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TO: Honorable City Council

FROM: David Whitaker, Director
Legislative Policy Division 

DATE: February 12, 2026

SUBJECT: Residential Parking Concerns

Council Member Gabriela Santiago-Romero requested a response from the Legislative Policy Division (LPD) that explores viable alternatives to residential parking concerns and paved surface requirements. The following report responds to this request.

Please do not hesitate to reach out to use if we may be of further assistance.

Background

Parking vehicles on lawns or unpaved areas of residential properties is prohibited under the Detroit City Code. Section 55-4-36 specifically states: "It shall be unlawful to park any vehicle on lawns or other unpaved areas on private property containing single or two-family dwellings." ¹ This regulation is intended to enhance neighborhood quality, support sustainable land use, and prevent the spread of blighted conditions caused by unregulated parking practices. Violators of this section may be ticketed and subjected to fines or enforcement actions by the City of Detroit's Buildings, Safety, Engineering, and Environmental Department (BSEED), the Municipal Parking Department (MPD), or the Detroit Police Department (DPD). Repeated violations can lead to escalating penalties, and in some cases, property owners may be required to restore damaged or improperly used areas, to maintain compliance with City standards.

In R1 (Single-Family Residential) and R2 (Two-Family Residential) zoning districts, specific regulations govern off-street parking. Off-street parking on lots with single-family or two-family dwellings is permitted only in specific locations: within garages; on approved paved parking areas situated entirely in the rear yard; or on driveways located in a single side yard and its extension into the front yard. Only one driveway per dwelling unit is permitted unless the lot qualifies for an exception involving semicircular drives.² These regulatory requirements are designed to maintain the essential characteristics of the district, aiming to promote and encourage a suitable environment for activities associated with family life.^{3 4}

Parking is prohibited on unpaved surfaces such as lawns, and all driveways and access routes to garages or rear parking areas must be paved with asphalt, Portland cement, or solid pavers.² In both R1 and R2 districts, the City Code explicitly specifies, "no parking shall be permitted on lawns or other unpaved areas on residential lots," and parking areas must be located in the rear yard of the property.⁵ The City Code specifies, "open parking areas, where located on the same zoning lot as the dwelling they are intended to serve, shall be permitted in the rear yard."⁶ This means homeowners cannot use side yards (or side lots) for parking. A side yard, the open space on either side of a house, which extends from the front yard to the backyard, is situated between the main building and the property line, serves as a buffer between homes. It is typically used for walkways, landscaping, or access to the backyard. If a dwelling lacks an attached garage, any paved rear parking area must not exceed 20 feet by 30 feet or cover more than 50 percent of the rear yard.² In addition, per section 50-14-237, points of ingress and egress shall be approved by the Department of Public Works Traffic Engineering Division.⁷ This ensures that entering and exiting vehicles do not disrupt pedestrian traffic or threaten pedestrian safety.

¹ Detroit, Mich., Code of Ordinances § 55-4-36. *Parking on private property*, available at https://library.muniCode.com/mi/detroit/Codes/Code_of_ordinances/304930?nodeId=DECO_CH55TRVE_ARTIVLORE_DIV3STSTPA_S55-4-36PAPRPR

² Detroit, Mich., Code of Ordinances § 50-14-286. *Location of off-street parking on land zoned R1 and R2*, available at https://library.muniCode.com/mi/detroit/Codes/Code_of_ordinances?nodeId=COCH50_CH50ZO_ARTXIVDEST_DIV1OREPALOAC_SDKOREPAFARED1_S50-14-286LOOREPALAZOR1R2.

³ Detroit, Mich., Code of Ordinances § 50-8-11. *Description*, available at https://library.muniCode.com/mi/detroit/Codes/Code_of_ordinances?nodeId=COCH50_CH50ZO_ARTVIIIIEZODI_DIV2R1SIMIREDI_S50-8-11DE

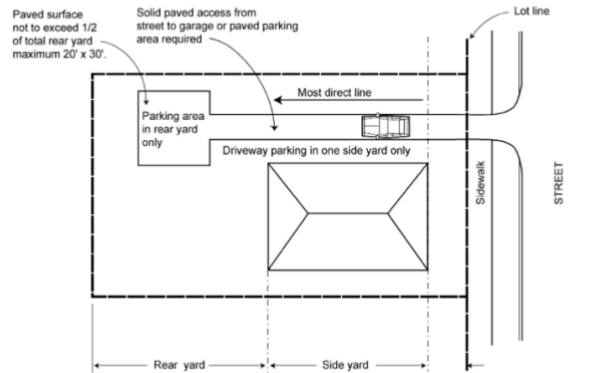
⁴ Detroit, Mich., Code of Ordinances § 50-8-41. *Description*, available at https://library.muniCode.com/mi/detroit/Codes/Code_of_ordinances?nodeId=COCH50_CH50ZO_ARTVIIIIEZODI_DIV3R2TMIREDI_S50-8-41DE

⁵ Detroit, Mich., Code of Ordinances § 50-14-286 (3). *Location of off-street parking on land zoned R1 and R2*, available at https://library.muniCode.com/mi/detroit/Codes/Code_of_ordinances?nodeId=COCH50_CH50ZO_ARTXIVDEST_DIV1OREPALOAC_SDKOREPAFARED1_S50-14-286LOOREPALAZOR1R2

⁶ Detroit, Mich., Code of Ordinances § 50-8-56. *Other regulations*, available at https://library.muniCode.com/mi/detroit/Codes/Code_of_ordinances?nodeId=COCH50_CH50ZO_ARTVIIIIEZODI_DIV3R2TMIREDI_S50-8-56OTRE

⁷ Detroit, Mich., Code of Ordinances § 50-14-237. *Parking area ingress and egress*, available at https://library.muniCode.com/mi/detroit/Codes/Code_of_ordinances?nodeId=COCH50_CH50ZO_ARTXIVDEST_DIV1OREPALOAC_SDIOREPAARDE_S50-14-237PAARINEG

Figure 50-14-286
(For Informational Purposes Only)
Location of **Parking** in R1 and R2



To preserve community appearance and prevent unregulated vehicle maintenance, mechanical work and vehicular repairs are prohibited on designated parking driveways, which are situated on side yards.^{2 8} Under section 50-8-147 of the Detroit City Code, motor vehicles may only be repaired on residential property outside of a fully enclosed structure if the work is done in the rear yard and between the hours of 8:00 a.m. and 8:00 p.m.⁹ Vehicles being repaired outdoors must not remain visibly dismantled or have separated parts for more than 14 consecutive days.⁸ Inoperable vehicles cannot be stored in a residential yard unless the property owner has obtained a 30-day sticker from the local Police Department precinct.⁸

Operable private passenger vehicles refers to personal motor vehicles that are legally registered, in working condition, and capable of being driven on public roads, emphasizing that the vehicle is functional rather than abandoned, inoperative, or undergoing major repairs.¹⁰ Under section 50-14-286(5) of the Detroit Zoning Code (as well as section 50-14-286(3)), operable private passenger vehicles may be parked in a driveway situated in a single side yard, extending into the front yard up to the property line.^{11 12} All driveways must be paved in accordance with the City's standards to ensure durability and compliance with safety regulations, an approach that helps prevent soil erosion and discourages makeshift parking spaces.¹² This requirement helps prevent soil erosion and the spread of poorly maintained or makeshift parking spaces.

Given the explicit regulations in the Detroit City Code, a resident in a R1 or R2 district who parks their vehicle on an unpaved section of their front lawn, rather than using a designated driveway or rear yard parking space, may be cited for a Code violation. Enforcement officers in both BSEED and the Municipal Parking Department have the authority to issue citations for off-street parking infractions; citations may also be issued by DPD officers. If the resident continues to park in the prohibited area despite warnings, they may face escalating fines, and the vehicle could ultimately be towed if it remains noncompliant with City regulations.

⁸ Detroit, Mich., Code of Ordinances § 50-8-57. *Motor vehicle repair prohibited as a home occupation*, available at https://library.muniCode.com/mi/detroit/Codes/Code_of_ordinances?nodeId=COCH50_CH50ZO_ARTVIIIIREZODI_DIV3R2TMIREDI_S50-8-57MOVEPRHOOC

⁹ Detroit, Mich., Code of Ordinances § 50-8-147. *Motor home repair prohibited as home occupation*, available at https://library.muniCode.com/mi/detroit/Codes/Code_of_ordinances?nodeId=COCH50_CH50ZO_ARTVIIIIREZODI_DIV6R5MEDEREDI_S50-8-147MOVEPRHOOC

¹⁰ MCL 257.33. "Motor vehicle" defined, available at <https://legislature.mi.gov/Laws/MCL?objectName=MCL-257-33>

¹¹ Detroit, Mich., Code of Ordinances § 50-14-286(5). *Location of off-street parking on land zoned R1 and R2*, available at https://library.muniCode.com/mi/detroit/Codes/Code_of_ordinances?nodeId=COCH50_CH50ZO_ARTXIVDEST_DIV1OREPALOAC_SDKOREPAFAREDIDIV14-286LOOREPALAZOR1R2

¹² Detroit, Mich., Code of Ordinances § 50-14-286(3)(e). *Location of off-street parking on land zoned R1 and R2*, available at https://library.muniCode.com/mi/detroit/Codes/Code_of_ordinances?nodeId=COCH50_CH50ZO_ARTXIVDEST_DIV1OREPALOAC_SDKOREPAFAREDIDIV14-286LOOREPALAZOR1R2

In response to neighborhood complaints to enhance aesthetic uniformity in residential areas, the City intensified enforcement efforts by increasing the impoundment of illegally parked vehicles through the involvement of the Detroit Police Department (DPD).¹³ In 2024, DPD launched a dedicated 12-person Code enforcement squad with the authority to enter private property and impound vehicles in violation of City ordinances, including those parked on lawns or unpaved areas.¹³

Collectively, the Detroit City Code's off-street parking regulations advance the City's urban planning objectives by preserving the character of single-family residential neighborhoods while addressing practical parking needs. In doing so, these standards are designed to support effective stormwater management, enhance property values, and contribute to the longevity of parking surfaces, aligning with the broader urban development goals.

1. What have other cities implemented in similar situations to balance resident needs and parking regulations?

Similarly situated cities such as Cleveland, OH; Baltimore, MD; and St. Louis, MS have taken responsive approaches to residential parking issues, striving to balance resident needs with parking regulations by integrating zoning requirements, permit programs, and design standards that serve both functional and aesthetic purposes.

Cleveland, Ohio

The City of Cleveland, OH, enforces clear regulations concerning off-street parking for residential properties. Under the Cleveland Code of Ordinances, one off-street parking space is required per dwelling unit for one-family and two-family homes.¹⁴ Parking on lawns or side lots is generally prohibited unless specific conditions are satisfied.¹⁵ According to § 349.07 of the Cleveland Codified Ordinances, all accessory off-street parking spaces, driveways, and maneuvering areas must be properly graded, surfaced with durable materials such as concrete or asphalt, and maintained in good condition.¹⁶ Further, no owner of a vacant lot may knowingly allow vehicles to park or remain on the lot unless it is a licensed parking lot.¹⁷

Cleveland's commitment to enforcing its parking standards is further illustrated by case law. In 2018, the court upheld a conviction for unlawfully parking on a vacant lot, affirming that such conduct violated local ordinances, emphasizing the City's authority to prohibit parking in unauthorized locations.¹⁸ Although the Cleveland Code of Ordinances provides that unpaved surfaces are prohibited, its technical requirements mandate that parking areas be constructed using durable, permanent materials to ensure compliance with standards for surface integrity, drainage, and long-term maintenance.¹⁹

To mitigate residential parking congestion, the City of Cleveland has implemented a Residential Permit Parking (RPP) program.²⁰ The primary intent of the program is to regulate and facilitate

¹³ Darren Cunningham, DPD, Code Enforcement Ramp Up Impounding Illegal Vehicles, WXYZ Detroit (Mar. 28, 2024), <https://www.wxyz.com/news/dpd-Code-enforcement-ramp-up-impounding-illegal-vehicles>.

¹⁴ Cleveland Code of Ordinances § 349.04, *Design Review Districts*, available at https://Codelibrary.amlegal.com/Codes/cleveland/latest/cleveland_oh/0-0-0-13679#JD_Chapter341.

¹⁵ Cleveland Code of Ordinances § 451.23 *Tree Lawn and Private Driveway*, available at https://Codelibrary.amlegal.com/Codes/cleveland/latest/cleveland_oh/0-0-0-24354.

¹⁶ Cleveland Code of Ordinances § 349.07, *Design Guidelines*, available at https://Codelibrary.amlegal.com/Codes/cleveland/latest/cleveland_oh/0-0-0-13679#JD_Chapter341.

¹⁷ Cleveland Code of Ordinances § 451.24, *Parking Vehicles on Vacant Lots Prohibited*, available at https://Codelibrary.amlegal.com/Codes/cleveland/latest/cleveland_oh/0-0-0-24370.

¹⁸ *City of Cleveland v. Shevchenko*, 2018-Ohio-4323, available at <https://law.justia.com/cases/ohio/eighth-district-court-of-appeals/2018/106718.html>.

¹⁹ Cleveland Code of Ordinances § 339.03, *Access and Maintenance*, available at https://Codelibrary.amlegal.com/Codes/cleveland/latest/cleveland_oh/0-0-0-13600.

²⁰ Cleveland Code of Ordinances § 461.05, *Designation Criteria*, available at https://Codelibrary.amlegal.com/Codes/cleveland/latest/cleveland_oh/0-0-0-24901.

lawful visitor parking in neighborhoods with limited on-street parking availability.²¹ Under the Cleveland's RPP, only vehicles displaying valid residential permits may park in designated areas during restricted hours.²² This restriction ensures that residents have reliable on-street parking near their homes without undue competition from non-resident vehicles. Eligible residents apply for permits, which remain valid for a set period and require renewal.²³ The program accommodates guests by providing visitor permits.²⁴ The Cleveland RPP program limits non-resident vehicles in residential zones, reducing overall congestion and the likelihood that residents will resort to parking on lawns or side lots. Coupled with strict off-street parking regulations, this approach gives residents a clear, authorized on-street parking option while also discouraging the use of unpaved or unauthorized surfaces.

Baltimore, Maryland

Article 32, Title 16 of the Baltimore City Code establishes comprehensive regulations for off-street parking and loading spaces to ensure adequate parking. Single-family dwellings must provide a minimum of one off-street parking space per unit, which must be located on the same lot as the residence.²⁵ The parking space must meet standard dimensional requirements and be accessible via a paved driveway.²⁴ Residents seeking exceptions to these standards must obtain a variance from the Board of Municipal and Zoning Appeals. Required off-street parking spaces are strictly limited to the parking of personal motor vehicles and bicycles, using these spaces for storing vehicles intended for sale or hire, or for any non-emergency vehicle repair or service is strictly prohibited.²⁶ Further, § 16-207 of this Code specifies that all off-street parking facilities must be completed before the associated structure is occupied.²⁷

The City of Baltimore's zoning Code also prohibits parking on non-paved surfaces in front yards, side lots, or any other areas not designated for vehicle storage, thereby reinforcing orderly land use and protecting green space.²⁸ The City requires that all parking surfaces be constructed using approved materials such as asphalt, concrete, or permeable pavers which support environmental sustainability and reduce stormwater runoff.²⁹ Homeowners seeking to add parking areas on their property must obtain permits and adhere to strict design guidelines that dictate driveway width, access points, and setbacks to minimize disruptions to pedestrian pathways and adjacent properties.³⁰

To address residential parking congestion, Baltimore implemented a Residential Permit Parking (RPP) program that restricts non-resident parking in designated areas, ensuring that residents maintain priority access to on-street parking near their homes.³¹ These restricted parking areas are established primarily to help secure available parking for a residential community while encouraging alternative parking plans for non-residents.²² While Baltimore provides allowances for shared parking arrangements and alternative parking solutions, this is permitted in denser neighborhoods where conventional off-street parking is limited.²²

²¹ Cleveland Code of Ordinances § 461.01. *Legislative Purpose*, available at https://Codelibrary.amlegal.com/Codes/cleveland/latest/cleveland_oh/0-0-0-24874

²² Cleveland Code of Ordinances § 461.12. *Permit Parking Exemption*, available at https://Codelibrary.amlegal.com/Codes/cleveland/latest/cleveland_oh/0-0-0-24940

²³ Cleveland Code of Ordinances § 461.13. *Application for and Duration of Permit*, available at https://Codelibrary.amlegal.com/Codes/cleveland/latest/cleveland_oh/0-0-0-24944

²⁴ Cleveland Code of Ordinances § 461.09. *Visitor Permits*, available at https://Codelibrary.amlegal.com/Codes/cleveland/latest/cleveland_oh/0-0-0-24931

²⁵ Baltimore City Code art. 32, § 16-206. *Existing Off Street Parking Facilities*, available at <https://Codes.baltimoreCity.gov/us/md/cities/baltimore/Code/32/16>

²⁶ Baltimore City Code art. 32, § 16-206. *Prohibited uses of off-street parking and loading spaces*, available at

<https://Codes.baltimoreCity.gov/us/md/cities/baltimore/Code/32/16-204>

²⁷ Baltimore City Code art. 32, § 16-207. *Computation of off-street parking requirements*, available at

<https://Codes.baltimoreCity.gov/us/md/cities/baltimore/Code/32/16-204>

²⁸ Baltimore City Code art. 32 § 16-601. *Exemptions and reductions from requirements*, available at <https://Codes.baltimoreCity.gov/us/md/cities/baltimore/Code/32/16-204>

²⁹ Baltimore City Code art. 10-102 § 333. *Driveways and other paved surfaces*, available at [https://Codes.baltimoreCity.gov/us/md/cities/baltimore/Code/building-Codes/X/10-101#\(b\)](https://Codes.baltimoreCity.gov/us/md/cities/baltimore/Code/building-Codes/X/10-101#(b))

³⁰ Baltimore City Code art. 4 § 409. *Administrative exceptions*, available at [https://Codes.baltimoreCity.gov/us/md/cities/baltimore/Code/32/4-408#\(b\)\(2\)](https://Codes.baltimoreCity.gov/us/md/cities/baltimore/Code/32/4-408#(b)(2))

³¹ Parking Authority of Baltimore City, *Residential Parking*, <https://parking.baltimoreCity.gov/residential-parking>

St. Louis, Missouri

The St. Louis, MS, Zoning Code establishes stringent requirements for the location and design of off-street parking facilities. For residential uses, parking areas are explicitly prohibited from extending into front yard setbacks, thereby preserving neighborhood character and preventing visual disruption from expansive parking surfaces.³² A front yard setback refers to the required minimum distance between a building or structure and the front property line, ensuring open space between the structure and the street. In addition, all ingress and egress points for parking facilities must comply with detailed design specifications established by the Building Commissioner to ensure safe and efficient vehicle maneuverability.³³

Off-street parking surfaces are required to be “maintained in good repair,” this establishes a clear standard for property maintenance that directly supports the safety, functionality, and visual integrity of residential neighborhoods. In the context of residential parking concerns, this requirement helps ensure that driveways and parking surfaces remain free from hazards such as large cracks, potholes, or uneven pavement that could pose risks to both vehicles and pedestrians. It also addresses broader concerns related to neighborhood aesthetics and property values by discouraging neglect and deterioration of hardscaped surfaces.³⁴

Furthermore, the City enforces additional regulations that prevent parking areas from encroaching into front yard spaces within residential districts, which helps maintain neighborhood aesthetics and ensures that parking facilities do not dominate the urban landscape.³¹ Collectively, these guidelines are intended to seamlessly integrate parking locations into the urban fabric of neighborhoods while upholding both functional safety standards and the City's overall aesthetic appeal.

2. How do enforcement practices differ in cities with similar challenges?

Baltimore, MD; Cleveland, OH; and St. Louis, MO each employ distinct, yet sometimes overlapping, enforcement strategies to regulate parking on lawns and side lots in residential areas. In an effort to examine cities with similar parking and regulatory challenges, the enforcement practices of neighboring municipalities are also explored below.

Enforcement in Baltimore, MD

The City of Baltimore’s zoning Code explicitly prohibits parking on lots separate from the structure served, reinforcing orderly land use.³⁵ This clear prohibition facilitates direct enforcement through citations issued by Code enforcement officers.³⁶ The Code also mandates that off-street parking areas must comply with specific design standards, including surface material specifications, to ensure proper land use and neighborhood aesthetics.³²

Enforcement in Cleveland, OH

Cleveland’s approach, while not explicitly banning parking on unpaved surfaces, requires that off-street parking for residential properties be located on the same lot as the principal use unless an exception is granted.¹⁵ Enforcement in Cleveland is achieved through Code compliance inspections and is further supported by an RPP program that manages on-street parking and indirectly discourages unauthorized parking on lawns or side lots.^{17 22}

³² St. Louis Code of Ordinances § 26.16.080. *Off-street parking and loading requirements*, available at https://library.muniCode.com/mo/st._louis/Codes/Code_of_ordinances?nodeId=TIT26ZO_CH26.16GEZORE_26.16.080OREPALORE

³³ St. Louis Code of Ordinances § 26.74.030. *Entrances and exits*, available at https://library.muniCode.com/mo/st._louis/Codes/Code_of_ordinances?nodeId=TIT26ZO_CH26.74OREPALODWDI_26.74.030ENEX

³⁴ St. Louis Code of Ordinances § 26.74.040. *Maintenance requirements*, available at https://library.muniCode.com/mo/st._louis/Codes/Code_of_ordinances?nodeId=TIT26ZO_CH26.74OREPALODWDI_26.74.040MARE

³⁵ Baltimore Zoning Code § 16-401. *Location of off-street parking*, available at <https://Codes.baltimoreCity.gov/us/md/cities/baltimore/Code/32/16-401>.

³⁶ Baltimore Parking Authority. *Baltimore City Department of Transportation*, available at <https://transportation.baltimoreCity.gov/dot-divisions/safety>.

Enforcement in St. Louis

St. Louis takes a blended approach, regulating front yard parking through both zoning and building Code provisions. While not always explicitly prohibiting lawn parking, the City enforces front yard setback requirements and mandates that all off-street parking be located on a paved surface in accordance with approved site plans.³⁷ Enforcement is carried out by the City's Building Division and Zoning Section, which issues violations based on complaints or visual inspections, often requiring property owners to remove non-compliant parking areas or apply for zoning variances where appropriate.

Locally, parking regulation tactics in Hamtramck and Grosse Pointe bear some resemblance to enforcement practices observed in the City of Detroit, with each implementing a different approach. An overview of the relevant residential parking and pavement provisions in their respective City Codes is essential to provide context for an examination of the enforcement regulations belonging to the City of Detroit's neighboring localities.

Enforcement in Grosse Pointe, MI

The Grosse Pointe City Code zoning provisions establish specific regulations regarding the placement of off-street parking for residential uses.³⁸ For one- and two-family dwellings, required off-street parking must be located on the same lot as the home and provided within an enclosed garage measuring at least 20 by 20 feet for single-family homes and 40 by 20 feet for two-family homes.³⁹ To maintain uniformity and efficiency, the garage must be connected to the street or alley by a paved driveway and comply with all applicable accessory building regulations under Section 90-25.⁴⁰ All driveways and parking areas shall "be hard-surfaced with a pavement having an asphalt or concrete binder which shall be equivalent to or better than a double seal bituminous penetration surfacing on a gravel base, and shall be graded and drained so as to dispose of surface water which might accumulate within or upon such area."⁴¹

Enforcement of off-street parking regulations is managed by a dedicated Code Enforcement Officer who investigates complaints, conducts property inspections, and engages directly with property owners to secure voluntary compliance.⁴² When a potential violation is identified, and where appropriate, enforcement action may include issuing civil infractions or misdemeanors, which can result in mandatory court appearances, financial penalties, and court orders requiring compliance with the applicable ordinance.⁴³

Enforcement in Hamtramck, MI

In residential districts in the City of Hamtramck, all new single and two-family dwelling units are required to have a two-car garage on the same lot.⁴⁴ A maximum of two off-street parking spaces may be provided in lieu of a garage.⁴⁴ Residential driveways must be capable of accommodating at least two vehicles and no new driveways shall be permitted in residential districts unless explicitly authorized.⁴⁵ The City Code further specifies, "no person shall park, store, leave or allow to be left upon private property controlled by him or her, any motor vehicle in a rusted, wrecked, junk and partially dismantled or inoperative condition whether attended or not," unless

³⁷ St. Louis Zoning Code § 26.40.025. *Conditional uses*, available at https://library.muniCode.com/mo/st._louis/Codes/Code_of_ordinances?nodeId=TIT26ZO_CH26.40FNECODI_26.40.025COUS

³⁸ Grosse Pointe, Mich., Code of Ordinances § 90-156. *Parking requirements*, available at https://library.muniCode.com/mi/grosse_pointe/Codes/Code_of_ordinances?nodeId=PTIICOOR_CH90ZO_ARTVPALORE_DIV1GE_S90-156PARE

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ Grosse Pointe, Mich., Code of Ordinances § 90-159 (2). *Off-street parking development regulations*, available at https://library.muniCode.com/mi/grosse_pointe/Codes/Code_of_ordinances?nodeId=PTIICOOR_CH90ZO_ARTVPALORE_DIV1GE_S90-159OREPADERE

⁴² *Code Enforcement*, City of Grosse Pointe Park, Michigan, <https://www.grossepointepark.org/211/Code-Enforcement>.

⁴³ *Id.*

⁴⁴ City of Hamtramck, City Code § 155.050. *Residential District (R)*, available at https://CodeLibrary.amlegal.com/Codes/hamtramck/latest/hamtramck_mi/0-0-0-22047

the property is being used for an authorized auto maintenance or repair business or the vehicle is fully enclosed within a garage.⁴⁴ Except in emergencies, vehicle repairs are not permitted outside of a private garage.⁴³ However, a vehicle may be kept in a *rear* yard for up to 30 days after the City issues a notice to remove it, provided it is not located within 20 feet of an adjacent residential lot.⁴³ No motor vehicle or trailer may be stored on any lot unless it is properly registered with the State of Michigan and displays a valid, current license plate matching its registration.⁴⁵ In residential zones, vehicle repairs inside a private garage are allowed only if the person performing the repairs is the vehicle's registered owner, the vehicle title lists the repair address as the owner's residence, and the person conducting the repairs has a driver's license with the same address as the vehicle registration and repair location.⁴³

Further, driveway surfaces are subject to specific requirements to ensure both functionality and compliance with landscaping regulations.⁴⁶ While pervious surfaces may be used for driveways, including porous asphalt and permeable pavers, gravel and other loose aggregates are prohibited.⁴⁴ All alternative pervious materials must receive approval from City officials before installation. These provisions are designed to balance residential needs with environmental considerations and neighborhood aesthetics.

Hamtramck enforces its off-street parking regulations through Code enforcement measures authorized by City officials as outlined in the City of Hamtramck Zoning Ordinance.⁴² Information specifying the details of enforcement activities could not be located.

3. Are there specific guidelines or materials that are acceptable for parking areas that avoid the requirement for full paving?

Other municipalities have established guidelines for non-paved parking surfaces as an environmentally friendly alternative to conventional asphalt or concrete. Permeable paving materials, such as pervious concrete, porous asphalt, and permeable interlocking pavers, have been found to help mitigate stormwater runoff and reduce the heat island effect.⁴⁷ Heat islands occur when a developed area, such as cities, experience higher temperature than nearby rural areas.⁴⁸ Permeable paving materials enable rainwater infiltration, which decreases water pooling and flooding risks, contributing to more sustainable urban environments.⁴⁵ Some cities have introduced pilot programs to test alternative materials in designated areas before permitting widespread adoption.⁴⁹ However, Detroit's cold winters pose a challenge for permeable paving due to frequent freeze-thaw cycles, which can cause water trapped within the paving structure to freeze, expand, and lead to cracking, clogging, or surface heaving, often more rapidly than with traditional pavement.⁵⁰ Additionally, permeable surfaces require consistent maintenance, such as vacuuming or power washing, to prevent clogging from sediment, debris, and road salt.⁴⁶ Given Detroit's limited maintenance resources and harsh urban conditions, this upkeep can be difficult for residents to sustain.

To ensure the effectiveness of alternative materials, municipalities often require maintenance guidelines to be followed by property owners. These guidelines define acceptable materials, provide technical specifications, and outline maintenance protocols to extend the lifespan and

⁴⁶ City of Hamtramck, City Code § 155.050. *Residential District (R)*, available at https://Codelibrary.amlegal.com/Codes/hamtramck/latest/hamtramck_mi/0-0-0-22047

⁴⁷ U.S. Envtl. Prot. Agency, *Low Impact Development (LID) for Urban Areas*, EPA.gov, <https://www.epa.gov/nps/urban-runoff-low-impact-development>

⁴⁸ U.S. Environmental Protection Agency, *Heat Island Effect*, <https://www.epa.gov/heatislands>

⁴⁹ National Association of City Transportation Officials, *Permeable Pavement Strategies*, NACTO.org, <https://nacto.org/publication/urban-street-stormwater-guide/stormwater-strategies/permeable-pavement-strategies/>

⁵⁰ U.S. Envtl. Prot. Agency, *Stormwater Best Management Practice: Permeable Pavements*, EPA-832-F-21-031W (Dec. 2021), <https://www.epa.gov/system/files/documents/2021-11/bmp-permeable-pavements.pdf>

aesthetic integrity of non-traditional parking surfaces.⁵¹ Establishing clear standards allows cities to balance environmental sustainability with practical considerations for long-term land use.⁴⁶

4. Please explain why the City uses cement over other materials such as: permeable paving materials, gravel grids, crushed stone, grass or turf reinforcement, etc.

Full paving remains a standard requirement in many jurisdictions, as alternative parking surfaces can present notable drawbacks including an impact on drainage fees. The preference for the use of cement and asphalt in off-street parking regulations may be attributable to durability, ease of maintenance, long-term performance in various weather conditions and the ability to withstand heavy vehicle loads.⁴⁷ Due to insufficient load-bearing capacity for frequent or heavy vehicular use, alternative materials are more likely to experience accelerated wear and structural degradation, leading to increased repair or replacement costs.⁴⁷ Please refer to the attached response from the Department of Public Works for additional information.

5. Can we introduce a program to help residents afford paving or other modifications to meet parking requirements?

Under both federal and state frameworks, public money may not be used for private benefit unless the expenditure is demonstrably tied to a legitimate and substantial public purpose.⁵² The Michigan Constitution prohibits the state from lending its credit "to, nor in aid of any person, association or corporation, public or private, except as authorized in this constitution."

In this context, direct financial assistance to individual homeowners for paving driveways or modifying private lots—if aimed solely at helping them meet zoning-based parking mandates—could be met with constitutional challenges. However, if a municipality can establish a compelling and well-documented nexus between such improvements and a predominant public interest (such as neighborhood-wide safety enhancements, accessibility, or stormwater management), such expenditures may be permissible.

Alternative Solutions

Board of Zoning Appeals (BZA)

The Board of Zoning Appeals (BZA) has clarified that under the Detroit Zoning Code, the principal use of a lot in R1 and R2 districts is the dwelling itself. While a residential home has the right to accessory parking, a vacant side lot has no independent right to such parking. For residents seeking to utilize a side lot for parking, the primary solution is **Lot Combining**. This process allows an ancillary side lot to be combined with the principal lot containing the dwelling. It is administered by the Assessor's Office and is typically available in the first quarter of the year. Residents should be aware that this process involves specific fees, including a lot combination fee payable to the Assessor's Office and a potential fee for a required waiver from the Detroit Land Bank Authority (DLBA) for properties originally purchased from it. Furthermore, residents are responsible for all costs associated with creating a new curb cut and driveway access, which can be a significant expense. The process also requires proof of ownership for both the home and the side lot and confirmation of no delinquent taxes. The BZA emphasizes that parking is an accessory use to the principal use, which is the house, and a side lot alone has no inherent capacity to hold parking. As a last resort, a Zoning Overlay could be considered to create a second layer of

⁵¹ U.S. Dep't of Transp., Fed. Highway Admin., Use of Permeable Pavements, FHWA-HIF-23-076 (Sept. 2023), <https://www.fhwa.dot.gov/pavement/pubs/hif23076.pdf>.

⁵² *In re Advisory Opinion re Constitutionality of 1986 PA 281*, 430 N.W.2d 456, 464 (Mich. 1988) ("Public funds may not be used primarily for private purposes. A legitimate public purpose must predominate any private benefit that results.").

regulation, potentially allowing for additional leniency such as the use of permeable materials for paving in specific circumstances.

Conclusion

Effective off-street parking regulations are essential instruments of local governance that balance residential continuity, safety, and neighborhood habitability. While cities may explore indirect forms of support under state enabling statutes or federal funding options like the Community Development Block Grant (CDBG) program—these approaches can only pass constitutional challenge when tied to neighborhood revitalization, Code enforcement, or equitable access objectives.⁵³ ⁵⁴ Ultimately, the legality of any proposed assistance program hinges on the City's ability to demonstrate that the initiative serves a genuine public interest, not merely a private one, and that any incidental private benefit is subordinate to, and necessary for, achieving a particular public goal.

The Detroit City Code off-street parking provisions and parking enforcement regulations address a persistent urban problem: residents using lawns and other informal spaces for vehicle repair and storage without proper driveway infrastructure. Such conduct frequently leads to drivers circumventing curbs and sidewalks to access non-designated parking spots, thereby endangering pedestrians, damaging City or private infrastructure, and degrading neighborhood character. Sidewalks and grassy buffer zones, often referred to as “tree lawns,” are legally designated public rights-of-way meant exclusively for pedestrian traffic, not vehicular ingress or egress. When drivers cut across these areas, they convert public pedestrian zones into de facto driveways, exposing residents—especially children, seniors, and persons with disabilities—to unnecessary and legally unacceptable risk. This behavior violates the intended zoning separation between pedestrian and vehicular domains.

⁵³ *County of Wayne v. Hathcock*, 471 Mich. 445, 684 N.W.2d 765, 783–84 (2004) (holding that the Michigan Constitution’s “public use” requirement is not satisfied by economic development alone and limiting valid takings to cases involving public necessity, public ownership, or use by a public instrumentality).


⁵⁴ *Citizens Ass’n of Georgetown v. Zoning Comm’n*, 402 A.2d 36, 43–44 (D.C. 1979) (upholding zoning regulations as a valid exercise of police power where the regulatory purpose—preserving neighborhood character and promoting balanced urban development—was rationally related to a legitimate public interest).



MEMORANDUM

TO: Council Member Gabriela Santiago-Romero
David Whitaker, Director, Legislative Policy Division

THRU: Council President Mary Sheffield

FROM: Arthur Rushin, Chief Enforcement Officer 

DATE: February 3, 2025

RE: Residential Parking Concerns

In reference to the email submitted to Legislative Policy Division and Buildings, Safety Engineering, and Environmental Department on January 16, 2025, we submit the following answers to who the BSEED related questions:

1. Are there specific guidelines or materials that are acceptable for parking areas that avoid the required for full paving?

No, current City Ordinance Sec. 50-14-286 governs Residential parking requirement.

2. Please explain why the city uses cement over other materials such as: permeable paving materials, gravel grids, crushed stone, grass or turf reinforcement, etc.

City Ordinance Sec. 50-14-286 requires parking area and driveway access shall be paved with an asphaltic or Portland cement binder or solid paver.

AR:ke

CC: Malik Washington, City Council Liaison
David Bell, Director, BSEED
Raymond A. Scott, Deputy Director, BSEED




Outlook

FW: CMSR - Residential Parking Concerns


From Ron Brundidge <brundidger@detroitmi.gov>

Date Wed 2/26/2025 11:33 AM

Cc Malik Washington <Malik.Washington@detroitmi.gov>; David Bell <belld@detroitmi.gov>; Keith Hutchings <hutchingsk@detroitmi.gov>

 1 attachment (187 KB)

GSR - Residential Parking Concerns.pdf;



This letter is referring to individuals that are getting ticketed for parking on side lots. It is my understanding that existing ordinance prohibit vehicles from being on vacant lots in residential neighborhoods. I've copied Director Bell on this email. He can correct or confirm my understanding. Furthermore, this may not be an issue of whether the side lot is paved or unpaved. Paving over a vacant lot may not be the solution to existing ordinance language that prohibits vehicles from being parked on lots, and in view from the street.. With regard to your specific questions, see my highlighted responses below:

Ron

Sent: Wednesday, February 26, 2025 9:35 AM

To: Ron Brundidge <brundidger@detroitmi.gov>

Cc: Malik Washington <Malik.Washington@detroitmi.gov>

Subject: CMSR - Residential Parking Concerns

Good morning, Dir. Brundidge -

It has come to my attention, per conversations with CM Santiago-Romero's staff, that the following questions from the attached memo were intended to be directed to your office. Please direct me to someone on your team that I can work with as I develop my response to the Council Member's request.

3. Are there specific guidelines or materials that are acceptable for parking areas that avoid the required for full paving? **DPW only has authority over the public right of way; we have no involvement with materials or procedures for paving parking areas that are on private property.**

4. Please explain why the city uses cement over other materials such as: permeable paving **Almost all of the streets in the city have a concrete base, with layers of asphalt on top for smoothness of ride. The concrete provides the strength to withstand the load of vehicles,**

while providing longevity of the roads. The other referenced materials will not provide the level of strength or longevity.

materials, gravel grids, crushed stone, grass or turf reinforcement, etc.

Thank you,

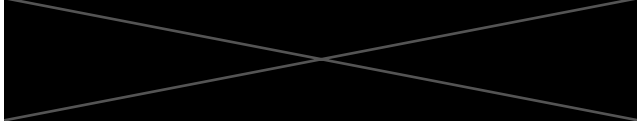


[Legislative Policy Division \(LPD\)](#)

Coleman A. Young Municipal Center

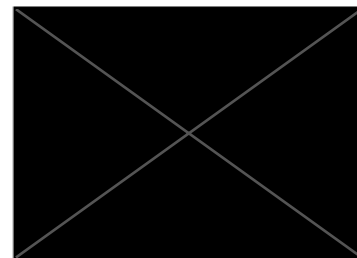
2 Woodward Ave., Suite 208

Detroit MI 48226




City of Detroit

CITY COUNCIL




GABRIELA SANTIAGO-ROMERO
COUNCIL MEMBER, DISTRICT 6

MEMORANDUM

TO: David Whitaker, Director
Legislative Policy Division 

Dave Bell, Director
Buildings, Safety Engineering, and Environmental Department

THRU: Council President Mary Sheffield

FROM: Council Member Gabriela Santiago-Romero 

DATE: January 16, 2025

RE: Residential Parking Concerns

Our office has received numerous resident concerns via office hours, public comment, and e-mail regarding ticketing for parking on their side lots, which are currently not paved. While current policies require paved surfaces for parking, many residents feel that paving their side lots is either too costly or not practical for their specific property needs. This issue has led to complaints about the lack of affordable alternatives to comply with parking regulations.

We need to explore viable alternatives that would allow residents to park on their side lots without the requirement for expensive paving and avoid ticketing. Additionally, it would be useful to understand what other cities have done to address similar issues and whether more efficient, less costly materials and methods exist for creating suitable parking spaces.

Please work with the Buildings, Safety Engineering, and Environmental Department to provide a response to the following:

1. What have other cities implemented in similar situations to balance resident needs and parking regulations?
2. How do enforcement practices differ in cities with similar challenges?
3. Are there specific guidelines or materials that are acceptable for parking areas that avoid the required for full paving?
4. Please explain why the city uses cement over other materials such as: permeable paving materials, gravel grids, crushed stone, grass or turf reinforcement, etc.
5. Can we introduce a program to help residents afford paving or other modifications to meet parking requirements?

City of Detroit

CITY COUNCIL

Please do not hesitate to contact my office if you have any questions. Thank you.

Cc: Honorable Detroit City Council
Louise Jones, City Clerk's Office
Malik Washington, City Council Liaison