



Legislation Details (With Text)

**File #:** 12-0042      **Version:** 1      **Name:** 3/5/12 Chapter 59 Amendments  
**Type:** Ordinance      **Status:** Passed  
**File created:** 3/5/2012      **In control:** City Council  
**On agenda:** 4/2/2012      **Final action:** 4/2/2012  
**Enactment date:** 3/5/2012      **Enactment #:** ORD-12-04

**Title:** An Ordinance to Amend Sections 5:168 and 5:169 of Chapter 59 (Off-street Parking) of Title V of the Code of the City of Ann Arbor to Revise Front Open Space Parking, Driveways Serving Drive-up Windows, and Special Parking District Options (CPC Recommendation: 8 Yeas, 0 Nays) (Ordinance No. ORD-12-04)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 12-04 Briefed and Approved, 2. 12-04 Briefed, 3. 12-6-11 Ch 59 Ordinance, 4. 12-6-11 Planning Staff Report, 5. 12/6/11 CPC Minutes

Date	Ver.	Action By	Action	Result
4/2/2012	1	City Council	Held and Closed	
4/2/2012	1	City Council	Adopted on Second Reading	Pass
3/5/2012	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Sections 5:168 and 5:169 of Chapter 59 (Off-street Parking) of Title V of the Code of the City of Ann Arbor to Revise Front Open Space Parking, Driveways Serving Drive-up Windows, and Special Parking District Options (CPC Recommendation: 8 Yeas, 0 Nays) (Ordinance No. ORD-12-04)

On December 6, 2011, the Planning Commission recommended approval of several amendments to the off-street parking ordinance. The proposed amendments are intended to address the following:

Front Open Space Parking - The intent of the proposed modification to Section 5:168 (Design of Off-Street Motor Vehicle Parking Facilities) is to ensure that the limitation for parking in the front open space applies to lots with three frontages in the same manner as it applies to lots with two frontages. Currently, lots with three frontages may provide parking lots between the face of a building and the public right-of-way for two frontages; the proposed change would limit this exception to a single frontage. The modification also requires that parking lots be set back at least 25 feet from the front lot line (an increase from the requirement of at least 10 feet in commercial zoning districts).

Driveways Serving Drive-up Windows - The intent of the proposed modification to Section 5:168 is to improve pedestrian safety for businesses proposing drive-up windows or driveways in the front open space, as well as enhance the aesthetic appearance of driveways serving drive-up windows. This amendment would require new driveways in the front open space that serve drive-up windows to be no wider than 12 feet and provide a raised sidewalk with bollards where the sidewalk crosses a drive-

up lane.

Special Parking District Options - The intent of the proposed modification to Section 5:169 (Special Parking Districts) is to improve flexibility of providing off-street parking in the newly created D1 and D2 zoning districts. The modification adds an option for developers to meet their off-street parking requirements by execution of a contract for parking permits within the City's public parking system.

Attachments: 12/6/11 Draft Amendments to Chapter 59, 12/6/11 Planning Staff Report and 12/6/11 Planning Commission Minutes

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Reviewed By: Wendy L. Rampson, Planning Manager and Sumedh Bahl, Community Services Area Administrator

**ORDINANCE NO. ORD-12-04**

**First Reading: March 5, 2012**

**Published: April 9, 2012**

**Public Hearing: April 2, 2012**

**Effective: April 19, 2012**

**AN ORDINANCE TO AMEND SECTIONS 5:168 AND 5:169 OF CHAPTER 59 (OFF-STREET PARKING) OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR TO REVISE FRONT OPEN SPACE PARKING, DRIVEWAYS SERVING DRIVE-UP WINDOWS, AND SPECIAL PARKING DISTRICT OPTIONS**

**The City of Ann Arbor ordains:**

Section 1. That Section 5:168 of Chapter 59 of Title V of the Code of the City of Ann Arbor is amended as follows:

**Section 5:168. Design of Off-Street Motor Vehicle Parking Facilities**

No person shall construct or establish a driveway or off-street parking structure, lot or space, except pursuant to a building permit issued upon the submission of plans showing compliance with the following standards:

- (1) Vehicular parking structures, lots and spaces shall not be located in the front open space. No space within a parking structure or lot may be closer to the street than the front face of a building.
- (2) Exceptions:
  - a. Sites with existing vehicular parking structures, lots, and spaces approved or constructed prior to January 16, 2011, and located closer to a street than the front face of a building.

- b. Sites where an addition is proposed to an existing building.
  - c. Sites with more than 1 front lot line; the requirements of paragraph (1) in this section shall apply to only 1 front lot line. For all other lot lines abutting streets, parking shall be located behind the minimum front setback requirement, per Chapter 55 (Zoning). For sites with more than one front lot line, one front lot line shall be exempt from the requirements of paragraph (1) in this section. Vehicular parking structures, lots and spaces shall be set back a minimum of 25 feet from the exempted front lot line.
  - d. Multiple-family uses having more than 100 feet of street frontage, more than 20,000 square feet of land area, and more than 20 dwelling units may have vehicular parking lots and spaces located in the front open space but behind the minimum front setback line as required in Chapter 55 of this code.
  - e. Churches, child care centers and schools with more than 100 feet of street frontage and more than 20,000 square feet of land area may be permitted to have vehicular parking lots and spaces located in the front open space but behind the minimum front setback line as required in Chapter 55 of this Code if approved as part of a special exception use review.
- (3) Driveways leading to parking spaces and lots shall meet the following standards:
- (a) A driveway leading to an enclosed space may be widened to the width of the parking space if the driveway does not exceed 30% of the front open space.
  - (b) The width of a driveway serving a single or 2-family dwelling shall be between 10 and 24 feet. For uses other than single or 2-family, the width of 1-way driveways shall be between 10 and 15 feet, and the width of 2-way driveways shall be between 18 and 24 feet.
  - (c) All driveways shall lead to a garage, carport, parking space or structure meeting the requirements of this Chapter, or back onto a street by means of the original opening or a second approved opening. A driveway with a width of up to 10 feet may be installed for single and 2-family dwellings on parcels without adequate space for off-street parking.
  - (d) Driveways providing access to property in nonresidential zones may not be located in residential zones.
  - (e) Driveways located in the front open space that serve drive-up or drive-thru windows shall meet the following standards:
    - (1) The width of the driveway shall not exceed 12 feet in width.
    - (2) A minimum 5 foot wide raised sidewalk shall be provided across the driveway connecting the public right-of-way to the main entrance of the building. The portion of the sidewalk that crosses the driveway shall be designed in a manner that clearly identifies the pedestrian crossing.
    - (3) Four bollards shall be provided near each corner where the raised

sidewalk crosses the driveway to alert drivers of this pedestrian crossing.

- (4) Right-of-way screening per Chapter 62 shall be provided between the right-of-way and the driveway in a manner that screens the driveway from view from the right-of-way but does not obscure the view between the motorist and pedestrians approaching the cross walk.
  - (5) For at least one front lot line, if more than one driveway is proposed from the same street, the driveways may not be connected in the required front open space.
- (4) No parking lot shall be located closer than 10 feet to any building used for a dwelling on the first floor.
  - (5) Parking spaces required by this Chapter shall be at least 9 feet wide and 18 feet long (16 feet long if 2 feet of overhang is provided when parking against a curb). However, up to 30% of the parking spaces may be designated as small car spaces, which shall be at least 8 feet wide and 16 feet long and clearly signed for "small cars." Spaces directly adjacent to a fence, wall or enclosure shall be increased by 1 foot in width. Barrier free parking spaces must be designated as required by and in conformity with state law.
  - (6) Parking lots shall have adequate maneuvering area and access to permit use of all parking spaces without moving other vehicles and prevent backing into a public street. Parking spaces shall be clearly marked and the lots shall conform to the following minimum stall and aisle standards:

Stall and Aisle Standards

Regular Size Cars

(A)	(B)	(C)	(D)	(E)	(F)
Angle of Parking in Degrees	Stall Width*	Curb Length Per Stall	Stall Depth 90° to Wall***	Aisle Width**	Wall to Wall Width
0°	9'	20'	9'	12'	
45°	9'	12'7"	19'5"	12'	51'
60°	9'	10'4"	20'5"	16'	57'
75°	9'	9'3"	20'	20'	60'
90°	9'	9'	18'	22'	58'

Small Size Cars

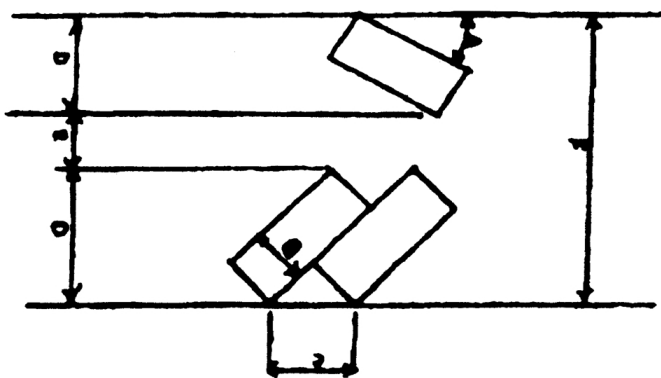
(A)	(B)	(C)	(D)	(E)	(F)
Angle of Parking in Degrees	Stall Width*	Curb Length Per Stall	Stall Depth 90° to Wall***	Aisle Width**	Wall to Wall Width
0°	8'	18'	8'	12'	

45°	8'	11'3"	17'	12'	46'
60°	8'	9'2"	17'9"	14'	49'8"
75°	8'	8'3"	17'5"	17'	52'
90°	8'	8'	16'	20'	52'

\* Stall width shall be increased by 1 foot for those spaces which are adjacent to a fence, wall or enclosure. Barrier free parking spaces must be designated as required by and in conformity with state law.

\*\* In lots that are designed for both regular and small cars, the regular size aisle width shall be used.

\*\*\* Stalls which allow for vehicle overhang (next to curbs) can be reduced in depth by 2 feet.



<<http://library.municode.com/HTML/11782/images/5.168.jpg>>

(7) Driveways and parking lots shall be surfaced with asphalt, concrete, porous pavement, pavers or brick in accordance with standard engineering practices. However, driveways and parking areas which serve single or two-family dwellings with parking areas of less than 1,200 square feet or less than 5 parking spaces may be surfaced with gravel or other similar material in accordance with standard engineering practices. Approval of such surfacing shall be conditioned upon adequate coverage and barriers sufficient to confine the material.

(8) Parking lots which were constructed or site planned after October 1, 1984 have the option to continue to comply with the standards under which they were approved or to comply with the revised standard in the table below. Parking lots constructed or site planned after July 15, 1987, shall be illuminated from ½ hour after sunset to ½ hour before sunrise, at the levels specified below. The lighting of such parking lots must be designed to provide illumination levels at all unobstructed points of the parking lots in accordance with the following table. Illumination levels shall be measured 3 feet above the lot surface.

Use	Minimum Illumination Level (footcandles)	Maximum Uniformity Ratio
Residential, church, school, private swimming club, and child care facility		
A. All Parking Lots	0.4	10:1

Non-residential		
Small (5-10 spaces)	0.4	10:1
Medium (11-99 spaces)	0.6	10:1
Large (100 or more spaces)	0.9	10:1

**EXCEPTION:**

Lighting levels may be reduced to 0.4 footcandle with a uniformity ratio of not more than 10:1 after 2:00 a.m., or after established hours of operation as filed with the City Building Department. Established hours of operation are ½ hour before to ½ hour after published business hours.

Church, school, private swimming club, and child care facility parking lots in residential neighborhoods, and site planned after July, 1988, shall have the option of reducing lighting levels by up to 50% after midnight with the uniformity ratio not to exceed 50:1.

Lighting plans and specifications for such illumination must be submitted pursuant to this chapter during the site plan approval process. The uniformity ratio shall be the ratio of the maximum to minimum illumination level.

Illumination level is the initially measured output of the fixture reduced by the lamp loss and luminaire dirt depreciation factors.

- (9) Lighting for parking lots and spaces must be designed and maintained so the illumination is evenly distributed, so no more than 0.1 foot candle of illumination shines, glares or reflects into any premises used for residential purposes, and so that it does not adversely affect the vision of motorists on public streets.
- (10) Parking lots shall be equipped with curbs or other barriers to confine vehicles to the parking lot. Driveways, parking lots and structures shall be constructed and maintained in a manner to prevent drainage nuisances and the formation of potholes and must be kept reasonably free of snow and ice.

Section 2. That Section 5:169 of Chapter 59 of Title V of the Code of the City of Ann Arbor is amended as follows:

**Section 5:169. Special Parking Districts**

Lots located in the D1 or D2 downtown zoning districts are considered a special parking district and are subject to the following standards:

- (1) No off-street motor vehicle parking is required in the special parking district for structures which do not exceed the normal maximum permitted usable floor area or for structures zoned PUD with usable floor area which does not exceed 300 percent of the lot area. Structures which exceed the normal maximum usable floor area by providing floor area premiums, or PUD-zoned structures that exceed 300 percent of lot area, shall provide parking spaces for the usable floor area in excess of the normal maximum permitted. This parking shall be

provided at a rate of 1 off-street parking space for each 1,000 square feet of usable floor area.

Each parking space reserved, signed and enforced for a car-sharing service may count as four (4) required motor vehicle parking spaces.

- (2) Off-street bicycle parking is required for residential uses in the special parking district at a rate of 1 off-street bicycle space for each 2,500 square feet of usable floor area and shall be provided in compliance with the requirements of Section 5:168.1 for Class A spaces. Off-street bicycle parking is required for non-residential uses in the special parking district at a rate of 1 off-street bicycle parking space for each 10,000 square feet of usable floor area and shall be provided in compliance with the requirements of Section 5:168.1 for Class C spaces.
- (3) The required bicycle or motor vehicle parking shall be provided on-site, off-site as described in this Chapter, section, or by or through the execution of a contract for parking permits within the City's public parking system, or payment of a contribution in lieu of required parking consistent with the requirements formula adopted by City Council, or any combination thereof., consistent with the requirements of this section. The per-space payment shall be that required by Council resolution at the time of payment.

Approval of a contribution in lieu of required motor vehicle or bicycle parking, or a contract for parking permits within the City's public parking system shall be conditioned upon the execution of a development agreement. Payment of the contribution in lieu for required parking shall be made prior to the issuance of a certificate of occupancy.

- (4) The applicant may request, as part of a site plan, to meet all or a portion of the bicycle parking requirements by installing bicycle parking spaces in the public right-of-way and/or a public parking structure. City Council may approve this request if there is sufficient space in the right-of-way and/or parking structure and the location is convenient to bicycle users.
- (5) Parking structures that are available solely to residents or employees of the building are not subject to the stall and aisle standards of Section 5:168.

Section 3. That this ordinance shall take effect on the tenth day following legal publication.

### **CERTIFICATION**

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of April 2, 2012.

Date

Jacqueline Beaudr, City Clerk

John Hieftje, Mayor

I hereby certify that the foregoing ordinance received legal publication in the Washtenaw Legal News on April 9, 2012.

Jacqueline Beaudry, City Clerk