

**STATE OF MICHIGAN  
COUNTY OF WAYNE  
CITY OF ALLEN PARK**

**ORDINANCE #06-2023**

**AN ORDINANCE OF THE CITY OF ALLEN PARK CODE OF ORDINANCES, AMENDING CHAPTER 52-ZONING, ARTICLE IX, “PARKING, LOADING AND WAITING AREA REQUIREMENTS”, BY THE REPEAL AND READOPTION OF SECTION 52-1007, “SPECIAL PARKING PERMITS”, AND SECTION 52-1012, “VARIANCE AND EXCEPTIONS”, TO UPDATE THE SECTIONS.**

**The City of Allen Park Ordains:**

**SECTION 1. Amendments to Code.**

**Section 52-1007, Special Parking Permits, of Article IX, Parking, Loading and Waiting Area Requirements of Chapter 52 is hereby repealed and readopted to hereafter read as follows:**

**Sec. 52-1007. -Special parking permits.**

- (a) Any business or use may seek a special parking permit to allow any requirement of this article to be modified or waived.
- (b) The planning commission shall review each waiver or modification request separately.
- (c) A special parking permit may be granted by the planning commission only if all of the following conditions exist:
  - (1) The requested waiver does not eliminate more than 75 percent of the parking spaces required by section 52-1001(f);
  - (2) The requested waiver will not cause an undue amount of parking on residential streets;
  - (3) The requested waiver does not alter the size of parking stalls or maneuvering lanes by more than the following percentage of the size required by this article:
    - a. Parking stall size only by ten percent;
    - b. Maneuvering lane size only by ten percent; or
    - c. Parking stall and maneuvering lane size by no more than five percent each.
- (d) In granting a request pursuant to this section, the planning commission may impose additional conditions not contained in this article to integrate the proposed altered parking facility into the community.

- (e) Unless a shorter time limit is imposed, all special parking permits issued pursuant to this article shall expire upon the termination of the use or business requesting the special parking permit.
- (f) A fee, as currently established or as hereafter adopted by resolution of the city council from time to time, shall be charged for all special parking permits.

**Further, that Section 52-1012 “Variance and exceptions” of Article IX, Parking, Loading and Waiting Area Requirements of Chapter 52 is hereby repealed and readopted to hereafter read as follows:**

**Sec. 52-1012. – Variance and exceptions.**

The zoning board of appeals shall have authority to interpret this article and may in specific cases and after public notice and hearings in accordance with their powers grant variances to these requirements, providing such variance is in harmony with the general purpose and intent of the requirements of this article.

**SECTION 2. Repeal.** All ordinance or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

**SECTION 3. Saving Clause.**

Nothing in this Ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquiring or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**SECTION 4. Severability.**

Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase, or any portion of the Ordinance held to be so invalid shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

**SECTION 5. Codification; Scrivener's Errors:**

- (a). Section 1 of this Ordinance shall be codified, and all other sections shall not be codified.
- (b). The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the Code codifier.
- (c). Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Administrator, or designee, without the need for a public hearing.

**SECTION 6. Publication.**

The Clerk for the City of Allen Park shall cause this ordinance to be published in the manner required by law.

**SECTION 7. Adoption.**

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the 27th day of June, 2023.

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GAIL McLEOD, Mayor  
City of Allen Park

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MICHAEL I. MIZZI , City Clerk  
City of Allen Park