

## Article 9 Off Street Parking

### **Section 9.1 Intent**

- A. The off street parking and loading requirements of this Ordinance are established to prevent congestion on the public streets, remove the hazard to all vehicles when emerging from between parked vehicles onto a public street, to facilitate proper storm water run off, prevent the generation of dust into the air, and make clear the availability and arrangement of spaces to all users. Adequate pedestrian circulation is important to ensure safety of the most vulnerable users from automobiles [O-2 & O-18] [G-1]

### **Section 9.2 Applicability**

- A. Compliance with the number of parking spaces is required when there is a change in use, change in ownership, expansion of a building, site plan review, and special land use review. When additional spaces are required the elements that change must meet the corresponding requirements in this Section. [O-1]

### **Section 9.3 Off Street Parking Facilities [G-1]**

- A. Any existing off street parking facilities being used upon the effective date of this Ordinance shall not hereafter be reduced below the requirements hereof for the use or a similar structure or land use. Whenever a use or an activity requiring off street parking is created or increased in floor area, intensity of activity, or in some other manner, the number of off street parking spaces shall be provided and maintained as required in this Ordinance.
- B. When units of measurements determining the number of required parking spaces result in requirement of a fractional space of .5 or more shall require one (1) parking space. [O-3]
- C. The off street parking facilities required for all uses shall be located on the lot or on property within three hundred (300) feet of the permitted use requiring such off street parking. The distance to be measured along lines of public access to the property between the nearest point of the parking facility and the building to be served, provided that the said off street parking facility shall not be separated from the building by a road. [G-1]
- D. Nothing in this Section shall be construed to prevent collective provision of off street parking facilities for two or more buildings or uses, provided collectively such facilities shall not be less than the sum of the requirements for the various individual uses computed separately. Any such provisions or agreements for collective parking shall be set forth in a recordable instrument and recorded in the Register of Deeds, describing the lands affected by this agreement or easement.
- E. All parking spaces shall have access from an aisle on the site to minimize backing onto a street and having a potential traffic hazard.
- F. In the case of stadia, sports arenas, churches, and other uses where spectators occupy benches, pews, or other similar seating facilities, each twenty (20) inches of such seating shall be considered as one seat for the purpose of determining off street parking requirements. [O-5] [G-1]

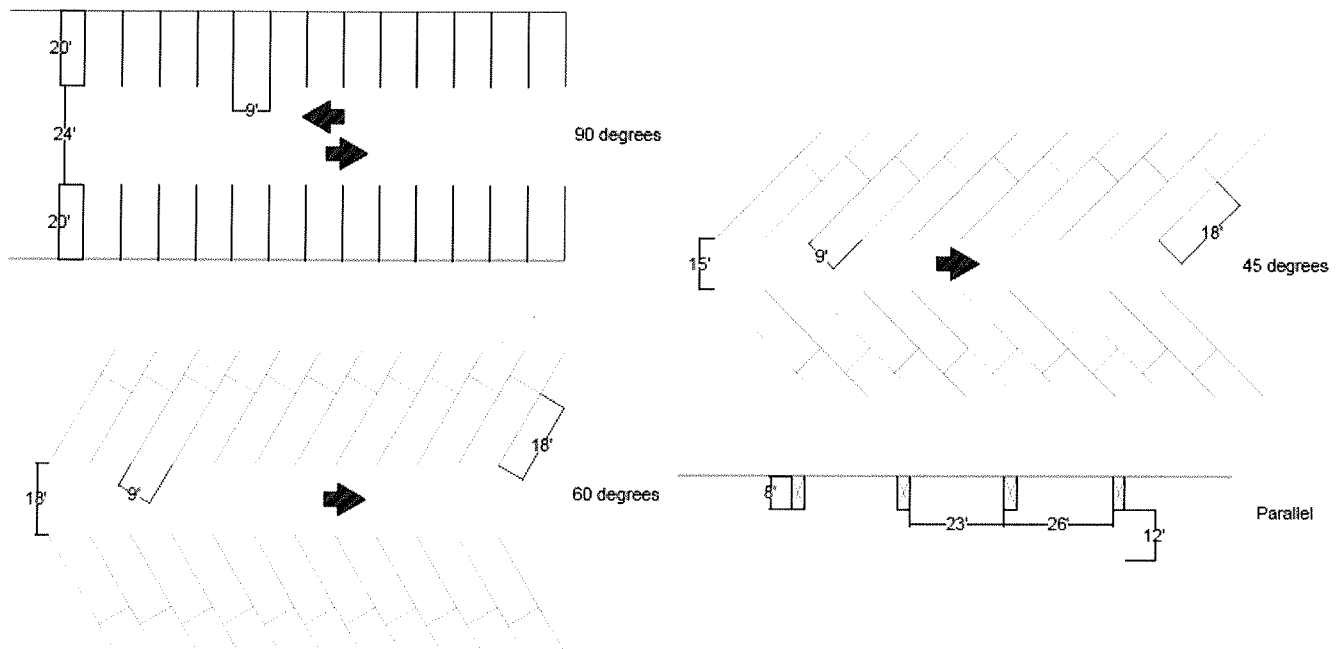
**Section 9.4 Off Street Parking Layout, Construction and Maintenance**

- A. All spaces shall be laid out in accordance with the following schedule; plans for the layout of off street parking facilities shall be in accordance with the following minimum requirements in Table 9-1:except as otherwise required in Section 9.8
- B. All parking spaces shall be clearly striped to facilitate movement and to help maintain an orderly parking arrangement.
- C. All parking serving other than one family dwellings shall be side by side and tandem parking shall be prohibited.

Table 9-1:Off-Street Parking Layout

Parking Pattern	Maneuvering Lane Width	Parking Space Width	Parking Space Length
Parallel	12 ft.	8 ft.	23 ft.
45	15 ft.	9 ft.	18 ft.
60	18 ft.	9 ft.	18 ft.
90	24 ft.	9 ft.	20 ft.

Figure 9-1: Parking Layout Illustration



- D. [O-6]Except for the single family detached dwelling units or farm uses that have ten (10) or more parking spaces or if the road the driveway connects to a paved road, all parking areas required shall be paved with concrete or plant mixed bituminous material in accordance with the plans approved by the cross ref site plan Section. Such concrete pavement shall be of a minimum thickness of six (6) inches and any bituminous paving shall be of a minimum thickness of three (3) inches and shall be placed upon a base of gravel of a minimum thickness of four (4) inches. [O-8] [G-1] [G-5]
- E. [O-8]All spaces shall be provided adequate access by means of paved maneuvering lanes.

**Section 9.5 Off Street Parking Development Regulations [G-1]**

A. An approved off street parking area as permitted under this Section shall be subject to the following regulations:

1. No repairs or service to vehicles and no display of vehicles for purpose of sale shall be carried on or permitted upon such premises. [O-10]

All land between the lot boundaries of the lot on which is located a parking area and the barriers hereinafter referred to, as well as the surface of the parking area, shall be kept free from tall grass, weeds, rubbish, refuse and debris, and shall be landscaped to conform with the general character of the district. [O-11]

2. A ten (10) foot parking lot front yard setback is required in the B and I zoning districts. The required setback shall at a minimum be grassed or landscaped. [O-9]
3. Side and rear yards shall be maintained for a space of not less than ten (10) feet between the side and rear lot lines adjoining residential lots and the parking area. A protective wall or greenbelt shall be erected and maintained between the required yard space and area to be used for parking. On such other locations where a protective barrier is required, bumper guards or a curb at least six (6) inches high shall be provided to prevent vehicles from striking said wall or shrubbery. [O-9] [G-1]
4. Entrance to such parking areas shall be only from adjoining principal use or adjoining alley or street.
5. It shall be unlawful for any person to leave, park, or store any motor vehicle or to permit any motor vehicle to be left, parked, or stored in a parking lot as permitted in this subsection for a period of longer than 18 hours, it being the purpose and intent of this provision that the requirement is to provide for keeping parked motor vehicles off the streets, but such requirement is not designed to permit the storage of wrecks or junked cars or vehicles. Exempt from this provision is the parking of vehicles accessory to the principal use. [G-1]
6. [O-12]The use of any loud noise producing device or public address system shall be prohibited.

B. Paving Schedule.

1. All paving required by this Ordinance shall be completely installed prior to the issuance of an occupancy permit for the use of the premises, except as provided hereinafter.
2. In any case where the development of the land and/or buildings has been fully completed and an occupancy permit would otherwise be issued, and the complete installation of the paving required is prevented by inclement weather or acts of nature beyond the control of the owner, the owner may obtain a temporary occupancy permit for a period not exceeding six (6) months from the Building Inspector, after review and approval of the Planning Commission, upon written request therefor, provided said owner shall:

- a. Deposit security with the Township Treasurer or other designated person in the form of cash or a corporate surety bond in an amount equal to the cost of the complete installation of the paving (the cost being determined by the Township Engineer) plus an additional ten percent (10%) thereof. The additional sum of ten percent (10%) is hereby determined to be a reasonable expense incurred by the Township for inspection and administrative costs and
  - b. Complete the installation of the required parking in the time required by the terms of the temporary occupancy. Upon completion of the parking area paving, the security deposit required hereunder shall be canceled and returned to the depositor upon demand. Upon failure to completely install the paving as required herein, the security deposit required above shall be forfeited as liquidated damages, the same hereby being declared to be reasonable in view of the difficulty of more exact ascertainment of the damage incurred as a result of such failure.
3. If the security deposit is forfeited as provided in subparagraph (2) above: [G-1]
- a. The Township Engineer, after specific authorization by the Township Board, shall expend such amount as has been authorized by the Township Board not exceeding the total amount of the security deposit to cause the required paving installation to be made, [G-1]
  - b. The building inspector shall not issue a regular occupancy permit until the paving required is completely installed, and
  - c. Use or occupancy of the premises after the expiration of the temporary occupancy permit and before the issuance of a regular occupancy permit shall be unlawful and a violation of this Ordinance.

***Section 9.6 Location and Design of Driveways [G-1]***

- A. All parking areas shall be provided with a safe entrance and exit from the abutting public thoroughfare. Such entrance and exit in the case of a one way traffic flow system shall be at least fifteen feet (15') in width and may, in the case of a two-way traffic flow system, be combined as one which shall in no event be less than twenty four (24') feet in width.
- B. Provided, however, in no case shall there be more than one separate exit and one separate entrance to and from a single street.
- C. The location of each such entrance and exit shall be submitted for approval of the County Road Commission or the Michigan State Highway Department, as the case may be, and the Township Planning Commission.
- D. A driveway shall not exceed thirty (30') feet in width. [G-1]
- E. **Service Drive Easement Requirement.** Where a proposed General Business use has access to a major thoroughfare, as designated on the Kenockee Township Master Plan, the parking area shall be designed to minimize the number of driveways with direct access onto the major thoroughfare. In order to facilitate this goal, each site plan shall include an easement dedicated to the Township Board for the purpose of establishing a service drive for the joint use of nearby businesses. The front twenty-

five (25) feet of the front yard, except necessary entrance drives, shall be landscaped as a greenbelt for the full width of the property. The next twenty-five (25) feet shall be the area dedicated as an easement to the Township. Said easement shall permit the establishment of a service drive for the purpose of reducing direct access onto the major thoroughfare. The Township Planning Commission shall have the right to require use of the service drive in lieu of an individual driveway entrance onto the major thoroughfare. [P-7]

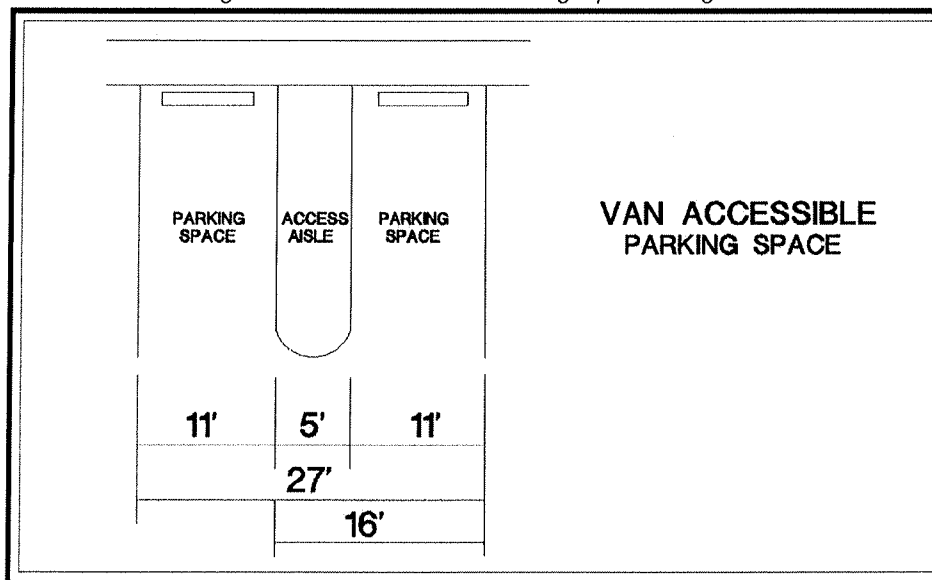
**Section 9.7 Off Street Waiting Area for Drive Through Facilities [G-1]**

- A. On the same premises with every building, structure or part thereof, erected and occupied for the purpose of serving customers in their automobiles by means of a service window as required in Section 3.5 Table of Uses. [G-1]
- B. A waiting space shall be twenty three (23') feet long by ten (10') feet wide.

**Section 9.8 Barrier Free Parking Spaces [G-1]**

- A. Each parking lot that serves a building or use, with the exception of single and two-family dwelling units, shall provide spaces for physically disabled persons in accordance with the Michigan Department of Labor, Construction Code Commission, Barrier Free Design Division.

Figure 9-2: Barrier Free Parking Space Diagram



- B. The required number of accessible parking spaces shall be included with the number of total parking spaces for the use and shall be in accordance with the following schedule:

Table 9-2: Barrier Free Parking Spaces

Total Number of Parking Spaces Required	Minimum Number of Accessible Spaces Required
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% of total
Over 1,000	20 plus 1 for each 100 spaces over 1,000

[O-4]

**Section 9.9 Minimum Number of Off Street Parking Spaces [G-1]**

- A. The minimum number of off street parking spaces by type of use shall be irrevocably provided and maintained on the premises occupied by such structure on the basis of the following schedule in Section 3.6
- B. In the case of a use not specifically mentioned, the requirement for off street parking facilities for such use shall be that for a listed use which is most similar as determined by the Planning Commission. [O-16]

**Section 9.10 Off Street Loading Requirements [G-1]**

- A. On the same premises with every building, structure, or part thereof, erected and occupied and involving the receipt or distribution of vehicles, materials, or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading, and unloading services in order to avoid undue interference with public use of the streets and alleys. [G-1]
- B. Whenever use of a building or lot is changed, loading space shall be provided as required in this Article.
- C. Such loading and unloading space, unless otherwise adequately provided for, shall be an area ten (10) feet by fifty (50) feet or total square footage of five hundred (500) square feet with fifteen (15) foot height clearance.
- D. The loading space may be located in the rear and side yard only. The loading space may not be located in the required setback.
- E. The loading space shall be adequately drained.

- F. Central loading facilities may be substituted for individual loading spaces serving businesses on separate lots provided that all of the following conditions are fulfilled:
1. Each business served shall have direct access to the central loading area without crossing a street or alleys.
  2. The total loading space provided shall meet the minimum requirements specified, in considering the total Gross Floor Area of all businesses served by the central loading space.
  3. No building served shall be more than three hundred (300) feet from the central loading area.
- G. The required number of spaces shall be provided according to the following schedule. The Planning Commission may modify or waive the number of type of deliveries experienced by a particular business or use: [O-17]

Table 9-3: Loading Space Number Requirement

Gross Floor Area in Square Feet	Spaces Required
0-1,400	None
1,401-20,000	One (1) space
20,001-100,000	One (1) space plus one (1) space for each 20,000 SF
100,001-500,000	Five (5) spaces plus one (1) space for each 40,000 SF in excess of 100,000 SF
Over 500,000	Fifteen (15) spaces plus one (1) space for each 80,000 SF in excess of 500,000 SF