

ORDINANCE NO. \_\_\_\_\_

CITY OF FERNDALE  
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND ARTICLE VI, INDUSTRIAL DISTRICTS, SECTIONS 24-101 THROUGH 24-103 TO THE ZONING ORDINANCE, ORDINANCE NO. 1087, OF THE FERNDALE CODE OF ORDINANCES.

**THE CITY OF FERNDALE ORDAINS:**

**Part I.**

The City of Ferndale Zoning Ordinance, being Ordinance No. 1087, Article VI, Industrial Districts, Sections 24-101 through 24-103 are amended as follows:

**Sec. 24-101. Intent.**

- (a) *M-1 light industrial district.* The M-1 district is designed to accommodate industrial, warehouse and similar uses that generate minimal noise, glare, odors, dust, vibration, air and water pollution, fire and safety hazards, potentially harmful or obnoxious matter, radiation or other potential nuisances. The district can support accessory retail to encourage re-use of existing structures and provide users in the area with nearby services and amenities.
- (b) *M-2 general industrial district.* The M-2 district is designed to accommodate manufacturing, assembly, industrial, wholesale, industrial warehouses and similar uses. It is the purpose of these regulations to permit the development of certain functions, but to protect the surrounding areas from incompatible industrial activities and to restrict the intrusion of non-related uses such as residential, retail business and commercial establishments.

**Sec. 24-102. - Uses.**

Industrial Districts Permitted (P) and Special Land Uses (S)			
	M-1	M-2	Additional Requirements
<b><u>Residential:</u></b>			
<u>Upper level residential</u>	<u>S</u>	-	<u>Sec. 24-159</u>
<b>Health Care Facilities:</b>			
Medical, dental and physical therapy offices, clinics, medical and dental laboratories and similar uses (overnight patient not permitted)	P	—	

Provisioning center and safety compliance facility, licensed as a marihuana facility under the Medical Marihuana Facilities Licensing Act.	P	P	
<b>Entertainment and Recreational:</b>			
Banquet halls	S	S	
Gun ranges and clubs	<del>S</del>	S	
<u>Health, fitness and exercise clubs</u>	<u>P</u>	=	
Participatory recreation and amusement services (bowling alleys, swim clubs, court sports, roller and ice skating rinks, billiard halls and miniature golf, excluding go-cart tracks)	P	—	
<b>Service, Retail and Office:</b>			
<del>Accessory retail associated with principal use</del>	<del>P</del>	<del>P</del>	
<u>Accessory retail space associated with manufacturing, 5,000 square feet or less</u>	<u>P</u>	<u>P</u>	
<u>Accessory retail space associated with manufacturing, greater than 5,000 square feet</u>	<u>S</u>	<u>S</u>	
<u>Accessory restaurant use associated with manufacturing, including outdoor dining</u>	<u>S</u>	<u>S</u>	
<u>Artisan and creative industry use with studio space</u>	<u>P</u>	=	
Business service establishments (including printing and photocopying services, mail and packaging services, data processing and office support services and similar uses)	P	—	
Computer service centers and similar uses (including maintenance of electronic equipment)	P	—	
Greenhouses and retail landscaping establishments (with outside storage and sales)	S	P	
Pet boarding facility	P	P	Section 24-167

<del>Production facilities that have a minimum of 20% floor area dedicated to retail sales (production of consumer goods such as food, beverages, art, clothing,</del>	P	P	
Research and development centers	P	P	
<u>Restaurants, 5,000 square feet or less, including outdoor dining</u>	S	-	
Self-storage facilities	S	S	Section 24-157
Shops of interior decorators, building trades, caterers, blue printers and similar services	P	P	
Vehicle repair, major	P	P	Section 24-161
Vehicle repair, minor	P	P	Section 24-161
Wireless communication facilities	P	P	
<b>Public, Institutional and Utilities:</b>			
Business and technical schools	P	P	
Essential services, associated buildings	S	S	
Essential services, substations	—	S	
Parking structures	S	S	Section 24-153
Trade and vocational schools	P	P	
<b>Industrial:</b>			
Commercial laundry facilities, but not including dry-cleaning plants	P	P	
Contractor's offices and storage yards	S	S	Section 24-144
Dry cleaning plants	—	S	
Freight yards and freight buildings	—	S	
Manufacturing, machining, processing, packaging and assembling	P	P	

including, but not limited to: appliances; millwork, cabinetry and furniture; stone, clay, glass and leather products; beverages and food products; scientific, technical and mechanical instruments; heating, cooling and ventilating equipment, HVAC sheet metal; signs; tool and die shops; and miscellaneous items (musical instruments, cosmetics, optical devices, electronics) and similar uses			
Manufacturing, processing, packaging and assembling including, but not limited to: steel; plastic products (laminated, pipe, plumbing products, miscellaneous molded or extruded products); sawmills, planing mills, paper and wood products, prefabricated buildings, wood structural members and other lumber operations and similar uses	—	P	
Material distribution centers, wholesale establishments, warehouses (whether or not refrigerated) and general storage facilities	P	P	
Recycling facilities	—	S	Section 24-154
Reuse facilities	S	S	Section 24-156
Manufacturing, processing or assembling of biochemical, biological, medicinal, or pharmaceutical products	S	S	
Solvent recovery centers and facilities handling, manufacturing, blending, refining, using or storing chemicals deemed hazardous by state or federal regulations	—	S	
Vehicle storage facility, indoor	S	P	Section 24-162
Vehicle storage facility, outdoor	—	S	Section 24-162
Wind energy conversion systems (WECS)	S	S	Section 24-163
<b>Prohibited Uses:</b>			
Incinerators; refineries; junkyards and recycling facilities; compost; fertilizer manufacturing; storage and processing of construction debris, explosives or solid, liquid, hazardous or landscape waste			

**Sec. 24-103. - Schedule of regulations.**

<b>Industrial Districts Schedule of Regulations</b>		
	<b>M-1</b>	<b>M-2</b>
<b>Maximum Height</b>		
—Building height (feet)	50	50
<b>Lot Size (minimum unless otherwise noted)</b>		
—Area (square feet)	—	—
—Lot width (feet)	—	—
<b>Maximum Lot Coverage</b>		
—Buildings	—	—
—Impervious surfaces	—	—
<b>Maximum Density</b>		
—Units per acre	—	—
<b>Setbacks (minimum unless otherwise noted)</b>		
—Front (feet) <sup>a</sup>	15	15
—Side (least) (feet) <sup>b,e</sup>	10	10
—Side (total) (feet) <sup>b,e</sup>	10	10
—Rear (feet) <sup>b,e</sup>	10	10

<b>Height</b>	<b>Proposed</b>
<b>Feet (max)</b>	50'
<b>Siting</b>	
<b>Build-to</b>	

<u>Primary frontage (min % of lot width/min-max build-to)<sup>1</sup></u>	<u>80% / 0'-15'</u>
<u>Secondary frontage (min % of lot width/min-max build-to)</u>	<u>30% / 0'-15'</u>
<b><u>Setbacks</u></b>	
<u>Side, adjacent to residential district (min)</u>	<u>15'</u>
<u>Rear, adjacent to residential district (min)</u>	<u>20'</u>
<u>Rear, above third story (when adjacent to R-1 or R-2)</u>	<u>35'</u>
<b><u>Parking</u></b>	
<u>Surface parking between building and frontage</u>	<u>Not allowed</u>
<u>Parking setback (min)</u>	<u>15'</u>
<u>Vehicle access</u>	<u>From alley; when no alley present or alley less than 20' wide, per Sec. 24-225</u>
<b><u>Design Elements</u></b>	
<b><u>Ground Floor Fenestration</u></b>	
<u>Primary frontage (min)</u>	<u>20%</u>
<u>Secondary frontage (min)</u>	<u>10%</u>
<b><u>Pedestrian Access</u></b>	
<u>Primary frontage</u>	<u>Min. one entrance per 75'</u>
<b><u>Private Open Area</u></b>	
<u>Minimum</u>	<u>10%</u>

Notes;

- a- ~~Where 50 percent or more of the frontage on the same side of the street within 600 feet has previously been built, then principal buildings hereafter constructed shall have a minimum front setback established by using the average depth of the yards on the lots so constructed, measured from the forwardmost edge of construction. No improvements may encroach upon the front setback.~~
- b- ~~Setbacks are not required where the side or rear property line is adjacent to a railroad right-of-way.~~
- e- ~~Where a side or rear yard abuts a public street or alley that is not adjacent to residentially zoned property, the required minimum setback shall be no less than five feet. However, if the façade that abuts the alley or street consist of an unpierced wall of fireproof construction with a parapet extending 18 inches or more above the adjoining roof construction, the building may be extended or constructed to the lot line.~~

**Part II. Savings Clause.**

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

**Part III. Severability.**

The various parts, sections and clauses of this ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected.

**Part IV. Repeal.**

All regulatory provisions contained in other city ordinances which are inconsistent with the provisions of this ordinance, are repealed.

**Part V. Effective Date; Publication.**

This ordinance shall become effective seven (7) days after publication.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FERNDALE, OAKLAND COUNTY, MICHIGAN, THIS \_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
DAVID COULTER, MAYOR

\_\_\_\_\_  
MARNE MCGRATH, CITY CLERK

Date of Adoption: \_\_\_\_\_

Date of Publication: \_\_\_\_\_

**CERTIFICATE OF ADOPTION**

I certify that the foregoing is a true and complete copy of the Ordinance passed at a meeting of the Ferndale City Council held on the \_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MARNE MCGRATH, CITY CLERK

CITY OF FERNDALE  
NOTICE OF ADOPTION  
ORDINANCE \_\_\_\_\_

The City of Ferndale has adopted Ordinance No. \_\_\_\_ amending Article VI, Industrial Districts, Sections 24-101 through 24-103 to the Ferndale Zoning Ordinance, Ordinance No. 1087. This Ordinance shall become effective seven (7) days after publication. A true copy of the ordinance may be inspected or obtained at the office of the City Clerk.

MARNE MCGRATH, CITY CLERK