



Special Meeting
6:00 p.m., Monday, June 6, 2022
Farmington City Hall
23600 Liberty Street
Farmington, MI 48335

SPECIAL MEETING AGENDA

- 1. Roll Call**
- 2. Approval of Agenda**
- 3. Public Comment**
- 4. Discussion: Proposed Zoning Ordinance Text Amendment - Online Retail Delivery Storage & Pickup Facilities**
- 5. Other Business**
- 6. Public Comment**
- 7. Council Comment**
- 8. Adjournment**

The City will follow its normal procedures for accommodation of persons with disabilities. Those individuals needing accommodations for effective participation in this meeting should contact the City Clerk (248) 474-5500, ext. 2218 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Farmington City Council Staff Report	Meeting Date: May 16, 2022 & June 6, 2022	Reference Number 4
Submitted by: Kevin Christiansen, Economic and Community Development Director		
Agenda Topic Introduction of Proposed Zoning Ordinance Text Amendment: Online Retail Delivery Storage & Pickup Facilities		
Proposed Motion To approve Introduction of Ordinance __ - _____-2022 Amending Section 35-158, of the Zoning Ordinance, "Special Land Use Specific Requirements," to Include "Online Retail Delivery Storage & Pickup Facility" C2, Community Commercial and the C3, General Commercial Zoning District as a Special Land Use, including specific Special Land Use requirements, and a proposed Zoning Ordinance Text Amendment To Chapter 35, Article 21, Section 35-252, "Definitions," to Include a Definition of "Online Retail Delivery Storage & Pickup Facility"- FIRST READING		
Background <p>This Zoning Ordinance Text Amendment was proposed by Planning Commission in response to an application for on online retail storage and delivery facility use in the C2, Community Commercial and the C3, General Commercial Zoning District. The proposed amendment would allow online retail delivery storage & pickup facility establishments within the City of Farmington in the C2, Community Commercial and the C3, General Commercial Zoning Districts as a Special Land Use (SLU). The Planning Commission discussed and reviewed an initial draft amendment at the 3/14/22 meeting. The Commission tabled the proposed Zoning Ordinance Text Amendment in order to allow staff and the City Attorney to review the comments made by the Planning Commission regarding specific land use requirements, to investigate this type of ordinance and how it is being handled in other communities, and also to prepare a definition for this proposed use. A public hearing was held at the 4/11/22 Planning Commission meeting regarding a revised draft ordinance, including the requested definition of Online Retail Delivery Storage & Pickup Facility, and has been recommended for approval by the Planning Commission as attached.</p>		

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON
ORDINANCE NO. ____

AN ORDINANCE TO AMEND CHAPTER 35, ZONING, OF THE CITY OF FARMINGTON CODE OF ORDINANCES, IN ORDER TO AMEND ARTICLE 7 "CBD CENTRAL BUSINESS DISTRICT, C2 COMMUNITY COMMERCIAL DISTRICT, C3 GENERAL COMMERCIAL DISTRICT, AND RO REDEVELOPMENT OVERLAY DISTRICT," SECTION 35-102, "TABLE OF USES," TO AMEND ALLOW ONLINE RETAIL DELIVERY STORAGE & PICKUP FACILITIES AS SPECIAL LAND USES

THE CITY OF FARMINGTON ORDAINS:

Section 1. Chapter 35, Zoning, of the Farmington City Code, Article 7, "CBD Central Business District, C2 Community Commercial District, C3 General Commercial District and RO-Redevelopment Overlay District," Section 35-102, "Table of Uses," is hereby amended as follows:

Sec. 35-102. Table of Uses.

Use	CBD	C2	C3
P: Use is permitted by right in district			
SLU: Special Land Use in accordance with Article 12, Special Land Uses			
<i>RETAIL:</i>			
General commercial/retail businesses and shopping centers 50,000 square feet of floor area or less	P	P	P
General commercial/retail business or shopping center exceeding 50,000 square feet of floor area	SLU	SLU	SLU
Drive-through accessory to a retail use, not specified elsewhere		-	SLU (c)
Drive-through accessory to a pharmacy	-	SLU	P
Commercial outdoor display, sales or storage (accessory only)	P (a)	SLU (a)	P (a)
Garden centers and nurseries	P (a)	P (a)	P (a)
Home improvement showrooms and supply stores	SLU	P	P
<u>Online retail delivery storage & pickup facility</u>	-	<u>SLU</u>	<u>SLU</u>
Smoke shop	-	-	SLU
Wholesale establishments	-	-	P
<i>RESTAURANTS: (see definitions in Article 21, Definitions)</i>			

Standard restaurant	P	P	P
Banquet facilities	P	-	P
Bars, taverns, lounges	P	SLU	SLU
Carry-out	P	P	P
Drive-in	-	-	SLU
Drive-through	-	SLU (c)	SLU (c)
Open front window (when principal or accessory use)	P	P	P
Outdoor seating accessory to a restaurant use	P (b)	P (b)	P (b)
<i>SERVICES/OFFICE:</i>			
Animal grooming and training establishments (without 24-hour services or boarding)	SLU	SLU	SLU
Banks, credit unions and similar financial institutions	P	P	P
Banks with drive-through facilities		SLU (c)	SLU (c)
Banking centers separate from a financial institution (including ATMs)	P	P	P
Bed and breakfasts and boarding houses	SLU	SLU	SLU
Business offices and service establishments	P	P	P
Dry cleaning establishments and laundromats	P	P	P
Drive-through accessory to a dry cleaning establishment	-	SLU (c)	P (c)
Dry cleaning plants	-	-	SLU
Funeral homes and mortuary establishments	P	P	P
Hotels and motels	P (d)	P	P
Medical and dental offices and clinics	P	P	P
Personal service establishments	P	P	P
Professional offices and service establishments	P	P	P
Repair service establishments	P	P	P
Showrooms for contractors	P	SLU	SLU
Studios for photography, dance, music, art and similar uses	P	P	P
Tattoo establishment	-	-	SLU
Tool and equipment rental	-	-	SLU
Veterinary office and clinics (not 24-hour)	P	P	P
Veterinary clinics and hospitals (24-hour)	SLU	SLU	SLU
<i>AUTOMOBILE USES:</i>			
Automobile gasoline stations	-	SLU	SLU
Automobile service/maintenance facilities	-	-	SLU
Automobile wash establishments	-	-	SLU
Automobile and vehicle dealerships, new and used	-	-	SLU
Automobile, vehicle and truck rental and leasing establishments	-	-	SLU
<i>ENTERTAINMENT AND RECREATION:</i>			
Fitness centers and health clubs	P	P	P
Golf courses	-	-	P
Indoor entertainment and amusement establishments	P	SLU	P
Instructional entertainment uses	P (i)	P (i)	P (i)

Recreation facilities (municipal)	P	P	P
Recreation facilities (commercial)	P (e)	P (e)	P (e)
Social clubs, halls and similar uses	SLU	P	P
Theaters (indoor), cinemas and auditoriums	SLU	-	P
<i>INSTITUTIONAL:</i>			
Adult and child care facilities	In accordance with Sec. 35-25, Adult and Child Care Facilities		
Churches, temples and similar places of worship and related facilities	SLU	P	P
Municipal buildings and structures	P (f)	P (f)	P (f)
Public or private primary and secondary schools; colleges and universities; business, trade and vocational schools	SLU	SLU	SLU
Public and quasi-public institutional buildings, structures and uses	SLU	P	P
<i>RESIDENTIAL:</i>			
Single-family attached dwellings/townhouses	P	P (g)	PUD
Multiple-family dwelling units	P	P (g)	PUD
Residential dwellings in upper stories of mixed-use buildings	P	P (g)	PUD
Nursing homes and senior assisted living	P	P (g)	P
<i>OTHER:</i>			
Off-street parking as a principal use, including parking decks	P	-	-
Essential public services	P	P	P
Essential public service buildings	P	SLU	SLU
Accessory buildings, structures and uses	In accordance with Sec. 35-43, Accessory Buildings		

Special Provisions

(a) –(i) [Unchanged]

Section 2. Chapter 35, Zoning, of the Farmington City Code, Article 12, "Special Land Uses," Section 35-158, "Special Land Use Specific Requirements" is hereby amended to add subsection BB as follows:

BB. Online Retail Delivery Storage & Pick-Up Facilities.

- i. Outdoor storage is prohibited.
- ii. Hours of operation shall be no earlier than 7:00 am and no later than 11:00 pm.
- iii. Shall have dedicated parking for pickup drivers.
- iv. Shall submit a traffic and parking study.
- v. Loading shall be accommodated to the rear of the building.
- vi. An operations plan including uses, hours of operation, delivery times, truck routes, security provisions, maintenance procedures and other operations as determined by the planning

commission may be required as part of special land use review to assure compatibility with the surrounding neighborhoods.

- vii. No greater than 30 percent of the square footage within a shopping center may be used for Online Retail Delivery Storage & Pick-Up Facilities.

Section 3. Chapter 35, Zoning, of the Farmington City Code, Article 21. – “Definitions,” Sec. 35-252. – “Definitions.” is hereby amended to add a definition of “online retail delivery storage & pickup facility” as follows:

Online retail delivery storage & pickup facility: A retail storage facility for the storage of groceries, including but not limited to food and dry-goods, and/or fast-food snack items for pick-up by delivery drivers for delivery to the retail customer pursuant to online order placed by the retail customer. Online retail delivery & storage facilities shall not allow shopping within the facility by the retail customer but may permit retail customer pickup of orders placed online.

Section 4. Repealer

All ordinances or parts of ordinances in conflict herewith are repealed.

Section 5. Severability

Should any section, subsection, paragraph, sentence, clause, or word of this ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the ordinance.

Section 6. Savings

This amendatory ordinance shall not affect violations of this ordinance or any other ordinance existing prior to the effective date of this ordinance and such violation shall be governed and shall continue to be separately punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

Section 7. Effective Date

Public hearing having been held hereon pursuant to the provisions of Section 1 03 of Act 11 0 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within twenty (20) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Farmington stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00A.M. to 5:00P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

Section 8. Enactment

This Ordinance is declared to have been enacted by the City Council of the City of Farmington at a meeting called and held on the ____ day of _____, 2021 and ordered to be given publication in the manner prescribed by law.

Ayes:
Nays:
Abstentions:
Absent:

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington at a meeting held on the ____ day of _____, 2022, the original of which is on file in my office.

Mary Mullison, City Clerk
City of Farmington

Adopted:
Published:
Effective: