

City Council Regular Meeting
Madison Heights, Michigan
October 28, 2024

A City Council Regular Meeting was held on Monday, October 28, 2024 at 7:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

PRESENT

Mayor Roslyn Grafstein
Mayor Pro Tem Mark Bliss
Councilman Sean Fleming
Councilman William Mier
Councilor Emily Rohrbach
Councilman David Soltis
Councilor Quinn Wright

ALSO PRESENT

City Manager Melissa Marsh
City Attorney Larry Sherman
Deputy City Manager/City Clerk Cheryl Rottmann

The invocation was given by Mayor Grafstein and the Pledge of Allegiance followed.

PRESENTATIONS:

Certificate of Recognition for Lindell "Lin" Ross

Following the dedication of the Executive Conference Room in his honor, City Council recognized Lindel “Lin” Ross for his contributions to the City of Madison Heights. Mr. Ross thanked Council for the honor and recognition. Chair of the Historical Commission, Margene Scott, stated that it is nice to honor those who contributed to our community and introduced the members of the Historical Commission. Mayor Pro Tem Bliss noted that Lin Ross was a very forward thinking member of Council who was able to coalesce the Council to help make improvements to the City. Council does this not only to honor you, but hopefully, to inspire the Lindel Ross's of the future. City Attorney Larry Sherman stated that this was a great and very deserving honor and the whole City owes you a debt of gratitude.

Mayor Grafstein recessed the meeting at 7:41 p.m.

Mayor Grafstein reconvened the meeting at 7:46 p.m.

Co-Responder Program Presentation

Chief LeMerise thanked the City Manager and City Council for their support for the program. He then introduced Oakland County Health Network Social Worker Alyssa Waters and Co-Responder Program Supervisor Hillary Nusbaum who presented a brief explanation on the Co-Responder Program, a partnership between the Madison Heights Police Department and three neighboring agencies of Ferndale, Hazel Park and Royal Oak to provide resources to combat social crisis issues in the community.

Domestic Violence Awareness Month Proclamation

The City Council proclaimed October as Domestic Violence Awareness Month in the City of Madison Heights and encourage all citizens to work together to raise awareness, support victims, and promote prevention efforts, and call upon all community members to join in this important cause. Mayor Grafstein presented the proclamation to HAVEN representative Ivette Brown.

MEETING OPEN TO THE PUBLIC:

There were no members of the public wishing to speak.

CM-24-223. Storage Area Network and Host Servers Replacement.

Motion to approve the purchase of Dell CTO R6615 9124 1024GB server along with three (3) years of VMware vSphere standard licensing under the Michigan Master Computing-Mi Deal in the amount of \$72,288.08, plus labor costs of \$37,740 for a total amount of \$110,028.08.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-24-224. Zoning Text Amendment ZTA 24-01 [Ordinance 2022] - Accessory Buildings, Structures, and Uses - Second Reading.

Motion to approve Ordinance # 2022 (ZTA 24-01) on second reading, as follows:

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

An ordinance to amend Ordinance 2198, being an ordinance codifying and adopting a new Zoning Ordinance for the City of Madison Heights, by amending Appendix A, Section 8.03 – Accessory

Buildings, Structures, and Uses – to create more flexible standards for unenclosed structures and utility structures.

The City of Madison Heights ordains:

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

1. **Accessory Buildings, Structures, and Uses.** Accessory buildings and uses, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:
 - A. **Use.** Accessory buildings and uses are permitted only in connection with, incidental to and on the same lot with, a principal building, structure or use which is permitted in the particular zoning district. No accessory building, structure or use shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized. Accessory structures shall not be constructed until the principal building is constructed; however, a principal building and detached accessory structure may be constructed simultaneously. A detached accessory building can be used for parking or storage of motor vehicles, but not for commercial servicing or repair, unless approved as an element of a Special Land Use and/or Site Plan approval.
 - B. **Permit.** Any accessory building greater than 200 square feet shall require a building permit. All accessory buildings in non-residential districts also require a site plan, unless otherwise determined by the Planning and Zoning Administrator.
 - C. **Accessory Dwelling Units.** Accessory Dwelling Units (ADUs) are further subject to the use-specific standards of Section 7.03(1). Where there is a conflict between the standards of this Section and Section 7.03, the standards of Section 7.03 shall apply.
 - D. **Location.** Unless noted otherwise, detached accessory buildings shall only be permitted in the rear yard subject to setbacks listed in this section. In the case of corner lots, detached accessory structures may be permitted abutting the secondary street in accordance with street side yard setbacks for the principal structure.
 - E. **Height.**
 - (1) **Residential Districts:** With the exception of detached accessory dwelling units (Section 7.03(1)), detached accessory structures shall not exceed fifteen (15) feet in height. Attached accessory structures shall be subject to height regulations applicable to the principal structure in the associated zoning district.
 - (2) **Non-Residential and Mixed-Use Districts:** Detached accessory structures shall not exceed twenty (20) feet in height. Attached accessory structures shall be subject to the height regulations applicable to the principal structure in the associated zoning district.

F. Lot Coverage. All attached and detached accessory buildings shall be in compliance with zoning ordinance provisions concerning the maximum percentage of lot coverage.

G. Setbacks. Accessory structures are subject to the following setbacks listed below:

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

H. Design. When a permit is required, all attached and detached accessory buildings, including garages, sheds, and carports, shall be designed and constructed of materials and design, including roof style, compatible with the principal structure and other buildings in the vicinity, as determined by the Planning and Zoning Administrator. The Planning and Zoning Administrator may allow modifications to the design if the alternate design is compatible with surrounding architecture.

I. Pavement. All accessory buildings which are used as garages shall have paved driveways from the street to the garage. The paved driveway shall be a minimum of nine feet wide

unless otherwise approved by the Community and Economic Development Department and are further subject to use-specific standards of Article 7. The Community and Economic Development Department shall base its determination upon such factors as the narrowness, shallowness, shape, or area of a specific piece of property, topographical conditions, or extraordinary or exceptional conditions of the property by which the strict application of this Ordinance would result in a practical difficulty; however, such practical difficulty shall not be self-created by the property owner.

- J. Drainage. All driveways and garages shall be paved with asphalt or concrete and drained in accordance with the requirements of and upon approval of the city engineer.
- K. Foundation and Rat Walls. All detached accessory structures, regardless of size, shall be built on a concrete or masonry foundation or feature a rat wall, both in accordance with Chapter 6 of the Code of Ordinances, Buildings and Building Regulations.

2. **Portable On-Site Storage Units.** Portable On-Site Storage Units may be permitted on a temporary basis in accordance with the following:

A. Residential Districts:

- (1) One portable on-site storage unit shall be permitted per dwelling unit.
- (2) Portable on-site storage units shall be located on a paved surface and shall be subject to the location and setback standards for accessory structures, Section 8.03 (1), above. The Planning and Zoning Administrator may approve alternate locations through the submittal/approval of a Temporary Use Permit.
- (3) Such unit shall be permitted without a temporary use permit for up to 30 days in a one 12-month period, unless otherwise noted in this Section.
- (4) For multi-family residential sites, on-site portable storage units shall not obstruct drive aisles or block a required parking space.
- (5) A portable on-site storage unit may be permitted for up to six months for use on-site during substantial construction or renovation on the property as evidenced by active building permits and upon application for a Temporary Use Permit, approved by the Planning and Zoning Administrator.

B. Non-residential and Mixed-Use Districts

- (1) Two (2) portable on-site storage units shall be permitted per parcel, upon approval of a Temporary Use Permit.
- (2) Portable on-site storage units shall be located on a paved surface, and only in the rear yard. The portable unit(s) shall maintain the minimum rear yard setbacks for accessory structures per Section 8.03 (1), above.

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

C. General Regulations

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

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

- A. Such structures, when unenclosed or not screened, shall only be permitted in the rear yard and shall be placed immediately adjacent to the building to be served.
- B. The utility structure shall be located a minimum of three (3) feet from any property line. However, a non-conforming existing utility structure may be replaced with a new unit of a similar size in the same location without meeting the setback requirements; such structures in the side yard shall be screened in accordance with sub-section C, below.
- C. The Planning and Zoning Administrator may permit such utility structures within an interior side yard or street side yard, subject to the following requirements:
 - (1) The utility structure shall be placed immediately adjacent to the building to be served and shall be screened on at least three (3) sides so as to not be visible from the street. The wall of the principal building may count toward one of the three sides. Such screening shall be constructed of materials similar/compatible

to the building(s) to which they are accessory and shall be constructed to a height not less than that of the unit to be screened. Evergreen shrubbery or plant material may be substituted for enclosures. Chain link fencing is not permissible as screening material.

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

Section 2. Repealer

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

Section 3. Severability

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

Section 4. Savings

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

Section 5. Effective Date

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

Section 6. Enactment

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

Motion made by Mayor Pro Tem Bliss, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-24-225. Zoning Text Amendment ZTA 24-02 [Ordinance 2023] - Use Specific Standards for Detached One-Family Dwellings [Driveways] - Second Reading

Motion to approve ordinance #2023 (ZTA 24-02) on second reading, as follows:

Ordinance No. 2023

**City of Madison Heights
Oakland County, Michigan
Zoning Text Amendment 24-02**

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

The City of Madison Heights ordains:

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

Section 7.03.10 – Detached One-Family Dwellings

A. DWELLING UNIT DESIGN:

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

B. GARAGES:

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

the dwelling behind the door. Garage width may be increased to not more than 60% of the total width of the front façade on parcels with a lot width of 40 ft. or less.

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

C. DRIVEWAYS

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

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

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

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

Section 2. Repealer

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

Section 3. Severability

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

Section 4. Savings

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

Section 5. Effective Date

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

Section 6. Enactment

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

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-24-226. Zoning Text Amendment ZTA 24-03 [Ordinance 2024] - Use Specific Standards for Temporary Uses - Second Reading

Motion to approve Ordinance #2024 (ZTA 24-03) on second reading, as follows:

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

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

The City of Madison Heights ordains:

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

Section 7.03.43 – Temporary Uses

- A. Except as otherwise provided in this Zoning Ordinance, the temporary uses listed in this Section shall require the issuance of a Temporary Use Permit in accordance with this Section and the process/requirements of Section 10.08. Temporary/Seasonal Business Licenses shall also be required in accordance with Chapter 7 of the Madison Heights Code of Ordinances.
- B. Applicants seeking a temporary use permit for a time period longer than otherwise allowed by this chapter, or for a temporary use not specifically permitted in this chapter (or not deemed similar by the Planning and Zoning Administrator), shall submit for approval through the Planning Commission; provided, that it complies with all other relevant development and operational standards for the use as provided in this Zoning Ordinance.

C. Exempt Temporary Uses: The following temporary uses are exempt from the procedural and licensing requirements of this section but remain subject to other Sections of this Zoning Ordinance and the Madison Heights Code of Ordinances.

- (1) Emergency Facilities: Temporary facilities to accommodate emergency health and safety needs and activities.
- (2) Temporary Construction Yards – on-site: Yards and sheds for the storage of materials and equipment used as part of a construction project, provided a valid building permit has been issued and the materials and equipment are stored on the same site as the construction activity.
- (3) Temporary Construction Office or Temporary Real Estate Office. A temporary construction or real estate office used during the construction of a principal building, buildings, or uses on the same site, subject to building permits and trade permits.
- (4) Activities conducted on public property or within the public right-of-way that are approved by the city or as otherwise required by the Zoning Ordinance or Municipal Code.
- (5) Temporary events or activities occurring within, or upon the grounds of, a private residence or upon the common areas of a multi-family residential development.
- (6) Mobile Food Sites, in accordance with Section 7.03(28)
- (7) Temporary portable on-site storage units in accordance with Section 8.03(2).

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

- (1) No temporary use shall be established or conducted so as to cause a threat to the public health, safety, comfort, convenience, and general welfare, either on or off the premises.
- (2) Temporary uses shall be set back a minimum of twenty-five (25) feet from abutting residentially-zoned parcels or residential uses, with the exception of existing mixed-use buildings.
- (3) Temporary use applicants shall either be the property owner or, if not the property owner, present a signed letter of authorization from the property owner agreeing to such temporary use.

- (4) Temporary uses shall not obstruct required fire lanes, access to buildings or utility equipment, clear vision triangle, ADA spaces or aisles, or egress from buildings on the lot or on adjoining property.
- (5) Temporary uses shall provide adequate parking area and improvements adequate to accommodate anticipated vehicular traffic. Safe pedestrian accessibility shall be provided between parking areas and the temporary use, with a separation between vehicular and pedestrian traffic areas.
- (6) Temporary uses shall be conducted completely within the lot on which the principal use is located, unless the City authorizes the use of City-owned property or right-of-way.
- (7) During the operation of the temporary use, the lot on which it is located shall be maintained in an orderly manner, shall be kept free of litter, debris, and other waste material, and all storage and display of goods shall be maintained within the designated area.
- (8) Signs for temporary uses shall be permitted only in accordance with Article 12, Signs.
- (9) Temporary uses shall comply with all requirements of the Fire Prevention Code and other applicable codes and regulations.

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

- (1) **Temporary Outdoor Displays/Sales.** The establishment of temporary outdoor sales and the temporary display of goods, including promotional sales, sidewalk sales, and parking lot sales, may be conducted accessory to an otherwise lawfully permitted or allowed principal use on the same site, subject to the following:
 - (a) Temporary outdoor displays and sales shall only be permitted in a non-residential or mixed-use zoning district, accessory to an existing business located on the same property.
 - (b) Products displayed and sold outdoors shall relate to the on-site use and business, and all activities shall be conducted within the lot.
 - (c) Temporary outdoor displays and sales are limited to a maximum of ninety (90) total days per calendar year, which may or may not be consecutive.

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

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

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

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

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

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

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

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

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

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

F. When a temporary use is not specifically mentioned in this section, the Planning and Zoning Administrator may determine that such use is similar in nature to listed use(s) above and shall

establish the term and make necessary findings and conditions for the particular use. The Planning and Zoning Administrator reserves the right to refer any request for a temporary use permit to the Planning Commission for action, in accordance with Section 15.08.

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

Section 2. Repealer

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

Section 3. Severability

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

Section 4. Savings

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

Section 5. Effective Date

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

Section 6. Enactment

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

Motion made by Councilor Wright, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-24-227. Zoning Text Amendment ZTA 24-04 [Ordinance 2025] - Measurement of Sign Area and Height and Regulations for Permitted Signs [Wall Signs] - Second Reading.

Motion to approve ordinance #2024 (ZTA 24-03) on second reading, as follows:

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

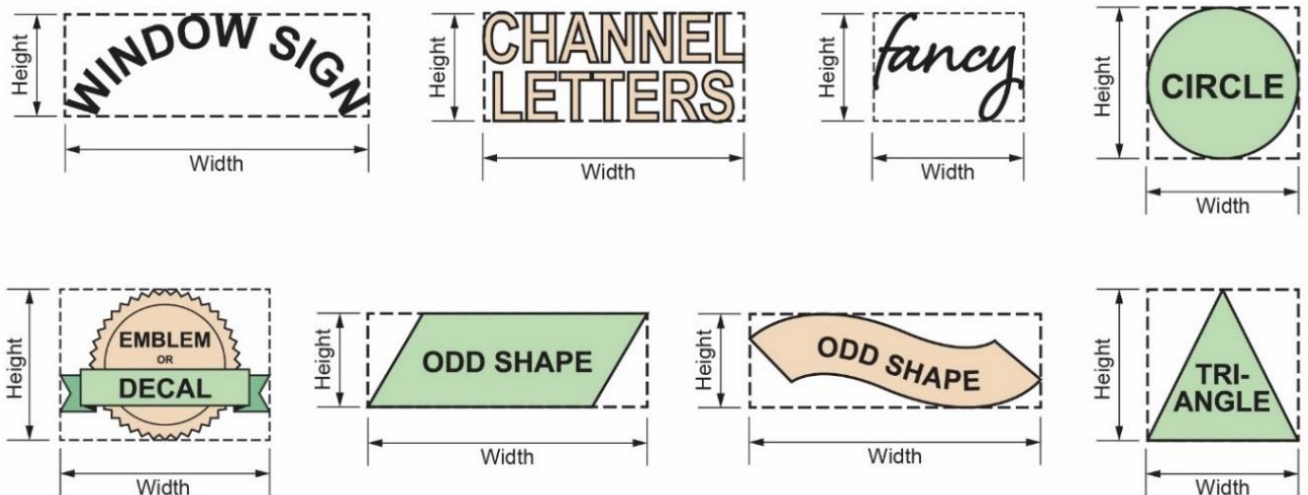
An ordinance to amend Ordinance 2198, being an ordinance codifying and adopting a new Zoning Ordinance for the City of Madison Heights, by amending Appendix A, Section 12.06 – Measurement of Sign Area and Height – and Section 12.07 – Regulations for Permitted Signs – to modify standards relating to wall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

The City of Madison Heights ordains:

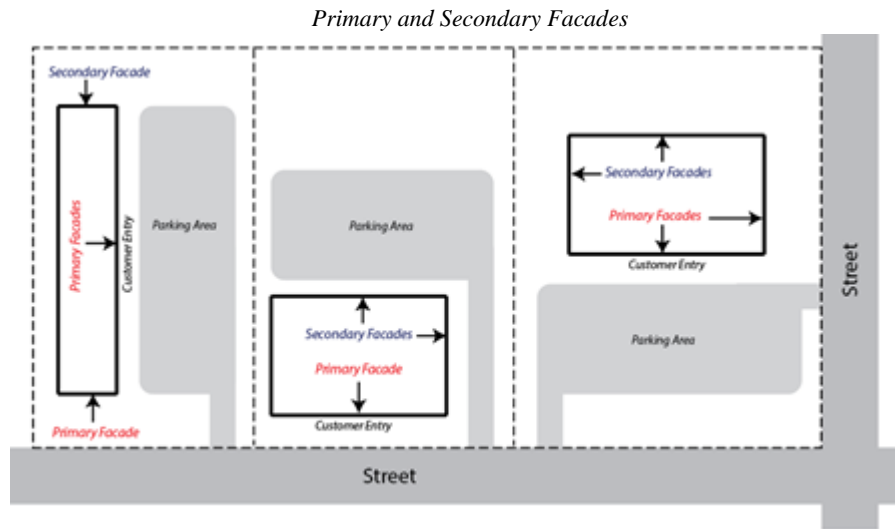
Section 1. SECTION 12.06 – MEASUREMENT OF SIGN AREA AND HEIGHT is hereby amended as follows:

Section 12.06 Measurement of Sign Area and Height

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



2. **Sign Height.** The height of the sign is measured from the ground to the highest point of the sign from the ground.
3. **Building Street Frontage.** In certain cases, the lineal street frontage of a building, building unit, or individual tenant space may be the basis for determining permissible wall sign area. Building Street frontage shall be the sum of all wall lengths associated with such building, building unit, or tenant space parallel to a public street, excluding any such wall length determined by the Planning and Zoning Administrator as unrelated to such building, building unit, or tenant space. For multi-tenant buildings, the street frontage shall be measured from the centerline of the party walls defining the tenant's individual space.
4. **Façade Measurements:** In certain cases, sign area calculations may be based on the length of the façade serving as the building or tenant's primary or secondary façades. Primary façades shall include any façade that has building street frontage along a public street (as defined above) or any façade that serves as the main entrance to a building or tenant space, regardless of street frontage. All other façades shall be considered secondary façades for the purposes of this article. A building or tenant space may have multiple primary façades and secondary façades. When a site has primary and secondary façades herein, the Planning and Zoning Administrator shall determine which façades shall serve as the primary façades and which shall be the secondary façades, as applicable. Façade length shall be the sum of all wall lengths associated with said façade. For multi-tenant buildings, façade length shall be measured from the centerline of the party walls defining the tenant's individual space.



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

Section 12.07 Regulations for Permitted Signs

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

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

Sign Type	R-1, R-2, R-3, R-MN, R-MF and H-M Districts (Single-family, duplex, and multi-plex lots only)	R-1, R-2, R-3, R-MN, R-MF and H-M Districts (Residential Developments [e.g., subdivisions, site condominiums, multi-family, and mobile home parks] and Non-Residential Uses only)
Awning/ Canopy Signs	Not Permitted	Maximum Number: One (1) sign per awning/canopy. Maximum Area: 15 square feet per sign. Individual signs greater than 15 sq. ft. may be permitted by allocating permitted wall signage allowances, below, to the awning/canopy sign.
Ground Signs	Not Permitted	Maximum Number: One (1) per street frontage. If an individual parcel has frontage that exceeds 300 linear feet on any given street, a total of

		one (1) additional ground sign may be permitted. Ground signs on a single parcel shall be separated by a minimum of 100 feet. Minimum Setback: 3 feet from right of way. Increase setback by 0.5 foot for every 0.5 foot of height increase above 5 feet (up to a maximum of 6 feet).
• Monument Signs	Not Permitted	Maximum Height: 6 feet Maximum Area: 32 square feet
• Decorative Post Signs	Not Permitted	Maximum Height: 5 feet Maximum Area: 24 square feet
Projecting Signs	Not Permitted	Maximum Number: One (1) projecting sign per public entrance, minimum separation of 20 feet between projecting signs on a single façade. Maximum Area: 10 square feet per individual sign
Wall Signs	Not Permitted	Maximum Total Sign Area per Façade: Street Frontage/Primary Façade: 1.5 square feet of sign area per lineal feet of building street frontage or primary façade length, not to exceed a total of 100 square feet for each street-fronting façade or primary façade. Secondary Façade: 1.5 square feet of sign area per lineal feet of secondary façade length, not to exceed 75 square feet. Painted Wall Signs: Refer to Section 12.05(7)
Window Signs	Maximum Area: 25% of the window area.	
Temporary Signs	Maximum Height: 4 feet Maximum Area: 16 square feet total Minimum Setback: 2 feet from right of way or any lot line.	Maximum Number: One (1) per street frontage. One (1) per parcel with no street frontage Maximum Height: 4 feet Maximum Area: 16 square feet Minimum Setback: 2 feet from any lot line.

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

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

Maximum Area: 10 square feet per individual sign.

Wall Signs	<p>Maximum Total Sign Area per Façade:</p> <p>Street Frontage/Primary Façade: 1.5 square feet of total sign area per lineal feet of building street frontage or primary façade length, not to exceed a total of 100 square feet per street-fronting façade or primary façade.</p> <p>Buildings/Tenants with an individual building street frontage or primary facade length in excess of 200 feet, or whose primary facade is set back more than 150 feet from the right-of-way line of the adjacent street, shall be permitted a total wall area bonus of 25% along such frontage/façade, not to exceed 150 square feet per facade.</p> <p>Secondary Façade: 1.5 square feet of sign area per lineal feet of secondary façade length, not to exceed 100 square feet.</p> <p>Painted Wall Signs: Refer to Section 12.05(7)</p>
Window Signs	<p>Maximum Area: 25% of the window area. In an enclosed building where the public is not allowed in the building and where food is offered to the public through a window for immediate consumption the maximum coverage shall be 50 percent.</p>
Temporary Signs	<p>Maximum Number: One (1) per street frontage. One (1) per parcel with no street frontage.</p> <p>Maximum Height: 4 feet</p> <p>Maximum Area: 16 square feet</p> <p>Minimum Setback: 2 feet from right of way or any lot line.</p>

O-1 Office District:

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

	<p>Secondary Façade: 1.5 square feet of sign area per lineal feet of secondary façade length, not to exceed 75 square feet</p> <p>Painted Wall Signs: Refer to Section 12.05(7)</p>
Window Signs	Maximum Area: 25% of the window area.
Temporary Signs	<p>Maximum Number: One (1) per street frontage. One (1) per parcel with no street frontage.</p> <p>Maximum Height: 4 feet</p> <p>Maximum Area: 16 square feet</p> <p>Minimum Setback: 2 feet from right of way or any lot line.</p>

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

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

Section 3. Repealer

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

Section 4. Severability

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

Section 5. Savings

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

Section 6. Effective Date

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

Section 7. Enactment

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

Motion made by Councilor Wright, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming,
Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

COUNCIL COMMENTS:

City Manager Marsh noted that this year we held an Employee Academy and three of the participants are here tonight to see how Council works together, and she invited them to speak. Bonnie Holzerland stated that the Employee Academy was a great experience, and she now has a better understanding of what other departments really do; she encourages the residents to participate in the Citizens Academy next year. Barb Williams stated that she is a civilian employee of the Police Department, and it was really fascinating to see how the other departments work; it is a great idea, and she stated that she is very impressed with how this city is run.

Councilman Mier expressed his condolences to Mayor Pro Tem Bliss on the loss of his stepmom. He noted that he is a huge supporter of the Co-Responder program, and he is looking forward to it growing. Congratulations to Lin and thank you for your contributions to the city. If you see something, say something and help those victims of domestic violence get the resources they need.

Mayor Pro Tem Bliss stated that while Council honored Lin Ross on his forward thinking, he sees a similar correlation with the new Co-Responder Program as something that is also an example of Council being forward thinking. A program that residents will look at as essential in the future and that you wouldn't imagine the city being without. He commented that he is happy to hear the positive comments on Employee Academy.

Councilor Wright expressed his appreciation for the Co-Responders and noted that hopefully in the future, the city will have our own responders. The next meeting will be after the big election, and he reminded everyone to be peaceful and have joy and acceptance for what comes after the election. It is how we treat each other after the election that matters. Be the democracy and the diplomat, and let's come together.

City Attorney Sherman concurred with all the comments made this evening. Lin was the voice of reason, the intellect and the glue on Council during some very tough times. His comments were measured and taken to heart by Council. He showed a tremendous amount of leadership and it was wonderful that Council honored him.

City Manager Marsh had no further comments this evening.

Deputy City Manager/City Clerk Rottmann stated that all polling locations will be open on November 5, 2024 for the General Election; hours are from 7 a.m. to 8 p.m. In addition, Early Voting is ongoing daily until Sunday, November 2nd. Hours are 8:30 a.m. to 4:30 p.m. daily, except for Thursday, when the hours are 12 p.m. to 8 p.m. If you need an absentee ballot, please come into the Clerk's office, call or go online to apply. The last day we can mail an absentee ballot to you is Friday. If you haven't already returned your absentee ballot, please consider dropping it off in person or at our secure drop box, since mailing it this late may cause it to be received too late. Finally, please be kind to your election workers, they are your neighbors and friends and just want to do something good for the community. Without them, elections would not be possible.

Councilor Rohrbach reiterated comments on the Co-Responder program and expressed gratitude for the opportunity to enhance services to the community. The last thing we want is someone in a mental health crisis to wind up in jail. Thank you to City Manager Marsh and everyone else involved for making this program happen. She thanked the Clerk's office and the personnel working the Early Voting Site for the work that they are doing. Halloween is Thursday, please have fun and be safe and Thanksgiving is approaching, which is her favorite holiday.

Councilman Fleming stated that if you need to, you can spoil your ballot at the Clerk's office. Oakland County Health Network has a hotline for those who are experiencing depression. They also provide services for those who are low income. Please remember to change your batteries to your fire detector and carbon monoxide. It is National First Responder month, and he expressed thanks to our police and fire personnel who continue to do a great job for our community.

Councilman Soltis commented that Thanksgiving is also his favorite holiday.

Mayor Grafstein expressed her condolences to Mayor Pro Tem Bliss. She congratulated Lin Ross on the naming of the Executive Conference Room in his honor. We all need to be aware, and if you know someone that is in a situation, please support them and be there for them. Be kind to people, we do not know what they are going through. She is very glad that the Co-Responder program is here, and it is great that we have it, noting that not everyone with a mental illness is violent and not all require a police call. She commented that there is construction at 12 Mile and

Stephenson that is blocking the sidewalk, preventing someone from crossing safely and asked that a safe crossing route be opened. The next meeting is November 11th.

ADJOURNMENT:

Having no further business, Mayor Grafstein adjourned the meeting at 8:36 p.m.