

**CHARTER TOWNSHIP OF MILFORD
AUTOMOBILE STATIONS AMENDMENT
ORDINANCE NO. 156-A-204**

AN ORDINANCE TO AMEND ARTICLE IV, SUPPLEMENTAL REGULATIONS, OF CHAPTER 32, ZONING, OF THE CODE OF ORDINANCES FOR THE CHARTER TOWNSHIP OF MILFORD, BY RESCINDING SECTION 32-585, AUTOMOBILE SERVICE STATIONS AND PUBLIC GARAGES, IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 32-585, SECTION 32-585, AUTOMOBILE CONVENIENCE STATIONS AND PUBLIC GARAGES, IN ORDER TO MODIFY AND EXPAND THE PROVISIONS RELATING TO AUTOMOBILE CONVENIENCE STATIONS IN THE TOWNSHIP.

THE CHARTER TOWNSHIP OF MILFORD ORDAINS:

Section 1. Amendment.

Section 32-585, Automobile Service Stations and Public Garages, of Article IV, Supplemental Regulations, of Chapter 32, Zoning, of the Code of Ordinances for the Charter Township of Milford, and shall be repealed in its entirety and replaced with a new Section 32-585, Automobile Convenience Stations and Public Garages, which shall read as follows:

Section 32-585 - Automobile Convenience Stations and Public Garages.

No automobile convenience station shall be structurally altered so as to provide a lesser degree of conformity with the provisions of this section than existed on the effective date of the ordinance from which this chapter is derived.

- (1) An automobile convenience station shall be located on a lot having a frontage along the principal street of not less than 100 feet, and having a minimum area of not less than fifteen thousand (15,000) square feet as measured from proposed rights-of-way of roads and shall be located at least five hundred (500') feet from an entrance or exit to the property on which is located a public library, a public or private school, playground, playfield, park, church or hospital.
- (2) An automobile convenience station building shall be located not less than forty (40') feet from any street lot line, and not less than twenty-five (25') feet from any side or rear lot line adjoining a residentially zoned district.
- (3) All driveways providing ingress to or egress from an automobile service station shall be not more than thirty (30') feet wide at the property line. No more than one curb opening shall be permitted for each fifty (50') feet of frontage or major fraction thereof along any street. No driveway or curb

opening shall be located nearer than twenty (20') feet to any intersecting street rights-of-way, or adjacent to residential property. No driveway shall be located nearer than thirty (30') feet, as measured along the property line, to any other driveway giving access to or from the same automobile convenience station.

- (4) A raised curb six (6") inches in height shall be erected along all street lot lines, except for driveway openings.
- (5) The entire lot, excluding the area occupied by a building, shall be hard surfaced with concrete or a plant-mixed bituminous material except desirable landscaped areas which shall be separated from all paved areas by a low barrier or curb.
- (6) All individual fuel pumps or stations shall be located in compliance with the minimum yard setbacks of the applicable district, and shall be arranged so that motor vehicles shall not be supplied with fuel while parked upon or overhanging any public sidewalk, street or right-of-way. Adequate vehicle stacking and circulation space shall be provided on site in a manner which does not interfere with site ingress or egress, the use of maneuvering lanes serving off-street parking spaces, or loading and unloading operations.
- (7) Where an automobile convenience station adjoins property located in any residential district, a solid masonry wall five (5') feet in height shall be erected and maintained along the interior line, or if separated from the residential zone by an alley, then along the alley lot line. In addition, all outside trash areas of used tires, auto parts and other items shall be enclosed by the five (5') foot masonry wall. All masonry walls shall be protected by a fixed curb or barrier to prevent vehicles from contacting the wall. Walls may be gradually reduced in height (e.g., stepped down) within twenty-five (25') feet of any street right-of-way.
- (8) All exterior lighting, including illuminated signs, shall be in accordance with Sec. 32-600.
- (9) Outdoor storage or parking of wrecked or partially dismantled vehicles shall be prohibited.
- (10) Outdoor display shall be in accordance with Sec. 32-609 (c) and (e).
- (11) All signs shall be in accordance with Chapter 32 - Zoning, Article VII. - Signs.
- (12) Overhead canopies shall be set back at least twenty (20') feet from the right-of-way and finished with materials consistent with the principal building. The proposed clearance of any canopy shall be noted on the site

plan. Any signs, logo or identifying paint scheme on the canopy shall be reviewed by the Planning Commission and approved only upon a finding of compatibility with the surrounding area. Details on all lighting under the canopy shall be provided.

- (13) The applicant shall comply with all applicable requirements of Parts 211 and 213, Michigan Act 451, as amended.
- (14) In the event that an automobile convenience station use has been abandoned or terminated for a period of more than one (1) year, all underground fuel storage tanks shall be removed from the premises by the property owner, in accordance with state requirements.

Section 2. Savings Clause.

That nothing in this Ordinance hereby adopted be construed to affect any just or legal right or remedy of any character nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 3. 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.

Section 4. Adoption.

This Ordinance is hereby declared to have been adopted by the Charter Township of Milford Township Board at a meeting thereof duly called and held on the 18th day of November, 2020, and ordered to be given effect upon publication as mandated by Charter and statute.

Donald Green, Township Supervisor

Holly Brandt, CMC, Township Clerk

CERTIFICATION OF CLERK

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Charter Township of Milford Township Board on November 18, 2020 which was a regular meeting. I further certify that at said meeting there were present the following Board members: Green, Brandt, Dagenhardt, Worrell, Wiltse, Busick, Mazzara.

I further certify that the adoption of said Ordinance was moved by Trustee Mazzara and supported Trustee Wiltse.

I further certify that the following Board members: Mazzara, Wiltse, Brandt, Dagenhardt, Worrell, Busick, Green voted for the adoption of said Ordinance and that the following Board members voted against the adoption of said Ordinance: none.

I further certify that no Board member(s) abstained from voting.

I hereby certify that said Ordinance has been recorded in the Ordinance Book in said Township and that such recording has been authorized by the signature of the Township Supervisor and Township Clerk.

Holly Brandt, CMC, Township Clerk