

**Ordinance 2206
City of Madison Heights
Oakland County, Michigan
Zoning Text Amendment 25-01**

AN ORDINANCE TO AMEND ORDINANCE 2198, BEING AN ORDINANCE CODIFYING AND ADOPTING A NEW ZONING ORDINANCE FOR THE CITY OF MADISON HEIGHTS, BY AMENDING APPENDIX A, SECTION 7.03.10 – “USE SPECIFIC STANDARDS” – “DETACHED ONE-FAMILY DWELLINGS”; SECTION 10.02.1 – “VEHICLE PARKING REQUIREMENTS” – “PARKING OF MOTOR VEHICLES IN RESIDENTIAL DISTRICTS”; AND SECTION 13.01.6 – “NONCONFORMING SITE ELEMENTS” TO ADD STANDARDS TO PERMIT THE IN-KIND REPLACEMENT OF CERTAIN NON-CONFORMING RESIDENTIAL DRIVEWAYS.

The City of Madison Heights ordains:

Section 1. SECTION 7.03.10 (USE SPECIFIC STANDARDS – DETACHED ONE-FAMILY DWELLINGS) is hereby amended as follows:

10. DETACHED ONE-FAMILY DWELLINGS

[...]

C. DRIVEWAYS

- (1) Minimum driveway width at the right-of-way line: 9 feet.
- (2) All driveways or approaches within the public right-of-way shall be paved with concrete and all other driveways shall be paved with asphalt or concrete.
- (3) Driveways shall be set back a minimum of one (1) foot from side and rear lot lines, except in cases where the driveway is accessed from a rear alley or where a driveway is shared between two or more properties. Driveways shall not be permitted in front of the residential dwelling, except as permitted within this Section.
- (4) Driveways leading to an Attached Garage: A driveway providing access to an attached garage shall be no wider than 20 feet at the front or street side lot line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of five (5) feet from the property line adjacent to the street and shall be angled no greater than forty-five (45) degrees. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of living spaces above the garage.
- (5) Driveways leading to a Detached Garage: A driveway that provides access to a detached garage shall be no wider than twelve (12) feet in width at the property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin in the side or rear

yard and shall be angled no greater than forty-five (45) degrees. In no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the detached garage.

On a corner property, a driveway leading to a detached garage facing a side street shall be no wider than 20 feet at the side street property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of five (5) feet from the side street property line. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the garage.

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

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

- (10) Non-conforming Residential Driveways: The following types of non-conforming residential driveways may be repaved or reconstructed in-kind without the need to seek a dimensional variance, but in no case shall the extent of the existing non-conformity increase:

- (a) A driveway, or a portion of a driveway, which is non-conforming due to a failure to meet the one (1) foot side-yard setback requirement of paragraph (3), above, may be repaved or reconstructed in-kind, irrespective of non-conforming

driveway width at the property line, if at least one of the following conditions are met:

- i) The existing parcel features a lot width of 40 feet or less.
- ii) The non-conforming portion of the driveway to be repaved or reconstructed is ten (10) feet wide or less.
- (b) A driveway, or a portion of a driveway, which is non-conforming due it extending directly in front of a residential dwelling may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line. However, in no case shall the portion of the driveway extending in front of the dwelling exceed five (5) feet in width.

A. DETACHED ONE-FAMILY DWELLINGS IN N-P DISTRICT. Detached one-family dwellings within the N-P, Natural Preservation and Recreation District, shall only be permitted upon parcels with a minimum area of one acre, and shall require Special Land Use approval.

Section 2. SECTION 10.02.1 (VEHICLE PARKING REQUIREMENTS - PARKING OF MOTOR VEHICLES IN RESIDENTIAL DISTRICTS) is hereby amended as follows:

1. Parking of Motor Vehicles in Residential Districts.

- A. Such parking shall be limited to passenger vehicles and commercial vehicles of the light delivery type, such as a van or pick-up truck, not to exceed a three-quarter ton manufacturers rating.
- B. Not more than one commercial vehicle shall be permitted per dwelling unit. Parking of commercial vehicle, trailer or truck over three-quarter-ton manufacturer rating on private property within the R-1, R-2, R-3 and R-MN residential zoning districts, may be permitted as a special land use.
- C. The parking of any other type of commercial vehicle, limousine, taxi, or bus, except for school or religious institution owned vehicles parked on the school or religious institution's property, is prohibited in a residential zone. Parking spaces for all types of uses may be provided either in garages or parking areas conforming with the provisions of this Ordinance. Recreational Equipment, including motorized homes and travel trailers, shall be permitted in accordance with Chapter 18 of the Madison Heights Code of Ordinances.
- D. Off-street parking facilities and driveways for detached one-family dwellings, duplexes, multiplexes, and townhomes shall be designed in accordance with the use-specific standards for said uses contained within Section 7.03.

Section 3. SECTION 13.01.6 (NONCONFORMING SITE ELEMENTS) is hereby amended as follows:

6. Nonconforming Site Elements.

A. Nonconforming site elements pertaining to Article 7 (Standards Applicable to Specific Uses), Article 8 (General Provisions), Article 10 (Parking, Loading, and Access Management), and Article 11 (Landscaping) shall be brought into compliance when one (1) or more of the following situations occurs

~~A.~~ (1) A proposed site modification requires Major Site Plan approval, per Section 15.04; or

~~(4)~~ (2) Major change of use classification (per use table). (i.e., commercial to residential); or

~~(2)~~ (3) Other actions deemed necessary to bring the site into compliance as determined by the Planning and Zoning Administrator.

B. For non-residential or multi-family residential sites with legal nonconforming site elements, the Planning and Zoning Administrator, Technical Review Committee, or other reviewing/approving body may reduce the requirements of any numerical standard by up to 25% if it is found that full compliance with site element requirements is not feasible, or that alternative compliance would satisfy the intent and spirit of the standard.

~~B.C.~~ Certain non-conforming residential driveways may be replaced in-kind in accordance with Section 7.03.10, Use-Specific Standards for Detached One-Family Dwellings.

Section 4. Repealer

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 5. Severability

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 6. Savings

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 7. Effective Date

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

Section 8. Enactment

A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 a.m. and 11:30 a.m. and between 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2025.

Cheryl Rottmann, City Clerk

ZOTXT 25-01 (Ordinance 2206)

Planning Commission Public Hearing: September 16th, 2025

City Council First Reading: September 29th, 2025

City Council Second Reading: October 13th, 2025

Adopted: October 13th, 2025

Published: TBD

Effective: TBD