexibility on a case-by-case basis.

A/C Unit Screening



Previous Action

At their September 17th, 2024 meeting, the Planning Commission held a public hearing and **recommended approval** of the proposed text amendment, as written. Draft minutes from this meeting are attached.

At their October 14th meeting, City Council approved the first reading of ZTA 24-01.

Next Step

Based on the Planning Commission’s recommendation, staff recommends that City Council approve and adopt ordinance # 2022 (ZTA 24-01) upon second reading.

Ordinance No. 2022
City of Madison Heights
Oakland County, Michigan
Zoning Text Amendment 24-01

An ordinance to amend Ordinance 2198, being an ordinance codifying and adopting a new Zoning Ordinance for the City of Madison Heights, by amending Appendix A, Section 8.03 – Accessory Buildings, Structures, and Uses – to create more flexible standards for unenclosed structures and utility structures.

The City of Madison Heights ordains:

Section 1. SECTION 8.03. ACCESSORY BUILDINGS, STRUCTURES, AND USES is hereby amended as follows:

1. **Accessory Buildings, Structures, and Uses.** Accessory buildings and uses, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:
 - A. Use. Accessory buildings and uses are permitted only in connection with, incidental to and on the same lot with, a principal building, structure or use which is permitted in the particular zoning district. No accessory building, structure or use shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized. Accessory structures shall not be constructed until the principal building is constructed; however, a principal building and detached accessory structure may be constructed simultaneously. A detached accessory building can be used for parking or storage of motor vehicles, but not for commercial servicing or repair, unless approved as an element of a Special Land Use and/or Site Plan approval.
 - B. Permit. Any accessory building greater than 200 square feet shall require a building permit. All accessory buildings in non-residential districts also require a site plan, unless otherwise determined by the Planning and Zoning Administrator.
 - C. Accessory Dwelling Units. Accessory Dwelling Units (ADUs) are further subject to the use-specific standards of Section 7.03(1). Where there is a conflict between the standards of this Section and Section 7.03, the standards of Section 7.03 shall apply.
 - D. Location. Unless noted otherwise, detached accessory buildings shall only permitted in the rear yard subject to setbacks listed in this section. In the case of corner lots, detached accessory structures may be permitted abutting the secondary street in accordance with street side yard setbacks for the principal structure.
 - E. Height.

- (1) Residential Districts: With the exception of detached accessory dwelling units (Section 7.03(1)), detached accessory structures shall not exceed fifteen (15) feet in height. Attached accessory structures shall be subject to height regulations applicable to the principal structure in the associated zoning district.
 - (2) Non-Residential and Mixed-Use Districts: Detached accessory structures shall not exceed twenty (20) feet in height. Attached accessory structures shall be subject to the height regulations applicable to the principal structure in the associated zoning district.
- F. Lot Coverage. All attached and detached accessory buildings shall be in compliance with zoning ordinance provisions concerning the maximum percentage of lot coverage.
- G. Setbacks. Accessory structures are subject to the following setbacks listed below:
- (1) Where the accessory building is structurally attached to a principal building, it shall be subject to, and must conform to all regulations of this Ordinance applicable to main buildings.
 - (2) No detached accessory building shall be located closer than ten (10) feet to any main building (including buildings on adjacent parcels) nor shall it be located closer than five feet to any side or rear lot line, with eaves no closer than four feet to any lot line. Detached accessory buildings may be located up to three feet to the rear lot line or side lot line if construction is fire-resistance rated according to the current Michigan Residential Code, with eaves no closer than two feet to any lot line.
 - (a) Exemption for Gazebos/Pergolas and Unenclosed Structures: For single-family, townhome, duplex, or multiplex uses, detached, freestanding, and unenclosed gazebos, pergolas, or similar roofed but unenclosed accessory structures up to 200 square feet in area are exempt from the minimum ten (10) foot building setback requirement if open/unenclosed on all sides, unless a greater minimum separation distance is required by the Building Official.
 - (3) In those instances where the rear lot line is coterminous with an alley right-of-way, the accessory building shall not be closer than one foot to such rear lot line. In no instance shall an accessory building be located within a dedicated easement right-of-way. In those instances where the rear lot line abuts a street right-of-way, with the exception of an alley, the accessory building shall be no closer to this line than the required front yard setback in the district in which the property is located.
 - (4) Corner Lots: In the case of a corner lot, a detached accessory structure shall be subject to the street side yard setbacks applicable to the principal structure.

- H. Design. When a permit is required, all attached and detached accessory buildings, including garages, sheds, and carports, shall be designed and constructed of materials and design, including roof style, compatible with the principal structure and other buildings in the vicinity, as determined by the Planning and Zoning Administrator. The Planning and Zoning Administrator may allow modifications to the design if the alternate design is compatible with surrounding architecture.
 - I. Pavement. All accessory buildings which are used as garages shall have paved driveways from the street to the garage. The paved driveway shall be a minimum of nine feet wide unless otherwise approved by the Community and Economic Development Department and are further subject to use-specific standards of Article 7. The Community and Economic Development Department shall base its determination upon such factors as the narrowness, shallowness, shape, or area of a specific piece of property, topographical conditions, or extraordinary or exceptional conditions of the property by which the strict application of this Ordinance would result in a practical difficulty; however, such practical difficulty shall not be self-created by the property owner.
 - J. Drainage. All driveways and garages shall be paved with asphalt or concrete and drained in accordance with the requirements of and upon approval of the city engineer.
 - K. Foundation and Rat Walls. All detached accessory structures, regardless of size, shall be built on a concrete or masonry foundation or feature a rat wall, both in accordance with Chapter 6 of the Code of Ordinances, Buildings and Building Regulations.
2. **Portable On-Site Storage Units.** Portable On-Site Storage Units may be permitted on a temporary basis in accordance with the following:
- A. Residential Districts:
 - (1) One portable on-site storage unit shall be permitted per dwelling unit.
 - (2) Portable on-site storage units shall be located on a paved surface and shall be subject to the location and setback standards for accessory structures, Section 8.03 (1), above. The Planning and Zoning Administrator may approve alternate locations through the submittal/approval of a Temporary Use Permit.
 - (3) Such unit shall be permitted without a temporary use permit for up to 30 days in a one 12-month period, unless otherwise noted in this Section.
 - (4) For multi-family residential sites, on-site portable storage units shall not obstruct drive aisles or block a required parking space.
 - (5) A portable on-site storage unit may be permitted for up to six months for use on-site during substantial construction or renovation on the property as evidenced by active building permits and upon application for a Temporary Use Permit, approved by the Planning and Zoning Administrator.

B. Non-residential and Mixed-Use Districts

- (1) Two (2) portable on-site storage units shall be permitted per parcel, upon approval of a Temporary Use Permit.
- (2) Portable on-site storage units shall be located on a paved surface, and only in the rear yard. The portable unit(s) shall maintain the minimum rear yard setbacks for accessory structures per Section 8.03 (1), above.
- (3) Such unit(s) shall be permitted for up to 30 days in a one 12-month period, unless otherwise noted below.
- (4) Portable on-site storage unit may be permitted for up to six months for use on-site during substantial construction or renovation on the property as evidenced by active building permits and upon application for a Temporary Use Permit, approved by the Planning and Zoning Administrator.
- (5) Portable on-site storage units may be placed on a permanent basis within an approved accessory outdoor storage area without the need for a temporary use permit. Such accessory outdoor storage areas shall be subject to the requirements of Section 8.03 (6), below.
- (6) Containers exceeding 16 feet in length, such as cargo/shipping containers, shall only be placed within an approved accessory outdoor storage area. Such accessory outdoor storage areas shall be subject to the requirements of Section 8.03 (6), below.

C. General Regulations

- (1) No portable storage unit shall be located in a public right-of-way.
- (2) No electrical, gas, or plumbing services shall be connected to the portable storage unit.
- (3) Portable storage containers shall not be used to store hazardous materials, as defined by the Michigan Fire Code.
- (4) Portable storage containers shall not be used as living quarters for humans or animals.

3. **Utility Structures.** All ground-mounted transformers, generators, air conditioner units, mechanical equipment, and similar equipment shall be subject to the following regulations.

- A. Such structures, when unenclosed or not screened, shall only be permitted in the rear yard and shall be placed immediately adjacent to the building to be served.
- B. The utility structure shall be located a minimum of three (3) feet from any property line. However, a non-conforming existing utility structure may be replaced with a new unit of

a similar size in the same location without meeting the setback requirements; such structures in the side yard shall be screened in accordance with sub-section C, below.

- C. The Planning and Zoning Administrator may permit such utility structures within an interior side yard or street side yard, subject to the following requirements:
 - (1) The utility structure shall be placed immediately adjacent to the building to be served and shall be screened on at least three (3) sides so as to not be visible from the street. The wall of the principal building may count toward one of the three sides. Such screening shall be constructed of materials similar/compatible to the building(s) to which they are accessory and shall be constructed to a height not less than that of the unit to be screened. Evergreen shrubbery or plant material may be substituted for enclosures. Chain link fencing is not permissible as screening material.
- D. Utility structures are exempt from, and do not count towards, the maximum lot coverage standards of Article 4, Schedule of Regulations.

Section 2. 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 3. 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 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

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

Section 6. 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 between 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2024.

Cheryl Rottmann, City Clerk

ZOTXT 24-01 (Ordinance 2022)

Planning Commission Public Hearing: September 17th, 2024

City Council First Reading: October 14th, 2024

City Council Second Reading: October 28th, 2024

Adopted: TBD

Published: TBD

Effective: TBD

**Ordinance No. 2022
City of Madison Heights
Oakland County, Michigan
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 - (3) Such unit shall be permitted without a temporary use permit for up to 30 days in a one 12-month period, unless otherwise noted in this Section.
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- (1) No portable storage unit shall be located in a public right-of-way.
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3. **Utility Structures.** All ground-mounted transformers, generators, air conditioner units, mechanical equipment, and similar equipment shall be subject to the following regulations.

A. Such structures, when unenclosed or not screened, shall only be permitted in the rear yard and shall be placed immediately adjacent to the building to be served.

A-B. The utility structure shall be located a minimum of three (3) feet from any property line. However, a non-conforming existing utility structure may be replaced with a new unit of a similar size in the same location without meeting the setback requirements; such structures in the side yard shall be screened in accordance with subsection C, below.

C. The ~~Technical Review Committee~~ Planning and Zoning Administrator may permit such utility structures within an interior side yard or street side yard, subject to the following requirements:

(1) ~~, provided it is screened~~ The utility structure shall be placed immediately adjacent to the building to be served and shall be screened on at least three (3) sides completely with an enclosure so as to not be visible from the street. The wall of the principal building may count toward one of the three sides. ~~Such enclosure screening shall be constructed of masonry materials similar/compatible to the building(s) to which they are accessory and shall obscure all utility structures within.~~ be constructed to a height not less than that of the unit to be screened. Evergreen shrubbery or plant material may be substituted for enclosures. Chain link fencing is not permissible as screening material.

~~B. Utility structures are exempt from, and do not count towards, the maximum lot coverage standards of Article 4, Schedule of Regulations.~~

~~D. Such structures shall be subject to screening requirements listed in Section 11.08(2), unless otherwise noted above.~~

Section 2. 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 3. 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 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

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Section 6. 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 between 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2024.

Cheryl Rottmann, City Clerk

ZOTXT 24-01 (Ordinance 2022)
Planning Commission Public Hearing: September 17th, 2024
City Council First Reading: October 14th, 2024
City Council Second Reading: October 28th, 2024
Adopted: TBD
Published: TBD
Effective: TBD



**CITY OF MADISON HEIGHTS
PLANNING COMMISSION MEETING MINUTES**

September 17, 2024 **(DRAFT)**
Council Chambers – City Hall
300 W. 13 Mile, Madison Heights, MI 48071

1. CALL TO ORDER

Chair Champagne called the meeting of the Madison Heights Planning Commission to order at 5:30 p.m.

2. ROLL CALL

Present: Chair Josh Champagne
Mayor Roslyn Grafstein
Mayor Pro Tem Mark Bliss
Commissioner Eric Graettinger
Commissioner Cliff Oglesby
Commissioner Grant Sylvester

Also Present: City Planner Matt Lonnerstater
Assistant City Attorney Tim Burns
Business Services Coordinator Mary Daley

3. EXCUSE ABSENT MEMBERS

Motion by Commissioner Oglesby, seconded by Commissioner Graettinger to excuse Commissioners Marsh and Kalnasy.

Motion carries unanimously.

4. APPROVAL OF THE MINUTES

Motion by Commissioner Graettinger, seconded by Marsh to approve the minutes of the regular Planning Commission meeting of August 20 2024.

Motion carries unanimously.

5. PUBLIC COMMENT - For items not listed on the agenda

Chair Champagne opened the floor for public comment at 5:31p.m. Seeing none, public comment was closed at 5:31 pm.

6. PUBLIC HEARING

Madison Heights City Council adopted the new Zoning Ordinance on May 13th, 2024. Since going into effect, staff has encountered several ordinance sections that could benefit from clarification or refinement:

- Section 7.03.10 – Use Specific Standards related to Detached One-Family Dwellings
- Section 7.03.43 – Use Specific Standards related to Temporary Uses
- Section 8.03 – Accessory Buildings, Structures, and Uses [Addressed in this Memo]
- Sections 12.06 and 12.07 – Signs

Discussion: ZTA 24-01 - Accessory Buildings, Structures and Uses - Gazebos, Pergolas, and Utility Structures

The proposed amendments to section Section 8.03, addressed in the packet, were discussed and reviewed. Under the old ordinance, gazebos and pergolas were treated as accessory structures (roofed, but open on all sides) subject to the same minimum setback standards as all other accessory structures, including detached garages or sheds: five (5) feet from side/rear property lines and ten (10) feet from the principal structures.

This proposed amendment would exempt small unenclosed accessory structures such as gazebos and pergolas from the building setback requirement and allow applicants to bring the gazebos and pergolas closer to the structure and reduce the need for future variances. Staff has confirmed with the Building Official and Fire Marshal that the proposed amendments are compatible with building and fire codes.

The second part of this amendment pertains to utility structures such as a generator or HVAC unit. Current ordinance language restricts utility structures to the rear yard, with the exception that such structures may be permitted in a side yard only if enclosed by a masonry enclosure. The amendment would allow screening methods to include wood, vinyl or landscaping such as arborvitae.

Chair Champagne opened the hearing for public comment at 5:36 pm. Seeing none, the public comment portion of this hearing was closed at 5:36 pm.

Motion by Commissioner Graettinger, seconded by Commissioner Sylvester to recommend approval of Zoning Text Amendment 24-01 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

Discussion: ZTA 24-02 - Detached One-Family Dwelling Standards – Driveways

The proposed amendments to section Section 7.03.10, addressed in the packet, were discussed and reviewed by the Commission. Planner Lonnerstater explained that the current ordinance limits driveway widths to the outer edges of the garage door. The proposed amendment extends that limit a modest additional 18 inches width (on each side) beyond the edges of the garage door. Staff proposes this would allow for the storage of larger vehicles and provide for a paved area to step out from the vehicle without compromising the general intent of the width limitation.

Chair Champagne opened the hearing for public comment at 5:39 pm. Seeing none, the public comment portion of this hearing was closed at 5:39 pm.

Motion by Commissioner Sylvester, seconded by Commissioner Oglesby to recommend approval of Zoning Text Amendment 24-02 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

Discussion: ZTA 24-03 - Use Specific Standards related to Temporary Uses

The proposed amendments to section Section 7.03.43, addressed in the packet, were discussed and reviewed by the Commission. When the zoning ordinance was updated, it became obvious that the language was restrictive for some more active and unique events that wished to occur weekly. The current language limits properties to three (3) special events per calendar year, with a fourteen (14) day gap between events.

New language would add a “recurring event” provision to the Special Events category, allowing business owners/property owners to hold a recurring event (1-2 consecutive days each) up to a total of ten (10) days per calendar year. A recurring event could be applied for under a single special event permit, which would count toward the total number of special events allotted per year.

Chair Champagne opened the hearing for public comment at 5:43 pm. Seeing none, the public comment portion of this hearing was closed at 5:43 pm.

Motion by Commissioner Sylvester, seconded by Commissioner Graettinger to recommend approval of Zoning Text Amendment 24-03 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

Discussion: ZTA 24-04 - Signs - Wall Sign Allowances

The proposed amendments to section Section 12.06 and 12.07, addressed in the packet, were discussed and reviewed by the Commission. In the current ordinance, the maximum allowance for signs is based on the area of the street facing façade of the business. This proposed amendment changes the language from street-facing to “primary facing.” In order to adequately allocate wall signage allowances and to avoid the need for variances, staff recommended recategorizing building facades into “primary facades” and “secondary facades.” Primary facades would include any façade that fronts a public street or any façade that serves as a main entrance to a building or tenant space, regardless of street frontage. Secondary facades would include any other façade, typically along the side or rear of a building.

Chair Champagne opened the hearing for public comment at 5:47 pm. Seeing none, the public comment portion of this hearing was closed at 5:47 pm.

Motion by Commissioner Sylvester, seconded by Commissioner Graettinger to recommend approval of Zoning Text Amendment 24-04 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

7. PLANNER UPDATES

11 Mile Streetscape Update

Planner Lonnerstater shared an update on the 11 Mile Streetscape Plan- Main Street Placemaking Grant. On July 18th the Oakland County staff informed the city that the Board of Commissioners approved our Placemaking Grant application for a total grant request of \$313,981.50. City Council approved this plan at their meeting on August 12, 2024.

This lane reconfiguration will focus on the area John R from Lorenz. The anticipated start date is sometime next Spring.

8. PUBLIC COMMENT

Seeing no further comments, Chair Champagne adjourned the meeting at 5:57 p.m.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/28/24

PREPARED BY: Matt Lonnerstater, AICP

AGENDA ITEM CONTENT: CED Director - Zoning Text Amendment ZTA 24-02 [Ordinance 2023] - Use Specific Standards for Detached One-Family Dwellings [Driveways] - Second Reading

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

City staff proposes the attached text amendment [ZTA 24-02; Ordinance 2023] pertaining to the regulation of driveways and driveway widths for detached one-family dwellings.

RECOMMENDATION:

Staff recommends that City Council approve and adopt ZTA 24-02, Ordinance # 2023 upon second reading.



MEMORANDUM

Date: October 17th, 2024
 To: City of Madison Heights City Council
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Zoning Text Amendment (24-02) – Use Specific Standards related to Detached One-Family Dwellings (Driveways) – Second Reading

Introduction

Madison Heights City Council adopted the new Zoning Ordinance on May 13th, 2024. Since going into effect, staff has encountered several ordinance sections that could benefit from clarification or refinement:

- **Section 7.03.10 – Use Specific Standards related to Detached One-Family Dwellings (Driveways) [Addressed in this Memo]**
- Section 7.03.43 – Use Specific Standards related to Temporary Uses
- Section 8.03 – Accessory Buildings, Structures, and Uses
- Sections 12.06 and 12.07 - Signs

This memo addresses proposed text amendments to Section 7.03.10– Use Specific Standards related to Detached One-Family Dwellings – pertaining to the width and design of residential driveways. The Planning Commission recommended approval of the proposed text amendment at their September 17th, 2024 meeting.

Background and Proposed Amendments

Current ordinance language restricts the overall width of a residential driveway to the width (outer edges) of the garage door. Since the adoption of the new Zoning Ordinance, staff has received several requests for slightly wider driveways to accommodate larger vehicles and provide the ability to step out from a vehicle without stepping onto grass.

The intent of the existing driveway width limitation is to ensure that front yards are not completely inundated with pavement, which can lead to poor pedestrian environments and unsightly appearances. The existing ordinance language limits the width of a driveway at the property line to 12 feet for detached garages and 20 feet for attached garages but allows a driveway to taper/widen to the outer edges of the garage door. Staff acknowledges that a modest additional width beyond the edges of the garage door (staff proposes 18 inches) would allow for the storage of larger vehicles and provide for a paved area in which to step out from the vehicle without compromising the general intent of the width limitation.

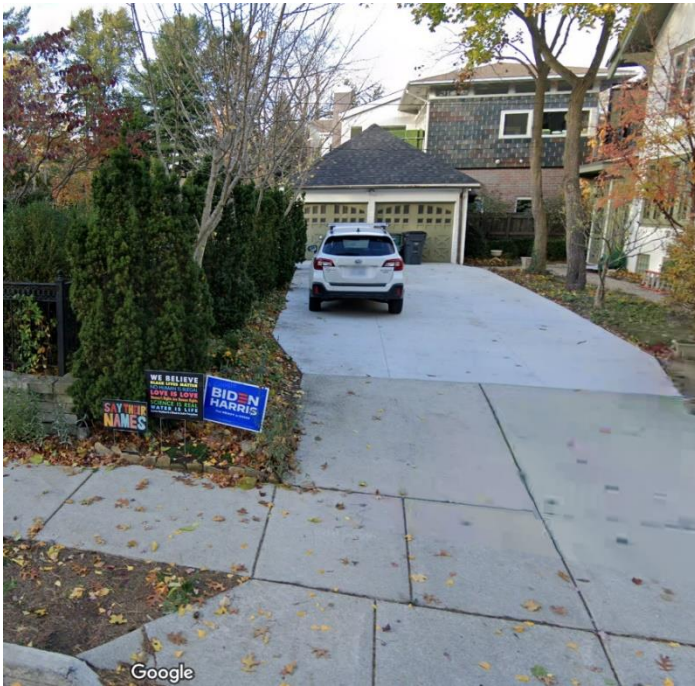
Wide Driveways



Wide driveways, especially at the front property line, create unsafe environments for pedestrians and may detract from the appearance and character of a residential neighborhood.

The proposed language explains where and how a taper can begin on a property and clarifies that driveways cannot be located directly in front of the main residential portion of the structure, with certain exceptions.

Limited Width Driveways with Tapers



Both of these driveways have limited widths at the front property line, but taper/widen to a point approximately eighteen (18") inches beyond the outer edges of the garage door.

Previous Action

At their September 17th, 2024 meeting, the Planning Commission held a public hearing and recommended approval of the proposed text amendment, as written. Draft minutes from this meeting are attached.

At their October 14th meeting, City Council approved the first reading of ZTA 24-02.

Next Step

Based on the Planning Commission’s recommendation, staff recommends that City Council approve and adopt ordinance #2023 (ZTA 24-02) upon second reading.

**Ordinance No. 2023
City of Madison Heights
Oakland County, Michigan
Zoning Text Amendment 24-02**

An ordinance to amend Ordinance 2198, being an ordinance codifying and adopting a new Zoning Ordinance for the City of Madison Heights, by amending Appendix A, Section 7.03.10– Detached One-Family Dwellings – to modify standards relating to driveway widths.

The City of Madison Heights ordains:

Section 1. SECTION 7.03. USE SPECIFIC STANDARDS is hereby amended as follows:

Section 7.03.10 – Detached One-Family Dwellings

A. DWELLING UNIT DESIGN:

- (1) Dwelling units that front a public street shall have at least one (1) entrance facing, or visible from, the public street.
- (2) Exterior Finish Materials. Primary materials shall include brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding. Accent materials (up to 25% of the net façade) may include architectural metal, asphalt siding, stucco, aluminum siding, EIFS, reflective glass, vinyl cladding, or concrete. The Planning and Zoning Administrator may consider alternative accent materials.

B. GARAGES:

- (1) Detached Garages. Detached garages shall comply with the Accessory Buildings standards, Section 8.03.
- (2) Attached Garages. Garages shall not be the prominent feature of the front elevation of the home or of the street frontage. Attached garages shall comply with the following standards:
 - (a) Attached garages are subject to the minimum building setback provisions for the principal structure.
 - (b) The total width of front-loaded attached garages shall not occupy more than 50% of the total width of the front façade of the house, as measured along any building line that faces the street, which excludes any architectural elements such as bay windows or unenclosed porches. The width of the garage is

measured at the width of the door and not necessarily the space it occupies in the dwelling behind the door. Garage width may be increased to not more than 60% of the total width of the front façade on parcels with a lot width of 40 ft. or less.

- (c) Front-loaded attached garages shall be recessed at least two (2) feet from the front façade of the house. Front porches may be considered the front façade and be used as the point of measurement for those homes where the porch comprises at least 30 percent of the front façade.

C. DRIVEWAYS

- (1) Minimum driveway width at the right-of-way line: 9 feet.
- (2) All driveways or approaches within the public right-of-way shall be paved with concrete and all other driveways shall be paved with asphalt or concrete.
- (3) Driveways shall be set back a minimum of one (1) foot from side and rear lot lines, except in cases where the driveway is accessed from a rear alley or where a driveway is shared between two or more properties. Driveways shall not be permitted in front of the residential dwelling, except as permitted within this Section.
- (4) Driveways leading to an Attached Garage: A driveway providing access to an attached garage shall be no wider than 20 feet at the front or street side lot line but may taper to a width up to, but not to exceed, eighteen inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of 5 feet from the property line adjacent to the street and shall be angled no greater than 45 degrees. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of living spaces above the garage.
- (5) Driveways leading to a Detached Garage: A driveway that provides access to a detached garage shall be no wider than twelve (12) feet in width at the property line but may taper to a width up to, but not to exceed, eighteen inches beyond the exterior edges of the garage door opening; the taper shall begin in the side or rear yard and shall be angled no greater than 45 degrees. In no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the detached garage.

On a corner property, a driveway leading to a detached garage facing a side street shall be no wider than 20 feet at the side street property line but may taper to a width up to, but not to exceed, eighteen inches beyond the exterior edges; the taper shall begin a minimum of 5 feet from the side street property line. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the garage.

- (6) Driveways on Properties without a Garage: Where no garage exists, a driveway shall be no wider than twelve (12) feet in width at the property line but may taper to a maximum of twenty (20) feet in the side and rear yard. In no case shall any part of the driveway be located directly in front of the residential dwelling.
- (7) Circular Driveways: A circular driveway with two approaches on the same street, or one per street on a corner lot, is permitted on parcels containing 200 feet or more of combined lot width.
- (8) Ribbon Driveways: Ribbon driveways are permitted for residential driveways, subject to the same dimensions and paving standards for standard driveways. Individual ribbons shall only be permitted within the boundary of the lot and shall not be less than eighteen (18) inches or more than thirty (30) inches wide.
- (9) Additional Parking Pad: One (1) additional parking pad for parking and turnarounds, no greater than 18 x 20 feet, is permitted adjacent to a permitted driveway within a side or rear yard. Parking pads shall be set back a minimum of one (1) foot from side and rear property lines.

For properties fronting an arterial or collector street, as denoted within the Master Plan, one (1) parking pad, no greater than 18 x 20 feet, may be located within a required front or street side yard setback to allow for safe vehicular turnaround. Such parking pad shall be screened from the abutting street with plant materials or an alternative screening method approved by the Planning and Zoning Administrator, and shall be set back a minimum of five (5) feet from the street right-of-way line.

Section 2. 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 3. 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 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

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

Section 6. 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 between 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2024.

Cheryl Rottmann, City Clerk

ZOTXT 24-02 (Ordinance 2023)
Planning Commission Public Hearing: September 17th, 2024
City Council First Reading: October 14th, 2024
City Council Second Reading: October 28th, 2024
Adopted: TBD
Published: TBD
Effective: TBD

**Ordinance No. 2023
City of Madison Heights
Oakland County, Michigan
Zoning Text Amendment 24-02**

An ordinance to amend Ordinance 2198, being an ordinance codifying and adopting a new Zoning Ordinance for the City of Madison Heights, by amending Appendix A, Section 7.03.10– Detached One-Family Dwellings – to modify standards relating to driveway widths.

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Section 1. SECTION 7.03. USE SPECIFIC STANDARDS is hereby amended as follows:

Section 7.03.10 – Detached One-Family Dwellings

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B. GARAGES:

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 - (a) Attached garages are subject to the minimum building setback provisions for the principal structure.
 - (b) The total width of front-loaded attached garages shall not occupy more than 50% of the total width of the front façade of the house, as measured along any building line that faces the street, which excludes any architectural elements such as bay windows or unenclosed porches. The width of the garage is

measured at the width of the door and not necessarily the space it occupies in the dwelling behind the door. Garage width may be increased to not more than 60% of the total width of the front façade on parcels with a lot width of 40 ft. or less.

- (c) Front-loaded attached garages shall be recessed at least two (2) feet from the front façade of the house. Front porches may be considered the front façade and be used as the point of measurement for those homes where the porch comprises at least 30 percent of the front façade.

C. DRIVEWAYS

- (1) Minimum driveway width at the right-of-way line: 9 feet.
- (2) All driveways or approaches within the public right-of-way shall be paved with concrete and all other driveways shall be paved with asphalt or concrete.
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- (4) Driveways leading to an Attached Garage: A driveway providing access to an attached garage shall be no wider than 20 feet at the front or street side lot line but may taper to ~~the a~~ a width up to, but not to exceed, eighteen inches beyond the exterior edges of the garage door opening; ~~beginning at a distance of~~ the taper shall begin a minimum of 5 feet from the property line adjacent to the street and shall be angled no greater than 45 degrees. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of living spaces above the garage. ~~exceed the width of the garage door, except where an additional parking pad is permitted, below.~~
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On a corner property, a driveway leading to a detached garage facing a side street shall be no wider than 20 feet at the side street property line but may taper to ~~the a~~ a width up to, but not to exceed, eighteen inches beyond the exterior edges; the taper shall begin a minimum of the garage door opening at a distance of 5 feet from the side street property

line. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the garage. ~~exceed the width of the garage, except where an additional parking pad is permitted, below.~~

- (6) Driveways on Properties without a Garage: Where no garage exists, a driveway shall be no wider than twelve (12) feet in width at the property line but may taper to a maximum of twenty (20) feet in the side and rear yard. In no case shall any part of the driveway be located directly in front of the residential dwelling.
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For properties fronting an arterial or collector street, as denoted within the Master Plan, one (1) parking pad, no greater than 18 x 20 feet, may be located within a required front or street side yard setback to allow for safe vehicular turnaround. Such parking pad shall be screened from the abutting street with plant materials or an alternative screening method approved by the Planning and Zoning Administrator, and shall be set back a minimum of five (5) feet from the street right-of-way line.

Section 2. 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.

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Section 5. Effective Date

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Section 6. 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 between 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2024.

Cheryl Rottmann, City Clerk

ZOTXT 24-02 (Ordinance 2023)
Planning Commission Public Hearing: September 17th, 2024
City Council First Reading: October 14th, 2024
City Council Second Reading: October 28th, 2024
Adopted: TBD
Published: TBD
Effective: TBD



**CITY OF MADISON HEIGHTS
PLANNING COMMISSION MEETING MINUTES**

September 17, 2024 **(DRAFT)**
Council Chambers – City Hall
300 W. 13 Mile, Madison Heights, MI 48071

1. CALL TO ORDER

Chair Champagne called the meeting of the Madison Heights Planning Commission to order at 5:30 p.m.

2. ROLL CALL

Present: Chair Josh Champagne
Mayor Roslyn Grafstein
Mayor Pro Tem Mark Bliss
Commissioner Eric Graettinger
Commissioner Cliff Oglesby
Commissioner Grant Sylvester

Also Present: City Planner Matt Lonnerstater
Assistant City Attorney Tim Burns
Business Services Coordinator Mary Daley

3. EXCUSE ABSENT MEMBERS

Motion by Commissioner Oglesby, seconded by Commissioner Graettinger to excuse Commissioners Marsh and Kalnasy.

Motion carries unanimously.

4. APPROVAL OF THE MINUTES

Motion by Commissioner Graettinger, seconded by Marsh to approve the minutes of the regular Planning Commission meeting of August 20 2024.

Motion carries unanimously.

5. PUBLIC COMMENT - For items not listed on the agenda

Chair Champagne opened the floor for public comment at 5:31p.m. Seeing none, public comment was closed at 5:31 pm.

6. PUBLIC HEARING

Madison Heights City Council adopted the new Zoning Ordinance on May 13th, 2024. Since going into effect, staff has encountered several ordinance sections that could benefit from clarification or refinement:

- Section 7.03.10 – Use Specific Standards related to Detached One-Family Dwellings
- Section 7.03.43 – Use Specific Standards related to Temporary Uses
- Section 8.03 – Accessory Buildings, Structures, and Uses [Addressed in this Memo]
- Sections 12.06 and 12.07 – Signs

Discussion: ZTA 24-01 - Accessory Buildings, Structures and Uses - Gazebos, Pergolas, and Utility Structures

The proposed amendments to section Section 8.03, addressed in the packet, were discussed and reviewed. Under the old ordinance, gazebos and pergolas were treated as accessory structures (roofed, but open on all sides) subject to the same minimum setback standards as all other accessory structures, including detached garages or sheds: five (5) feet from side/rear property lines and ten (10) feet from the principal structures.

This proposed amendment would exempt small unenclosed accessory structures such as gazebos and pergolas from the building setback requirement and allow applicants to bring the gazebos and pergolas closer to the structure and reduce the need for future variances. Staff has confirmed with the Building Official and Fire Marshal that the proposed amendments are compatible with building and fire codes.

The second part of this amendment pertains to utility structures such as a generator or HVAC unit. Current ordinance language restricts utility structures to the rear yard, with the exception that such structures may be permitted in a side yard only if enclosed by a masonry enclosure. The amendment would allow screening methods to include wood, vinyl or landscaping such as arborvitae.

Chair Champagne opened the hearing for public comment at 5:36 pm. Seeing none, the public comment portion of this hearing was closed at 5:36 pm.

Motion by Commissioner Graettinger, seconded by Commissioner Sylvester to recommend approval of Zoning Text Amendment 24-01 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

Discussion: ZTA 24-02 - Detached One-Family Dwelling Standards – Driveways

The proposed amendments to section Section 7.03.10, addressed in the packet, were discussed and reviewed by the Commission. Planner Lonnerstater explained that the current ordinance limits driveway widths to the outer edges of the garage door. The proposed amendment extends that limit a modest additional 18 inches width (on each side) beyond the edges of the garage door. Staff proposes this would allow for the storage of larger vehicles and provide for a paved area to step out from the vehicle without compromising the general intent of the width limitation.

Chair Champagne opened the hearing for public comment at 5:39 pm. Seeing none, the public comment portion of this hearing was closed at 5:39 pm.

Motion by Commissioner Sylvester, seconded by Commissioner Oglesby to recommend approval of Zoning Text Amendment 24-02 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

Discussion: ZTA 24-03 - Use Specific Standards related to Temporary Uses

The proposed amendments to section Section 7.03.43, addressed in the packet, were discussed and reviewed by the Commission. When the zoning ordinance was updated, it became obvious that the language was restrictive for some more active and unique events that wished to occur weekly. The current language limits properties to three (3) special events per calendar year, with a fourteen (14) day gap between events.

New language would add a “recurring event” provision to the Special Events category, allowing business owners/property owners to hold a recurring event (1-2 consecutive days each) up to a total of ten (10) days per calendar year. A recurring event could be applied for under a single special event permit, which would count toward the total number of special events allotted per year.

Chair Champagne opened the hearing for public comment at 5:43 pm. Seeing none, the public comment portion of this hearing was closed at 5:43 pm.

Motion by Commissioner Sylvester, seconded by Commissioner Graettinger to recommend approval of Zoning Text Amendment 24-03 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

Discussion: ZTA 24-04 - Signs - Wall Sign Allowances

The proposed amendments to section Section 12.06 and 12.07, addressed in the packet, were discussed and reviewed by the Commission. In the current ordinance, the maximum allowance for signs is based on the area of the street facing façade of the business. This proposed amendment changes the language from street-facing to “primary facing.” In order to adequately allocate wall signage allowances and to avoid the need for variances, staff recommended recategorizing building facades into “primary facades” and “secondary facades.” Primary facades would include any façade that fronts a public street or any façade that serves as a main entrance to a building or tenant space, regardless of street frontage. Secondary facades would include any other façade, typically along the side or rear of a building.

Chair Champagne opened the hearing for public comment at 5:47 pm. Seeing none, the public comment portion of this hearing was closed at 5:47 pm.

Motion by Commissioner Sylvester, seconded by Commissioner Graettinger to recommend approval of Zoning Text Amendment 24-04 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

7. PLANNER UPDATES

11 Mile Streetscape Update

Planner Lonnerstater shared an update on the 11 Mile Streetscape Plan- Main Street Placemaking Grant. On July 18th the Oakland County staff informed the city that the Board of Commissioners approved our Placemaking Grant application for a total grant request of \$313,981.50. City Council approved this plan at their meeting on August 12, 2024.

This lane reconfiguration will focus on the area John R from Lorenz. The anticipated start date is sometime next Spring.

8. PUBLIC COMMENT

Seeing no further comments, Chair Champagne adjourned the meeting at 5:57 p.m.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/28/24

PREPARED BY: Matt Lonnerstater, AICP

AGENDA ITEM CONTENT: CED Director - Zoning Text Amendment ZTA 24-03 [Ordinance 2024] - Use Specific Standards for Temporary Uses- Second Reading

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

City staff proposes the attached text amendment [ZTA 24-03; Ordinance 2024] pertaining to seasonal sales lots and recurring special events.

RECOMMENDATION:

Staff recommends that City Council approve and adopt ZTA 24-03, Ordinance # 2024 upon second reading.



MEMORANDUM

Date: October 17th, 2024
 To: City of Madison Heights City Council
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Zoning Text Amendment (24-03) – Use Specific Standards related to Temporary Uses – Second Reading

Introduction

Madison Heights City Council adopted the new Zoning Ordinance on May 13th, 2024. Since going into effect, staff has encountered several ordinance sections that could benefit from clarification or refinement:

- Section 7.03.10 – Use Specific Standards related to Detached One-Family Dwellings (Driveways)
- **Section 7.03.43 – Use Specific Standards related to Temporary Uses [Addressed in this Memo]**
- Section 8.03 – Accessory Buildings, Structures, and Uses
- Sections 12.06 and 12.07 - Signs

This memo addresses proposed text amendments to Section 7.03.43– Use Specific Standards related to Temporary Uses – pertaining to recurring special events. The Planning Commission recommended approval of the proposed text amendment at their September 17th, 2024 meeting.

Background

The Zoning Ordinance contains specific provisions for temporary uses and divides them into three general categories: temporary outdoor displays/sales, seasonal sales lots, and special events. Since Ordinance adoption, staff has received several requests for weekly cornhole tournaments in the parking lots of bars and restaurants. While this type of recurring event most appropriately fits into the “special events” category, the current language limits properties to three (3) special events per calendar year, with a fourteen (14) day gap between events.

When drafted, the original intent of the “special event” category was to accommodate larger events such as fairs and carnivals. In its application, the current language would only permit restaurants to hold three recurring events per year, separated by fourteen days; this is fairly restrictive, and inhibits the ability for restaurants and bars to hold unique recurring events such as cornhole tournaments, farmers markets, craft markets, etc.

To allow more flexibility to business owners and allow for more active and unique events throughout the community, staff recommends adding a “recurring event” provision to the Special Events category, allowing business owners/property owners to hold a recurring event (1-2 consecutive days each) up to a total of ten (10) days per calendar year. A recurring event could be applied for under a single special event permit, which would count toward the total number of special events allotted per year.

An additional minor modification clarifies that if the applicant for a temporary use permit is not the property owner, they shall provide a signed letter of authorization from the property owner with the application.

Previous Action

At their September 17th, 2024 meeting, the Planning Commission held a public hearing and recommended approval of the proposed text amendment, as written. Draft minutes from this meeting are attached.

At their October 14th meeting, City Council approved the first reading of ZTA 24-03

Next Step

Based on the Planning Commission’s recommendation, staff recommends that City Council approve and adopt ordinance #2024 (ZTA 24-03) upon second reading.

**Ordinance No. 2024
City of Madison Heights
Oakland County, Michigan
Zoning Text Amendment 24-03**

An ordinance to amend Ordinance 2198, being an ordinance codifying and adopting a new Zoning Ordinance for the City of Madison Heights, by amending Appendix A, Section 7.03.43– Temporary Uses – to modify standards relating to seasonal sales lots and recurring special events.

The City of Madison Heights ordains:

Section 1. SECTION 7.03. USE SPECIFIC STANDARDS is hereby amended as follows:

Section 7.03.43 – Temporary Uses

- A. Except as otherwise provided in this Zoning Ordinance, the temporary uses listed in this Section shall require the issuance of a Temporary Use Permit in accordance with this Section and the process/requirements of Section 10.08. Temporary/Seasonal Business Licenses shall also be required in accordance with Chapter 7 of the Madison Heights Code of Ordinances.
- B. Applicants seeking a temporary use permit for a time period longer than otherwise allowed by this chapter, or for a temporary use not specifically permitted in this chapter (or not deemed similar by the Planning and Zoning Administrator), shall submit for approval through the Planning Commission; provided, that it complies with all other relevant development and operational standards for the use as provided in this Zoning Ordinance.
- C. Exempt Temporary Uses: The following temporary uses are exempt from the procedural and licensing requirements of this section but remain subject to other Sections of this Zoning Ordinance and the Madison Heights Code of Ordinances.
 - (1) Emergency Facilities: Temporary facilities to accommodate emergency health and safety needs and activities.
 - (2) Temporary Construction Yards – on-site: Yards and sheds for the storage of materials and equipment used as part of a construction project, provided a valid building permit has been issued and the materials and equipment are stored on the same site as the construction activity.
 - (3) Temporary Construction Office or Temporary Real Estate Office. A temporary construction or real estate office used during the construction of a principal building, buildings, or uses on the same site, subject to building permits and trade permits.

- (4) Activities conducted on public property or within the public right-of-way that are approved by the city or as otherwise required by the Zoning Ordinance or Municipal Code.
- (5) Temporary events or activities occurring within, or upon the grounds of, a private residence or upon the common areas of a multi-family residential development.
- (6) Mobile Food Sites, in accordance with Section 7.03(28)
- (7) Temporary portable on-site storage units in accordance with Section 8.03(2).

D. Standards Applicable to all Temporary Uses. All temporary uses, including but not limited to those listed in this Section, shall comply with the following standards:

- (1) No temporary use shall be established or conducted so as to cause a threat to the public health, safety, comfort, convenience, and general welfare, either on or off the premises.
- (2) Temporary uses shall be set back a minimum of twenty-five (25) feet from abutting residentially-zoned parcels or residential uses, with the exception of existing mixed-use buildings.
- (3) Temporary use applicants shall either be the property owner or, if not the property owner, present a signed letter of authorization from the property owner agreeing to such temporary use.
- (4) Temporary uses shall not obstruct required fire lanes, access to buildings or utility equipment, clear vision triangle, ADA spaces or aisles, or egress from buildings on the lot or on adjoining property.
- (5) Temporary uses shall provide adequate parking area and improvements adequate to accommodate anticipated vehicular traffic. Safe pedestrian accessibility shall be provided between parking areas and the temporary use, with a separation between vehicular and pedestrian traffic areas.
- (6) Temporary uses shall be conducted completely within the lot on which the principal use is located, unless the City authorizes the use of City-owned property or right-of-way.
- (7) During the operation of the temporary use, the lot on which it is located shall be maintained in an orderly manner, shall be kept free of litter, debris, and other waste material, and all storage and display of goods shall be maintained within the designated area.

- (8) Signs for temporary uses shall be permitted only in accordance with Article 12, Signs.
 - (9) Temporary uses shall comply with all requirements of the Fire Prevention Code and other applicable codes and regulations.
- E. Allowed Temporary Uses and Use-Specific Standards. The following temporary uses may be permitted via approval from the Planning and Zoning Administrator, subject to satisfying use-specific standards. Such uses shall also require the issuance of a valid Temporary/Seasonal Business License:
- (1) **Temporary Outdoor Displays/Sales.** The establishment of temporary outdoor sales and the temporary display of goods, including promotional sales, sidewalk sales, and parking lot sales, may be conducted accessory to an otherwise lawfully permitted or allowed principal use on the same site, subject to the following:
 - (a) Temporary outdoor displays and sales shall only be permitted in a non-residential or mixed-use zoning district, accessory to an existing business located on the same property.
 - (b) Products displayed and sold outdoors shall relate to the on-site use and business, and all activities shall be conducted within the lot.
 - (c) Temporary outdoor displays and sales are limited to a maximum of ninety (90) total days per calendar year, which may or may not be consecutive.
 - (d) Sales and display areas may not occupy more than fifteen percent (15%) of the parking area and shall not substantially alter the existing circulation or fire access on site.
 - (2) **Seasonal Sales Lots.** Temporary seasonal sales activity (e.g., Christmas trees, pumpkin sales, plant sales, fireworks sales) may be permitted, subject to the following:
 - (a) Seasonal sales lots may be permitted in any non-residential or mixed-use zoning district, or on any public, quasi-public, or institutional site that abuts an arterial or collector road.
 - (b) Temporary seasonal sales are limited to a maximum of ninety (90) total days per calendar year, which may or may not be consecutive.
 - (c) Sales and display areas may not occupy more than fifteen percent (15%) of a parking area and shall not substantially alter the existing circulation or fire access on site.

(3) **Special Events.** Special events such as auctions, craft fairs, farmers markets, outdoor entertainment, and carnivals, may be permitted, subject to the following:

(a) Special events may be permitted in any non-residential or mixed-use zoning district, or on any property approved for public, quasi-public, or institutional uses that abuts an arterial or collector road, as defined in the Madison Heights Master Plan.

(b) The temporary special event is limited to a maximum of seven (7) consecutive days. A total of three (3) temporary special events are permitted per business per calendar year, separated by a stretch of fourteen (14) consecutive days.

A recurring event that typically does not take place over consecutive days but may take place on no more than two consecutive days, may be submitted as a single temporary special event permit. A recurring event is not subject to the 14-day separation standard listed in subsection (E)(3)(b), above. A recurring event is limited to a total of ten (10) days per calendar year and shall count toward the total number of special events

(c) Permitted hours of operation shall be limited to between 12:00 (noon) to 10:00 p.m.

F. When a temporary use is not specifically mentioned in this section, the Planning and Zoning Administrator may determine that such use is similar in nature to listed use(s) above and shall establish the term and make necessary findings and conditions for the particular use. The Planning and Zoning Administrator reserves the right to refer any request for a temporary use permit to the Planning Commission for action, in accordance with Section 15.08.

G. In issuing a temporary use permit, the approving authority may impose conditions which it finds necessary for the protection and preservation of property rights and values of adjacent properties.

Section 2. 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 3. 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 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

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

Section 6. 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 between 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2024.

Cheryl Rottmann, City Clerk

ZOTXT 24-03 (Ordinance 2024)
Planning Commission Public Hearing: September 17th, 2024
City Council First Reading: October 14th, 2024
City Council Second Reading: October 28th, 2024
Adopted: TBD
Published: TBD
Effective: TBD

**Ordinance No. 2024
City of Madison Heights
Oakland County, Michigan
Zoning Text Amendment 24-03**

An ordinance to amend Ordinance 2198, being an ordinance codifying and adopting a new Zoning Ordinance for the City of Madison Heights, by amending Appendix A, Section 7.03.43– Temporary Uses – to modify standards relating to seasonal sales lots and recurring special events.

The City of Madison Heights ordains:

Section 1. SECTION 7.03. USE SPECIFIC STANDARDS is hereby amended as follows:

Section 7.03.43 – Temporary Uses

- A. Except as otherwise provided in this Zoning Ordinance, the temporary uses listed in this Section shall require the issuance of a Temporary Use Permit in accordance with this Section and the process/requirements of Section 10.08. Temporary/Seasonal Business Licenses shall also be required in accordance with Chapter 7 of the Madison Heights Code of Ordinances.
- B. Applicants seeking a temporary use permit for a time period longer than otherwise allowed by this chapter, or for a temporary use not specifically permitted in this chapter (or not deemed similar by the Planning and Zoning Administrator), shall submit for approval through the Planning Commission; provided, that it complies with all other relevant development and operational standards for the use as provided in this Zoning Ordinance.
- C. Exempt Temporary Uses: The following temporary uses are exempt from the procedural and licensing requirements of this section but remain subject to other Sections of this Zoning Ordinance and the Madison Heights Code of Ordinances.
 - (1) Emergency Facilities: Temporary facilities to accommodate emergency health and safety needs and activities.
 - (2) Temporary Construction Yards – on-site: Yards and sheds for the storage of materials and equipment used as part of a construction project, provided a valid building permit has been issued and the materials and equipment are stored on the same site as the construction activity.
 - (3) Temporary Construction Office or Temporary Real Estate Office. A temporary construction or real estate office used during the construction of a principal building, buildings, or uses on the same site, subject to building permits and trade permits.

- (4) Activities conducted on public property or within the public right-of-way that are approved by the city or as otherwise required by the Zoning Ordinance or Municipal Code.
- (5) Temporary events or activities occurring within, or upon the grounds of, a private residence or upon the common areas of a multi-family residential development.
- (6) Mobile Food Sites, in accordance with Section 7.03(28)
- (7) Temporary portable on-site storage units in accordance with Section 8.03(2).

D. Standards Applicable to all Temporary Uses. All temporary uses, including but not limited to those listed in this Section, shall comply with the following standards:

- (1) No temporary use shall be established or conducted so as to cause a threat to the public health, safety, comfort, convenience, and general welfare, either on or off the premises.
- (2) Temporary uses shall be set back a minimum of twenty-five (25) feet from abutting residentially-zoned parcels or residential uses, with the exception of existing mixed-use buildings.
- ~~(2)~~(3) Temporary use applicants shall either be the property owner or, if not the property owner, present a signed letter of authorization from the property owner agreeing to such temporary use.
- ~~(3)~~(4) Temporary uses shall not obstruct required fire lanes, access to buildings or utility equipment, clear vision triangle, ADA spaces or aisles, or egress from buildings on the lot or on adjoining property.
- ~~(4)~~(5) Temporary uses shall provide adequate parking area and improvements adequate to accommodate anticipated vehicular traffic. Safe pedestrian accessibility shall be provided between parking areas and the temporary use, with a separation between vehicular and pedestrian traffic areas.
- ~~(5)~~(6) Temporary uses shall be conducted completely within the lot on which the principal use is located, unless the City authorizes the use of City-owned property or right-of-way.
- ~~(6)~~(7) During the operation of the temporary use, the lot on which it is located shall be maintained in an orderly manner, shall be kept free of litter, debris, and other waste material, and all storage and display of goods shall be maintained within the designated area.

~~(7)~~(8) Signs for temporary uses shall be permitted only in accordance with Article 12, Signs.

~~(8)~~(9) Temporary uses shall comply with all requirements of the Fire Prevention Code and other applicable codes and regulations.

E. Allowed Temporary Uses and Use-Specific Standards. The following temporary uses may be permitted via approval from the Planning and Zoning Administrator, subject to satisfying use-specific standards. Such uses shall also require the issuance of a valid Temporary/Seasonal Business License:

(1) **Temporary Outdoor Displays/Sales.** The establishment of temporary outdoor sales and the temporary display of goods, including promotional sales, sidewalk sales, and parking lot sales, may be conducted accessory to an otherwise lawfully permitted or allowed principal use on the same site, subject to the following:

(a) Temporary outdoor displays and sales shall only be permitted in a non-residential or mixed-use zoning district, accessory to an existing business located on the same property.

(b) Products displayed and sold outdoors shall relate to the on-site use and business, and all activities shall be conducted within the lot.

(c) Temporary outdoor displays and sales are limited to a maximum of ninety (90) total days per calendar year, which may or may not be consecutive.

(d) Sales and display areas may not occupy more than fifteen percent (15%) of the parking area and shall not substantially alter the existing circulation or fire access on site.

(2) **Seasonal Sales Lots.** Temporary seasonal sales activity (e.g., Christmas trees, pumpkin sales, plant sales, fireworks sales) may be permitted, subject to the following:

(a) Seasonal sales lots may be permitted in any non-residential or mixed-use zoning district, or on any public, quasi-public, or institutional site that abuts an arterial or collector road.

~~(b) Seasonal sales applicants shall have an established physical presence in the City of Madison Heights and maintain a valid business license with the City or shall provide evidence that such seasonal sales are conducted for a charitable, religious, civic, educational, or philanthropic purpose.~~

~~(e)~~(b) Temporary seasonal sales are limited to a maximum of ninety (90) total days per calendar year, which may or may not be consecutive.

~~(c)~~ Sales and display areas may not occupy more than fifteen percent (15%) of a parking area and shall not substantially alter the existing circulation or fire access on site.

(3) **Special Events.** Special events such as auctions, craft fairs, [farmers markets](#), [outdoor entertainment](#), and carnivals, may be permitted, subject to the following:

(a) Special events may be permitted in any non-residential or mixed-use zoning district, or on any property approved for public, quasi-public, or institutional uses that abuts an arterial or collector road, as defined in the Madison Heights Master Plan.

(b) The temporary special event is limited to a maximum of seven (7) consecutive days. A total of three (3) ~~seven-day periods~~ [temporary special events](#) are permitted per [business per calendar](#) year, separated by a stretch of fourteen (14) consecutive days.

~~(b)~~ [A recurring event that typically does not take place over consecutive days, but may take place on no more than two consecutive days, may be submitted as a single temporary special event permit. A recurring event is not subject to the 14-day separation standard listed in subsection \(E\)\(3\)\(b\), above. A recurring event is limited to a total of ten \(10\) days per calendar year and shall count toward the total number of special events](#)

(c) Permitted hours of operation shall be limited to between 12:00 (noon) to 10:00 p.m.

F. When a temporary use is not specifically mentioned in this section, the Planning and Zoning Administrator may determine that such use is similar in nature to listed use(s) above and shall establish the term, and make necessary findings and conditions for the particular use. The Planning and Zoning Administrator reserves the right to refer any request for a temporary use permit to the Planning Commission for action, in accordance with Section 15.08.

G. In issuing a temporary use permit, the approving authority may impose conditions which it finds necessary for the protection and preservation of property rights and values of adjacent properties.

Section 2. 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 3. 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 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

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

Section 6. 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 between 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2024.

Cheryl Rottmann, City Clerk

ZOTXT 24-03 (Ordinance 2024)
Planning Commission Public Hearing: September 17th, 2024
City Council First Reading: October 14th, 2024
City Council Second Reading: October 28th, 2024
Adopted: TBD
Published: TBD
Effective: TBD



**CITY OF MADISON HEIGHTS
PLANNING COMMISSION MEETING MINUTES**

September 17, 2024 **(DRAFT)**
Council Chambers – City Hall
300 W. 13 Mile, Madison Heights, MI 48071

1. CALL TO ORDER

Chair Champagne called the meeting of the Madison Heights Planning Commission to order at 5:30 p.m.

2. ROLL CALL

Present: Chair Josh Champagne
Mayor Roslyn Grafstein
Mayor Pro Tem Mark Bliss
Commissioner Eric Graettinger
Commissioner Cliff Oglesby
Commissioner Grant Sylvester

Also Present: City Planner Matt Lonnerstater
Assistant City Attorney Tim Burns
Business Services Coordinator Mary Daley

3. EXCUSE ABSENT MEMBERS

Motion by Commissioner Oglesby, seconded by Commissioner Graettinger to excuse Commissioners Marsh and Kalnasy.

Motion carries unanimously.

4. APPROVAL OF THE MINUTES

Motion by Commissioner Graettinger, seconded by Marsh to approve the minutes of the regular Planning Commission meeting of August 20 2024.

Motion carries unanimously.

5. PUBLIC COMMENT - For items not listed on the agenda

Chair Champagne opened the floor for public comment at 5:31p.m. Seeing none, public comment was closed at 5:31 pm.

6. PUBLIC HEARING

Madison Heights City Council adopted the new Zoning Ordinance on May 13th, 2024. Since going into effect, staff has encountered several ordinance sections that could benefit from clarification or refinement:

- Section 7.03.10 – Use Specific Standards related to Detached One-Family Dwellings
- Section 7.03.43 – Use Specific Standards related to Temporary Uses
- Section 8.03 – Accessory Buildings, Structures, and Uses [Addressed in this Memo]
- Sections 12.06 and 12.07 – Signs

Discussion: ZTA 24-01 - Accessory Buildings, Structures and Uses - Gazebos, Pergolas, and Utility Structures

The proposed amendments to section Section 8.03, addressed in the packet, were discussed and reviewed. Under the old ordinance, gazebos and pergolas were treated as accessory structures (roofed, but open on all sides) subject to the same minimum setback standards as all other accessory structures, including detached garages or sheds: five (5) feet from side/rear property lines and ten (10) feet from the principal structures.

This proposed amendment would exempt small unenclosed accessory structures such as gazebos and pergolas from the building setback requirement and allow applicants to bring the gazebos and pergolas closer to the structure and reduce the need for future variances. Staff has confirmed with the Building Official and Fire Marshal that the proposed amendments are compatible with building and fire codes.

The second part of this amendment pertains to utility structures such as a generator or HVAC unit. Current ordinance language restricts utility structures to the rear yard, with the exception that such structures may be permitted in a side yard only if enclosed by a masonry enclosure. The amendment would allow screening methods to include wood, vinyl or landscaping such as arborvitae.

Chair Champagne opened the hearing for public comment at 5:36 pm. Seeing none, the public comment portion of this hearing was closed at 5:36 pm.

Motion by Commissioner Graettinger, seconded by Commissioner Sylvester to recommend approval of Zoning Text Amendment 24-01 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

Discussion: ZTA 24-02 - Detached One-Family Dwelling Standards – Driveways

The proposed amendments to section Section 7.03.10, addressed in the packet, were discussed and reviewed by the Commission. Planner Lonnerstater explained that the current ordinance limits driveway widths to the outer edges of the garage door. The proposed amendment extends that limit a modest additional 18 inches width (on each side) beyond the edges of the garage door. Staff proposes this would allow for the storage of larger vehicles and provide for a paved area to step out from the vehicle without compromising the general intent of the width limitation.

Chair Champagne opened the hearing for public comment at 5:39 pm. Seeing none, the public comment portion of this hearing was closed at 5:39 pm.

Motion by Commissioner Sylvester, seconded by Commissioner Oglesby to recommend approval of Zoning Text Amendment 24-02 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

Discussion: ZTA 24-03 - Use Specific Standards related to Temporary Uses

The proposed amendments to section Section 7.03.43, addressed in the packet, were discussed and reviewed by the Commission. When the zoning ordinance was updated, it became obvious that the language was restrictive for some more active and unique events that wished to occur weekly. The current language limits properties to three (3) special events per calendar year, with a fourteen (14) day gap between events.

New language would add a “recurring event” provision to the Special Events category, allowing business owners/property owners to hold a recurring event (1-2 consecutive days each) up to a total of ten (10) days per calendar year. A recurring event could be applied for under a single special event permit, which would count toward the total number of special events allotted per year.

Chair Champagne opened the hearing for public comment at 5:43 pm. Seeing none, the public comment portion of this hearing was closed at 5:43 pm.

Motion by Commissioner Sylvester, seconded by Commissioner Graettinger to recommend approval of Zoning Text Amendment 24-03 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

Discussion: ZTA 24-04 - Signs - Wall Sign Allowances

The proposed amendments to section Section 12.06 and 12.07, addressed in the packet, were discussed and reviewed by the Commission. In the current ordinance, the maximum allowance for signs is based on the area of the street facing façade of the business. This proposed amendment changes the language from street-facing to “primary facing.” In order to adequately allocate wall signage allowances and to avoid the need for variances, staff recommended recategorizing building facades into “primary facades” and “secondary facades.” Primary facades would include any façade that fronts a public street or any façade that serves as a main entrance to a building or tenant space, regardless of street frontage. Secondary facades would include any other façade, typically along the side or rear of a building.

Chair Champagne opened the hearing for public comment at 5:47 pm. Seeing none, the public comment portion of this hearing was closed at 5:47 pm.

Motion by Commissioner Sylvester, seconded by Commissioner Graettinger to recommend approval of Zoning Text Amendment 24-04 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

7. PLANNER UPDATES

11 Mile Streetscape Update

Planner Lonnerstater shared an update on the 11 Mile Streetscape Plan- Main Street Placemaking Grant. On July 18th the Oakland County staff informed the city that the Board of Commissioners approved our Placemaking Grant application for a total grant request of \$313,981.50. City Council approved this plan at their meeting on August 12, 2024.

This lane reconfiguration will focus on the area John R from Lorenz. The anticipated start date is sometime next Spring.

8. PUBLIC COMMENT

Seeing no further comments, Chair Champagne adjourned the meeting at 5:57 p.m.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/28/24

PREPARED BY: Matt Lonnerstater, AICP

AGENDA ITEM CONTENT: CED Director - ZTA 24-04 [Ordinance 2025] - Measurement of Sign Area and Height and Regulations for Permitted Signs [Wall Signs] - Second Reading

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

City staff proposes the attached text amendment [ZTA 24-04 Ordinance 2025] pertaining to wall sign measurements and allowances.

RECOMMENDATION:

Staff recommends that City Council approve and adopt ZTA 24-04, Ordinance # 2025, upon second reading.



MEMORANDUM

Date: October 17th, 2024
 To: City of Madison Heights City Council
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Zoning Text Amendment (24-04) – Regulations for Permitted Signs (Wall Signs) – Second Reading

Introduction

Madison Heights City Council adopted the new Zoning Ordinance on May 13th, 2024. Since going into effect, staff has encountered several ordinance sections that could benefit from clarification or refinement:

- Section 7.03.10 – Use Specific Standards related to Detached One-Family Dwellings (Driveways)
- Section 7.03.43 – Use Specific Standards related to Temporary Uses
- Section 8.03 – Accessory Buildings, Structures, and Uses
- **Sections 12.06 and 12.07 – Signs – Wall Signs [Addressed in this Memo]**

This memo addresses proposed text amendments to Section 12.06 and 12.07– Signs – pertaining to measurement and allowances for wall signs. The Planning Commission recommended approval of the proposed text amendment at their September 17th, 2024 meeting.

For reference, staff has included example images of wall signs and their respective areas at the end of this memo.

Background and Proposed Amendments

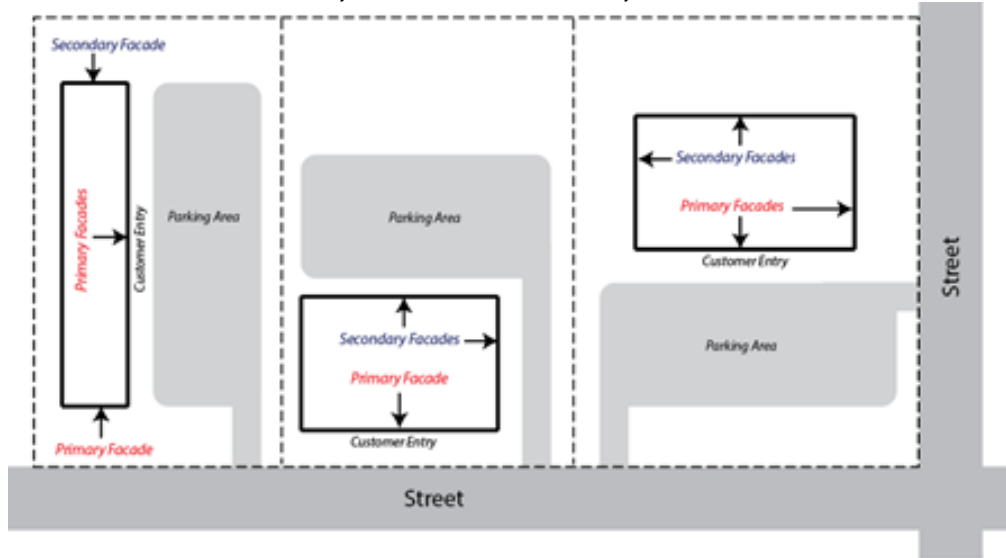
Section 12.06 – Measurement of Sign Area and Height – and Section 12.07 – Regulations for Permitted Signs – contain definitions and calculations pertaining to the measurement of wall signs, as well as the various wall sign allowances per zoning district. The existing language splits wall sign allowances into the categories of “street-facing facades” and “non-street facing facades,” with greater bonus allowances for street-facing facades. While these categories work for many properties/buildings in Madison Heights, there are certain buildings within the City whose main building entrances do not face a street, and several properties that do not have street frontage at all. For example, Target’s main entrance faces the interior parking lot rather than John R Road, and the tenants in Master’s Plaza all face an interior parking lot

Properties/Tenants with Interior-Facing Primary Facades



In order to adequately allocate wall signage allowances and to avoid the need for variances, staff recommends recategorizing building facades into “primary facades” and “secondary facades.” Primary facades would include any façade that fronts a public street or any façade that serves as a main entrance to a building or tenant space, regardless of street frontage. Secondary facades would include any other façade, typically along the side or rear of a building. See the image below for clarification.

Primary Facades and Secondary Facades



The existing language provides a bonus wall sign area allowance for tenants that have street-fronting facades length in excess of 200 feet. Staff proposes changing this bonus allowance to apply to primary façade lengths, even those not fronting a street, in excess of 200 feet. Staff also proposes to extend this bonus allowance to buildings/tenants whose primary façade is greater than 150 feet from the right-of-way line of the adjacent street to allow for greater visibility.

Buildings with Significant Setbacks (>150 feet from Right-of-Way)



Previous Action

At their September 17th, 2024 meeting, the Planning Commission held a public hearing and recommended approval of the proposed text amendment, as written. Draft minutes from this meeting are attached. At their October 14th, meeting, City Council approved the first reading of ZTA 24-04.

Next Step

Based on the Planning Commission’s recommendation, staff recommends that City Council approve and adopt ordinance #2025 (ZTA 24-04) upon second reading.

For Reference: Example Wall Signs and Sign Areas



Goodwill: 80 square feet



O'Reilly Auto Parts: 115 square feet



Gong Cha: 45 square feet

**Ordinance 2025
City of Madison Heights
Oakland County, Michigan
Zoning Text Amendment 24-04**

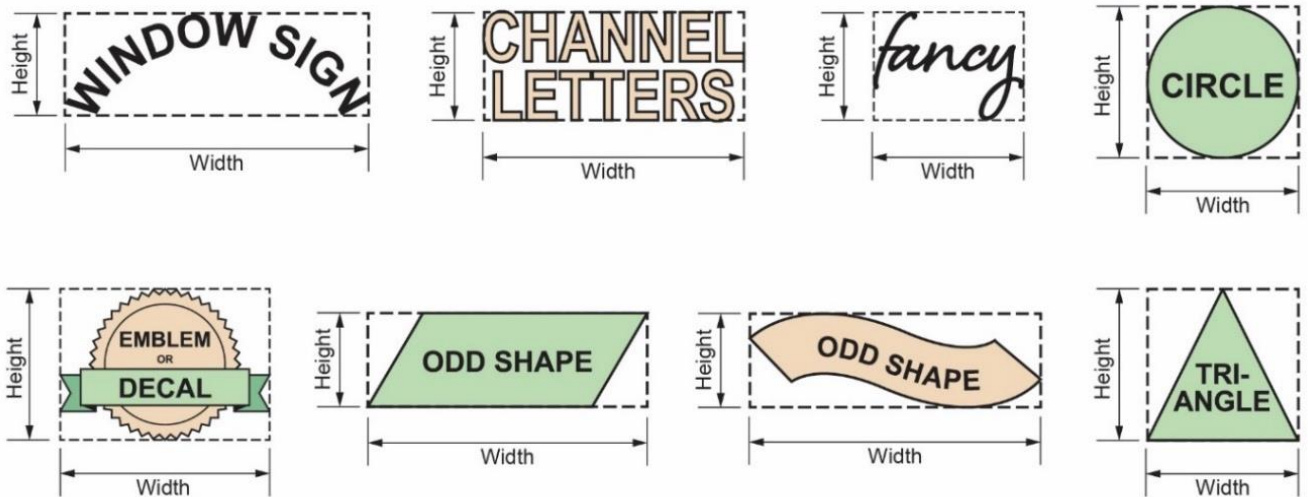
An ordinance to amend Ordinance 2198, being an ordinance codifying and adopting a new Zoning Ordinance for the City of Madison Heights, by amending Appendix A, Section 12.06 – Measurement of Sign Area and Height – and Section 12.07 – Regulations for Permitted Signs – to modify standards relating to wall sign measurements and allowances.

The City of Madison Heights ordains:

Section 1. SECTION 12.06 – MEASUREMENT OF SIGN AREA AND HEIGHT is hereby amended as follows:

Section 12.06 Measurement of Sign Area and Height

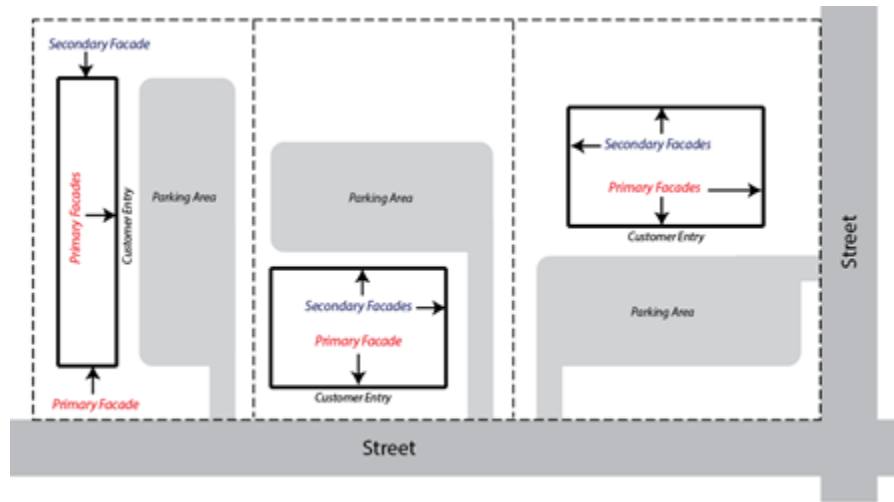
- 1. Sign Area.** For the purposes of this section, the sign area shall include the total area within any circle, triangle, rectangle or square, or combination of two shapes which are contiguous to each other, enclosing the extreme limits of writing, representation, emblem or any similar figure, together with any frame or other material forming an integral part of the display or used to differentiate such sign from the background against which it is placed. In the case of a broken sign, (a sign with open spaces between the letters or insignia) the sign area to be considered for size shall include all air space between the letters or insignia. Where more than one wall sign is used, each sign may be measured individually, using the procedure above, provided the signs are separated by a distance equal to, or greater than, the width of the largest sign. Any back-lit area of a building exterior shall be considered to be a sign area. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back-to-back and less than 24 inches apart, the area of the sign shall equal the area of one face.



- 2. Sign Height.** The height of the sign is measured from the ground to the highest point of the sign from the ground.
- 3. Building Street Frontage.** In certain cases, the lineal street frontage of a building, building unit, or individual tenant space may be the basis for determining permissible wall sign area. Building Street frontage shall be the sum of all wall lengths associated with such building, building unit, or tenant space parallel to a public street, excluding any such wall length determined by the Planning and Zoning Administrator as unrelated to such building, building unit, or tenant space. For multi-tenant buildings, the street frontage shall be measured from the centerline of the party walls defining the tenant's individual space.

4. **Façade Measurements:** In certain cases, sign area calculations may be based on the length of the façade serving as the building or tenant’s primary or secondary façades. Primary façades shall include any façade that has building street frontage along a public street (as defined above) or any façade that serves as the main entrance to a building or tenant space, regardless of street frontage. All other façades shall be considered secondary façades for the purposes of this article. A building or tenant space may have multiple primary façades and secondary façades. When a site has primary and secondary façades herein, the Planning and Zoning Administrator shall determine which façades shall serve as the primary façades and which shall be the secondary façades, as applicable. Façade length shall be the sum of all wall lengths associated with said façade. For multi-tenant buildings, façade length shall be measured from the centerline of the party walls defining the tenant’s individual space.

Primary and Secondary Façades



Section 2. SECTION 12.07- REGULATIONS FOR PERMITTED SIGNS is hereby amended as follows:

Section 12.07 Regulations for Permitted Signs

The following conditions shall apply to all signs erected or located in the specified zoning district(s):

R-1, R-2, R-3, R-MN, R-MF and H-M Districts:

Sign Type	R-1, R-2, R-3, R-MN, R-MF and H-M Districts (Single-family, duplex, and multi-plex lots only)	R-1, R-2, R-3, R-MN, R-MF and H-M Districts (Residential Developments [e.g., subdivisions, site condominiums, multi-family, and mobile home parks] and Non-Residential Uses only)
Awning/ Canopy Signs	Not Permitted	Maximum Number: One (1) sign per awning/canopy. Maximum Area: 15 square feet per sign. Individual signs greater than 15 sq. ft. may be permitted by allocating permitted wall signage allowances, below, to the awning/canopy sign.
Ground Signs	Not Permitted	Maximum Number: One (1) per street frontage. If an individual parcel has frontage that exceeds 300 linear feet on any given street, a total of one (1) additional ground sign may be permitted. Ground signs on a single parcel shall be separated by a minimum of 100 feet. Minimum Setback: 3 feet from right of way. Increase setback by 0.5 foot for every 0.5 foot of height increase above 5 feet (up to a maximum of 6 feet).
• Monument Signs	Not Permitted	Maximum Height: 6 feet Maximum Area: 32 square feet

• Decorative Post Signs	Not Permitted	Maximum Height: 5 feet Maximum Area: 24 square feet
Projecting Signs	Not Permitted	Maximum Number: One (1) projecting sign per public entrance, minimum separation of 20 feet between projecting signs on a single façade. Maximum Area: 10 square feet per individual sign
Wall Signs	Not Permitted	Maximum Total Sign Area per Façade: Street Frontage/Primary Façade: 1.5 square feet of sign area per lineal feet of building street frontage or primary façade length, not to exceed a total of 100 square feet for each street-fronting façade or primary façade. Secondary Façade: 1.5 square feet of sign area per lineal feet of secondary façade length, not to exceed 75 square feet. Painted Wall Signs: Refer to Section 12.05(7)
Window Signs	Maximum Area: 25% of the window area.	
Temporary Signs	Maximum Height: 4 feet Maximum Area: 16 square feet total Minimum Setback: 2 feet from right of way or any lot line.	Maximum Number: One (1) per street frontage. One (1) per parcel with no street frontage Maximum Height: 4 feet Maximum Area: 16 square feet Minimum Setback: 2 feet from any lot line.

B-1 Neighborhood Business District; B-2 Community Business District; B-3 Regional Business Districts; CC City Center District; and MUI Mixed Use Innovation Districts.

Sign Type	B-1, B-2, B-3, CC, and MUI Districts
Awning/ Canopy Signs	Maximum Number: One (1) sign per awning/canopy. Maximum Area: 15 square feet per sign. Individual signs greater than 15 square feet may be permitted by allocating permitted wall signage allowances, below, to the awning/canopy sign.
Ground Signs	Maximum Number: One (1) per street frontage per parcel. If a parcel has frontage that exceeds 300 linear feet on any given street, a total of one (1) additional ground sign may be permitted. Ground signs on a single parcel shall be separated by a minimum of 100 feet. Minimum Setback: 3 feet from right of way. Increase setback by 0.5 foot for every 0.5 foot of height increase above 5 feet (up to a maximum of 8 feet). No sign shall be located closer than 30 feet to any property line of an adjacent residential district.
• Monument Signs	Maximum Height: 8 feet Maximum Area: 0.5 square foot per each lineal foot of lot frontage to a maximum of 60 square feet in area, whichever is less
• Decorative Post Signs	Maximum Height: 5 feet Maximum Area: 24 square feet
Projecting Signs	Maximum Number: One (1) per public entrance, minimum separation of 20 feet between projecting signs on a single façade. Maximum Area: 10 square feet per individual sign.
Wall Signs	Maximum Total Sign Area per Façade: Street Frontage/Primary Façade: 1.5 square feet of total sign area per lineal feet of building street frontage or primary façade length, not to exceed a total of 100 square feet per street-fronting façade or primary façade. Buildings/Tenants with an individual building street frontage or primary facade length in excess of 200 feet, or whose primary facade is set back more than 150 feet from the right-of-way line of the

adjacent street, shall be permitted a total wall area bonus of 25% along such frontage/façade, not to exceed 150 square feet per facade.

Secondary Façade: 1.5 square feet of sign area per lineal feet of secondary façade length, not to exceed 100 square feet.

Painted Wall Signs: Refer to [Section 12.05\(7\)](#)

Window Signs	Maximum Area: 25% of the window area. In an enclosed building where the public is not allowed in the building and where food is offered to the public through a window for immediate consumption the maximum coverage shall be 50 percent.
Temporary Signs	Maximum Number: One (1) per street frontage. One (1) per parcel with no street frontage. Maximum Height: 4 feet Maximum Area: 16 square feet Minimum Setback: 2 feet from right of way or any lot line.

O-1 Office District:

Sign Type	O-1 Districts
Awning/ Canopy Signs	Maximum Number: One (1) sign per awning/canopy. Maximum Area: 15 square feet per sign. Individual signs greater than 15 square feet may be permitted by allocating permitted wall signage allowances, below, to the awning/canopy sign.
Ground Signs	Maximum Number: One (1) per street frontage of a lot or development. Maximum Height: 8 feet Maximum Area: 0.5 square foot per each lineal foot of lot frontage to a maximum of 48 square feet in area. Minimum Setback: 3 feet from all lot lines. No sign shall be located closer than 30 feet to any property line of an adjacent residential district. Increase setback by 0.5 foot for every 0.5 foot of height increase above 5 feet (up to a maximum of 8 feet).
<ul style="list-style-type: none"> Monument Signs 	Maximum Height: 8 feet Maximum Area: 48 square feet
<ul style="list-style-type: none"> Decorative Post Signs 	Maximum Height: 5 feet Maximum Area: 24 square feet
Projecting Signs	Maximum Number: One (1) per public entrance, minimum separation of 20 feet between projecting signs on a single façade. Maximum Area: 10 square feet per individual sign.
Wall Signs	Maximum Total Sign Area per Façade: Street Frontage/Primary Façade: 1.5 square feet of total sign area per lineal feet of building street frontage or primary façade length, not to exceed a total of 75 square feet per tenant per street-fronting façade or primary facade. Buildings/Tenants with an individual building street frontage or primary façade length in excess of 200 feet, or whose primary facade is set back more than 150 feet from the right-of-way line of the adjacent street, shall be permitted a total wall area bonus of 25% along such frontage/façade, not to exceed 125 square feet per facade. Secondary Façade: 1.5 square feet of sign area per lineal feet of secondary façade length, not to exceed 75 square feet Painted Wall Signs: Refer to Section 12.05(7)
Window Signs	Maximum Area: 25% of the window area.
Temporary Signs	Maximum Number: One (1) per street frontage. One (1) per parcel with no street frontage. Maximum Height: 4 feet Maximum Area: 16 square feet Minimum Setback: 2 feet from right of way or any lot line.

M-1 Light Industrial District; and M-2 Heavy Industrial Districts:

Sign Type	M-1 and M-2 Districts
Awning/ Canopy Signs	Maximum Number: One (1) sign per awning/canopy. Maximum Area: 15 square feet per sign. Individual signs greater than 15 square feet may be permitted by allocating permitted wall signage allowances, below, to the awning/canopy sign.
Ground Signs	Maximum Number: One (1) per street frontage per parcel. If a parcel has frontage that exceeds 300 linear feet on any given street, a total of one (1) additional ground sign may be permitted. Ground signs on a single parcel shall be separated by a minimum of 100 feet. No sign shall be located closer than 30 feet to any property line of an adjacent residential district. Minimum Setback: 5 feet
<ul style="list-style-type: none"> Monument Signs 	Maximum Height: 8 feet Maximum Area: 0.5 square foot per each lineal foot of lot frontage to a maximum of 60 square feet in area.
<ul style="list-style-type: none"> Decorative Post Signs 	Maximum Height: 5 feet Maximum Area: 24 square feet
Projecting Signs	Maximum Number: One (1) per public entrance, minimum separation of 20 feet between projecting signs on a single façade. Maximum Area: 10 square feet per individual sign.
Wall Signs	Maximum Total Sign Area per Façade: Street Frontage/Primary frontage: 1.5 square feet of sign area per lineal feet of building street frontage or primary façade length, not to exceed a total of 150 square feet per tenant per street-facing façade or primary façade. Buildings/Tenants with an individual building street frontage or primary façade length in excess of 200 feet, or whose primary façade is set back more than 150 feet from the right-of-way of the adjacent street shall be permitted a total wall area bonus of 25% along such frontage/façade, not to exceed 175 square feet per façade. Secondary Façade: 1.5 square feet of sign area per lineal feet of secondary façade length, not to exceed 100 square feet Painted Wall Signs: Refer to Section 12.05(7)
Window Signs	Maximum Area: 25% of the window area.
Temporary Signs	Maximum Number: One (1) per street frontage. One (1) per parcel with no street frontage. Maximum Height: 4 feet Maximum Area: 16 square feet Minimum Setback: 2 feet from right of way or any lot line.

Section 3. 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 4. 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 5. 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 6. Effective Date

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

Section 7. 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 between 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2024.

Cheryl Rottmann, City Clerk

ZOTXT 24-04 (Ordinance 2025)
Planning Commission Public Hearing: September 17th, 2024
City Council First Reading: October 14th, 2024
City Council Second Reading: October 28th, 2024
Adopted: TBD
Published: TBD
Effective: TBD

**Ordinance 2025
City of Madison Heights
Oakland County, Michigan
Zoning Text Amendment 24-04**

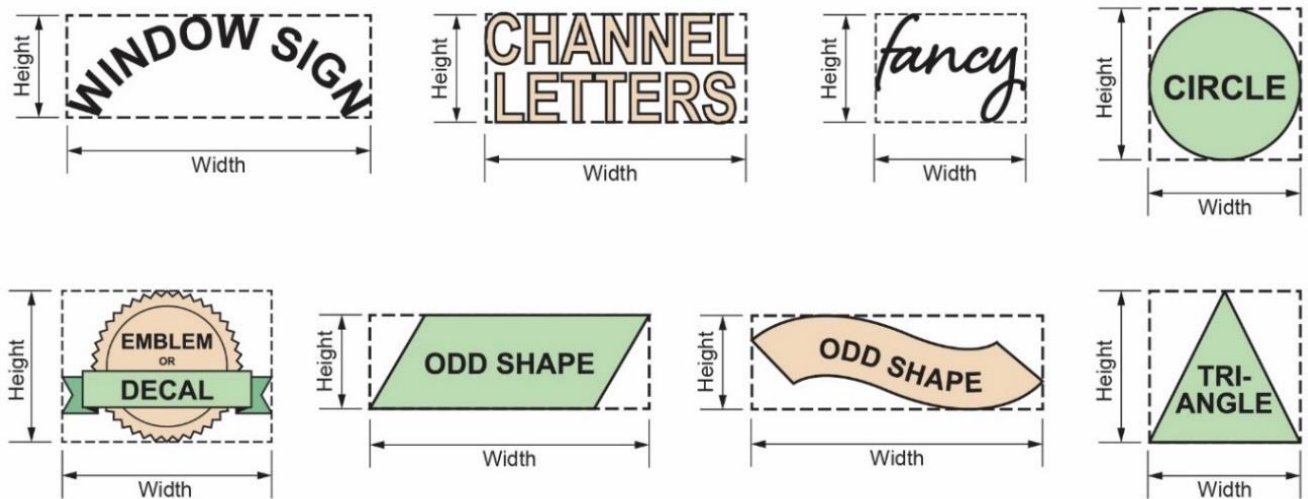
An ordinance to amend Ordinance 2198, being an ordinance codifying and adopting a new Zoning Ordinance for the City of Madison Heights, by amending Appendix A, Section 12.06 – Measurement of Sign Area and Height – and Section 12.07 – Regulations for Permitted Signs – to modify standards relating to wall sign measurements and allowances.

The City of Madison Heights ordains:

Section 1. SECTION 12.06 – MEASUREMENT OF SIGN AREA AND HEIGHT is hereby amended as follows:

Section 12.06 Measurement of Sign Area and Height

- 1. Sign Area.** For the purposes of this section, the sign area shall include the total area within any circle, triangle, rectangle or square, or combination of two shapes which are contiguous to each other, enclosing the extreme limits of writing, representation, emblem or any similar figure, together with any frame or other material forming an integral part of the display or used to differentiate such sign from the background against which it is placed. In the case of a broken sign, (a sign with open spaces between the letters or insignia) the sign area to be considered for size shall include all air space between the letters or insignia. Where more than one wall sign is used, each sign may be measured individually, using the procedure above, provided the signs are separated by a distance equal to, or greater than, the width of the largest sign. Any back-lit area of a building exterior shall be considered to be a sign area. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back-to-back and less than 24 inches apart, the area of the sign shall equal the area of one face.



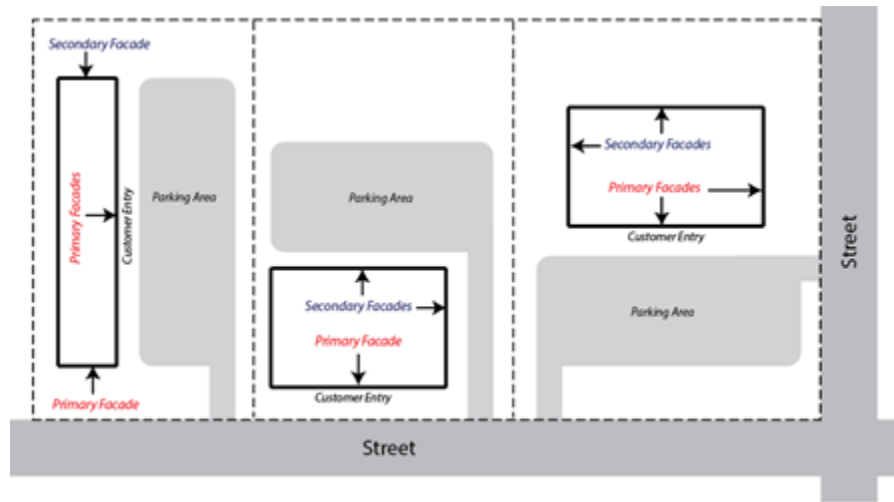
- 2. Sign Height.** The height of the sign is measured from the ground to the highest point of the sign from the ground.

- 3. Lineal Building Street Frontage.** In certain cases, the lineal street frontage of a building, building unit, or individual tenant space ~~shall may~~ be the basis for determining permissible wall sign area. Lineal Building Street frontage shall be the sum of all wall lengths associated with such building, building unit, or tenant space parallel to a public street, excluding any such wall length determined by the Planning and Zoning Administrator as unrelated to such building, building unit, or tenant space. For multi-tenant buildings, the street frontage shall be measured from the centerline of the party walls defining the tenant’s individual space.

4. Façade Measurements: In certain cases, sign area calculations may be based on the length of the façade serving as the building or tenant’s primary or secondary façades. Primary façades shall include any façade that has building street frontage along a public street (as defined above) or any façade that serves as the main entrance to a building or tenant space, regardless of street frontage. All other façades shall be considered secondary façades for the purposes of this article. A building or tenant space may have multiple primary façades and secondary façades. When a site has primary and secondary façades herein, the Planning and Zoning Administrator shall determine which façades shall serve as the primary façades and which shall be the secondary façades, as applicable. Façade length shall be the sum of all wall lengths associated with said façade. For multi-tenant buildings, façade length shall be measured from the centerline of the party walls defining the tenant’s individual space.

Primary and Secondary Façades

3. _____



Section 2. SECTION 12.07- REGULATIONS FOR PERMITTED SIGNS is hereby amended as follows:

Section 12.07 Regulations for Permitted Signs

The following conditions shall apply to all signs erected or located in the specified zoning district(s):

R-1, R-2, R-3, R-MN, R-MF and H-M Districts:

Sign Type	R-1, R-2, R-3, R-MN, R-MF and H-M Districts (Single-family, duplex, and multi-plex lots only)	R-1, R-2, R-3, R-MN, R-MF and H-M Districts (Residential Developments [e.g., subdivisions, site condominiums, multi-family, and mobile home parks] and Non-Residential Uses only)
Awning/ Canopy Signs	Not Permitted	Maximum Number: One (1) sign per awning/canopy. Maximum Area: 15 square feet per sign. Individual signs greater than 15 sq. ft. may be permitted by allocating permitted wall signage allowances, below, to the awning/canopy sign.
Ground Signs	Not Permitted	Maximum Number: One (1) per street frontage. If an individual parcel has frontage that exceeds 300 linear feet on any given street, a total of one (1) additional ground sign may be permitted. Ground signs on a single parcel shall be separated by a minimum of 100 feet. Minimum Setback: 3 feet from right of way. Increase setback by 0.5 foot for every 0.5 foot of height increase above 5 feet (up to a maximum of 6 feet).
Monument Signs	Not Permitted	Maximum Height: 6 feet Maximum Area: 32 square feet

• Decorative Post Signs	Not Permitted	Maximum Height: 5 feet Maximum Area: 24 square feet
Projecting Signs	Not Permitted	Maximum Number: One (1) projecting sign per public entrance, minimum separation of 20 feet between projecting signs on a single façade. Maximum Area: 10 square feet per individual sign
Wall Signs	Not Permitted	Maximum Area per Individual Sign: 50 square feet Maximum Total Sign Area per Façade: Street-Facing façades/Street Frontage/Primary Façade: 1.5 square feet of sign area per lineal feet of building street frontage or primary façade length, not to exceed a total of 100 square feet for each street-facing façade street-fronting façade or primary façade. Non-street-facing façades/Secondary Façade: 1.5 square feet of sign area per lineal feet of secondary façade length, not to exceed 75 100 square feet per façade. Painted Wall Signs: Refer to Section 12.05(7)
Window Signs	Maximum Area: 25% of the window area.	
Temporary Signs	Maximum Height: 4 feet Maximum Area: 16 square feet total Minimum Setback: 2 feet from right of way or any lot line.	Maximum Number: One (1) per street frontage. One (1) per parcel with no street frontage. Maximum Height: 4 feet Maximum Area: 16 square feet Minimum Setback: 2 feet from any lot line.

B-1 Neighborhood Business District; B-2 Community Business District; B-3 Regional Business Districts; CC City Center District; and MUI Mixed Use Innovation Districts.

Sign Type	B-1, B-2, B-3, CC, and MUI Districts
Awning/ Canopy Signs	Maximum Number: One (1) sign per awning/canopy. Maximum Area: 15 square feet per sign. Individual signs greater than 15 square feet may be permitted by allocating permitted wall signage allowances, below, to the awning/canopy sign.
Ground Signs	Maximum Number: One (1) per street frontage per parcel. If a parcel has frontage that exceeds 300 linear feet on any given street, a total of one (1) additional ground sign may be permitted. Ground signs on a single parcel shall be separated by a minimum of 100 feet. Minimum Setback: 3 feet from right of way. Increase setback by 0.5 foot for every 0.5 foot of height increase above 5 feet (up to a maximum of 8 feet). No sign shall be located closer than 30 feet to any property line of an adjacent residential district.
• Monument Signs	Maximum Height: 8 feet Maximum Area: 0.5 square foot per each lineal foot of lot frontage to a maximum of 60 square feet in area, whichever is less
• Decorative Post Signs	Maximum Height: 5 feet Maximum Area: 24 square feet
Projecting Signs	Maximum Number: One (1) per public entrance, minimum separation of 20 feet between projecting signs on a single façade. Maximum Area: 10 square feet per individual sign.

Wall Signs

~~Maximum Height: 20 feet~~
~~Maximum Area per Individual Sign: 75 square feet. Individual tenants with lineal building frontage in excess of 200 feet along a public roadway shall be permitted a maximum individual sign area allowance of 100 square feet along such street facing facades.~~

Maximum Total Sign Area per Façade:

~~Street-Facing facades~~ **Street Frontage/Primary Façade:** 1.5 square feet of total sign area per lineal feet of building street frontage or primary façade length, not to exceed a total of 100 square feet per ~~tenant per street facing~~ street-fronting façade or primary façade.
~~facade.~~

~~Individual Buildings/Tenants with an individual lineal building street frontage or primary façade length in excess of 200 feet, along a public street or whose primary façade is set back more than 150 feet from the right-of-way line of the adjacent street, shall be permitted a total wall area allowance bonus of 25% along such frontage/façade, not to exceed of 150 square feet per façade, along such street facing facades.~~

~~Non-street-facing facades:~~ **Secondary Façade:** 1.5 square feet of sign area per lineal feet of secondary façade length, not to exceed 100 square feet ~~100 square feet per façade per tenant.~~

Painted Wall Signs: Refer to [Section 12.05\(7\)](#)

Window Signs **Maximum Area:** 25% of the window area. In an enclosed building where the public is not allowed in the building and where food is offered to the public through a window for immediate consumption the maximum coverage shall be 50 percent.

Temporary Signs

Maximum Number: One (1) per street frontage. One (1) per parcel with no street frontage.
Maximum Height: 4 feet
Maximum Area: 16 square feet
Minimum Setback: 2 feet from right of way or any lot line.

O-1 Office District:

Sign Type	O-1 Districts
Awning/ Canopy Signs	<p>Maximum Number: One (1) sign per awning/canopy.</p> <p>Maximum Area: 15 square feet per sign. Individual signs greater than 15 square feet may be permitted by allocating permitted wall signage allowances, below, to the awning/canopy sign.</p>
Ground Signs	<p>Maximum Number: One (1) per street frontage of a lot or development.</p> <p>Maximum Height: 8 feet</p> <p>Maximum Area: 0.5 square foot per each lineal foot of lot frontage to a maximum of 48 square feet in area.</p> <p>Minimum Setback: 3 feet from all lot lines. No sign shall be located closer than 30 feet to any property line of an adjacent residential district. Increase setback by 0.5 foot for every 0.5 foot of height increase above 5 feet (up to a maximum of 8 feet).</p>
<ul style="list-style-type: none"> Monument Signs 	<p>Maximum Height: 8 feet</p> <p>Maximum Area: 48 square feet</p>
<ul style="list-style-type: none"> Decorative Post Signs 	<p>Maximum Height: 5 feet</p> <p>Maximum Area: 24 square feet</p>
Projecting Signs	<p>Maximum Number: One (1) per public entrance, minimum separation of 20 feet between projecting signs on a single façade.</p> <p>Maximum Area: 10 square feet per individual sign.</p>
Wall Signs	<p>Maximum Height: 20 feet Maximum Area per Individual Sign: 50 square feet. Individual tenants with lineal building frontage in excess of 200 feet along a public roadway shall be permitted a maximum individual sign area allowance of 75 square feet along such street facing facades.</p>

Maximum Total Sign Area per Façade:

~~Street-Facing façades~~**Street Frontage/Primary Façade:** 1.5 square feet of total sign area per lineal feet of building street frontage or primary façade length, not to exceed a total of 75 square feet per tenant per street-fronting façade or primary façade~~street-facing façade.~~

~~Individual tenants with~~**Buildings/Tenants with an individual lineal**-building street frontage or primary façade length in excess of 200 feet ~~along a public street, or whose primary façade is set back more than 150 feet from the right-of-way line of the adjacent street,~~ shall be permitted a total wall area bonus of 25% along such frontage/façade, not to exceed 125 square feet per façade. ~~allowance of 100 square feet along such street-facing façades.~~

~~Non-street-facing façades:~~**Secondary Façade: Secondary Façade:** 1.5 square feet of sign area per lineal feet of secondary façade length, not to exceed 75 square feet ~~75 square feet per façade per tenant.~~

Painted Wall Signs: Refer to Section 12.05(7)

Window Signs	Maximum Area: 25% of the window area.
Temporary Signs	Maximum Number: One (1) per <u>street frontage. One (1) per parcel with no street frontage.</u> lot. Maximum Height: 4 feet Maximum Area: 16 square feet Minimum Setback: 2 feet from right of way or any lot line.

M-1 Light Industrial District; and M-2 Heavy Industrial Districts:

Sign Type	M-1 and M-2 Districts
Awning/ Canopy Signs	Maximum Number: One (1) sign per awning/canopy. Maximum Area: 15 square feet per sign. Individual signs greater than 15 square feet may be permitted by allocating permitted wall signage allowances, below, to the awning/canopy sign.
Ground Signs	Maximum Number: One (1) per street frontage per parcel. If a parcel has frontage that exceeds 300 linear feet on any given street, a total of one (1) additional ground sign may be permitted. Ground signs on a single parcel shall be separated by a minimum of 100 feet. No sign shall be located closer than 30 feet to any property line of an adjacent residential district. Minimum Setback: 5 feet
<ul style="list-style-type: none"> Monument Signs 	Maximum Height: 8 feet Maximum Area: 0.5 square foot per each lineal foot of lot frontage to a maximum of 60 square feet in area.
<ul style="list-style-type: none"> Decorative Post Signs 	Maximum Height: 5 feet Maximum Area: 24 square feet
Projecting Signs	Maximum Number: One (1) per public entrance, minimum separation of 20 feet between projecting signs on a single façade. Maximum Area: 10 square feet per individual sign.
Wall Signs	Maximum Area per Individual Sign: 100 square feet. Individual tenants with lineal building frontage in excess of 200 feet along a public roadway shall be permitted a maximum individual sign area allowance of 150 square feet along such street-facing façades. Maximum Total Sign Area per Façade: Street-Facing façades Street Frontage/Primary frontage: 1.5 square feet of sign area per lineal feet of building <u>street frontage or primary façade length</u> , not to exceed a total of 150 square feet per tenant per street-facing <u>street-facing façade or primary</u> façade. Individual tenants Buildings/Tenants with <u>an individual lineal</u> building <u>street frontage or primary façade length</u> in excess of 200 feet, <u>or whose primary façade is set back more</u>

~~than 150 feet from the right-of-way of the adjacent street along a public street~~ shall be permitted a total wall area bonus of 25% along such frontage/facade, not to exceed allowance of 175 square feet along such street facing façades, per facade.
~~Non-street facing façades:~~ **Secondary Facade:** 1.5 square feet of sign area per lineal feet of secondary facade length, not to exceed 100 square feet ~~100 square feet per facade per tenant.~~

Painted Wall Signs: Refer to Section 12.05(7)

Window Signs	Maximum Area: 25% of the window area.
Temporary Signs	Maximum Number: One (1) per lot <u>street frontage. One (1) per parcel with no street frontage.</u> Maximum Height: 4 feet Maximum Area: 16 square feet Minimum Setback: 2 feet from right of way or any lot line.

Section 3. 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 4. 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 5. 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 6. Effective Date

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

Section 7. 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 between 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2024.

Cheryl Rottmann, City Clerk

ZOTXT 24-04 (Ordinance 2025)

Planning Commission Public Hearing: September 17th, 2024

City Council First Reading: October 14th, 2024

City Council Second Reading: October 28th, 2024

Adopted: TBD

Published: TBD

Effective: TBD

DRAFT



CITY OF MADISON HEIGHTS
PLANNING COMMISSION MEETING MINUTES

September 17, 2024 **(DRAFT)**
 Council Chambers – City Hall
 300 W. 13 Mile, Madison Heights, MI 48071

1. CALL TO ORDER

Chair Champagne called the meeting of the Madison Heights Planning Commission to order at 5:30 p.m.

2. ROLL CALL

Present: Chair Josh Champagne
 Mayor Roslyn Grafstein
 Mayor Pro Tem Mark Bliss
 Commissioner Eric Graettinger
 Commissioner Cliff Oglesby
 Commissioner Grant Sylvester

Also Present: City Planner Matt Lonnerstater
 Assistant City Attorney Tim Burns
 Business Services Coordinator Mary Daley

3. EXCUSE ABSENT MEMBERS

Motion by Commissioner Oglesby, seconded by Commissioner Graettinger to excuse Commissioners Marsh and Kalnasy.

Motion carries unanimously.

4. APPROVAL OF THE MINUTES

Motion by Commissioner Graettinger, seconded by Marsh to approve the minutes of the regular Planning Commission meeting of August 20 2024.

Motion carries unanimously.

5. PUBLIC COMMENT - For items not listed on the agenda

Chair Champagne opened the floor for public comment at 5:31p.m. Seeing none, public comment was closed at 5:31 pm.

6. PUBLIC HEARING

Madison Heights City Council adopted the new Zoning Ordinance on May 13th, 2024. Since going into effect, staff has encountered several ordinance sections that could benefit from clarification or refinement:

- Section 7.03.10 – Use Specific Standards related to Detached One-Family Dwellings
- Section 7.03.43 – Use Specific Standards related to Temporary Uses
- Section 8.03 – Accessory Buildings, Structures, and Uses [Addressed in this Memo]
- Sections 12.06 and 12.07 – Signs

Discussion: ZTA 24-01 - Accessory Buildings, Structures and Uses - Gazebos, Pergolas, and Utility Structures

The proposed amendments to section Section 8.03, addressed in the packet, were discussed and reviewed. Under the old ordinance, gazebos and pergolas were treated as accessory structures (roofed, but open on all sides) subject to the same minimum setback standards as all other accessory structures, including detached garages or sheds: five (5) feet from side/rear property lines and ten (10) feet from the principal structures.

This proposed amendment would exempt small unenclosed accessory structures such as gazebos and pergolas from the building setback requirement and allow applicants to bring the gazebos and pergolas closer to the structure and reduce the need for future variances. Staff has confirmed with the Building Official and Fire Marshal that the proposed amendments are compatible with building and fire codes.

The second part of this amendment pertains to utility structures such as a generator or HVAC unit. Current ordinance language restricts utility structures to the rear yard, with the exception that such structures may be permitted in a side yard only if enclosed by a masonry enclosure. The amendment would allow screening methods to include wood, vinyl or landscaping such as arborvitae.

Chair Champagne opened the hearing for public comment at 5:36 pm. Seeing none, the public comment portion of this hearing was closed at 5:36 pm.

Motion by Commissioner Graettinger, seconded by Commissioner Sylvester to recommend approval of Zoning Text Amendment 24-01 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

Discussion: ZTA 24-02 - Detached One-Family Dwelling Standards – Driveways

The proposed amendments to section Section 7.03.10, addressed in the packet, were discussed and reviewed by the Commission. Planner Lonnerstater explained that the current ordinance limits driveway widths to the outer edges of the garage door. The proposed amendment extends that limit a modest additional 18 inches width (on each side) beyond the edges of the garage door. Staff proposes this would allow for the storage of larger vehicles and provide for a paved area to step out from the vehicle without compromising the general intent of the width limitation.

Chair Champagne opened the hearing for public comment at 5:39 pm. Seeing none, the public comment portion of this hearing was closed at 5:39 pm.

Motion by Commissioner Sylvester, seconded by Commissioner Oglesby to recommend approval of Zoning Text Amendment 24-02 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

Discussion: ZTA 24-03 - Use Specific Standards related to Temporary Uses

The proposed amendments to section Section 7.03.43, addressed in the packet, were discussed and reviewed by the Commission. When the zoning ordinance was updated, it became obvious that the language was restrictive for some more active and unique events that wished to occur weekly. The current language limits properties to three (3) special events per calendar year, with a fourteen (14) day gap between events.

New language would add a “recurring event” provision to the Special Events category, allowing business owners/property owners to hold a recurring event (1-2 consecutive days each) up to a total of ten (10) days per calendar year. A recurring event could be applied for under a single special event permit, which would count toward the total number of special events allotted per year.

Chair Champagne opened the hearing for public comment at 5:43 pm. Seeing none, the public comment portion of this hearing was closed at 5:43 pm.

Motion by Commissioner Sylvester, seconded by Commissioner Graettinger to recommend approval of Zoning Text Amendment 24-03 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

Discussion: ZTA 24-04 - Signs - Wall Sign Allowances

The proposed amendments to section Section 12.06 and 12.07, addressed in the packet, were discussed and reviewed by the Commission. In the current ordinance, the maximum allowance for signs is based on the area of the street facing façade of the business. This proposed amendment changes the language from street-facing to “primary facing.” In order to adequately allocate wall signage allowances and to avoid the need for variances, staff recommended recategorizing building facades into “primary facades” and “secondary facades.” Primary facades would include any façade that fronts a public street or any façade that serves as a main entrance to a building or tenant space, regardless of street frontage. Secondary facades would include any other façade, typically along the side or rear of a building.

Chair Champagne opened the hearing for public comment at 5:47 pm. Seeing none, the public comment portion of this hearing was closed at 5:47 pm.

Motion by Commissioner Sylvester, seconded by Commissioner Graettinger to recommend approval of Zoning Text Amendment 24-04 to City Council as presented by Staff and as written in the packet.

Motion carries unanimously.

7. PLANNER UPDATES

11 Mile Streetscape Update

Planner Lonnerstater shared an update on the 11 Mile Streetscape Plan- Main Street Placemaking Grant. On July 18th the Oakland County staff informed the city that the Board of Commissioners approved our Placemaking Grant application for a total grant request of \$313,981.50. City Council approved this plan at their meeting on August 12, 2024.

This lane reconfiguration will focus on the area John R from Lorenz. The anticipated start date is sometime next Spring.

8. PUBLIC COMMENT

Seeing no further comments, Chair Champagne adjourned the meeting at 5:57 p.m.