



AGENDA - Planning Commission

DATE: September 13, 2023 7:00 PM City Council
Chambers

- I. Call to Order
- II. Roll Call
- III. Approval of Meeting Minutes
 - I. Approval of March 8, 2023 Minutes
- IV. Public Comment (Agenda Items)
- V. Unfinished Business
 - I. Zoning Ordinance Draft Chapters Review
- VI. New Business
- VII. Public Comment (Non-Agenda Items)
- VIII. Adjournment

Public Comment: Public Comments are limited to three minutes.

Live Stream: The meeting will be livestreamed to the Official City of Grosse Pointe Park YouTube Channel.

Planning Commission Meeting - March 8, 2023
7:00 PM

CALL TO ORDER

The meeting was called to order by Chair Coletta.

ROLL CALL

The following were present: Commissioners Taylor, Saros, Stachecki, Vice Chair Vethacke, and Chair Coletta.

Also present: Warren Rothe, Secretary and Assistant City Manager.

Motion by Chair Coletta, seconded by Vice Chair Vethacke, to excuse Mayor Hodges.

AYES: Commissioners Taylor, Saros, Stachecki, Vice Chair Vethacke, and Chair Coletta.

NAYS: None.

EXCUSED: Mayor Hodges.

APPROVAL OF MEETING MINUTES

Motion by Vice Chair Vethacke, seconded by Commissioner Saros, to approve the January 26, 2023 minutes.

AYES: Commissioners Taylor, Saros, Stachecki, Vice Chair Vethacke, and Chair Coletta.

NAYS: None.

EXCUSED: Mayor Hodges.

PUBLIC COMMENT (AGENDA ITEMS)

One public comment was made.

ZONING ORDINANCE REWRITE:
RESIDENTIAL DESIGN STANDARDS

The 2022 Master Plan contains recommendations that are collectively known as a "Zoning Plan." These recommendations are to inform future changes or modifications to the City's Zoning Ordinance. McKenna gave a presentation on types of residential design guidelines. Properties in Grosse Pointe Park were reviewed, along with sample ordinances from the City of Holland and the City of Huntington Woods.

ZONING ORDINANCE REWRITE:
SIGN REGULATIONS

As a part of the 2023 Zoning Ordinance update, McKenna has researched comparable municipalities' regulations on signage types and maximum sign sizes. The findings of this research were presented, and types of signage was discussed.

PUBLIC COMMENT (NON-AGENDA ITEMS)

Two public comments were made.

ADJOURNMENT

Motion by Commissioner Stachecki, seconded by Commissioner Taylor, to adjourn the meeting.

AYES: Commissioners Taylor, Saros, Stachecki, Vice Chair Vethacke, and Chair Coletta.

NAYS: None.

EXCUSED: Mayor Hodges.

With no further business, the meeting adjourned at 9:25pm.

DRAFT PENDING APPROVAL

Zoning Ordinance

CITY OF GROSSE POINTE PARK, MICHIGAN

DRAFT · July 5, 2023



Zoning Ordinance

CITY OF GROSSE POINTE PARK, MICHIGAN

Version	Date	Author	Changes
0.3	JULY 5, 2023	JJ, MJB, MSB, & NW	Second Draft

ADOPTED _____, 2023

EFFECTIVE _____, 2023

AS AMENDED _____, 2023

Prepared by:



MCKENNA

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Article 1.

Title, Scope, and Purpose

ZONING ORDINANCE · CITY OF GROSSE POINTE PARK, MI



Section 1.1 Short Title

This Ordinance is known and cited as the “City of Grosse Pointe Park Zoning Ordinance” or the “Zoning Ordinance”. The official Zoning Map, a part of this Ordinance, is known and cited as the “City of Grosse Pointe Park Zoning Map” or the “Zoning Map.”

Section 1.2 Intent and Purpose

Grosse Pointe Park’s Zoning Ordinance promotes and protects the public health, safety, and general welfare by incorporating provisions to achieve the following:

- A) Prevent the overcrowding of land and undue concentration of structures and uses by regulating the intensity of land uses and lot areas and to determine the areas of open spaces surrounding buildings and structures necessary to protect adequate light, air, privacy, and convenience of access to properties.
- B) Promote economic development and conserve and preserve the value of land, buildings, and structures.
- C) Allow for a variety of residential housing types, and commercial, institutional, and public uses.
- D) Protect against noxious fumes and odors, fires, crime, heat, dust, smoke, glare, noise, radioactivity, and other nuisances and hazards.
- E) Promote efficient mobility throughout the city by a variety of modes, as appropriate to the character of each part of the community, while minimizing congestion and safety concerns.
- F) Promote the orderly and beneficial development of uses and prohibit uses that are incompatible with the character of development, uses, or structures permitted within zoning districts.

To reach these objectives, Grosse Pointe Park will consider the character of each district, its peculiar suitability for particular uses, the general and appropriate trends, and the character of land, buildings and population development, as studied, recommended and/or adopted within the master plan.

Section 1.3 Legal Basis

Grosse Pointe Park’s Zoning Ordinance is enacted pursuant to:

- A) **The Zoning Enabling Act.** The Michigan Zoning Enabling Act (PA 110 of 2006), as amended establishes the authority for local units of government to adopt comprehensive zoning regulations and empowers the city to enact a zoning code and provide for its administration, enforcement, and amendment.
- B) **Necessity.** Grosse Pointe Park has determined it necessary to enact zoning regulations for the purpose of promoting public health, safety, and general welfare.
- C) **Master Plan Compliance.** Grosse Pointe Park has adopted a Master Plan and sub-area plans intended to guide growth in a logical and orderly fashion, which serves as the basis of this Zoning Ordinance.



Section 1.4 Scope of Application

- A) Zoning applies to every building, structure, and use.
- B) Any use not expressly permitted within this Zoning Ordinance is prohibited, unless otherwise reviewed and approved by the Planning Commission as a special land use. See Article 2 for the Table of Permitted Uses by District on the determination for uses not specifically listed.
- C) No building, structure, or land is to be used or occupied, and no building or structure or part thereof is to be erected, moved, placed, reconstructed, extended, enlarged, or altered, except in conformity with this Zoning Ordinance, unless specifically superseded by a law or regulation of Wayne County, the State of Michigan, or the Federal Government of the United States.

Section 1.5 Conflicting Laws

The provisions of this Zoning Ordinance are in addition to all other ordinances and regulations in effect within the city.

- A) **More Restrictive.** Whenever any provision of this Zoning Ordinance imposes more stringent requirements, regulations, restrictions, or limitations than are imposed or required by the provisions of any other City Code, the provisions of this Ordinance govern. Whenever the provisions of any other regulation or ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such law or ordinance govern.
- B) **Abrogate or Annul.** This Zoning Ordinance is not intended to abrogate or annul any easement, covenant, or other private agreement, provided that where any provision of this Ordinance is more restrictive or imposes a higher standard than such easement, covenant, or other private agreement, this Ordinance governs.

Section 1.6 Prior Unlawful Structures, Sites, Lots, and Uses

Any structure, site, lot, or use that was unlawfully constructed, occupied, or created before the effective date of this Zoning Ordinance will continue to be unlawful, unless expressly permitted by this Zoning Ordinance, and is not legally non-conforming.

Section 1.7 Vested Right

Nothing in this Ordinance shall be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein; and they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety, and welfare unless otherwise permitted by law.

Article 2.

Zoning Districts and Zoning Map

ZONING ORDINANCE · CITY OF GROSSE POINTE PARK, MI



Section 2.1 Zoning Districts

Grosse Pointe Park is divided into the following zoning districts, which are known by the following respective abbreviations and intent statements:

Code	Zoning District	Zoning District Intent Statement
Civic	Civic and Parks District	Provides an environment of buildings and active and passive spaces for public use, including city facilities, parks, schools, and religious institutions.
ER	Estate Residential District	Provides an environment of low-density single-family dwellings along with other uses that serve the residents in the district. To preserve the estates of Grosse Pointe Park by discouraging the subdivision of existing lots.
NR-1	Neighborhood Residential District – 1	Provides an environment of low-density single-family dwellings along with other uses that serve the residents in the district. Higher densities of dwellings are permitted within the city under the NR-1 zoning district than the ER District.
NR-2	Neighborhood Residential District – 2	Provides an environment of intermediate density one-family to two-family dwellings along with other uses that serve the residents in the district.
NR-3	Neighborhood Residential District – 3	Provides an environment of intermediate density with a mix of housing types from single-family homes to six or more attached multi-family dwellings along with other uses that serve the residents in the district. Higher density developments are subject to special conditions regarding lot size and lot coverage and require Planning Commission approval.
NMU	Neighborhood Mixed-Use District	Permits daily services and goods to be readily available for the surrounding neighborhoods in addition to context-sensitive live/work developments, residential units, office, and smaller-scale commercial uses that lend themselves to encouraging a walkable, pedestrian oriented neighborhood. This district is intended to accommodate a less intensive mix of uses than Grosse Pointe Park's more intensive, auto-focused business districts and major thoroughfares. Permitted uses include retail, personal services, live/work units, upper floor residential and office uses.
CBD	Central Business District	Permits small to medium scale mixed-use development that encourages pedestrian, bicycle, and transit uses as a means of accessing and supporting these developments. This includes a variety of commercial, office, recreation, civic, and residential uses to enhance the vitality and appeal of the corridor. This district further intends to protect the integrity of the surrounding residential uses by requiring the installation of landscaping, buffers, etc. at its borders with adjacent residentially zoned districts, as necessary. The district requires build-to widths, high levels of transparency on the front building facade, frequent entrance spacing, and ground floor elevation at or near sidewalk grade. This promotes a legible street wall and activates the public realm with pedestrian activity and visual interest.
CMU	Corridor Mixed-Use District	Provides a "city identity", indicating to residents and visitors that they are in Grosse Pointe Park while supporting a mix that includes more auto-oriented uses, while remaining walkable, with diverse uses, including mobile vendors, and increased night-time population.
TD	Transition District	Supports local businesses by allowing parking lots as automatically permitted uses. In addition to parking lots, the district acts as a transition from residential neighborhood to a commercial neighborhood by either providing parking or light neighborhood commercial uses.



Section 2.2 District Boundaries and the Zoning Map

The areas establishing Grosse Pointe Park's zoning districts and the boundaries of the districts are hereby established as shown on the Zoning Map, which accompanies this Zoning Ordinance, and which the Zoning Map with all notations, references, and other information shown thereon is as much a part of this Ordinance as if fully described herein. The Zoning Map is certified as the official copy by the City Clerk and kept on display at City Hall.

Section 2.3 Interpretation of District Boundaries

Where uncertainty exists as to the boundaries of a district on the Zoning Map, the following rules apply:

- A) Boundaries following the centerlines of streets, highways, or alleys, are construed as following such centerlines.
- B) Boundaries following platted or unplatted lot lines are construed as following such lot lines.
- C) Boundaries following the boundaries of the city are construed as following such boundaries.
- D) Boundaries parallel to, extensions of, or perpendicular to, features indicated in the above subsections A-C are so construed. Distances not specifically indicated on the Zoning Map are determined by the scale of the map.
- E) In other circumstances not clearly covered above by subsections A-D, the Director of Public Services determines the boundaries by applying the criteria for such determination for subsections A-D, or by any other criteria as determined appropriate to construe the boundaries of the district in a reasonable and harmonious manner.

Section 2.4 Zoning of Vacated Areas

Whenever any park, common area, outlot, street, alley, or other public way within the city is vacated, such property (or portion thereof) is automatically classified in the district of the adjoining property on either side of such vacated property. In the event such vacated property is a district boundary between two or more different districts, the new district boundary is the former centerline of such vacated property.

Section 2.5 Annexed Areas

Whenever land is annexed to the city, such land is automatically zoned the ER, Estate Residential District and will remain as the ER District until changed by the adoption of a Zoning Map amendment by City Council.

Section 2.6 Essential Services

Essential services are permitted in all zoning districts and subject to the standards of this Zoning Ordinance and permitted to receive waivers from requirements upon demonstration to the Director of Public Services that the Ordinance standard in question would inhibit the provision of the essential service to Grosse Pointe Park residents. However, buildings, towers, and substations (such as wastewater treatment facilities, telephone



repeater stations, gas, or electric regulator stations, and the like) are not eligible for waivers and limited to the zoning district within which they are located.

Section 2.7 Table of Land Uses by Zoning District

- A) Throughout this table, “P” means permitted “Use by Right”, and “S” means permitted by “Special Land Use”. An asterisk (*) next to the letter indicates that additional use standards must be met.
- B) The Planning Commission has the authority to determine that a use (including a temporary use) not listed within this Zoning Ordinance is similar in character and intensity to the uses permitted in a given district. Uses determined to be similar to uses permitted in a given district are permitted in that district. Uses determined to be similar to uses permitted by special land use are permitted by special land use approval (in accordance with the process established in Article 13). In determining the “character and intensity” of a use, the Planning Commission must determine that the use is consistent with the uses permitted in the district per the following:
1. Noise, odor, dust, and vibration.
 2. Traffic generation and the number of people likely to gather onsite.
 3. The scale and massing of buildings.
 4. Impact on natural features and the environment.
 5. Views from adjacent properties.
 6. Duration of uses (if not permanent).
 7. Any other criteria deemed applicable by the Planning Commission.

Land Use	ER	NR-1	NR-2	NR-3	NMU	CBD	CMU	CIVIC	TD
Accessory Uses									
Boat Well	S*								
Home Occupation	P	P	P	P	P	P			P
Solar Energy System	P	P	P	P	P	P	P	P	P
Voting Place	P	P	P	P	P	P	P	P	P
Dwelling Units									
Accessory Dwelling Unit (ADU)	P	P	P	P					P
Duplex (Side-By-Side or Stacked)			S	P					P
Economy Efficiency Dwelling (EED)			S	P					P
Live-Work					P	P	P		P
Dwelling Units Above Commercial Use					P	P	P		P
Single-Family Dwelling	P	P	P	P					P
Single-Family Dwelling, Manufactured	P*	P*		P					P
Multi-Family Dwelling, Low-Density (up to four units)			S	P					P



Land Use	ER	NR-1	NR-2	NR-3	NMU	CBD	CMU	CIVIC	TD
Multi-Family Dwelling, Medium Density (five or more units)				P					P
Group Homes									
Adult Foster Care, Family Home (1-6 persons)	P	P	P	P					
Adult Foster Care, Small Group Home (7-12 persons)				S					
Child Care Home, Family (1-6 children)	P	P	P	P					
Child Care Home, Group (7-12 children)				S					
Foster Care, Family Home (1-6 children)	P	P	P	P					
Foster Care, Group Home (7+ children)				S					
Transitional Housing							S		
Senior Living (Assisted)			P	P			P		
Senior Living (Independent)				P			P		
Public / Quasi Public Uses									
Parking Lot (Surface)						P	P		P
Parking Structure						P	P		P
Public / Municipal Building	P	P	P	P	P	P	P	P	
Public Utility Building	S*	S*	S*	S*	P	P	P	P	
Recreation, Indoor (Public or Private)	P*	P*	P*	P*	P	P	P	P	
Recreation, Outdoor (Public or Private)	P*	P*	P*	P*	P	P	P	P	
Religious Institution	S*	S*	S*	S*	P	P	P		
School, Elementary	P*	P*	P*	P*				P	
School, Middle and High	P*	P*	P*	P*				P	
School, College and University					S	S	S		
Schools, Trade and Vocational					P	P	P		
Wireless Communication Facility					S	S	S	S	S
Wireless Communication Facility, Small Cell					S	S	S	S	S
Commercial Uses									
Artisan / Maker Space					P	P	P		
Bar					P	P	P		
Bed And Breakfast	P								
Short Term Rental			P	P					
Body Art / Tattoo Shop					P	P	P		
Catering							P		



Land Use	ER	NR-1	NR-2	NR-3	NMU	CBD	CMU	CIVIC	TD
Childcare Center	S*	S*	S*	S*	P	P	P		
Cultural Institution (e.g., museum, library)	P*	P*	P*	P*	P	P	P	P	
Event Hall						P	P		
Financial Institution					P	P	P		
Florist / Landscape Nursery / Greenhouse					P	P	P		
Funeral Home / Mortuary	S*	S*	S*	S*	P*	P*	P*		
Gas Station							S*		
Grocery Store					P	P	P		
Health or Fitness Club					P	P	P		
Home Improvement (e.g., Painting, Decorating, Plumbing)					P	P	P		
Hotel / Motel							S		
Hotel, Boutique						P	P		
Laundry / Dry Cleaner					P*	P*	P*		
Liquor Store									
Medical Office / Pharmacy					P	P	P		
Microbrewery / Distillery / Winery					P	P	P		
Outdoor Dining Area					P	P	P		
Outdoor Sales					P*	P*	P*		
Personal Service Establishment					P	P	P		
Pet Grooming / Pet Boarding					P*	P*	P*		
Private Club					P	P	P		
Professional Office					P	P	P		
Restaurant, Café / Takeaway					P	P	P		P
Restaurant, Full-Service					P	P	P		
Retail Sale Establishment					P	P	P		P
Secondhand / Rummage Shop					P	P	P		
Spa					P	P	P		
Studio (Dance, Art, Photography)					P	P	P		
Theatre / Entertainment Venue					S	S	P	S	
Vehicle Minor Repair Shop							S		
Vehicle Sales (Establishment, Open Air, Showroom)							S		
Vehicle Wash Facility							S		
Veterinary Clinic					P	P	P		

Article 3.

Schedule of Regulations, Building Form and Design Standards

ZONING ORDINANCE · CITY OF GROSSE POINTE PARK, MI



Section 3.1 Intent Statement

- A) **Schedule of Regulations.** No building may be erected, nor any existing building be altered, enlarged, or rebuilt, nor any open space surrounding any building be encroached upon or reduced in any manner, except in conformity with the regulations for the district in which the building or use is located, per this Article.
- B) **Building Form and Design Standards.** Grosse Pointe Park's building form and design standards guide the establishment of harmonious building appearance on all exterior walls of a building to create, enhance and promote a uniform and quality visual environment throughout the city. Site lighting standards are also detailed that are attractive to the eye, while adequately illuminating a site for safety and convenience.

Section 3.2 Schedule of Dimensional Regulations

Zoning District	Min. Lot Size		Max. Height of Structures		Min. Ground Floor Height	Min. Yard Setback (Ft.)				Max. Impervious Lot Coverage	Minimum Ground Floor Area of Building (SF)	General Footnotes
	Area (SF)	Width (Ft.)	Stories	Ft.	Ft.	Front	Side		Rear			
							Least	Total				
ER, Estate Residential	20,000	100	3	40	-	A, B	5	C, D	30, B	60%	1,200	G, H, I, J, K, L, N, O, P
NR-1, Neighborhood Residential District	10,000	80	2 1/2	35	-	A	4	C, D	30	70%	750	G, H, I, J, K, L, N, O, P
NR-2, Neighborhood Residential District	5,000	60	2 1/2	35	-	A	3	C, D, E	25	70%	600	G, H, I, J, K, L, N, O, P
NR-3, Neighborhood Residential District	3,000	30	2 1/2	35	-	A	3	C, D, E	15	90%	500	G, H, I, J, K, L, N, O, P
NMU, Neighborhood Mixed-Use	-	-	3	40	12	O, M	0	-	20	90%	-	F, H, N, O
CBD, Central Business District	-	-	3	40	12	O, M	0	-	20	100%	-	F, H, N, O
CMU, Corridor Mixed-Use District	-	-	3	40	12	O, M	0	-	20	85%	-	F, H, N, O



CP, Civic and Parks District	-	-	3	40	-	A, B	-	C, D	G	20%	-	H, N, O
TD, Transition District	-	-	3	40	12	O, M	0	-	20	100%	-	F, H, N, O

Section 3.3 Footnotes to the Schedule of Regulations

- A) **Front Yard Setback.** Front yard setback is the average setback of the residential structures adjacent to the property on both sides. When there is a vacant lot, refer to the closest adjacent property.
- B) **Waterfront Setback.** The minimum required setback from the waterfront shall be the average setback of the residential structures adjacent to the property on both sides. When there is a vacant lot, take the average of 175 feet and the adjacent structure.
- C) **Side Yard Setback, Interior.** The required combined side yard setback for each side of a zoning lot in a residential district shall be a total of two and one half (2.5) feet for each ten feet of the length of the front lot line. The minimum combined side yard setback must not exceed 15 feet.
- D) **Side Yard Setback, Street.** The minimum required setback for a side yard that faces a street must be ten feet. The Public Service Director may modify the minimum required setback for a side yard that faces a street based on the existing pattern of setbacks on adjacent lots.
- E) **Side Yard Setback, Multi-Family Building.** The minimum side yard setback for multi-family buildings adjacent to a residential zone is 10 feet. The minimum side yard setback for multi-family buildings may be reduced to 0 if abutting a commercial zone.
- F) **Side Yard Setback, Commercial.** If the side yard is adjacent to a residential use or zoning district, unless the use is a multi-family building, a minimum side yard of 15 ft is required.
- G) **Rear Yard Setback.** Rear yard setback is the average setback of the residential structures adjacent to the property on both sides. When there is a vacant lot, refer to the closest adjacent property.
- H) **Rear Yard Setback, Alley.** One-half (½) the width of an alley may be used to meet the rear yard setbacks in any zoning district.
- I) **Rear Yard Setback, Nonresidential Uses in Residential District.** For nonresidential uses in residential areas the rear yard shall be not less than forty feet.
- J) **Non-conforming Residential Lots.** Non-conforming lots of record in a residential district may be permitted provided that any principal or accessory structures constructed on the lot complies with all other dimensional standards (excluding lot area).
- K) **Through Lots and Corner Lots.** For through and corner lots, or lots that have two parallel or multiple street frontages, the front and rear yards are determined by the Public Service Director based on the pattern of development on adjacent lots. Minimum required setbacks are the average setback of the structures adjacent to the property on both sides.
- L) **Minimum Square Footages.** Minimum square footages apply to all multiple-family dwelling units:



1. Studio / efficiency unit: 450 square feet
2. 1-bedroom unit: 600 square feet
3. 2-bedroom unit: 800 square feet
4. 3+ bedroom unit: 1,000 square feet

- M) **Enhanced Design Guidelines.** Refer to design guidelines within this Article for more information.
- N) **Parking Lot Setbacks.** Refer to Article 5.
- O) **Accessory Structure Setbacks.** Refer to Article 4.
- P) **Imperviousness in Front Yards.** No more than 25% of a front yard in a residential district shall be covered by either:
1. Any driveway or other area devoted to vehicular access; or
 2. Any material impervious to water.

Section 3.4 Exceptions to the Schedule of Regulations

- A) **Height Exceptions.** The height limitations do not apply to chimneys, religious institution spires, cupolas, domes, water towers, smokestacks, ventilators, skylights, elevators, conveyors, cooling towers, public monuments, or power transmission towers, masts, and other similar mechanical appurtenances pertaining to and necessary to the permitted uses of the district. The Planning Commission may specify a height limit for any such structure when special land use approval is required, and such height limit is reasonably necessary for public safety or to otherwise to comply with the standards set forth in this Ordinance.
- B) **Parapet Wall Extension.** The provisions of this Ordinance do not prevent the erection, above the maximum building height limit, for a parapet wall or cornice for screening purposes (without windows), extending above such height limit not more than five (5) feet.
- C) **Yard Regulations.** When yard regulations cannot reasonably be complied with, or where their application cannot be determined on lots of peculiar shape, topography or due to architectural or site arrangement, such regulations may be modified or determined by the Director of Public Services.
- D) **Porches.** An open and unenclosed porch or paved terrace may project into a front yard for a distance not exceeding ten (10) feet provided that the covered portion of such porch shall not exceed 80 square feet in area.
- E) **Projections into Yards.** Architectural features, not including vertical projections, may extend or project into a required side yard not more than two (2) inches for each one (1) foot of width of such side yard; and may extend or project into a required front yard or rear yard not more than three (3) feet.
- Any walk, terrace, driveway, pad, path, or other pavement servicing a like function, and not in excess of nine (9) inches above the grade upon which placed, is not considered to be a structure and is permitted in any required yard.
- F) **Canopies.** Canopies that project over public sidewalks in commercial zoning districts may be permitted provided no supports are required in the public sidewalks. In those instances where supports are required,



such canopy shall receive the review and approval of the Director of Public Services and shall be subject to conditions to assure public safety to pedestrians.

Section 3.5 Residential Building Form and Design Standards

- A) **Intent.** To retain and enhance the unique neighborhood character of Grosse Pointe Park, protect the visual character and economic stability of the city's residential areas, preserve and protect the public welfare, and promote complimentary design while maintaining a diversity of attractive residential styles.
- B) **Established Styles and Expectations.** The City of Grosse Pointe Park's housing stock primarily consists of Colonial Revival and Tudor Revival, but also includes a mix of Contemporary, Craftsman, and Mid-Century Modern. Residential design for the circumstances enumerated in Section C shall not be limited to these styles but shall respect the qualities that make the neighborhood unique and shall take care in siting and design.
- C) **Applicability.** The standards of this section shall apply in the following circumstances for residential uses in the ER, NR-1, NR-2, and NR-3 districts.
 - 1. Construction of new residential structures, including Accessory Dwelling Units;
 - 2. Additions to existing residential structures;
 - 3. Reconstruction or substantial renovations to existing residential structures where 50% or more of the exterior shell is substantially altered; and
 - 4. Accessory structure construction or re-location on residential properties when greater than 250 square feet in area with a horizontal dimension of 12 feet or greater.
- D) **General Regulations.**
 - 1. Building design shall be in harmony with the existing neighborhood character. Neighborhood character is established through apparent patterns in building design and form, including but not limited to:
 - a) Quality and type of exterior building materials;
 - b) Exterior wall complexity and fenestration;
 - c) Window types, size, and proportions;
 - d) Entry treatment and scale, including porch design and location;
 - e) Roof types, orientation, slopes, eave heights, gables, and over hangs;
 - f) Building height and massing;
 - g) Architectural style, including the styles established during the dominant decade of construction;
 - h) Garage location, size and treatment; and
 - i) Use of decorative fencing and landscaping.
 - 2. The "neighborhood" for a site shall be generally defined as the area within 500ft in any direction, within the boundaries of the City of Grosse Pointe Park. The Director of Public Services shall notify the



applicant in the event the definition of “neighborhood” must be changed for a given application and shall explain the reason behind the change in writing.

3. All buildings shall comply with the schedule of regulations and dimensional requirements for the zoning district in which the property is located, and no portion of this article shall constitute or be construed as an exception to other regulations specified in this Ordinance.
4. Accessory buildings and structures shall have a matching or similarly compatible style to the principal structure’s style.

E) Design Standards.

1. Windows and Doors.

- a) Front façades and primary entrances of principal structures shall face a street; alleys shall not constitute a street for the purposes of this section.
- b) Relative proportions of doors and windows shall be compatible with neighborhood character.
- c) Windows shall be placed so that no elevation has a large expanse of blank wall. The Director of Public Services may approve elevations without a window if the applicant is able to demonstrate difficulty including a window on an elevation due to floorplan layout or intended use.
- d) Windows shall incorporate casing and headers and shall incorporate relief elements which distinguish the windows from the plane of the façade. Shutters alone shall not constitute adequate relief.
- e) Doors on the same façade shall not be required to match but shall be harmonious in design with one another.

2. Porches.

- a) Whether enclosed or not, porches shall be similar in design to existing porches in the neighborhood. If incorporating columns, such columns shall be similar in proportion to that of existing columns within the neighborhood.
- b) Enclosed porches may be allowed when the prevailing character of the neighborhood includes open front porches as long as the design is consistent with those porches that are open.
- c) Porches shall be painted or stained a consistent color throughout.
- d) Porches shall generally be covered, rather than uncovered or partially covered by a portico, unless otherwise established by the neighborhood character.
- e) Side-entry doors may be covered with a portico or covering provided it does not encroach into a required side yard by more than 1.5 feet.
- f) All porches shall maintain a reasonable point of access to the underside of the porch, unimpeded by landscaping, to allow for inspection and pest control.

3. Exterior Finishes.



- a) Façade materials and details shall be consistent with the neighborhood's discernible patterns of detail including, but not limited to, door and window trim, corner boards, cornice details, railings, and shutters.
- b) Façade materials shall be high quality and durable; vinyl, aluminum, and asbestos-cement siding shall be prohibited.
- c) Façade materials shall be limited to no more than three principal materials, excluding accent materials. Accent materials may be used for architectural detailing and trim such as wooden rake boards, limestone keystones, fieldstone corners, wooden columns, etc.
- d) Exposed wood shall be painted or stained in a manner generally compatible with other buildings on the property and with the neighborhood character.
- e) The exterior building finish for additions shall be the same predominant material as the existing building. Materials shall be the same proportions, within 20%, as the original structure unless it can be reasonably demonstrated that those materials are unavailable.
- f) The design of buildings shall coordinate the materials and details of all sides of the building with the design of the front elevation. Exterior finishes shall wrap around the structure to establish a consistent design. All elevations of the main building shall have the same approximate proportions, and matching windows, trim, and architectural details, providing a 360- degree finish.

4. **Elevations, Scale, Form, and Massing.**

- a) Finished floor elevations, height of exposed basement walls, and front yard grade elevations shall be similar to those of the neighborhood.
- b) Form and massing shall conform to the established horizontal or vertical character of the neighborhood and the neighborhood's established building form and massing characteristics.
- c) Building setbacks and front porch lines shall generally align with the established setbacks of the immediately adjacent residences, block, and neighborhood.
- d) No portion of an upper story may be cantilevered beyond the first story by more than 18 inches. Cantilevers are only permitted when used for architectural feature appropriate for the architectural style. Cantilevers may not encroach within a required setback.
- e) Front facing garage doors shall generally be discouraged. Where such garages have been deemed necessary by the Director of Public Services due to restrictive dimensions or layout of the site, garages shall be stepped back from the plane of the front door of the house by a minimum of 24 inches. Such garages shall also incorporate roof and accent elements to establish a visual variation from the established roof line of the principal building.
- f) The depth of the principal building shall not exceed twice the width of the building.

5. **Roofs.**

- a) Roof style and pitch Shall be architecturally consistent with the prevailing neighborhood character.
- b) Gabled roofs shall slope toward the street.



- c) New roofs, including additions, porches, gables, and dorms, shall be similar or related to the pitch of the existing or main roof. These new roofs may have a different scale and/or style.
 - d) Buildings shall be limited to two roofing materials: one for the main roof and another material as an accent for dorms, porches, or other smaller roofs. Accessory structures shall utilize the same roofing material.
- F) **Approval Authority and Appeals.** The Director of Public Services shall be responsible for determining if a proposed design is in harmony with the existing neighborhood character and shall issue all design determinations in writing as a part of the established plan review process. The Director of Public Services shall be permitted to seek additional guidance if necessary to make a final determination. An applicant may appeal the decision of the Director of Public Services within 10 days of the decision by providing a written request to the Planning Commission. The appeal shall stay all further proceedings and shall be heard by the Planning Commission at its next regularly scheduled meeting.

Section 3.6 Commercial Building Form and Design Standards

- A) **Intent.** To retain and enhance the unique commercial character of Grosse Pointe Park, protect the visual character and economic stability of the city's commercial areas, preserve and protect the public welfare, and to facilitate commercial development which aligns with the adopted Master Plan and adopted corridor plans for the city.
- B) **General Regulations.** The following building form and design standards apply to all mixed-use and commercial buildings located in the city.
1. Building materials may not be painted or stained unless approved by the Planning Commission. Exterior finish materials and colors must be in natural tones and consistent, or compatible, with the character of the surrounding district to create a uniform and recognizable identity. Accent colors are permitted to activate the street front and exercise artistic placemaking; this standard is to not be interpreted as prohibiting the incorporation of public art, such as a mural, to buildings or sites. All architectural features, including awnings, overhangs, roof projections, window accents, and the like must be compatible with the style, materials, and colors of the building.
 2. Building materials shall be natural, high-quality (brick, stone, stucco, wood, metal paneling) or comparable composite alternatives.
 3. Building fronts shall be oriented to the primary street.
 4. Building entrances shall be clearly defined by utilizing elements such as overhangs, awnings, or lintels; change in plane (such as a recessed) entryway, differentiation in material and/or color; greater level of detail; or enhanced lighting. Any such element shall be architecturally compatible with the style, materials, colors, and details of the primary building.
 5. Façades shall be internally or externally illuminated. Lights should be properly shielded or recessed behind architectural features so they do not produce glare or spillage of light onto adjacent properties. No light, except street lights, shall shine directly onto public roads.
 6. All HVAC, utility boxes, and telecommunication systems must be screened or minimized from public view. Building roofs are to be uncluttered, with vertical projections integrated into the architecture and screened from view by parapet walls or other enclosure.



7. Windows shall be un-tinted. Mirrored or reflective glass is not permitted.
8. Storefronts shall be defined by architectural elements, such as a horizontal band, transom windows, and bulkheads. Incorporation of awnings, overhangs, or solar screens are encouraged.
9. Windows should not be visually obstructed by signs, advertisements, window screens, security grills, or other permanent window coverings.
10. Security roll-down grilles shall be designed and recessed into the interior of the window system. Where an exterior grille already exists, the roll-down grille box should be as inconspicuous as possible.



C) **NMU, Neighborhood-Mixed Use District.** The following design requirements apply in the NMU district:



DESIGN REQUIREMENTS

Building Form		Standard
A	Min. façade height	14 ft.
B	Max. side setback	5 ft. 10 ft. for corner buildings on side facing secondary right-of-way.
C	Min. % Build-to Line	80 %
Design Elements		Standard
D	Entrances	All buildings shall have pedestrian access on the street frontage side of the building (front).
E	Min. window glass percentage	50% (first floor) 30% (additional floors)
F	Architectural features	All facades are of equal importance and must be designed with attention to detail and quality material. All façades must provide windows and/or façade offsets and breaks. No blank or unarticulated facades are permitted unless façade is not visible from public right-of-way.



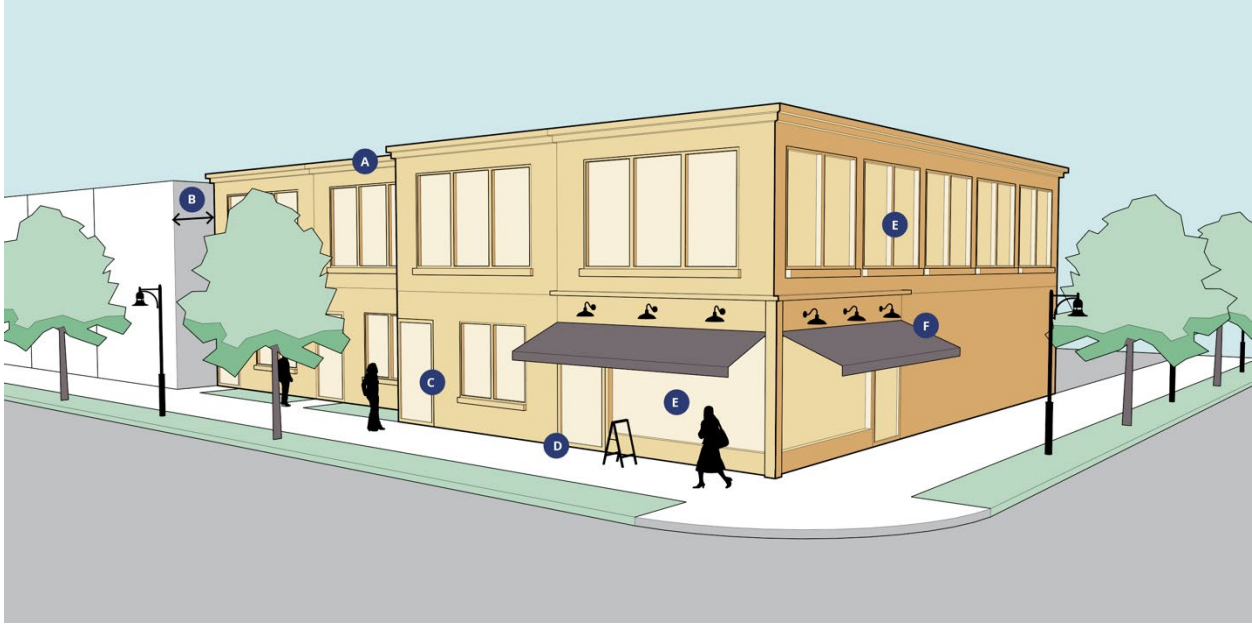
D) **CBD, Central Business District.** The following design requirements apply in the CBD district:



DESIGN REQUIREMENTS		
Building Form		Standard
A	Min. façade height	24 ft.
B	Max. side setback	5 ft.
C	Min. % Build-to Line	80%
Design Elements		Standard
D	Entrances	All buildings shall have pedestrian access on the street frontage side of the building (front). Where a building includes a residential use and off-street parking is provided in the rear for residents, pedestrian access shall also be provided on the off-street parking side of the building (rear).
E	Min. window glass percentage	60% (first floor) 40% (additional floors)
F	Architectural features	All façades are of equal importance and must be designed with attention to detail and quality material. All façades must provide windows and/or façade offsets and breaks. No blank or unarticulated façades are permitted unless façade is not visible from public right-of-way. All façades must provide decorative cornices.



- E) **CMU, Corridor Mixed-Use District.** The following design requirements apply in the CMU district for parcels with frontage on Mack Avenue:



DESIGN REQUIREMENTS

Building Form	Standard
A Min. façade height	24 ft.
B Max. side setback	5 ft.
C Min. % Build-to Line	60%
Design Elements	Standard
D Entrances	All buildings shall have pedestrian access on both the street frontage side of the building (front) and the off-street parking side of the building (rear).
E Min. window glass percentage	60% (first floor) 40% (additional floors)
F Architectural features	All facades are of equal importance and must be designed with attention to detail and quality material. All façades must provide windows and/or façade offsets and breaks. No blank or unarticulated facades are permitted unless façade is not visible from public right-of-way. Buildings with multiple storefronts are unified in design treatment, such as window design, door openings, materials, and color.

Article 5.

Parking, Loading and Access

ZONING ORDINANCE · CITY OF GROSSE POINTE PARK, MI



Section 5.1 Intent Statement

The purpose of this article is to ensure the provision of off-street parking facilities that are sufficient in number, adequately sized and properly designed to meet the range of parking needs and demands that are associated with land uses now in place in the city or with land uses allowed by this Article. Additionally, this article recognizes that parking requirements have been excessive and existing lots may be overparked. Overly large parking lots are a drain on economic vitality, present safety hazards to pedestrians and motorists, and create environmental hazards such as heat islands, stormwater runoff, loss of habitat, and flood hazard. For these reasons, this article establishes flexible parking requirements and eliminates parking requirements for some types of projects.

Section 5.2 General Standards

- A) **Parking Required.** In all zoning districts, off-street parking facilities for the storage and parking of self-propelled motor vehicles for the use of occupants, employees and patrons of the buildings erected, altered or extended after the effective date of this chapter shall be provided as prescribed herein.
- B) **Flexibility in Parking.** Uses for which off-street parking is required as specified in this article may meet the number of required parking spaces by any of the following:
 - 1. Providing the required off-street parking within the same lot as the principal use for which the parking is required.
 - 2. Providing the required off-street parking on an adjacent shared parking lot, either exclusively or via a Shared Parking Agreement. For non-residential projects, required parking spaces must be within 500-foot radius of such lot unless otherwise specified herein. For residential projects, required parking spaces must be within 300-foot radius of such lot unless otherwise specified herein. Both measurements are performed from property line to property line. A waiver of the maximum allowable distance between the user and associated parking may be approved by the Planning Commission, with written justification and supporting information provided by the applicant.
 - 3. Obtaining a parking waiver from the Planning Commission.
- C) **Storage of Vehicles Prohibited.** Parking must be for the use of occupants, employees, visitors, and patrons and is limited in use to motor vehicles. The storage of merchandise or motor vehicles for sale or the repair of vehicles is prohibited.
- D) **Parking Structures.** For parking structures, commercial space or other space oriented to pedestrian traffic must be provided on the ground floor of a parking structure for at least 60 percent of the street frontage. This liner building must be integrated into the parking structure.
- E) **Outdoor Display Areas.** Where permitted, any outdoor display areas for ancillary sales of products such as, vehicles or merchandise, must be provided in a specific area designated on the site plan and may not block parking spaces or interfere with site circulation of automobiles or pedestrians.
- F) **Parking Location.** Parking must be located within a rear yard or side yard in the ER, NR-1, NR-2, and NR-3 Districts. Multi-family dwellings may locate their parking lot within the front yard only if it is setback 10-feet from the public right-of-way. Multi-family dwelling parking cannot abut more than 25% of the front lot line. All parking lots must be setback at least 3-feet from any perimeter lot line, with the exception of parking that



abuts an alley in a commercial district. Parking may only be located in the rear of the building in the CBD and NMU Districts. Parking may be located in the rear or side yard in the CMU District but must be located in the rear along Mack Avenue.

G) Residential Parking. The following standards shall apply to all residential parking:

1. Parking may consist of a parking strip, parking bay, driveway, garage, or combination thereof that consists of asphalt, concrete, or permeable paving stones. Traditional cobblestone shall be permitted in the ER district. Driveways cannot be wider than 3-feet on either side of the opening of the garage door(s) or carport opening.
2. In total, the land area improved for parking between the front lot line and the front setback shall not exceed 30% of the total land area between the front lot line and the front setback. For the purposes of this section, front setback means the line formed at the outer surface of a building where the building wall meets the surface ground level, not to be construed to be the minimum required front yard setback, and such line shall extend the width of such lot parallel to the front lot line.
3. Parking is prohibited on lawn areas.
4. The parking or storage of commercially licensed motor vehicles is not permitted in the following cases if such parking or storage exceeds a one-hour period (this subsection does not apply to the lawful and expeditious loading, unloading, delivery or pick-up of materials, goods, merchandise, or persons):
 - a) The parking or storage of commercially licensed motor vehicles for which the Secretary of State requires either gross vehicle weight or International Registration Plan registration plates for operation, including, but not limited to, semi tractors, semi-trailers, semi-trucks, and tow trucks.
 - b) The parking or storage of commercially licensed motor vehicles used to transport persons for hire, including, but not limited to, taxicabs, limousines, hearses, and buses.
 - c) The parking or storage of commercially licensed motor vehicles which weigh over 6,000 pounds when empty but fully equipped for service.

Section 5.3 Off-Street Parking Requirements

- A) Minimum Off-Street Parking Requirements.** Unless otherwise specified in this article, the minimum number of off-street parking spaces is determined in accordance with the table in the subsection below. The following circumstances shall be exempt:
1. All non-residential uses in the NMU District.
 2. All non-residential uses in the CBD District.
- B) Religious Institutions.** Parking spaces already provided to meet off-street parking requirements for auditoriums and other places of public assembly, stores, and office buildings lying within 500 feet of a church as measured along lines of public access, and that are not normally used between the hours of 6:00 a.m. and 6:00 p.m. on Sundays, and are made available for other parking may be used to meet not more than 75 percent of the off-street parking requirements of a religious institution.
- C) Uses Not Specified.** For uses not specifically listed in this Section, the provisions for a similar listed use shall apply as determined by the Planning Commission. If no adequate similar use is listed, the Planning



Commission shall determine either that no minimum parking is necessary, or the appropriate minimum parking using one or more of the following resources:

1. A review of the parking demand ratios measured by the Institute of Traffic Engineers in the most recent edition of the Parking Generation Manual.
2. A review of the parking demand ratios set forth by the Urban Land Institute in the most recent edition of the Shared Parking Manual.
3. A review of the minimum parking requirements set forth by neighboring municipalities which are similar in land use character to the City of Grosse Pointe Park.
4. Observations of parking occupancy for the use in question at nearby comparable locations.

D) Measurement.

1. **Usable Floor Area.** To compute the number of parking spaces required, the definition of usable floor area (UFA) governs: that area used for, or intended to be used for, the sale of merchandise or service or to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise or for hallways, utilities, or sanitary facilities, is excluded from this computation. Measurement of usable floor area is the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.
2. **Rounding of Required Spaces.** Any fraction up to and including one-half is rounded down; any fraction greater than one-half is rounded up.

E) Required off-street parking spaces are as follows:

Land Use	Minimum Number of Parking Spaces per Unit of Measure
All Residential Uses	1 per dwelling unit
Group Homes	
Adult Foster Care, Family Home (1-6 persons)	1 per employee in largest working shift, plus 1 per 10 resident beds and an adequate drop-off/pick-up space
Adult Foster Care, Small Group Home (7-12 persons)	1 per employee in largest working shift, plus 1 per 10 resident beds and an adequate drop-off/pick-up space
Child Care Home, Family (1-6 children)	1 per employee in largest working shift, plus 1 per 10 resident beds and an adequate drop-off/pick-up space
Child Care Home, Group (7-12 children)	1 per employee in largest working shift, plus 1 per 10 resident beds and an adequate drop-off/pick-up space
Foster Care, Family Home (1-6 children)	1 per employee in largest working shift, plus 1 per 10 resident beds and an adequate drop-off/pick-up space
Foster Care, Group Home (7+ children)	1 per employee in largest working shift, plus 1 per 10 resident beds and an adequate drop-off/pick-up space
Transitional Housing	1 per employee in largest working shift, plus 1 per 10 resident beds and an adequate drop-off/pick-up space
Senior Living (Assisted / Independent)	1 per employee in largest working shift, plus 1 per 10 resident beds and an adequate drop-off/pick-up space
Public / Quasi Public Uses	



Land Use	Minimum Number of Parking Spaces per Unit of Measure
Recreation, Indoor (Public or Private)	1 per 500 sq. ft. of usable floor area
Recreation, Outdoor (Public or Private)	1 per 3 people in the capacity authorized by the Fire Code
Religious Institution	1 per 3 people in the capacity authorized by the Fire Code
School, Elementary, Middle, and High	1 per employee in largest working shift, plus adequate drop-off spaces
School, Vocational, College, and University	1 per 3 people in the capacity authorized by the Fire Code
Commercial Uses	
Artisan / Maker Space	1 space per workstation
Bar	1 per 4 seats, plus 1 per employee in the largest working shift
Bed And Breakfast / Short- Term Rental	1 per occupancy unit, plus 1 per employee in the largest working shift
Body Art / Tattoo Shop	1.5 per tattoo chair
Catering	
Childcare Center	1 per employee in largest working shift, plus adequate drop-off/pick-up space
Cultural Institution (e.g., museum, library)	1 per 500 sq. ft. of usable floor area, plus 1 space per employee
Event Hall	1 per 5 people in the capacity authorized by the Fire Code
Financial Institution	1 per 1000 sq. ft. of usable floor area
Florist / Landscape Nursery / Greenhouse	
Funeral Home / Mortuary	1 per employee, plus 1 per 100 sf of usable floor area
Gas Station	1 per employee in the largest working shift, plus 1 at each fuel pump space, plus 1 per 150 sf of usable floor area
Grocery Store	1 per employee, plus 1 per 400 sf of usable floor area
Health or Fitness Club	1 per 400 sf of usable floor area
Home Improvement (e.g., Painting, Decorating, Plumbing)	
Hotel / Motel	1 per occupancy unit plus 1 per employee in the largest working shift
Hotel, Boutique	
Laundry / Dry Cleaner	1 per 1000 sq. ft. of usable floor area
Medical Office / Pharmacy	1 per 400 sq. ft. of usable floor area
Microbrewery / Distillery / Winery	
Personal Service Establishment	1 per beauty or barber chair, plus 1 per employee in the largest working shift or 1 per 300 sq. ft. of usable floor area
Pet Grooming / Pet Boarding Facility	1 per employee in largest working shift, plus adequate drop-off spaces
Professional Office	1 per 400 sq. ft. of usable floor area
Restaurant, Café/Take-Away	1 per 500 sq. ft. of usable floor area, including any outdoor dining area, plus 1 per employee
Restaurant, Full Service	1 per 4 seats, including any outdoor dining area, plus 1 per employee in the largest working shift
Retail Sale Establishment	1 per 350 sq. ft. of usable floor area
Spa	



Land Use	Minimum Number of Parking Spaces per Unit of Measure
Studio (Dance, Art, Photography)	1 per 5 people in the capacity authorized by the Fire Code
Theatre / Entertainment Venue	1 per 3 people in the capacity authorized by the Fire Code
Vehicle Minor Repair Shop	2 per auto mechanical service stall, plus 1 per employee in the largest working shift
Vehicle Sales (Establishment, Open Air, Showroom)	
Vehicle Wash Facility	1 per employee on largest shift
Veterinary Clinic	1 per employee in largest working shift, plus adequate drop-off spaces

- F) **Shared Parking.** Nothing in this section shall be construed to prevent collective provisions of off-street parking facilities for two or more buildings or uses. In all non-residential and mixed-use zones, private parking facilities may be shared by multiple uses whose activities are not normally conducted during the same hours, or when hours of peak use vary. The applicant shall have the burden of proof of a reduction in the total number of required off-street parking spaces. No reduction in the number of spaces reserved for persons with disabilities shall be permitted on site.
1. **Proof from Applicant.** Evidence must be submitted that demonstrates shared parking will not result in inadequate parking. Below is a list of required application information.
 - a) An analysis of available and used parking spaces based on parking counts taken at certain time intervals and days to verify parking usage patterns.
 - b) The type and hours of operation and parking demand for each land use.
 - c) A sketch or site plan displaying shared use spaces in the lot and walking distance to the uses sharing the lot.
 - d) A description of the character of land use and parking patterns of adjacent land uses.
 - e) An estimate of anticipated turnover in parking space use over the course of 12 to 24 hours at the site.
 2. **Design Standards.**
 - a) Users sharing a parking facility shall provide for safe, convenient walking between land uses and parking, including safe, well-marked pedestrian crossings, signage, and adequate lighting. Pedestrian paths should be as direct and short as possible, without compromising safety. A pedestrian circulation plan that shows connections and walkways between the parking facilities and subject uses shall be provided.
 - b) Details regarding the maintenance of the shared parking areas, including snow removal, must be provided within the shared parking agreement.
 - c) Signage to direct drivers to the most convenient parking areas for each use shall be provided.
 3. **Process.** An applicant must submit an application for shared parking to the Planning Commission, along with the required fee as established by the City under the most recent fee schedule. The Planning Commission has final authority over granting shared parking agreements. If the Planning Commission approves the shared parking agreement, and prior to the issuance of a certificate of compliance, a



written agreement shall be reviewed and approved by the city attorney and executed by the property owner to assure the continued availability of the shared parking spaces for the life of the use. The agreement shall, at a minimum:

- a) List the names and ownership interest of all parties to the agreement and contain the signatures of those parties.
 - b) Provide a legal description of the land upon which the parking area(s) and building(s) appurtenant to the parking areas are located.
 - c) Include a sketch or site plan showing the area of the parking parcel, pedestrian and driver circulation, maintenance, etc.
 - d) Provide details regarding the maintenance of the shared parking areas, including snow removal.
4. **Change in Use.** Should any of the shared parking uses be changed, or should the planning department find that any of the conditions described in the approved shared parking study or agreement no longer exist, or if insufficient parking is an issue due to complaints, the owner shall either submit a revised shared parking study and an amended shared parking agreement in accordance with the standards of this subsection, or provide the number of spaces required for each use as if computed separately. If the Building Department determines that the revised shared parking study or agreement does not satisfy the off-street parking needs of the proposed uses, the shared parking request shall be denied, and no certificates of occupancy shall be issued until the full number of off-street parking spaces are provided.
- G) **Parking Waivers.** The Director of Public Services and Planning Commission may grant waivers in off-street parking requirements, provided that there is no reduction in the number of spaces reserved for persons with disabilities, unless the applicant proves that they do not have sufficient space on their lot.
1. **Director of Public Services.** The Director of Public Services may waive 5 off-street parking spaces or less, provided that the 5 parking spaces do not make up more than 10% of the total required parking.
 2. **Planning Commission.** The Planning Commission may waive up to 100% of the total required parking for an individual site. The Planning Commission may attach conditions of approval to a modification in the minimum required parking.
 3. **Proof from Applicant.** In order for the Director of Public Services or Planning Commission to waive off-street parking requirements, the applicant must demonstrate that the required amount of parking spaces is excessive based on the needs of the proposed use or that the site cannot physically accommodate the required number of parking spaces.
 4. **Process.** An applicant must submit an application for shared parking to the Planning Commission, along with the required fee as established by the City under the most recent fee schedule. The Planning Commission has final authority over granting shared parking agreements.

Section 5.4 Barrier-Free Parking

- A) Where off-street parking is required in association with a non-residential use, and at all government buildings, barrier-free parking spaces must be provided in the quantity specified herein.
- B) All barrier free parking shall comply with Federal regulations governing disability access.

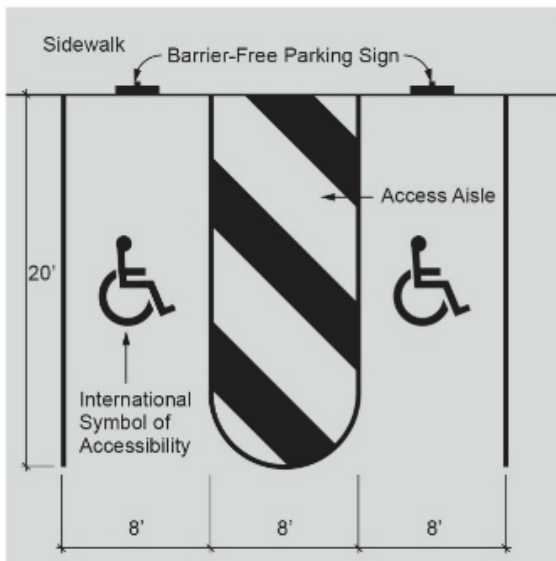


- C) Barrier-free spaces must be located as close as possible to the entrance of the building with which they are associated. barrier-free route of travel from accessible parking spaces to the nearest barrier-free building approach must be provided.
- D) A minimum number of barrier-free spaces is required, as described in the table below:

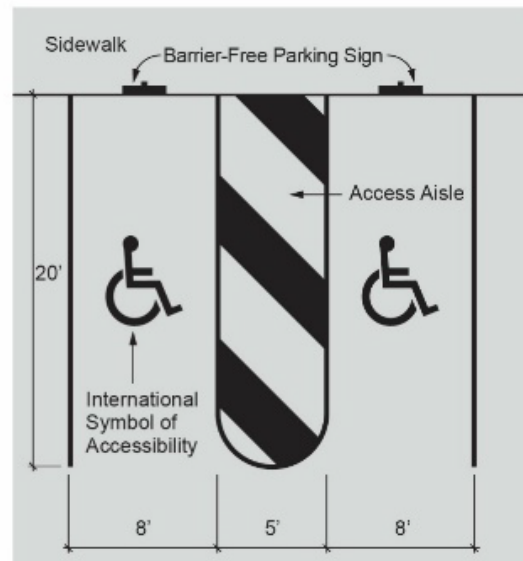
Total Number of Provided Off-Street Parking Spaces	Total Min. Number of Barrier-Free Spaces Required	Min. Number of Spaces that must be Sized for Van-Accessible
Up to 25	1 total	At least 1
26 to 50	2 total	At least 1
51 to 75	3 total	At least 1
76 to 100	4 total	At least 1
101 to 150	5 total	At least 1
151 to 200	6 total	At least 1

- E) The minimum dimensions for barrier-free spaces are:

Van Accessible



Standard



Barrier-Free Parking Space Layout



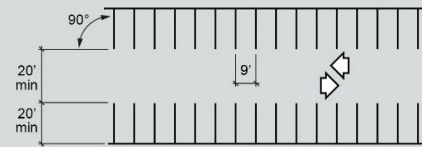
Section 5.5 Parking Lot Layout, Design, and Landscaping

Off-street parking lots must be laid out, constructed, and maintained as follows:

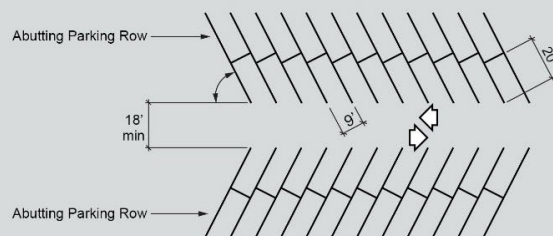
- A) **Dimensions.** Parking facilities must be in accord with the following dimensions. See graphic below for more detail.

Parking Pattern	Maneuvering Lane Width	Parking Space Width	Parking Space Length	Total Width of 1 Tier of Spaces and Maneuvering Lane	Total Width of 2 Tiers of Spaces and Maneuvering Lane
0° (Parallel)	-	9 feet	23 feet	-	-
35° – 50°	15 feet	9 feet	20 feet	35 feet	57 feet
51° – 74°	18 feet	9 feet	20 feet	35 feet	60 feet
75° – 90°	20 feet	9 feet	20 feet	32 feet	60 feet

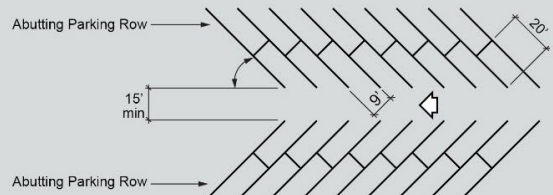
75 to 90 Degree



54 to 74 Degree



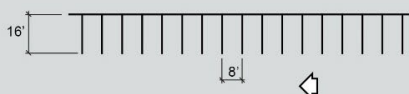
30 to 53 Degree



0 Degree
(Parallel Parking)



Compact Car Parking





- B) **Length Reduction.** Parking stall length may be reduced from 20-feet to 18-feet when the vehicle overhang is positioned over open green space or would not interfere with pedestrian access.
- C) **Direction.** All maneuvering lane widths shall only permit one-way traffic movement, except that the 90° pattern may permit two-way movement.
- D) **Street Backing.** All spaces must be provided adequate access by means of maneuvering lanes; backing directly onto a street is prohibited apart from alleys.
- E) **Signage and Striping.** Appropriate signage and striping must be included within all parking lots. Designating the traffic flow at all entrances and exits (i.e., directional arrows) may be required by the Director of Public Services if traffic safety is a concern.
- F) **Curbing.** Wheel chocks are not permitted, parking areas must be curbed or incorporate bumper stops. All curbing and bumper stops shall be made of concrete and 6-inches in height to prevent vehicle overhang into landscaped or pedestrian areas. Bumper stops must be kept in alignment with the approved site plan for the subject site on which they are located.
- G) **Grading.** The parking lot must be graded and adequately drained so as to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent properties or toward any buildings.
- H) **Surfacing.** The entire parking area, storage area and non-landscaped portion of the lot, including parking spaces and maneuvering lanes, must be provided with asphalt or concrete surfacing. Where appropriate based on infiltration and soil conditions, permeable paving stones and other forms of permeable parking surfaces shall also be permitted. All other forms of surfacing shall be prohibited.
- I) **Landscaping.** Refer to Article 7.

Section 5.6 Loading Zones

- A) **Location.** In connection with every building, structure, or use hereafter erected (except one- to four-family dwelling units) an off-street loading zone must be provided in the rear yard or if in the side yard, screened from the public right-of-way and any residentially zoned or used property. A dedicated alley or designated on-street loading zone within 100 feet of the subject site may be used satisfy this requirement.
- B) **Dimensions.** Loading zones must be a minimum of 10-feet by 40-feet, with a 14-foot height clearance.
- C) **Access.** Loading zones cannot back out directly onto a public road, excluding alleys.
- D) **Quantity.** In the case of a mix of uses or a mixed-use building on one developed lot, the total requirements for loading zones is the sum of the various uses computed separately. Loading zones must be provided as follows:

Usable Floor Area (square feet)	Number of Loading Zone(s) Required
0 – 5,000 square feet	None
5,001 – 20,000 square feet	1 loading zone
20,001 – 100,000 square feet	1 loading zone, plus 1 for each 20,000 sq.ft. in excess of 20,001 sq.ft.
100,001 square feet and greater	5 loading zones, or more if needed in the opinion of the Planning Commission



- E) **Waiver.** The Planning Commission may modify or waive the requirement for a loading zone, upon determination that adequate loading space is available to serve the building/use, or that provision of such a loading zone is unnecessary for the use.

Section 5.7 Access Management

- A) **Number of Non-Residential Driveways.** Access must be provided for each site; where feasible, access must be provided via a shared access driveway. One additional driveway may be allowed for properties with a continuous frontage of over 500-feet and one additional driveway for each additional 250-feet of frontage. The Planning Commission may determine additional driveways are justified due to the amount of traffic generated by the use without compromising traffic operations along the street, based upon a traffic impact study submitted by the applicant.
- B) **Intersection Setback.** The minimum spacing between a proposed non-residential driveway and the centerline of the nearest intersection must be 20-feet. Alleys shall not constitute intersections for the purposes of this requirement.
- C) **Modification of Standards.** During the site plan review, the Planning Commission has the authority to modify the standards of this Section upon consideration of the following:
1. The standards would prevent reasonable access to the site.
 2. Access via a shared driveway or service/frontage road is not possible due to the presence of existing buildings or topographic conditions.
 3. Roadway improvements (such as the addition of a traffic signal, center turn lane, or bypass lane) will be made to improve overall traffic operations prior to project completion, or occupancy of the building.
 4. The use involves the redesign of an existing development or a new use which will generate less traffic than the previous use.
 5. The proposed location and design are supported by the Michigan Department of Transportation (MDOT) or Wayne County as an acceptable design under the existing site conditions. The Planning Commission may also request the applicant provide a traffic impact study to support the requested access design.
 6. Where there is a change in use or expansion at a site that does not comply with standards of this Zoning Ordinance, the Planning Commission may determine the amount of upgrade needed in consideration of the existing and expected traffic pattern and the capability to meet the standards of this Ordinance to the extent practical.
- D) **Traffic Impact Studies.** The city may require a traffic impact study (TIS) for all development proposals that it reviews. The TIS must be submitted by the applicant to determine the potential future traffic conditions on adjacent roadways once a proposed development is finished. The TIS must include a prediction of the peak-hour operational conditions at site driveways and road intersections affected by the development. The results of the TIS may be used in the final design of access points and internal circulation and may identify necessary off-site road improvements. At a minimum, the TIS shall meet standards as published by the Southeast Michigan Council of Governments (SEMCOG) and MDOT in the handbook titled *Evaluating Traffic Impact Studies* and found acceptable by the city prior to being used.



E) Commercial Cross-Access.

1. Cross access drive(s) are an easement which will permit the use of the drive for traffic circulation to provide ingress and egress to the two or more properties. All non-one or two-family residential developments in the MU-1, MU-2, MU-3 and DT Districts must permit pedestrian and vehicle cross access for adjacent non-one or two-family sites.
2. A cross access agreement must be in a recordable form, approved by the City Attorney and will run with the land and benefit/burden the heirs, assigns and transferees of the properties to be served by the drives. In addition, the easement must specify the means and program by which the drives shall be maintained, including a specification of responsible parties for snow plowing, repair, and other maintenance practices.
3. The applicant must have the easement(s) recorded with the Wayne County Register of Deeds office and submit a copy to the city for permanent records.

Section 5.8 Maintenance

All parking lots and loading zones must be maintained in accordance with this Article, an approved site plan, and the following:

- A) Alterations to an approved parking lot or loading zone that are not in accordance with an approved site plan are a violation of this Ordinance.
- B) All parking lots, perimeter landscaped areas, and required screening must be kept clean and free from tall grass, weeds, trash, and debris. Surfacing, curbing, lighting fixtures, signage, and related improvements must be kept in good repair.
- C) Parking lots and loading zones must be diligently kept clear of snow; up to 10% of the parking lot may be used for snow deposit.

Article 8.

Signage

ZONING ORDINANCE · CITY OF GROSSE POINTE PARK, MI



Section 8.1 Intent

Signs perform an important function in identifying and promoting businesses, services, neighborhoods, events, economic development, and other matters of interest to the public. The intent of this Article is to regulate all signs within the City of Grosse Pointe Park to ensure that they are appropriate for their respective uses, they keep with the neighborhood characteristics as recognized and promoted by the City's Master Plan, they prevent traffic hazards, they provide safe conditions for pedestrians, and they protect public health, safety, and general welfare by:

- A) Setting standards and providing uniform regulations that permit reasonable use of signs;
- B) Preserving the various characteristics found within the districts and neighborhoods throughout the City, regardless of sign content. In preserving the character of the various neighborhoods, signage shall be scaled appropriately whereby properties with frontage on wide streets with higher speed limits are permitted larger signs than narrow streets with lower speed limits;
- C) Prohibiting the erection of signs that may create a hazard to pedestrians and motorists in terms of number, size, illumination, and location;
- D) Avoiding excessive amounts of signs so that the existing signs provide adequate identification and direction while minimizing clutter, unsightliness, and confusion;
- E) Establishing a clear process for requiring permits for signs, allowing some signs without permits, and allowing legally nonconforming signs to continue without jeopardizing the useful life of the sign.

Section 8.2 Definitions

- A) **Awning:** A cloth, plastic, or other nonstructural covering that projects from a wall for the purpose of shielding a doorway or window. An awning is either permanently attached to a building or can be raised or retracted to a position against the building when not in use.
- B) **Canopy:** A sign on a structure other than an awning made of fabric, metal, or other material that is either supported by columns or posts affixed to the ground and may also be connected to a building, or supported by and projecting from a building, and providing protection from the elements.
- C) **Directional:** A ground sign, the sole purpose of which is to facilitate the flow of traffic within a site.
- D) **Flag:** Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or anchored at only two (2) corners.
- E) **Ground:** A sign supported by structures or supports that are placed on, or anchored in, the ground; and that is independent and detached from any building or other structure.
- F) **Plaque:** A wall sign identifying the occupant, business name and/or address of a building or parcel of land.
- G) **Projecting:** A building-mounted, double-sided sign with the two (2) faces generally perpendicular to the building wall, not to include signs located on a canopy, awning, or marquee.



- H) **Sandwich Board:** A portable ground sign composed of two boards with a message or graphic on it with one board in front and one behind in a triangle shape, hinged along the top.
- I) **Temporary:** A type of non-permanent, sign that is located on private property that can be displayed for a limited duration of time and is not intended to be a permanent display. Banners are considered a form of temporary signage.
- J) **Wall:** A building-mounted sign, which is either attached to, displayed on, or painted on an exterior wall in a manner parallel with the wall surface. A sign installed on a false or mansard roof is also considered a wall sign.
- K) **Window:** Any sign that is applied, painted, or affixed to a window, or placed inside a window, within three (3) feet of the glass, facing the outside of the building, and easily seen from the outside. Customary displays of merchandise or objects and material without lettering behind a store window are not considered signs.

Section 8.3 General Standards

- A) **Permit required.** Prior to the erection or structural alteration of sign, a sign permit shall be secured from the Director of Public Services.
- B) **Exceptions.** Exceptions to the permit requirements of this subsection shall include:
 - 1. Government signs
 - 2. Public K-12 school signs where the State Superintendent has exclusive jurisdiction
 - 3. Placards
 - 4. Historic markers placed under the authority of the Local, State, or Federal government.
 - 5. Memorial plaques, less than 1 square foot in area.
 - 6. Address numbers
 - 7. Hours of operation and other similar business information that is incidental, where such signage shall have a maximum size of 2 square feet.
 - 8. Window signs applied to the interior or exterior of the window/door glass, where the sign does not exceed 15% of the glass area. Windows that are immediately adjacent, on the same wall face of the same building, may be averaged together.
 - 9. Non-commercial flags
 - 10. Advertising flags at non-residential properties with a maximum size of 15 square feet, with one per business per street frontage. Other types of flags, or multiple flags shall be allowed as a temporary sign with a permit.
 - 11. Yard signs in all zoning districts, subject to the following:
 - a) Signs shall not exceed a total size of 12 sq ft in area; no limit on the number of signs, but the total area of all signs added together shall not exceed the "total size"
 - b) Signs shall not exceed 4 ft in height



12. Signs shall comply with all safety regulations and prohibitions specified herein
13. Handicap Signage with the international symbol of accessibility or van accessible recognized logo for Americans with Disability Act (ADA) compliance and accessibility
14. Signs in conjunction with a construction project or site plan approval, subject to the size limits specified in this Article. Signs shall be removed upon approval of the permit work or upon issuance of a Certificate of Occupancy
15. Signs erected by the City for an official function or purpose
16. Writing or logos that are an integral part of a fabric umbrella, used primarily to provide shade or cover to customers dining outdoors
17. Signs affixed to the exterior of vehicles advertising a business or service provided by said vehicle, excluding transported billboards.

C) **Measurement.** Signage shall be measured using the following principles:

1. The area of a sign shall mean the area of all lettering, wording, and accompanying designs, logos, and symbols. The area of a sign shall not include any supporting framework, bracing or trim which is incidental to the display, provided that it does not contain any lettering, wording, or symbols.
2. Where the sign consists of individual letters, designs, or symbols attached to a building, awning, wall, or window, the area shall be that of the smallest rectangle which encompasses all of the letters, designs, and symbols.
3. Signs that consist of, or have attached to them, one or more three-dimensional or irregularly-shaped objects, shall have a sign area of the sum of two (2) adjacent vertical sign faces of the smallest cube encompassing the sign or object.
4. Only one face of a double-sided sign will be used to determine the area of the sign.
5. For V-shaped signs, either horizontally or vertically oriented, with interior angles greater than ninety (90) degrees the sign area is the sum of both sign faces; otherwise, the area is the same as for double-sided signs.
6. Sign height shall be measured as the distance from the highest portion of the sign to the mean finished grade at the base of the sign.
7. Clearance for projecting, awning, and canopy/marquee signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements.
8. The permitted maximum height for all signs is determined by the sign type and the zoning district or use in which the sign is located.
9. Signable area shall be defined as the area in which a sign is to be located and which is used to determine the permitted size of that sign, pursuant to this section. The signable area shall be a continuous surface or wall unobstructed by windows, doors, other major architectural details or a change in material color.



- D) **Prohibited Signs.** The following forms of signage shall be prohibited unless otherwise expressly stated in this ordinance:
1. Signs not expressly permitted.
 2. Any sign unlawfully installed, erected or maintained.
 3. Any additional signage for a business that has an existing nonconforming sign.
 4. Signs in the public right-of-way or on public property, except as permitted by this Article.
 5. Animated signs, which are designed to provide apparent movement of any part of the sign. Animated signs also include any portion of a sign that displays any artificial light which is not maintained stationary or constant in intensity.
 6. A sign erected, constructed and maintained wholly over the roof of any building, with its principal support on the roof structure.
 7. A sign or sign structure which is determined by the Director of Public Services to be structurally unsafe, a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment, or in disrepair.
 8. Any sign which by reason of its size, location, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers, or by obstructing, or detracting from the visibility of any traffic sign or control device on public streets and roads.
 9. Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.
 10. String or rope lights used to highlight architectural features, or to frame a window or door.
 11. An outdoor sign whose message directs attention to a specific business, product, service, event or activity, or other commercial or noncommercial activity, or contains a non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located.
 12. Signs that contain statements, words, or pictures of an obscene, indecent or immoral character such as will offend public morals or decency.
- E) **Illumination.** Internal and external illumination of signs shall be permitted for all signs except where limited or prohibited in this Article, and subject to the following:
1. All illumination shall be concentrated on the area of the sign or landscape feature and directed or shielded so as to not interfere with the vision of persons on the adjacent streets or adjacent property.
 2. No sign shall be illuminated by other than electrical means or devices, and wiring shall be installed in accordance with the Michigan Building Code.
 3. All illumination shall be limited to eight hundred (800) lumens and a color temperature measuring three thousand five hundred (3,500) K or warmer (between zero (0) K and three thousand five hundred (3,500) K) on the Kelvin scale.
 4. No sign shall include reflective materials.



Section 8.4 Temporary Signs

Temporary signs must meet the following:

- A) **Sign Permit.** Temporary signs on private property are allowed only upon the issuance of a temporary sign permit by the Building Department .
- B) **Display Period.**
 - 1. Each lot or single tenant building is allowed a maximum of three temporary sign permits within a 12-month period. Each permit is for a maximum period of four weeks. In the instance where more than one business is located on a lot or in a building, structure or shopping center, each business is permitted two temporary sign permits within a 12-month period.
 - 2. One temporary banner pertaining to the opening or "Grand Opening" of a new commercial use may be temporarily affixed to the commercial building or the new business for a period of not more than four weeks. The length of such banner cannot exceed 25-feet.
- C) **Right-of-way.** No sign can be placed, strung, or located within the right-of-way.
- D) **Area and Height.** Signs have a maximum area of 32 square feet and a maximum height of 6-feet measured from grade. Temporary balloon signs are exempt from these area and height requirements, unless balloons are included as an integral part of the requested temporary sign.
- E) **Materials.** Signs must be constructed of a durable material designed to withstand normal weather conditions. Wooden signs must be constructed of a pressure treated wood that is acceptable to the Director of Public Services and painted or stained with an exterior grade of paint/stain. Property owners must receive a permit as described in this Article prior to the erection of any temporary commercial signs and must follow all applicable requirements as described below. Portable ground signs are considered temporary commercial signs.
- F) **Condition.** Any temporary sign found by the Building Department to be in an unsafe condition must be removed by the sign owner within three business days after receipt of written notice.
- G) **Removal.** Signs must be removed immediately at the end of the display period provided for in this Article. If temporary signs are not promptly removed at the end of the display period, a written violation notice will be issued by the city and a cumulative daily fee shall be assessed to the temporary sign permit holder until such sign is removed.

Section 8.5 Nonconforming Signs

A legal nonconforming sign may be continued and shall be maintained in good condition, including replacement faces, but it shall not be:

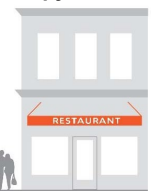
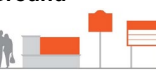
- A) Expanded, altered or changed from a manual changeable letter sign to electronic changeable copy sign so as to increase the degree of nonconformity of the sign.
- B) Re-established after its discontinuance for two hundred seventy-five (275) days.
- C) Continued in use after cessation or change of the business or activity to which the sign pertains.



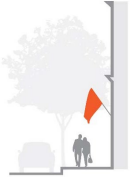
- D) Re-established after damage or destruction if the estimated cost of reconstruction exceeds fifty (50) percent of the appraised replacement cost, as determined by the Director of Public Services.

Section 8.6 Signs Allowed with a Permit

The following regulations shall apply to all signage in the City of Grosse Pointe Park:

SIGN TYPE	ER, NR-1, NR-2, NR-3	CMU, CIVIC	NMU, CBD, TD	Supplemental Standards
Awning 	Prohibited	Maximum Height: Height of awning to which sign is affixed. Maximum Area: 35% of signable area of awning Maximum Number: 1 per building	Maximum Height: Height of awning to which sign is affixed. Maximum Area: 25% of signable area on awning Maximum Number: 1 per building	- Internal illumination prohibited. - Awning signs shall only be allowed on 1st floor awnings. - Awnings shall be a minimum 8 ft. above grade and shall not project more than 4 ft. from façade. - Awnings shall not encroach onto or over the public right-of-way unless expressly permitted by the Director of Public Services. - Awnings shall be composed of either a solid color or vertical stripes; the Planning Commission shall have the power to grant an exception to this standard if it finds that the requested design is in keeping with the intent of the district.
Canopy 	Prohibited	Maximum Height: 12 ft Maximum Area: 60% of signable area of canopy Maximum Number: 1 per building	Maximum Height: 12 ft Maximum Area: 60% of signable area of canopy Maximum Number: 1 per building	- Canopy signs are only allowed on 1st floor. - Shall be a minimum 8 ft. above grade. - Shall not project more than 4 ft. from façade. - Signage shall not encroach onto or over the public right-of-way unless expressly permitted by the Director of Public Services.
Plaque 	Prohibited	Maximum Height: 5 ft Maximum Area: 4.5 sq ft Maximum Number: 1 per façade	Maximum Height: 5 ft Maximum Area: 4.5 sq ft Maximum Number: 1 per façade	- Internal illumination prohibited. - For nameplates and business directories, each tenant in a multi-tenant building shall be allocated an equal proportion of the signage area, unless otherwise agreed to in a development contract. - Multiple fonts may be used, but all components must use the same backing in both color and material composition.
Ground 	Prohibited.	Maximum Height: 6 ft Maximum Area: 48 sq ft Maximum Number: 1 per parcel	Maximum Height: 6 ft Maximum Area: 32 sq ft Maximum Number: 1 per parcel	- Internal illumination prohibited if located in a residential district. - Each tenant in a multi-tenant building shall be allocated an equal proportion of the signage area, unless otherwise agreed to in a development contract. - No ground sign shall be mounted on a singular pole; all signage shall either have two poles, located in the outer ¼ of the signage width on either side, or a monument base.



SIGN TYPE	ER, NR-1, NR-2, NR-3	CMU, CIVIC	NMU, CBD, TD	Supplemental Standards
				- The minimum height of signage content shall be 24 in above grade. - Ground signs shall be supported and permanently placed by embedding, anchoring, or connecting the sign in such a manner as to incorporate it into the landscape or architectural design scheme. - No ground sign may occupy an area designated for parking, loading, walkways, driveways, fire lane, easement, right-of-way or other areas required to remain unobstructed.
Flag 	Maximum Height: 20 ft Maximum Area: 15 sq ft Maximum Number: 1 per parcel	Maximum Height: 20 ft Maximum Area: 15 sq ft Maximum Number: 1 per business	Maximum Height: 20 ft Maximum Area: 15 sq ft Maximum Number: 1 per business	- Flagpoles shall be used exclusively to display a flag. Attachment to any other site fixture or feature shall be prohibited. - There shall be no more than 3 flags on any 1 pole.
Projecting 	Prohibited	Maximum Height: 12 ft Maximum Area: 6 sq ft Maximum Number: 1 per business	Maximum Height: 12 ft Maximum Area: 5 sq ft Maximum Number: 1 per business	- Internal illumination prohibited. - Projecting signs are only allowed on 1st floor. - Shall be a minimum 7.5 ft. above grade. - Shall not project more than 4 ft. from façade. - Signage shall not encroach onto or over the public right-of-way unless expressly permitted by the Director of Public Services.
Sandwich Board 	Maximum Height: 5 ft Maximum Area: 3 sq ft Maximum Number: 1 per Entrance	Maximum Height: 6 ft Maximum Area: 5 sq ft Maximum Number: 1 per Business	Maximum Height: 5 ft Maximum Area: 3 sq ft Maximum Number: 1 per Business	- In all non-commercial districts, such signage shall be permitted only as temporary signage and shall be subject to the restrictions of temporary signage specified herein. - Signage associated with a non-residential use shall be limited to the use's hours of operations, outside of which it must be removed and stored. - Signage shall not occupy the public right-of-way unless expressly permitted by the Director of Public Services, and a minimum 5-foot clear passageway must be maintained on sidewalks at all times.
Wall 	Prohibited	Maximum Height: Height of building to which sign is affixed. Maximum Area: 60% of signable area. Maximum Number: 1 per façade.	Maximum Height: Height of building to which sign is affixed. Maximum Area: 40% of signable area. Maximum Number: 1 per façade.	- Internal illumination prohibited if located in a residential district. - Buildings designed to permit businesses to occupy more than one floor shall reserve (a) two-thirds of their allowable sign area for tenants on the first floor and (b) one-third for tenants on the second floor. - Panel signs, whose letters and/or symbols are on a panel contained within a frame, which is an integral part of the sign, shall consist of a dark background with light lettering.



SIGN TYPE	ER, NR-1, NR-2, NR-3	CMU, CIVIC	NMU, CBD, TD	Supplemental Standards
Window 	Prohibited	Maximum Height: Height of window to which the sign is affixed. Maximum Area: 20% of total window area.	Maximum Height: Height of window to which the sign is affixed. Maximum Area: 20% of total window area.	1. Illumination prohibited, except for neon signs in nonresidential districts. 2. An unlimited number of window signs may be permitted, but the total area across all signs shall not exceed the maximums specified herein.
Directional	Maximum Height: 4 ft Maximum Area: 2 sq ft Maximum Number: 1 per Entrance	Maximum Height: 4 ft Maximum Area: 2 sq ft Maximum Number: 1 per Entrance	Maximum Height: 4 ft Maximum Area: 2 sq ft Maximum Number: 1 per Entrance	1. Illumination prohibited. 2. Said signs may incorporate a corporation or business logo provided the main theme of the sign shall be to facilitate vehicular traffic flow. 3. Placement shall be within the subject property; no such signs shall be permitted within the street setback area or right-of-way.

Article 10.

Zoning Plan Reviews

ZONING ORDINANCE · CITY OF GROSSE POINTE PARK, MI



Section 10.1 Intent Statement

The purpose of a zoning plan review is to ensure project compliance with the City of Grosse Pointe Park's Zoning Ordinance, along with other applicable ordinances and laws (e.g., Michigan's Building Code), all of which protect the health, safety, and well-being of a community. There are two types of zoning plan reviews: an administrative plot plan review and a Planning Commission site plan review.

Zoning Review	Types of Projects	Review Authority	Contents
Administrative Plot Plan	• Renovation, addition to or construction of a one/two family structure • Construction of a new accessory structure • Re-use, re-occupancy or existing multi-family structures that do not require site modifications • Projects that involve minor modifications and do not require a special land use or variance	Director of Public Services, or their designee (e.g. Director of Public Services or Director of Public Services).	Plans must be drawn to scale. Additional requirements are listed in section 10.4 at the discretion of the Director of Public Services or their designee.
Planning Commission Site Plan	• Projects that involve (not minor) new construction and a special land use/variance	Planning Commission	Plans require a certified land survey stamped and sealed by a licensed architect/engineer/builder/land surveyor.



Section 10.2 Zoning Plan Reviews

- A) **All Projects Require a Zoning Plan Review.** No building can be erected, moved, relocated, or structurally altered and there cannot be a change or addition of use, nor expansion or reduction of off-street parking, and no filling, excavation or grading can be undertaken until a required plan has been submitted for review and approval, as specified in this section.
- B) **Discretion of the Director of Public Services.** The Director of Public Services makes the final determination on the type of zoning plan review required and the criteria needed for each plan. For zoning plan criteria, see section 10.4. The Director has the right to waive and add additional criteria to a zoning plan review.
- C) **Performance Guarantee.** The Director of Public Services and the Planning Commission may require that a performance guarantee be deposited with the city to ensure faithful completion of the improvements. Improvements that shall be covered by the performance guarantee include, but are not necessarily limited to landscaping, open-space improvements, streets, lighting, and sidewalks.

Section 10.3 Planning Commission Site Plans

All projects require a Planning Commission site plan, unless specified otherwise by the Director of Public Services and unless the project falls within one of the Administrative Plot Plan categories.

- A) **Special Land Uses, Variances and Planned Unit Developments.** All special land uses, variances and planned unit development projects require a site plan. Site plan submission requirements may be modified by the Director of Public Services.

Section 10.4 Administrative Plot Plans

Listed below are the different types of projects that may permit an administrative plot plan review.

- A) Renovation, addition to or construction of a one- or two- family structure with four dwelling units or less.
- B) Construction of a new accessory structure.
- C) Re-use or re-occupancy that do not require site modifications.
- D) A site modification or addition to an existing building that does not increase the footprint by more than 25%.
- E) A change in use if the new use is allowed by-right in the zoning district.
- F) Change in building height that does not add floor area.
- G) Temporary uses, buildings, and structures.
- H) Outdoor storage, sales and display.
- I) Minor Site Plan modifications as deemed minor by the Director of Public Services.
- J) Landscape updates, including but not limited to excavating, filling, removing soil.
- K) Resurfacing, including parking lots, sidewalks and pathways.



- L) Construction, relocation or erection of signs, screening walls, fences, walls, waste receptables, antennas, lights, poles, cooling/heating and other mechanical equipment.

Section 10.5 Required Zoning Plan Elements

The Director of Public Services has final discretion over zoning plan submission criteria. For most accurate information, reach out to the Department of Public Services. See overview of criteria below. Legend:

Light gray: Administrative Plot Plan and Planning Commission Site Plan

Medium gray: Planning Commission Site Plan

DESCRIPTIVE AND IDENTIFICATION DATA

Requirements

Project title, street address and parcel number.

Location map showing relationship to streets, major thoroughfares, adjacent properties.

Legal property description.

Property Size: Acres, square feet, dimensions.

Zoning classification of petitioner's parcel and all abutting parcels.

Written project description including proposed uses of buildings and site improvements. Include estimate number of employees, if applicable.

Name, address, phone number of owner/lessee and professional who prepared the plans.

Seal of registered architect, landscape architect, land surveyor, or engineer that prepared the plan.

Proposed time of project completion and phasing schedule.

Note indicating any variances previously received.

Note indicating additional use standards.

GENERAL SITE DATA

Requirements

North point and scale drawn no less than 1" = 30'. Sites greater than three acres must be drawn at a scale not less than 1" = 50'.

Date of preparation of drawings and revisions.

Location of all existing and proposed lot lines, lot dimensions, property lines, easements, right-of-way, road centerlines.

Location and/or size and depth (±) of all existing sewer, water, gas, telephone, and electrical utility lines, and associated structures, both on-site and adjacent to the site.

Verification of ownership of all existing utilities and/or rights-of-way.

All existing (recorded) easements for utilities and/or rights-of-way.

Location of any 100-year floodplain and floodway locations present on the subject property, or within 50 feet of the subject property.

Location of any known or anticipated wetlands present on the subject property, or within 50 feet of the subject property.

Topography on the site and within 100 ft of the site at two ft contour intervals, referenced to a U.S.G.S. benchmark.



Note indicating any anticipated changes in terms of dust, odor, smoke, fumes, noise, light, etc.

Assessment of potential impacts from the use, storage, processing, or movement of hazardous materials or chemicals, if applicable.

BUILDING & STRUCTURE DETAILS

Requirements: Article 7

Front, side, and rear yard setbacks.

Distances between existing and/or proposed buildings.

Location, dimensions, height, and number of stories for all existing and/or proposed structures.

Façade and ground floor heights.

Building façade elevations for each side of the building indicating the type of building materials, colors, height, architectural detail and wall lengths. Note, be mindful to avoid blank walls.

Primary entrance details.

Percentage of first floor and additional floors glass windows.

Floor Plan.

Gross floor area and usable floor area of all existing and/or proposed structures.

For multiple-family structures, include a schedule of dwelling units indicating the total number of units broken down by the number of bedrooms and keyed to the buildings.

Schedule showing maximum allowable lot coverage and proposed lot coverage.

Other pertinent features, including entrance details, decks, porches, fences, flag poles, mailboxes or other structures.

Method of solid waste collection. For waste receptacles, provide location, detail, and method of screening for the enclosure.

Rooftop equipment and the method of screening.

PARKING & CIRCULATION

Requirements: Article 9

Parking lot layout showing the dimensions of the parking bays, maneuvering lanes, islands, turnarounds, the location of directional signage, and pavement markings. Space layout cannot impede circulation.

Location and type of surfacing for all pavement areas and curbs.

Location and dimensions of barrier-free spaces and barrier-free ramps.

Table showing the total number of parking spaces required and proposed. Include the calculations used to determine the number of parking spaces.

Location and dimensions of any loading and unloading spaces, service areas, and/or stacking spaces.

Location and width of access drives and abutting streets and sidewalks, including radii information.

Illustration of route and dimensions for turning movements of expected truck traffic, tankers, delivery vehicles, waste receptacle vehicles, etc.

Location and width of existing and/or proposed sidewalks.

Demonstration that all pedestrian walking lanes are safe and provide uninterrupted path to entrance.

Area designated for "snow storage".

Note indicating that approaches to roads under the jurisdiction of Wayne County are required to meet County standards and permit requirements.



PARKING & CIRCULATION

Requirements: Article 9

Note indicating that approaches to roads under the jurisdiction of MDOT are required to meet State of Michigan standards and permit requirements. A note to that effect must be provided.

Letter from the road agency with jurisdiction indicating the approval of the location and geometrics of any proposed ingress/egress.

LANDSCAPE & SCREENING

Requirements: Article 10

Location of all existing and proposed landscaped areas, including trees and shrubs

Linear length (in feet) of road frontage.

Landscape Schedule indicating the type, size, and quantity of plant and tree materials. Calculations used to determine the quantity of trees and shrubs required.

Off-street parking lots with 20 or more spaces must dedicate at least 5% of total parking area to interior landscaping islands. Each island must be a minimum of 150 SF and contain at least 1 deciduous tree, covered with mulch, grass or groundcover.

Written description indicating the landscape maintenance procedures.

Note indicating that all landscaping shall be kept in a neat, orderly, and healthy growing condition, free of debris and refuse.

Note indicating that pruning shall be minimal to ensure the proper maturation of plants.

Note indicating that all landscape areas will be irrigated by an automatic, underground irrigation system.

Note indicating tree and shrub planting details.

Cross-sections illustrating relationship between proposed grades, materials, landscaping, screening, etc.

Location and description of existing and proposed screening walls and fences, including dimensions, placement, relationship to grading, materials and color. Review City's standards in Article 10 for more information on screening devices required for parking lots and from residential uses.

LIGHTING

Requirements: Article 7

Location, type, and height of all outdoor lighting.

Photometric Plan.

Manufacturers cut-sheets for all proposed outdoor light fixtures.

SIGNAGE

Requirements: Article 11

Location and illumination of all proposed signage and sign structures.

Note indicating that "No signage has been approved as part of this Site Plan Approval, and prior to erecting a sign, an application and appropriate documentation and submissions must be made to the Building Department for review, approval, and the issuance of a sign permit."



ENGINEERING INFORMATION

Requirements

Proposed grade elevations showing all high points, low points, and grade changes on the site, including the grades of the property corners and along the perimeter of the site.
Finish grades of the building corners, driveways, sidewalks, parking areas, culvert inverts, ditch or swale lines, and along the right-of-way. Clearly differentiate from existing grade elevations by underlining, boxing, or some other means.
Schematic layout of the location and/or size and depth of all proposed sewer, water, gas, telephone, and electrical utility lines, and associated structures, both on-site and adjacent to the site.
Length, size, and slope of the pipe to be used for each of the proposed storm sewer, sanitary sewer, and watermain lines.
Type of pipe to be used for each of the proposed storm sewer, sanitary sewer, and watermain lines.
Rim and invert elevations of all proposed structures for each of the proposed storm sewer, sanitary sewer, and watermain lines.
Invert elevation at the building and at the point of connection for the main sanitary sewer line.
Bedding and backfill requirements for each of the proposed storm sewer, sanitary sewer, and watermain lines.
Profile views of all proposed storm sewer, sanitary sewer, and watermain lines.
Depth of the lead at the easement or right-of-way line from the final grade.
Note indicating the proposed water service to the building, and the size.
Location of fire hydrants and gate valves.
Storm sewer calculations must be provided for all sites.
Soil erosion and sedimentation control measures.
Proposed pavement specifications and/or cross-section detail.
Acceleration, deceleration, and passing lanes and tapers on major thoroughfares, as required by MDOT or Wayne County.
Written description of utility easements.
Written detailed cost estimate for the construction of the proposed sanitary sewer or watermain.
List of all public improvements as result of this project.

Section 10.6 Review Standards

In the process of reviewing the sketch plan and site plan, consider the following standards:

- A) **Application, Descriptive and General Site Data.** The proposed use has the potential to be compatible with the zoning district and surrounding uses. The plan submission provides all basic site information in a visually legible manner.
- B) **Building Form and Design Standards.** Building form and design must relate to and be harmonious with the surrounding neighborhood in terms of texture, scale, mass, proportion, materials, and color. Buildings and structures must meet or exceed setback standards, build-to lines, height and other dimensional standards, and so placed to preserve environmentally sensitive areas.
- C) **Parking and Circulation.** The pedestrian and vehicular circulation system planned for the proposed development must be in the best interest of the public health, safety, and welfare in regard to on-site circulation and the overall circulation of the neighborhood and community. Attention must be directed to the

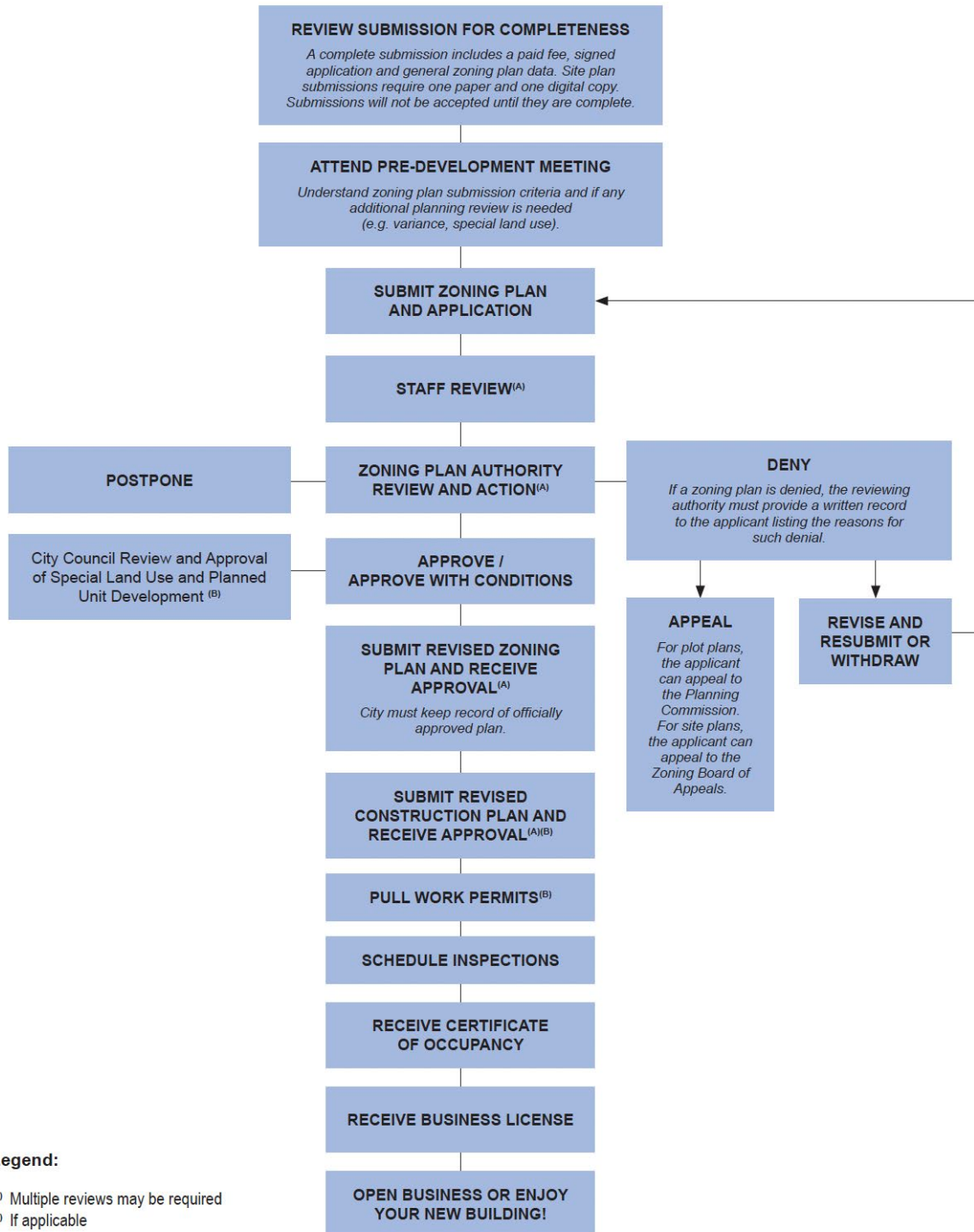


ingress/egress access points, maneuvering lane, turning movements, loading areas, street and alley intersections. The parking pattern proposed shall be in the best interest of the public health, safety, and welfare in regard to size, layout and quantity, and the location of parking facilities will not be detrimental to nearby developments, properties, or public streets.

- D) **Landscaping and Screening.** Walls, earth berms, planting screens or combinations act as buffers to provide a more compatible, safer and visually attractive physical separation between various land use types. Where necessary, these devices create a definitive site improvement, thereby minimizing the impact that one type of land use may have on another. General landscaping enhances the appearance, character and value of property while having a positive impact on the community. Landscaping breaks up masses of paved and building areas and provides a cooling effect, encourages the preservation of existing vegetation where possible, and can provide a physical separation between pedestrian and vehicle traffic.
- E) **Lighting.** Encourage site lighting that will be attractive to the eye while at the same time adequately illuminating a site for safety and convenience. It is further the intent of this section to discourage excessively bright and harsh site illumination that creates undesirable halo effects on the property, diminishes the residential environment and presents a potential hazard to vehicle and pedestrian traffic on abutting streets and sidewalks.
- F) **Signage.** Site signing must meet the requirements of the zoning ordinance and must be approved by the Director of Public Services.
- G) **Engineering Information.** Utility services, including sanitary, water and storm runoff, must not exceed the existing or planned capacity of such services, and shall be developed in the best interest of the public health, safety, and welfare of the community. The proposed development must be designed and located so that public services, including streets and sidewalks, police and fire protection, and public schools have sufficient capacity to properly serve the development, and so that such services will not be adversely affected by the proposed development.



Section 10.7 Zoning Plan Review Process





Section 10.8 Procedures after Plan Approval

- A) **Approval Expiration.** The approval of a zoning plan shall be effective for a period of 12 months from the date of such approval. If a building permit has not been obtained and construction has not commenced within the 12-month approval period, the zoning plan approval shall be null and void. In such a case, the applicant shall be required to obtain a new zoning plan approval as specified in this Article.
- B) **Approval Extensions.** Administrative plot plans shall not be granted an extension. An extension of up to 12 months for an approved planning commission site plan may be granted by the planning commission. An extension may be granted provided the approved site plan continues to adequately represent current conditions on and surrounding the site, and that the site plan conforms to the standards of the city regulations in affect at the time of the applicant's request for an extension.
- C) **Site Maintenance after Approval.**
1. It is the responsibility of the owner of a property for which zoning plan approval has been granted to maintain the property in accordance with the approved plans, including all site design elements and improvements, on a continuing basis until the property is razed, new zoning regulations supersede the regulations upon which plan approval was based, or a new plan is approved.
 2. Any property owner who fails to maintain an approved zoning plan in full compliance with approvals granted by the city according to the provisions of these regulations, is in violation of these regulations and required to return the site conditions consistent with the approved plans or they will lose their zoning plan approval and risk the loss of their certificate of occupancy and business license.
- D) **Revocation.** Any approved zoning plans may be revoked by the Planning Commission if construction on the site is not completed or is not progressing in a manner consistent with the approved plans. In such a case, the plan will be placed on the agenda of a Planning Commission meeting for a consideration. The City must give written notice to the applicant at least 10 days prior to the meeting. The Director of Public Services, other city staff, the applicant, and other interested persons shall be allowed to present information and testimony to the Planning Commission. If the Planning Commission finds that an inconsistency or violation of the approved site plan exists at the time of the hearing, then, by a majority vote of attending members, the Planning Commission may revoke the approval of the plan and order the site returned to its original condition by a date certain. Failure to comply with such an order is a violation of these regulations.
- E) **Modification to Approved Plan.** A previously approved plan may be subsequently modified, subject to the review and approval requirements of this article based on the scope of the proposed modifications.

Article 11.

Special Land Use Review

ZONING ORDINANCE · CITY OF GROSSE POINTE PARK, MI



Section 11.1 Intent Statement

There are three types of uses within a zoning district: permitted, not permitted and special land uses. Special land uses are uses that are more intense than permitted uses and therefore require more discretion when allowing them to operate by the City. A special land use review process involves a public hearing in front of Planning Commission and Planning Commission approval. All special land uses must be accompanied by plans and information demonstrating compliance with current zoning requirements and special land use criteria. The review criteria is meant to review the special land use request and ensure that it can operate without adversely affecting the public health, safety, and welfare of the city as a whole.

Section 11.2 Special Land Use Approval Standards

Prior to the Planning Commission making a recommendation and the City Council approving any application for a special land use approval, the Planning Commission and City Council shall find adequate evidence that the proposed use:

- A) **Is compatible with Adjacent Uses.** The proposed use must be compatible to the adjacent uses. Explain how this Special Land Use will be compatible with adjacent uses minimizing the impact of site activity on surrounding properties. Include location and screening of vehicular circulation and parking; location and screening or outdoor storage; hours of operation, bulk and placement of proposed structures in relation to surrounding uses, impact of parking or traffic, use alignment, etc.
- B) **Is consistent with Master Plan.** The proposed use must be consistent with the goals and vision of the Master Plan and any other strategic plans relevant to the area. How is this Special Land Use consistent with the policies of the Master Plan and other relevant strategic plans?
- C) **Is adequately Served by Essential Public Facilities.** The proposed use must be in a place that is served by essential public facilities and services. Is this Special Land Use located so as to be adequately served by essential public facilities, such as highways, streets, police, water and sewage, etc.? Explain.
- D) **Has minimal impact on Pedestrian and Vehicle Traffic.** The proposed use must minimize the impact of the traffic generated by proposed use on surrounding uses. Does the location of the proposed Special Land Use within the zoning district minimize the impact of the traffic generated by the proposed use? Consider, proximity and access to major thoroughfares, estimated traffic generated by proposed use, proximity and relation to intersection, adequacy of driver sight distances, location of and access to off -street parking, required vehicular turning movements and provision for pedestrian traffic.
- E) **Establishes no Nuisance.** The proposed use must not generate activities that are detrimental to the public health, safety, and welfare. Are there any detrimental effects or nuisances involved in the Special Land Use and how are these nuisances mitigated? Consider production of traffic, noise, vibration, smoke, fumes, odor, dust, glare, light, etc.
- F) **Improves the Community.** The proposed use must provide the maximum feasible improvement to the community and cannot interfere with adjacent land use or buildings. How does the Special Land Use enhance the surrounding environment and community? Consider the landscaping and other site amenities, and the bulk, placement, and materials of construction of proposed structures in relation to surrounding uses.



- G) **Protects Residential Character.** The proposed use must not change the character of a residential neighborhood. In granting this Special Land Use, will it result in a small residential area being substantially surrounded by a non-residential development or incompatible uses? Explain.
- H) **Aligns with Zoning Ordinance.** The use must abide by the intent of the Zoning District and Zoning Ordinance. Explain how this application for Special Land Use approval meets all specific criteria and design standards for the specific use outlined in the Zoning Ordinance.

Section 11.3 Application Requirements

- A) **Application Submittal.** An application for special land use review shall be filed with the Department of Public Services on a form provided by the City along with the required application fee and any necessary escrow payment. The completed application shall be signed by the property owner. Applications will not be processed unless they are complete and unless all fees are paid in accordance with the schedule of fees adopted by the City Council.
- B) **Required Information.** An application for special land use shall be accompanied by a detailed description of the operations and characteristics of the proposed use sufficient for the Planning Commission to make an informed decision. A plot plan or site plan that meets the requirements of this Ordinance can also be submitted with an application. The applicant can decide to wait and submit a formal site plan until after receiving approval.
- C) **Technical Review.** Special land use applications may be forwarded to the planner, engineer, and city department heads for review to determine compliance with applicable City, County and State ordinances and standards. For special land use applications determined not to be in substantial compliance by any technical reviewer, the applicant may be required to complete revisions and re-submit the application for further review prior to final action.

Section 11.4 Planning Commission Review

- A) **Public Hearing Required.** Prior to making a recommendation and as a part of completing a review and study of a special land use application, the Planning Commission shall hold a public hearing in accordance with the procedures set forth in the Michigan Zoning Enabling Act, PA 110 of 2006 (as amended).
- B) **Planning Commission Decision.** The Planning Commission shall review the application for Special Use, together with the public hearing findings and reports and recommendations from the Director of Public Services, City Planner, City Engineer, and other departments. The Planning Commission shall then make a determination on the Special Land Use application. The Planning Commission may approve, approve with conditions, or deny a Special Land Use request.
 - 1. **Approve.** Upon determination by the Planning Commission that the final plan for Special Use is in compliance with the standards and requirements of this Article and other applicable ordinances and laws, approval shall be granted.
 - 2. **Approve with Conditions.** The Planning Commission may impose reasonable conditions with the approval of a Special Use proposal, to the extent authorized by law. Conditions imposed shall meet all of the following requirements.



- a) Conditions shall be designed to protect natural resources, the health, safety and welfare, and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
 - b) Conditions shall be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
 - c) Conditions shall be necessary to meet the intent and purpose of this Article, related to the standards established in this Article for the land use or activity under consideration, and necessary to ensure compliance with those standards.
3. **Deny.** Upon determination by the Planning Commission that a Special Use proposal does not comply with the standards and regulations set forth in this Article, or otherwise would be injurious to the public health, safety, welfare, and orderly development of the city, the Special Use proposal shall be denied. Planning Commission must provide its reasoning for denying the project.

Section 11.5 Procedures after Planning Commission Review

- A) **Site Plan Requirement.** All Special Use applications shall require Site Plan Approval in addition to Special Use Approval. In order for the Site Plan to be approved, the site must be brought up to all relevant standards of this Ordinance, including, but not limited to, lighting, signage, dumpster enclosures, landscaping, and parking. The Planning Commission may refer the required Site Plan Approval to the Director of Public Services for Administrative Site Plan Review, upon determining that the physical site changes proposed or required are minor in nature.
- B) **Performance Guarantee.** The Planning Commission may require that a performance guarantee be deposited with the city to ensure faithful completion of the improvements. Improvements that shall be covered by the performance guarantee include, but are not necessarily limited to landscaping, open-space improvements, streets, lighting, and sidewalks.
- C) **Recording and Continued Compliance with Conditions of Approval.** Approval by the Planning Commission may require additional conditions and safeguards as deemed necessary for the protection of the health, safety, and general welfare and individual property rights as well as ensuring that the intent and objectives of this Article are observed. The breach of any condition, safeguard or requirement and the failure to correct such breach within 30 days after an order to correct is issued by the city shall be reason for immediate revocation of the permit. Additional time for correction of the cited violation may be allowed by the city upon submission of proof of good and sufficient cause. Conditions and requirements stated as a part of special land use approval authorizations shall be continuing obligations of the holders of such permits and are binding upon their heirs and assigns and upon any persons taking title to the affected property while such special use permit is in effect. Accordingly, the special land use approval and any conditions shall be recorded with the Wayne County Register of Deeds.
- D) **Approval Effective Date.** Special Land Use Approval is effective for a period of 1-year. If after a period of one year from the date of Planning Commission approval, site plans have not been submitted for review and approved, Special Land Use approval shall automatically be revoked. The Planning Commission may however, upon written request of the applicant, prior to the expiration period, grant one extension up to 12-months.



- E) **Amendments to Approved Special Land Uses.** When an application is received to expand or change the use, traffic pattern, or other elements of a special land use, the application is subject to the same procedures followed for an original special approval of land use.
- F) **Resubmission.** No application for a special use permit which has been denied by the Planning Commission can be resubmitted until the expiration of 1-year from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions sufficient to justify reconsideration by the Planning Commission. Each reapplication will be treated as a new application.
- G) **Revocation of Special Land Use Approval.** Approval of a Special Land Use proposal and site plan may be revoked by the Planning Commission if construction has not commenced or if the use is operating contrary to the conditions of approval. In such a case, the Director of Public Services shall place the Special Use proposal be placed on the agenda of the Planning Commission. Written notice shall be provided to the applicant at least five days prior to the meeting at which the case will be considered. The applicant shall be given the opportunity to present information and to answer questions. The Planning Commission, as appropriate, may revoke approval if it finds that a violation exists and has not been remedied prior to the hearing.

Article 12.

Text / Map Amendments (Rezoning)

ZONING ORDINANCE · CITY OF GROSSE POINTE PARK, MI



Section 12.1 Intent Statement

A Zoning Ordinance is a living document, which means that it must evolve to changes within the community and outside of the community—such as amendments in planning law. Amending a zoning ordinance means the community is modernizing its policy to reflect the changing needs and desires of the community. Furthermore, a zoning ordinance is the primary tool to implement the Master Plan. Zoning ordinances are encouraged to be amended so they match the vision of the Master Plan.

Section 12.2 Review Authority

The City Council may amend, supplement, or change the regulations of this Zoning Ordinance pursuant to the Michigan Zoning Enabling Act (PA 110 of 2006), as amended.

Section 12.3 Overview

Zoning amendments come in one of two forms: zoning text amendments and zoning map amendments. Simply put, a zoning amendment is a change made to a specific section of a zoning code, or area on a zoning map, without requiring a complete rewriting of the zoning code.

A. Text Amendment. A zoning text amendment will rewrite a section of a zoning code that applies to every use permitted in the district, writing the rezoning of land into the zoning code, or by revising specific policy language in the zoning code. Examples of text amendments are changing the list of uses permitted in any zoning district; changing the setback required for a building; or changing the permitted size for signs.

- 1) *Amendment Request.* Requests may be initiated by the City Council, Planning Commission, or any interested person or organization.

B. Map Amendment. A zoning map amendment changes the zoning district on a particular property or collection of properties. Examples include changing a parcel from a residential district to a commercial district or changing the zoning of a parcel via a conditional rezoning. As outlined in Section 12.8 below, conditional rezoning is where an applicant wishes to petition to change the zoning of a parcel(s), with limiting conditions imposed. To reduce controversy or concerns regarding a rezoning request, an applicant might volunteer to offer conditions that restrict the use of the parcel(s). For example, an applicant wants to open an ice cream store in a residential district, so they need to rezone their parcel to a commercial zone. To avoid allowing all types of commercial uses on that parcel, the applicant submits a condition that the only permitted commercial use is ice cream stores on that parcel. If the zoning amendment is approved, the City Clerk and County Register of Deeds record the amendment so that only the restricted uses may occur on the parcel. Only applicants can voluntarily offer conditions. The city is prohibited from requiring conditions.

- 1) *Amendment Request.* Requests may be initiated by the City Council, Planning Commission, or the owner(s) of the premises concerned, or by the designated agent of a person having a freehold interest in the property. Conditional rezonings may only be initiated by the owner or designated agent of the property of interest.



Section 12.4 Approval Standards*

*See Conditional Rezoning section below for additional standards.

In considering any amendment, the Planning Commission and City Council must consider the following criteria. The city may consider other factors that are applicable to the application but not listed below as well.

- A) **Consistency with Plans.** Consistency with the goals, policies and objectives of Grosse Pointe Park's Master Plan and other city or regional planning documents. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area may be considered.
- B) **Consistency with Ordinance.** Consistency with the intent and purpose of Grosse Pointe Park's Zoning Ordinance.
- C) **Compatibility with the Street System.** The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
- D) **Sufficient Public Utilities and Services.** The capacity of the City's utilities and services to sufficiently accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of Grosse Pointe Park.
- E) **Additional Criteria for a Map Amendment.** If a map amendment (rezoning) is requested, the following criteria also apply:
 - 1. **Compatibility with Built Form.** Compatibility of the site's physical, hydrological, and environmental features with the uses permitted in the proposed zoning district.
 - 2. **Compatibility with Uses.** Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, density, nature of use, traffic impacts, aesthetics, and infrastructure.
 - 3. **Compatibility with Zoning District.** Compatibility of the requested zoning district in relationship to surrounding zoning districts, such that future construction can meet the dimensional regulations for the requested zoning district.
 - 4. **Map Amendment Preferred.** If requested to allow for a specific use, rezoning the land is more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
 - 5. **Spot Zoning.** Will not create an isolated or incompatible zone in the city.

Section 12.5 Application Procedures

- A) **Application for Rezoning.** An application for an amendment to the text or map of this Zoning Code is initiated by submitting an application on forms provided by the city and accompanied by the fees specified. The completed application shall be signed by the property owner. Applications will not be processed unless they are complete and unless all fees are paid in accordance with the schedule of fees adopted by the City Council.



The application must clearly describe the proposed amendment and must be signed by the applicant. Applications for rezoning of a specific site must be accompanied by a survey which specifies the boundaries and legal description of the site. The city may request additional information with the application. The applicant may request that the proposed text amendment be drafted by the city, in pursuit of a clearly stated policy goal requested by the applicant and accompanied by specified fees.

B) Required Information.

1. **Text Amendment.** An application for text amendment shall include the existing ordinance language to remain, the existing ordinance language to be deleted and the proposed new ordinance language. The proposed changes shall be easily discernible from each other using various types of font enhancements.
2. **Map Amendment.** Petitions for property rezoning of a specific site shall be accompanied by a plot plan or survey and shall contain the following information:
 - a) Applicant's name, address, and telephone number.
 - b) Scale, north arrow, and dates of submission and revision.
 - c) Current zoning classification of petitioner's parcel and all abutting parcels.
 - d) Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on the site and within 100 feet of the site.
 - e) Dimensions, centerlines, and right-of-way widths of all abutting streets and alleys.
 - f) Location of existing drainage courses, floodplains, and natural features.
 - g) All existing and proposed easements.
 - h) Location of all existing and proposed utilities.

- C) **Technical Review.** Text amendments and amendments to the official zoning map may be forwarded to the planner for review to determine compliance with the City Master Plan and applicable ordinance standards for approval. For amendment applications determined not to contain all required information, the applicant may be required to complete revisions and re-submit the application for further review prior to final action.

Section 12.6 Review Process

After the completed petition and all required supporting materials have been received and fees paid, the petition will be placed on the next regularly scheduled meeting of the Planning Commission.

- A) **Public Hearing Required.** Prior to making a recommendation and as a part of completing a review and study of a text amendment or property rezoning, the Planning Commission shall hold a public hearing in accordance with the procedures of PA 110 of 2006 (MCL 125.3101 et seq.), as amended.
1. **Map Rezoning Request of 10 properties or fewer.** For amendments to the official zoning map, if an individual property or ten or fewer adjacent properties are proposed for rezoning, the Planning Commission shall fix a reasonable time for the hearing of the rezoning request and a notice that a request has been received shall be published in a newspaper that circulates in the city, and shall be sent by mail to the owners of property for which approval is being considered, to all persons to whom



real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. The notice shall be given not less than 15 days before the date the application will be considered.

2. **Map Rezoning Request of 11 properties or more.** For amendments to the official zoning map, if 11 or more adjacent properties are proposed for rezoning, the Planning Commission shall fix a reasonable time for the hearing of the rezoning request and a notice that a request has been received shall be published in a newspaper which circulates in the city. The notice shall be published not less than 15 days before the date the application will be considered.
- B) **Planning Commission Recommendation.** After the public hearing, the Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition, including the appropriate criteria listed in this Article, and shall report its findings and recommendation to the City Council.
- C) **City Council Action.** Upon receipt of the report and recommendation from the Planning Commission, the City Council may approve or deny the proposed amendment. If determined to be necessary, the City Council may refer the amendment back to the Planning Commission for further consideration. In the case of an amendment to the official Zoning Map, the City Council shall approve or deny the amendment, based upon its consideration of the criteria contained herein this Section. If the City Council denies the rezoning application, they must provide grounds for denial to the applicant during the meeting.
- D) **Protest Petition.** An amendment to the official zoning map is subject to a protest petition in accordance with Section 403 of the Michigan Zoning Enabling Act, PA 110 of 2006 (MCL 125.3101 et seq.) as amended. The protest petition shall be presented to the City Council before final legislative action on the amendment, and shall be duly signed by the owners, or part owners, of 20 percent of the land proposed to be altered, or by the owners of at least 20 percent of the area of land included within the area extending outward 100 feet from any point on the boundary of the land included in the proposed change. Publicly owned land shall be excluded in calculating the 20% land area. If a protest petition is filed that meets the criteria outlined above, approval of the property rezoning shall require a 2/3 affirmative vote of the City Council.

Section 12.7 Procedures after City Council Action

- A) **Petitions Previously Denied.** Whenever an application for an amendment to this Ordinance has been denied by the City Council, a new application for the same amendment shall not be accepted by the Planning Commission for consideration for a period of one year from the date of denial, unless the Planning Commission determines that one or more of the following conditions has been met:
1. There is a substantial change in circumstances relevant to the issues or facts considered during review of the application that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed in the application.
 2. New or additional information is available that was not available at the time of the review that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed.
 3. The new application is materially different from the prior application.
- B) **Notice and Record of Amendment Adoption.**



1. **Adoption.** Following adoption of an amendment by the City Council, a notice of adoption must be filed with the City Clerk and published in a newspaper of general circulation within 15-days after adoption, in accordance with the Michigan Zoning Enabling Act (PA 110 of 2006), as amended. The notice must include the following information:
 - a) In the case of a newly adopted Zoning Ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by the City of Grosse Pointe Park."
 - b) In the case of an amendment to the existing Zoning Ordinance, either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment.
2. **Records.** A record of all amendments and the Zoning Map must be maintained by the City.

Section 12.8 Conditional Rezoning

- A) **Intent.** The city recognizes that, in certain instances, it would be advantageous to both Grosse Pointe Park and to a property owner seeking rezoning, if the property owner proposes certain conditions and limitations as part of their rezoning petition. Therefore, the city provides a process consistent with the provision of Section 405 of the Michigan Zoning Enabling Act (PA 110 of 2006), as amended, to permit property owners to offer conditions regarding a use and/or development of land as part of the rezoning request. A conditional rezoning is intended to accomplish, among other things, the objectives of the Zoning Code and the Master Plan.
- B) **Definitions.** The following definitions apply in the interpretation of this Section:
 1. **"Applicant"** means the property owner, or a person acting with the written and signed authorization of the property owner to make application under this Section.
 2. **"Conditional Rezoning Agreement" (CRA)** means a written agreement approved and executed by the city and property owner setting forth the conditions attached to the rezoning pursuant to Michigan Zoning Enabling Act (PA 110 of 2006), as amended, and any other terms mutually agreed upon by the parties relative to land for which the city has approved a conditional rezoning.
 3. **"Conditional Rezoning Plan"** means a plan of the property, which is the subject of a conditional rezoning, with conditions, prepared by a Michigan licensed civil engineer or architect, that may show the location, size, height, design, architecture, or other feature for and/or of buildings, structures, improvements, and features on, and in some cases adjacent to, the property. The details to be offered for inclusion within the conditional rezoning plan are determined by the applicant, subject to approval of the City Council after recommendation by the Planning Commission.
 4. **"Rezoning Conditions"** means conditions regarding the development and use of property proposed by the applicant and approved by the city.
 5. **"Rezoning"** means the amendment of this Zoning Code to change the Zoning Map classification on property from its existing district to a new district classification.
- C) **Authorization and Eligibility.**
 1. The standards of this section grant an applicant the option of voluntarily proposing conditions for the development and use of property in connection with the submission of a rezoning petition. Such



conditions may be proposed at the time the application for rezoning is filed, or at a subsequent point in the process of review of the proposed rezoning.

2. To be eligible for consideration, an applicant must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, voluntarily offer certain site-specific conditions (to be set forth in a conditional rezoning agreement) that are stricter or more limiting than the regulations that would apply to the land under the proposed new zoning district. Such conditions may include, but are not limited to, the following:
 - a) Location, size, height, or other measure for and/or of buildings, structures, improvements, setbacks, landscaping, buffers, design, architecture, and other physical features of the proposed development.
 - b) Specification of maximum density or intensity of development and/or use (e.g.: units per acre, maximum usable floor area, hours of operation, or type of use).
 - c) Preservation of open space and/or natural features.
 - d) Improvements to address traffic issues, including paving, and/or substantial improvements to or funding of improvements to roads to the benefit of the entire city.
 - e) Site improvements such as signage, lighting, landscaping, and exterior building materials, above and beyond what would otherwise be required.
 - f) Limitations on permissible uses of the property.
 - g) Any other conditions that are voluntarily proposed by the applicant.

D) **Review Criteria.** A conditional rezoning may only be approved if it meets the following criteria:

1. **General Standards.** All criteria listed in Section 12.4.
2. **Conforms with the Zoning District Requirements.** The use of the subject property is in conformity with all regulations governing development and use within the proposed zoning district, including, without limitation, permitted uses, lot area and width, setbacks, height limits, buffers, open space, and density; provided, however that the following apply:
 - a) Development and use of the property is subject to the more restrictive requirements shown or specified in the conditional rezoning agreement and supersedes all inconsistent regulations otherwise applicable under the Zoning Code.
 - b) City Council is authorized to grant modifications to the strict terms of the Zoning Code governing dimensional requirements on the property; provided, such authorization to grant modifications is conditioned upon the City Council finding that each Zoning Code provision sought to be modified will result in an enhancement of the development that is in the public interest, and that approving the modification is consistent with the Master Plan and with the surrounding area.
3. **Improves Community.** Conditional rezoning results in an enhancement to the subject area, as compared to the existing zoning, and such an enhancement would be unlikely to be achieved or would not be assured in the absence of the use of conditional rezoning.
4. **Serves Public Interest.** As compared to the existing zoning and considering site-specific conditions and/or the proposed land uses, it is in the public interest to grant a conditional rezoning. In determining



whether a proposed application is in the public interest, the benefits which would reasonably be expected to accrue from the proposal must be balanced against and be found to clearly outweigh the reasonably foreseeable detriments, taking into consideration best practices in planning, engineering, environmental and other principles.

5. **Enforceable Conditions.** The offered condition(s) are likely to be enforceable.
 6. **Use Variance Prohibited.** Does not have the same effect as a use variance.
 7. **Site Plan and Special Land Use Approvals Required.** Does not relieve the applicant of the responsibility of securing any applicable site plan, plat, or condominium approvals. Special land use approvals, if permitted as part of the Conditional Rezoning Agreement (CRA), do not have to be separately considered, noticed, and approved.
- E) **Effect of Approval.** Approval of the conditional rezoning confirms only the rezoning of the property(ies), subject to any conditions reflected in the conditional rezoning agreement. Any applicable site plan, plat, condominium, or variance approvals are required before any improvements to the property(ies) may be undertaken.

If approved, the zoning district classification of the subject property must consist of the district to which the property has been rezoned, accompanied by a reference to "CR, Conditional Rezoning". The Zoning Map must specify the new zoning district, plus a reference to "CR". Use of the property classified and approved must comply with the conditions set forth in the CRA. No development or use of the land inconsistent with the CRA is permitted.

F) **Compliance.**

1. Any person who establishes a development or commences a use upon land that is conditionally rezoned must continuously operate and maintain the development or use in compliance with all of the conditions set forth in the conditional rezoning agreement. Failure to comply constitutes a violation of this Zoning Code and deemed a nuisance per se and subject to judicial abatement as provided by law.
2. No permit or approval may be granted under this Zoning Code for any use or development that is contrary to an applicable conditional rezoning agreement.

G) **Period of Approval.**

1. **Site Plan Expiration.** Conditional rezoning site plan approval expires one year from the effective date of the rezoning, unless substantial progress towards obtaining site plan and other required approvals has been made, and it expires two years from the effective date of the rezoning, unless development of the property is substantially started and proceeds diligently and in good faith as required by the Zoning Code to completion.
2. **Revocation.** In the event substantial progress towards obtaining site plan and other required approvals have not commenced within one year and bona fide development has not commenced within two years from the effective date of the rezoning, the conditional rezoning and agreement is void and of no effect.
3. **Site Plan Extension.** The applicant may apply for a one-year extension. The request must be submitted to the city in writing before the approval time limit expires. The applicant must demonstrate why an extension should be granted and that there is a strong likelihood that the development or use will commence within the period of extension and proceed diligently to completion. An extension request may be considered by the City Council following a recommendation by the Planning Commission.



4. **Void Application.** If the conditional rezoning becomes void in the manner provided in this Section, the following procedures apply:
 - a) The applicant may seek a new rezoning of the property within 30 days of the expiration of the period of approval.
 - b) If no application is made for a new rezoning of the property, the land reverts to its former zoning classification.
- H) **Conditional Rezoning Agreement Requirements.** A Conditional Rezoning Agreement (CRA) must be executed between the applicant and the city at the time of City Council approval, and at a minimum, contain the following:
1. Identification of the requested zoning district and a listing of the conditions offered by the applicant.
 2. A statement acknowledging that the conditional rezoning was proposed by the applicant, and further agreement and acknowledgment that the conditions and agreement are authorized by all applicable state and federal law and constitution, and that the agreement is valid and was entered into on a voluntary basis and represents a permissible exercise of authority by the City.
 3. Agreement and understanding that the subject property cannot be developed or used in a manner inconsistent with the CRA.
 4. Agreement and understanding that the approval and CRA is binding upon and to the benefit of the property owner and city, and their respective heirs, successors, assigns, and transferees.
 5. The date upon which the conditional rezoning becomes void. If the City Council grants an extension of approval, a new conditional rezoning agreement with the new expiration date must be recorded.
 6. Agreement and understanding that each of the requirements in the CRA represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved conditional rezoning, taking into consideration the changed zoning district classification and the specific use authorization granted.
 7. A legal description of the subject property.
 8. Development regulations impacted by the conditional rezoning, including but not limited to density, setbacks, height, site coverage, signs, parking, architecture, etc.
 9. Revocation of approval provisions returning the property to its original zoning designation if the applicant violates the terms of the conditional rezoning agreement.
 10. A conditional rezoning plan may be included as an exhibit to the agreement and may show the conceptual layout of the proposed development or use, along with any other information deemed relevant by the applicant. Inclusion of such a plan as an exhibit shall not replace the requirement for site plan, subdivision, condominium, or variance review and approval.
- I) **Amendment of a Conditional Rezoning Agreement.** Amendment of a CRA must be submitted, reviewed, and approved in the same manner as a new conditional rezoning application.



- J) **Recording of a Conditional Rezoning Agreement.** A conditional rezoning becomes effective following publication in the manner provided by law, and, after recordation of the conditional rezoning agreement with the Wayne County Register of Deeds.
- K) **Termination.** The City Council is the only body with the authority to terminate a CRA. The consideration to terminate the agreement must be for reasons of expiration of the agreement, discovery of false information upon which the initial approval was based, or the existence or discovery of new information that alters the viability of the approved rezoning. The termination must comply with any applicable provisions of this Zoning Code and/or the CRA.

Article 16.

Administration and Enforcement

ZONING ORDINANCE · CITY OF GROSSE POINTE PARK, MI



Section 16.1 Overview of Administrative Responsibilities

The City Manager, or their duly authorized representative as specified in this article, is hereby charged with the duty of enforcing the provisions of the Zoning Ordinance. Administrative responsibilities are vested in the following City entities and further detailed in this Article.

- A) City Council
- B) Planning Commission
- C) Zoning Board of Appeals
- D) Director of Public Services, and any person designated by the Director of Public Services.

Section 16.2 Responsibilities of Administrative Entities / Officials

- A) **City Council.** The City Council shall have the following responsibilities and authority in addition to any other responsibilities outlined in this Article.
 1. **Adoption of Zoning Ordinance and Amendments.** In accordance with the intent and purposes of this Ordinance, and pursuant to the authority conferred by the Michigan Zoning Enabling Act, PA 110 of 2006 (as amended), the City Council shall have the authority to adopt this Ordinance, as well as amendments previously considered by the City Council at a hearing or as decreed by a court of competent jurisdiction.
 2. **Setting of Fees.** The City Council shall have the authority to set all fees for permits, applications, and requests for action pursuant to the regulations set forth in this Ordinance. In the absence of specific action taken by the City Council to set a fee for a specific permit or application, the appropriate City administrative official shall assess the fee based on the estimated costs of processing and reviewing the permit or application.
 3. **Approval of Planning Commission Members.** In accordance with the Michigan Planning Enabling Act, Michigan Public Act 33 of 2008, as amended, members of the Planning Commission shall be appointed by the mayor with the approval of the City Council.
 4. **Final Approval.** Where specified in this ordinance, the City Council shall serve as the final approval authority for special land uses, planned unit developments and other development approvals as cited in this Ordinance.
- B) **Planning Commission.** The Planning Commission is designated as the commission specified in Public Act No. 33 of 2008, as amended, and is further designated as the succeeding body of the Zoning Commission specified in Public Act 110 of 2006, as amended, and shall perform the duties of said Commission as provided in the statute.
- C) **Zoning Board of Appeals.** The Zoning Board of Appeals (hereinafter referred to as "ZBA") is created pursuant to Article VI of the Michigan Zoning Enabling Act, PA 110 of 2006 (as amended). The ZBA's membership, organization and duties are hereby established as cited in Article 17 of this Ordinance.
- D) **Director of Public Services.** The Director of Public Services shall have the following duties and responsibilities as outlined below and as cited in this ordinance. The Director of Public Services may



designate another individual to be the person responsible for enforcing and enacting certain tasks and responsibilities. When the Director of Public Services is cited in this ordinance for a certain task or responsibility, the person so designated by the Director of Public Services with said task or responsibility shall be deemed to be equivalent to the Director of Public Services.

1. The Building Department may grant occupancy permits or zoning compliance permits for each new use upon recommendation of the Director of Public Services.
2. The Director of Public Services may make inspections of building or premises necessary to carry out his or her duties in the enforcement of this Article.
3. The Building Department shall record all non-conforming uses existing on the effective date of the Ordinance.
4. Under no circumstances is the Building Department or Director of Public Services permitted to make changes to this Article in carrying out their duties.
5. The Director of Public Services shall not refuse to issue a permit when conditions imposed by this Article are complied with by the applicant, despite violations of contracts such as private covenants or private agreements which may occur upon the granting of such permit.

Section 16.3 Enforcement, Penalties, and Remedies

A) Penalties and Remedies.

1. Whoever violates or fails to comply with any of the provisions of this Ordinance, or any permit, license or exception granted hereunder, or any lawful order of the Building Department, Director of Public Services, Zoning Board of Appeals or City Council issued pursuant to this Article shall be subject to a penalty as established.
2. The owner of any building, structure or premises or part thereof which is in violation of this Article, who has assisted knowingly in the commission of such violation, shall be guilty of a separate offense and upon conviction thereof shall be subject to the fines and penalties herein provided.
3. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.
4. The rights and remedies provided herein are cumulative and in addition to any other rights and remedies provided by law.

- B) **Enforcement.** This Article shall be administered and enforced by the Director of Public Services or his or her designee unless otherwise directed by City Council. In the temporary absence of the Director of Public Services or his or her designee, the city manager may designate a person to temporarily serve in this capacity.



Section 16.4 Building Permits, Certificates of Occupancy and Zoning Compliance Permits

- A) No building permit shall be issued for the erection, alteration or use of any building or structure or part thereof or for the use of any land which is not in accordance with this Ordinance.
- B) No vacant land and no existing use of land shall be changed to a different use group or type, unless a certificate of compliance and/or zoning compliance permit is first obtained for the new or different use.
- C) No building or structure, or part thereof, shall be changed to or occupied by a use of a different use group or type unless a certificate of compliance and/or zoning compliance permit is first obtained for the new or different use.
- D) No building or structure, or part thereof, shall be erected, altered, moved or repaired unless a building permit has first been issued. The terms "altered" and "repaired" include any changes in structural parts, stairways, type of construction, type, class or kind of occupancy, light or ventilation, means of egress and ingress or other changes affecting or regulated by the city, except for minor repairs or changes as determined by the Director of Public Services.
- E) A non-residential building or tenant space shall not be occupied with a new use, whether the use is the same type of use that previously occupied the building or tenant space or a different use, until the building or tenant space has been inspected by the Director of Public Services or his or her designee and the fire marshal, and a new occupancy permit has been granted.

Section 16.5 Temporary Uses

- A) **Purpose.** This section allows for the establishment of certain temporary uses of limited duration, provided that such uses do not negatively affect adjacent properties or municipal facilities, and provided that such uses are discontinued upon the expiration of a set time period. The construction or alteration of any permanent building or structure is not considered a temporary use.

The Director of Public Services may permit uses and the occupancy of structures that are consistent with the uses otherwise permitted in a zoning district, but which are temporary and do not require the construction of any capital improvement of a structural nature. In no case shall a use not otherwise allowable in a zoning district be permitted on a temporary basis.

- B) **Duration.** Temporary uses and the temporary occupancy of structures may be granted for periods of not more than 14 consecutive days nor more than 42 total days within a 12-month calendar year, except as follows:
 1. **Real estate sales offices.** Sales offices are allowed on residential development sites in any zoning district until all lots or houses are sold. Use of the sales office to market sites outside of the project is prohibited.
 2. **Temporary parking of construction equipment during construction.** Temporary use of non-loading areas for the parking or storage of tractor trailers, office trailers, construction equipment and materials, or intermodal shipping containers, or for construction worker parking, during construction or renovation, is allowed in all zoning districts, subject to the standards of this section.



3. Outdoor sales of seasonal goods, including flowers, pumpkins, Christmas trees and holiday baskets, may be allowed for the duration of the applicable season, but in no case to exceed 90 consecutive days; provided, however, that retail sales and display of fireworks shall only be allowed as provided for by city Ordinance.

C) **Outdoor Sales.** Outdoor sales areas, except as otherwise provided in this Article, are expressly prohibited. However, temporary outdoor sales may be approved by the Director of Public Services after obtaining a permit. No more than three temporary outdoor sales permits shall be issued for any given location within a single calendar year. In addition, one grand opening sale per business shall be permitted, provided the sale is conducted within 60 days from the day the use is first opened for business. The one-time grand opening sale shall be held for not more than 14 continuous days. Outdoor sales areas shall be subject to the following restrictions:

1. The items proposed to be sold outdoors are related to and displayed immediately adjacent to an existing licensed place of business.
2. The proposed sales area must constitute an accessory use to the principal use of the premises or as provided by a charitable or nonprofit organization.
3. A minimum width of five feet shall be maintained as a pedestrian way in front of any business conducting an outdoor sale. No person licensed under this section shall display any goods or merchandise in such a manner as to interfere with pedestrian or vehicular traffic safety, nor shall any display violate any fire or police regulation, or this Ordinance.

D) **Approval Standards.** The Director of Public Services, in granting permits for temporary uses, including temporary outdoor sales, and for the temporary occupancy of structures shall do so under the following conditions:

1. **Licensed commercial uses.** Temporary commercial uses conducted by persons or entities lawfully authorized to conduct the use in question, when contained within temporary structures, but not including temporary sales as provided for in this section are allowed only for the time period specified in subsection (B) above.
 - a) All such users shall obtain a business license from the city clerk's office.
 - b) A mobile food truck requires a license from the county health department as well as a business license from the city clerk.
2. **Required permits.** All temporary uses shall obtain any permits required by other municipal departments, such as the clerk's office, the health department, the building safety department, or the police department.
3. The granting of the temporary use shall be granted in writing stipulating all conditions as to time, nature of activities permitted and arrangements for removing the use and associated structures at the termination of such temporary permit.
4. All setbacks, land coverage ratios, off-street parking requirements, lighting regulations, and other requirements of the City Code shall be considered so as to protect the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the city.



5. In classifying uses as not requiring capital improvement, the Director of Public Services shall determine that they are either demountable structures related to the permitted use of the land, or structures which do not require foundations, heating systems or sanitary connections.
 6. The use shall be in harmony with the existing general character of the district.
 7. No temporary structure shall be used for residential purposes and temporary residential use of any property is not allowed.
 8. Upon compliance with the requirements of this section and any other ordinances of the city that may be applicable being demonstrated to the satisfaction of the Director of Public Services, the Building Department shall issue to the applicant a temporary use permit.
- E) **Application Process.** A written application on a form provided by the city for a temporary use permit required by this section shall be signed by the applicant and the legal owner of the property and shall be filed with the Building Department. The application shall be submitted at least ten days before the first date of the proposed temporary use. A fee established by resolution of the City Council shall be paid at the time the application is filed.

Section 16.6 Public Hearings

The body charged with conducting a public hearing required by this Ordinance shall, upon receipt of a completed application, select a reasonable time and place for such hearing. Such hearings shall be subject to the procedures set forth in the Michigan Zoning Enabling Act, PA 110 of 2006 (MCL 125.3103 et seq.), as amended.

The public hearing procedures of PA 110 in effect at the date of adoption are summarized as follows. Any further amendments to PA 110 that alter the public hearing procedure requirements following the date of adoption of this Zoning Ordinance will supersede the following procedures.

- A) **Publication in a Newspaper of General Circulation.** Notice of the request shall be published in a newspaper of general circulation not less than 15 days before the date the application will be considered for approval.
- B) **Personal and Mailed Notice.**
 1. Notice shall be sent by mail or personal delivery to the owners of the property for which approval is being considered.
 2. Notice shall be sent to all persons to whom real property is assessed within 300 feet of the property, regardless of municipal jurisdiction.
 3. Notice shall be given to the occupants of all structures within 300 feet of the property regardless of municipal jurisdiction. Notification need not be given to more than one occupant of a structure, except that if a structure contains more than one dwelling unit or spatial area leased by different persons, one occupant of each unit or spatial area shall be given notice. If a single structure contains more than 4 dwelling units or other distinct spatial areas owned or leased by different persons, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance(s) to the structure.



4. All notices delivered by mail or personal delivery must be given not less than 15 days before the date of the public hearing. Notice shall be deemed given when personally delivered or when deposited during normal business hours for delivery with the US postal service or other public or private delivery service. If the name of the occupant is not known, the term "occupant" may be used for the intended recipient of the notice.
5. The City shall prepare a list of property owners and occupants to whom the notice was mailed.

C) **Content.** Any notice published in a newspaper or delivered by mail shall:

1. Describe the nature of the request.
2. Indicate the property that is the subject of the request.
3. Include a listing of all existing street addresses within the property. If no such addresses exist, other means of identifying the property may be used.
4. When and where the public hearing will occur.
5. When and where written comments may be submitted concerning the request.
6. For amendment to the Zoning Ordinance or Map, a notice shall also include the places and times at which the proposed text or amendment to the official Zoning Ordinance or Map may be examined.

D) **Public Hearing Procedures for Zoning Ordinance Amendments.** Notice must be given for public hearings for Zoning Ordinance amendments, including both text and map amendments. Notice of the time and place of the public hearing shall also be given by mail to any of the following entities that have registered their name with the City Clerk for the purposes of receiving public notice: any electric, gas, or pipeline public utility company; each telecommunication service provider; each railroad operating within the district or zone affected; and the airport manager of each airport.

Section 16.7 Fees

Fees for inspections, permits, certificates or copies thereof required or issued under this Article shall be collected by the Building Department in advance of issuance. The amount of such fees shall be established by resolution of the City Council and shall cover the enforcement costs of this Article.

In addition, prior to the issuance of a building permit, the applicant shall file with the Building Department a performance guarantee in the form of cash deposit or certified check. The amount of such guarantee shall be set forth by the City Council as adopted by resolution and shall cover all improvements not normally covered in the building permit, e.g., berms, walls, landscaping, lighting, surfacing of drives, parking service drives, traffic control devices within the jurisdiction of the city, reclamation, etc. The guarantee shall include a schedule of costs assigned to the different improvements and approved by the City Council. Moneys may be released to the applicant in proportion to work completed on the different elements after inspection of work and the approval of the Building Department. No partial release of funds shall exceed 90 percent of the guarantee. At least ten percent shall be retained by the city until all work has been completed and subsequently inspected and approved by the Building Department.



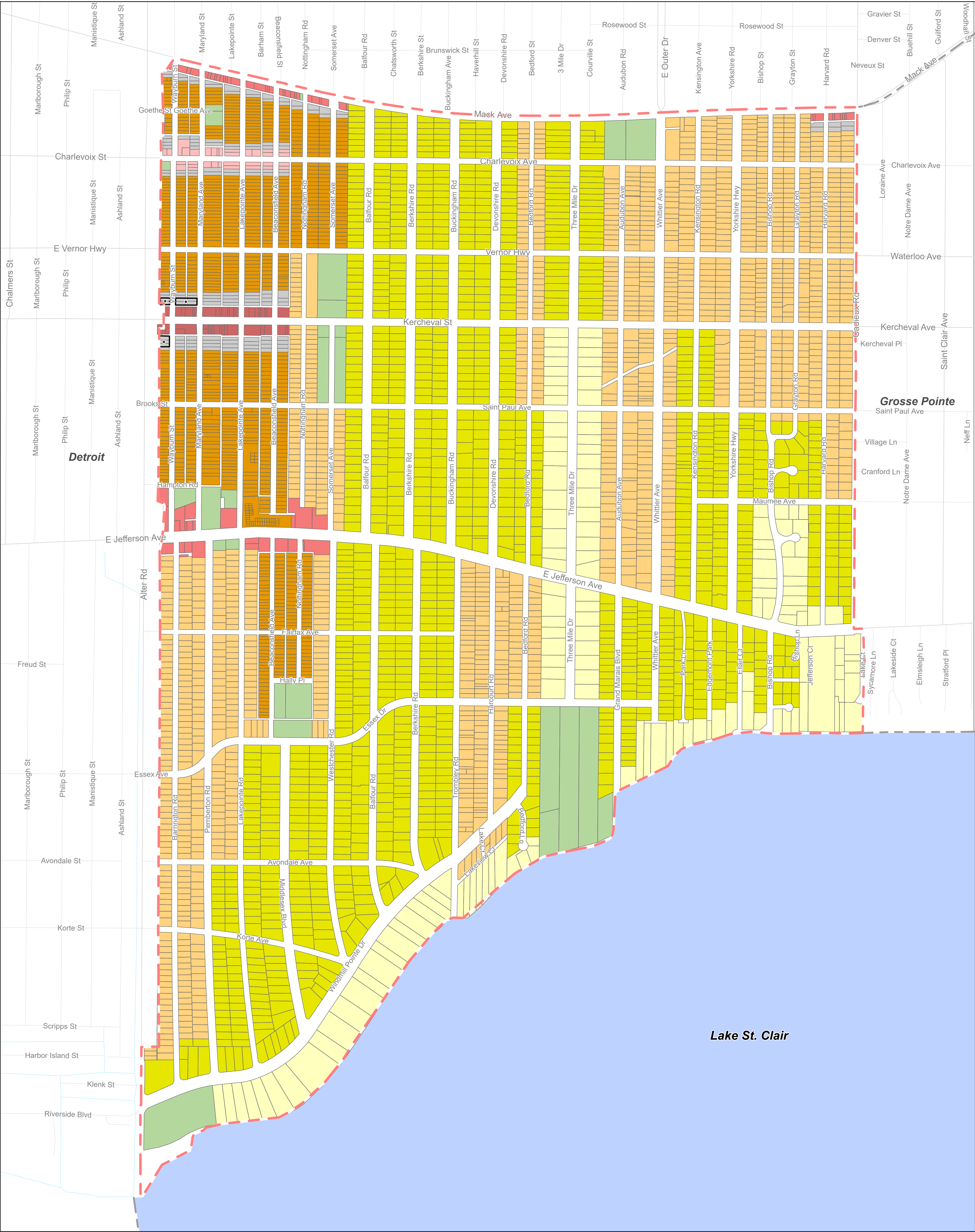
Section 16.8 Declaration of Nuisance, Abatement

Any building or structure which is erected, altered or converted, or any use of premises or land which is begun or changed, subsequent to the passage of this Article and which is in violation of any of the provisions thereof, is hereby declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction.

Section 16.9 Moratoria

In certain rare instances it may be in the best interest of the city, its residents and property owners to establish a temporary ban on development as it may either protect the public at large by providing for proper regulation of a use or it may provide a lesser risk that individual landowners will be singled out to bear a special burden that should be shared by the public as a whole. Such instances might be where there is a use proposed which has not been regulated previously, a use which has been overdeveloped, an issue with the critical infrastructure necessary to develop certain uses or other justifiable criteria which advance a legitimate public interest.

- A) **Approval Standards.** With that purpose in mind, upon making certain findings, the City Council is authorized to establish and implement moratoria. A moratorium shall only be established by the City Council when a determination is made that such action:
1. Is necessary to protect the public health, safety and welfare of the community.
 2. Advances a legitimate public interest.
 3. Represents diligence and good faith.
 4. Is being applied uniformly and fairly.
 5. Will not deprive a property owner of all reasonable use for an unreasonable time in light of the issues at hand.
 6. Is supported by findings of fact set forth in the public record.
- B) **Time Period.** A moratorium shall be set for the smallest period of time necessary to address the matter and in any event shall not be set for a period of more than six months initially. If supported by subsequent finding of facts and a showing of due diligence and not delay, additional extensions of the moratorium may be provided for by the City Council. Any such moratoria shall be established by adoption of an Ordinance or an amendment thereto.



Grosse Pointe Park Zoning Map - DRAFT

Grosse Pointe Park, Wayne County, Michigan

June 29, 2023

- LEGEND
- ER - Estate Residential

NR-1 - Neighborhood Residential 1

NR-2 - Neighborhood Residential 2

NR-3 - Neighborhood Residential 3

NMU - Neighborhood Mixed Use

CMU - Corridor Mixed Use

CBD - Central Business District

C - Civic and Parks District

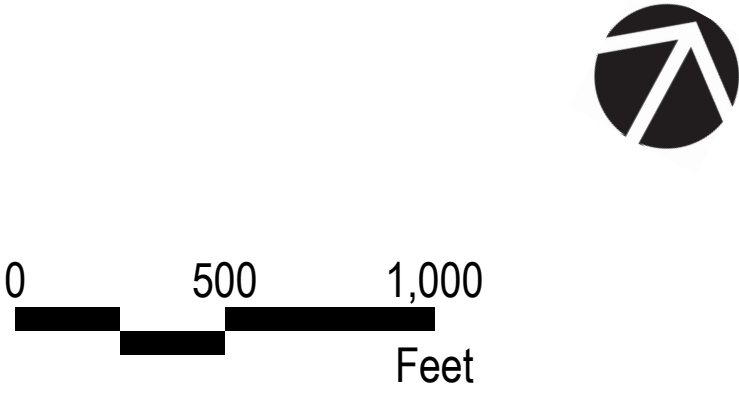
TD - Transitional District

Conditional Rezoning to P - Parking

Grosse Pointe Park Boundary

Other Municipal Boundaries

Minimum Lot Size per D.U.
20,000 sq. ft.
10,000sq. ft.
5,000 sq. ft.
2,000 sq. ft.



Basemap Source: Michigan Center for Geographic Information, v. 17a. Data Source: Wayne County 2023. Grosse Pointe Park 2023. McKenna 2023.

