

CITY OF NORTHVILLE  
Planning Commission  
May 3, 2016  
Northville City Hall – Council Chambers

**1. CALL TO ORDER:**

Chair Wendt called the meeting to order at 7:30 p.m.

**2. ROLL CALL:**

Present: Steve Kirk  
Carol Maise  
Dave Mielock  
Christopher Miller  
Matthew Mowers  
Mark Russell  
Anne Smith  
Jeff Snyder  
Jay Wendt

Absent: None

Also present: Sally Elmiger, Planning Consultant  
Patrick Sullivan, City Manager

**3. APPROVAL OF AGENDA:**

Planning Consultant Elmiger said that she would like to add two discussion items to the agenda. These items had been requested for Planning Commission discussion by the City Council:

- Granny flats/mother-in-law apartments
- Using accessory structures for home-based businesses

**Motion by Kirk, support Russell, to approve the agenda as amended.  
Motion carried unanimously.**

**4. MINUTES OF PREVIOUS MEETING:** April 5, 2016

**Motion by Russell, support Snyder, to approve the April 5, 2016 minutes as published. Motion carried unanimously.**

**5. AUDIENCE COMMENTS:** None.

**6. REPORTS:**

- A. CITY ADMINISTRATION:** None
- B. CITY COUNCIL:** None
- C. PLANNING COMMISSION:**

Commissioner Mowers asked how long homes under construction could store materials outside and keep a rollout on the premises. He mentioned one such property that was beginning to look blighted. He asked that the Building Inspector talk to the contractor about cleaning up the property.

Commissioner Russell asked whether the Building Inspector had followed up with Begonia Brothers signage – did all the signage at the Novi Road location meet ordinance standards? City Manager Sullivan said he would follow up on this.

A brief discussion was held regarding truck signs, and whether or not these could be regulated as signs.

Commissioner Maise noted that a recent Supreme Court decision regarding signs would eventually impact Northville's sign ordinance and changes would be required. Planning Consultant Elmiger spoke to some of those changes and said the City's ordinance would need to be reviewed for compliance.

**D. OTHER COMMUNITY/GOVERNMENTAL LIAISONS: None.**

**7. DISCUSSION**

DRIVEWAYS

Referring to her memo of April 26, 2016 and the document *Residential Driveways – Draft Zoning Text Amendments*, Planning Consultant Elmiger gave the background for this discussion item, which focused on revised language regarding residential driveways per the Planning Commission's comments at the April 5, 2016 meeting. She showed examples of various driveways within the City.

Proposed changes included the following:

Under definitions:

- Add a definition for “Auxiliary parking/turnaround area” to distinguish this from a “driveway.” Newer homes with attached garages especially were constructing auxiliary parking areas.
- Modify the definition(s) of driveway and common driveway to exclude the length requirement in the definition. The length requirements would be added to driveway standards in Section 18.18. Driveway and common driveway would only be defined by the number of properties they served.

In response to a question from City Manager Sullivan, Planning Consultant Elmiger said the proposed new language only allowed auxiliary parking in side and rear yards. Commissioner Kirk reviewed some specific situations that would make it difficult not to have front yard auxiliary parking.

Planning Consultant Elmiger said that one of the consequences of limiting front yard auxiliary parking was that people would have to plan for smaller homes, so that the driveway could go along the side yard and into the rear yard. The ordinance would – in effect – regulate the size of the home, prohibiting it from being built “setback to setback.” If the City prohibited front yard auxiliary parking, cars could only go in the side or rear yards, or in the garage. The driveway itself – limited to being no wider than the garage – could also be used for parking in the front yard.

In response to a question from Chair Wendt, Planning Consultant Elmiger said there was language in the proposed ordinance changes to allow a homeowner an auxiliary parking/turnaround area with Building Inspector approval, if certain conditions were met.

City Manager Sullivan said that he thought writing an ordinance that addressed the many varieties of driveways was an impossible task. He understood that this discussion had started with certain examples of parking pads and “grocery stop pads.”

A roundtable discussion followed:

- Commissioner Miller suggested that driveways be limited to the width of a garage, with other scenarios going before the Board of Zoning Appeals. This could be done with a simple paragraph and would eliminate parking pads.
- Chair Wendt agreed that any new ordinance regarding this should be simple. There were many homes with different types of driveways.
- Planning Consultant Elmiger said she had seen several parking pads, several circular driveways, etc.
- Commissioner Snyder said the front yard parking issue was a relatively new development, and mostly applied to newer homes. He felt this trend needed to be managed, or a loss of front yard greenscape would result. Two car garages allowed two cars in the garage and two in the driveway.
- Many city lots would not accommodate 3-car garages.
- Commissioner Mowers said the main issue was permeable space, in that front yard pavement was taking over green space. In some ways the discussion of driveways was a red herring. The ordinance could regulate how much non-permeable space was permitted.
- Planning Consultant Elmiger said the proposed ordinance did state that driveways/pavement should not cover more than 35% of a front yard (required and non-required). The language did not need to specifically say “driveways” but could include any paved surface.
- Right now there was a 35% requirement for an entire lot. Restricting paved surfaces to 35% of the front yard would be more restrictive than that.
- Corner lots needed to be addressed separately, with only one front yard used for the 35% calculation. Options could be shown by illustration in the ordinance.
- Again, driveway widths needed to be limited to the width of the garage.
- Any ordinance changes could be sent to the building contractors who were on file with the City.
- Currently, any new pavement did require review by the City.
- There were several gravel driveways and parking areas in the City – how should these be addressed? Perhaps language should be added to the *City of Northville Manual of Uniform Criteria and Design Standards for Construction for private driveways* that all driveways required hard surfaces, though this would not necessarily have to be impervious.
- As a surface that was not landscaping, gravel could be included in the 35% calculation.
- The ordinance should be clear that gravel was not necessarily acceptable as a paving surface; the only acceptable surfaces were asphalt, gravel, and pavers. Those with existing gravel driveways could maintain them by adding additional layers of gravel (maintain in kind). A gravel driveway replaced with concrete should conform to the zoning ordinance, or relief should be sought from the BZA.
- Would sidewalks be included in the 35% limitation?
- The current language said there was no parking in the required front yard. Some homes with large setbacks might have non-required front yards. Should the parking prohibition include everything in front of the house, in a required or non-required front yard, except for parking on the driveway?
- Driveway parking should not block sidewalks.
- Consensus seemed to be that the 35% limit should include everything in a front yard – required and non-required.

- Discussion was held as to whether there should be a maximum width for driveways, with requested deviations decided by the BZA.
- The Uniform Guidelines said a minimum driveway width was 16 feet. Currently some driveways on certain lots were permitted to be narrower than this.
- Proposed language could limit a driveway to the width of a garage or 35% maximum paved surfaces.
- City Manager Sullivan suggested getting away from matching the width of a driveway to the width of the garage. Instead there could be a minimum/maximum width for driveways coupled with the 35% limitation.
- Existing driveways would be grandfathered. Repairing a paved driveway that had deteriorated was maintenance. Commissioner Maise thought that if a nonconforming driveway was taken out completely and repaved in exactly the same location, the City should consider requiring a variance. Sometimes these driveways were very close to the neighboring property line, for instance. City Manager Sullivan thought replacing existing pavement in kind was not increasing a nonconformity and should be allowed.
- Would parking pads be grandfathered?

Planning Consultant Elmiger summarized that much of the proposed language could be eliminated, with the ordinance emphasizing a 35% limit on paved surfaces in the front yard. She would review how this would work with the overall 35% paved surface limitation for the entire lot, and she would work with language addressing corner lots.

Regarding driveway widths, the maximum width of a driveway should be 18 feet or 35% paved surface maximum. The 35% was cumulative and included all paved surfaces, including sidewalks.

Any deviations would be decided by the BZA.

City Manager Sullivan pointed out that existing Section 18.18.1 was confusing: *The pavement edge of any common driveway or private road shall be a minimum of fifteen (15) feet from any adjoining property line.* Language should be added to clarify that this reflected 15 feet from any adjacent property line other than those properties being served.

#### GRANNY FLATS/MOTHER IN LAW APARTMENTS

Planning Consultant Elmiger said that while adopting other proposed changes in the ordinance, City Council had indicated that they were concerned for those people who had aging parents living in their homes. They thought it might be important to allow granny flats or small accessory buildings on a single-family lot in order to accommodate aging parents.

City Manager Sullivan said that recent court decisions had indicated that a relative living in one's home was not considered a 2-family situation. Having an aged parent living in the home did not violate the ordinance, but creating separate living quarters for the parent would be a violation. One issue was that a homeowner made a significant investment installing a separate kitchen, bathroom, etc., and then the parent died. The homeowner might then want to rent the apartment to someone else, who would be non-family, and who would have a car, or who – if a couple – might have 2 cars.

Commissioner Maise pointed out that the City did not have a rental ordinance. Perhaps a rental ordinance would address this issue.

Commissioner Miller said the goal was to facilitate having aging parents living with their children. City Manager Sullivan said this was one issue. Another question was why the ordinance prohibited office space above a freestanding garage, for instance. Occupied space for any reason above a detached garage was prohibited.

In terms of a mother-in-law suite, the current ordinance would permit this inside one's home, but living quarters would not be allowed in a small accessory structure.

City Manager Sullivan explained that City Council wanted the Planning Commission to look at all this, including offering options for aging parents and a place for adult children, and explore whether there were better solutions than currently offered in the ordinance. However, it was also apparent that problems such as renting to non-family members needed to be addressed.

Commissioner Maise said that rental ordinances did address parking, so that if a unit was offered for rent, the property owner had to prove there was enough parking.

Commissioner Miller said that no ordinance could address as many different scenarios that could result in having family (aging parents, adult children) stay in one's home. The best option was to keep things as simple as possible, unless there was a need or if a problem became apparent.

Commissioner Kirk said that for appraisals a mother-in-law unit had to be attached to the house and have a separate outside door.

Planning Consultant Elmiger said that she would research these issues further.

Chair Wendt emphasized that the City needed to provide a good solution for the aging population.

Commissioner Snyder asked if there had been any complaints about parents living with their children. City Manager Sullivan said there had been no complaints. Commissioner Kirk said the issue was that after parents left, renters moved in.

City Manager Sullivan explained that this issue came up with the recent rezoning of a portion of Rayson Street from two-family to one-family. The question was raised as to where aging parents could live when and if they moved onto their children's property. Commissioner Miller said he thought the question was legitimate, but the people on Rayson had asked for rezoning. He wondered if the question was being asked in general about having an auxiliary structure on a property to house aging parents.

City Manager Sullivan said that the question was whether or not the Planning Commission thought it would be useful to specifically permit mother-in-law suites, especially in terms of permitting living spaces above detached garages.

Commissioner Mielock said that if ordinance language was drafted regarding this issue, it could include a prohibition against turning a mother-in-law suite into a rental property. Commissioner Smith noted that this would be difficult to enforce, especially as property owners could easily claim a distant relationship with anyone living on their property.

Commissioner Mowers said that one solution was to maintain enough R-2 Zoning so that people who wanted to have two-family housing had a place to go.

City Manager Sullivan pointed out that living quarters were permitted above an attached garage.

USING ACCESSORY STRUCTURES FOR HOME-BASED BUSINESSES

City Manager Sullivan said home based businesses were permitted inside a home, but not in or above detached garages or other detached accessory structures. Planning Consultant Elmiger said there were conditions for home-based businesses; these were listed in Section 18.15. Chair Wendt acknowledged that many people worked from home. Commissioner Kirk said that home-based businesses actually helped the City.

The question being discussed was whether home-based businesses should be permitted in accessory structures. It was brought out that home-based businesses could generate nuisance factors such as additional parking, traffic, etc., resulting in a more intense use than what was appropriate in a residential neighborhood.

It was the consensus of the Commission to continue this discussion at a later date.

OTHER DISCUSSION

Chair Wendt referenced a letter sent to the City regarding the Corner House and a proposed development in Northville Township. He would talk with the City Clerk about making an appropriate response to the letter.

There was brief discussion regarding the challenges of potential development at the Foundry Flask property. As of this date, no further submissions had been forthcoming regarding having an assisted living facility there.

**8. ADJOURN**

As there was no further discussion, Chair Wendt adjourned the meeting at 8:42 p.m.

Respectfully submitted,  
Cheryl McGuire  
Recording Secretary

Approved as submitted 5/18/2016