

**CITY OF WALKER
KENT COUNTY, MI**

ORDINANCE NO. 13-611

AN ORDINANCE TO AMEND SECTIONS 94-466 (6), 94-343, 94-410 (e), 94-411 (d), 94-177-A-3(B)(1) AND 94-317 IN CHAPTER 94 OF THE CODE OF ORDINANCES, CITY OF WALKER.

THE CITY OF WALKER ORDAINS:

Section 1. Sec. 94-466 (6) - Required offstreet parking generally - is hereby amended to read as follows:

Sec. 94-466 (6)

- a) Residential offstreet parking spaces shall comply with this subsection and shall be located on the lots they are intended to serve.
- b) Residential offstreet parking spaces may only be provided on an improved parking surface, which is defined as a uniform surface meeting the following minimum construction standards:

<u>Material Type</u>	<u>Material Depth</u>	<u>Base Material and Depth</u>
Asphalt	2 inches	Aggregate at 4 inches
Poured Concrete	4 inches	Sand at 2 inches
Bricks / Paving Stones	2 inches	Sand at 4 inches

- c) Residential offstreet parking spaces for the following uses may only be provided on an improved parking surface, as defined in subsection (b):
 - i. Lots with an area equal to or less than one (1) acre, that contain one (1) or two (2) dwelling units, and that have a front building setback of sixty-five (65) feet or less from the road right-of-way.
 - ii. All lots containing multiple-family dwellings.
- d) Residential offstreet parking spaces on any lot that contains one (1) or two (2) dwelling units cannot cover more than 30% of a required front yard.

- e) Residential offstreet parking spaces must maintain a three (3) foot setback from any property line.

Section 2. Sec. 94-343. - Household pets and domestic animals – is hereby amended to read as follows:

Sec. 94-343. - Household pets and domestic animals.

The keeping of household pets for the enjoyment or recreation of the occupants of a dwelling unit, and not for sale, boarding or breeding, shall be permitted as an accessory use on parcels used for residential purposes, as provided by this section. No more than three dogs shall be kept or housed in or at any one dwelling unit; however, any litter of dogs which causes the limit of three dogs to be exceeded shall not constitute a violation of this provision for a period of four months after birth. Household pets must be confined in the dwelling, or in facilities located in the rear yard which must be maintained in a clean and healthful condition, inoffensive to the residents of adjacent property. The board of zoning appeals may, upon application, hear and determine complaints regarding household pets, may limit the number of household pets kept, and may prescribe the manner of keeping household pets in accordance with precautions necessary to prevent noise, odors or other conditions offensive to a reasonable person as a resident of adjacent property, or to prevent pollution of the water supply or the spread of infection and disease. Domestic animals are prohibited in any residential district; provided, that horses may be permitted in residential districts as a special exception as provided by section 94-167. Animals other than household pets and domestic animals are prohibited in any zoning district.

Section 3. Sec. 94-410 (e). – Wall signs in mixed use and commercial districts – is hereby amended to read as follows:

Sec. 94-410. - Signs in mixed use and commercial districts.

(e) Wall-mounted signs shall comply with the following requirements:

(1) Wall-mounted signs shall be allowed one square foot in area for each one lineal foot of front building wall, subject to the following:

- i. The front building wall is that considered when determining front building setbacks.
- ii. For corner lots, the front wall will be that facing the street that carries the most average daily traffic.

- iii. For development sites involving 100,000 square feet or less of building area, the maximum permitted total area for wall-mounted signage is 80 square feet, regardless of front building wall length.
- iv. For development sites involving more than 100,000 square feet of building area, the maximum permitted total area for wall-mounted signage is 120 square feet, regardless of front building wall length.
- v. The aggregate area of wall-mounted signs on multi-occupant buildings shall not exceed the limitation in this section (see subsections (1), (1) iii, and (1) iv.). The area of wall-mounted signs for each occupant or tenant of a multi-occupant building shall not exceed one square foot for each one lineal foot of front building wall occupied by such occupant or tenant.
- vi. Wall-mounted signs are only allowed on the front building wall, except that buildings on corner lots may be allowed wall-mounted signs on both walls facing streets. However, wall-mounted signs shall not face a residential zoning district unless the district and the building are separated by a public or private street or another nonresidential zoning district. Wall-mounted signs placed on corner lot buildings shall not exceed the square footage permitted per this subsection.
- vii. Wall-mounted signs may be permitted on non-front building walls or non-corner lots for property adjacent to I-96, U.S. 131 or I-196. Such wall-mounted signage shall be subject to review and approval by the city planning commission. Such wall-mounted signage square footage shall apply towards the amount granted per this subsection.

Section 4. Sec. 94-411 (d). – Wall signs in office and industrial districts – is hereby amended to read as follows:

Sec. 94-411. - Signs in office and industrial districts.

(d) Wall-mounted signs shall comply with the following requirements:

(1) Wall-mounted signs shall be allowed one square foot in area for each one lineal foot of front building wall, subject to the following:

- i. The front building wall is that considered when determining front building setbacks.
- ii. For corner lots, the front wall will be that facing the street that carries the most average daily traffic.
- iii. For development sites involving 100,000 square feet or less of building area, the maximum permitted total area for wall-mounted signage is 80 square feet, regardless of front building wall length.

- iv. For development sites involving more than 100,000 square feet of building area, the maximum permitted total area for wall-mounted signage is 120 square feet, regardless of front building wall length.
- v. The aggregate area of wall-mounted signs on multi-occupant buildings shall not exceed the limitation in this section (see subsections (1), (1) iii, and (1) iv.). The area of wall-mounted signs for each occupant or tenant of a multi-occupant building shall not exceed one square foot for each one-lineal foot of front building wall occupied by such occupant or tenant.
- vi. Wall-mounted signs are only allowed on the front building wall, except that buildings on corner lots are allowed wall-mounted signs on both walls facing streets. However, wall-mounted signs shall not face a residential zoning district unless the district and the building are separated by a public or private street or another nonresidential zoning district. Wall-mounted signs placed on corner lot buildings shall not exceed the square footage permitted per this subsection.
- vii. Wall-mounted signs may be permitted on non-front building walls or non-corner lots for property adjacent to I-96, U.S. 131 or I-196. Such wall-mounted signage shall be subject to review and approval by the city planning commission. Such wall-mounted signage square footage shall apply towards the amount granted per this subsection 94-411 (d).

Section 5. Section 94-177-A – 3 (B) (1) Table of permitted uses, special exception uses and prohibited uses – is hereby amended to read as follows:

(B) *Permitted uses, special exception uses and prohibited uses.* Use and development of land within the district shall be regulated as follows:

(1) The following abbreviations apply to the following Table of Uses:

P: Permitted Use—Land and/or buildings in this district may be used for the purposes listed by right.

SE: Special Exception—The following uses may be permitted by obtaining special exception permit approval.

NP: Not Permitted—The use is not permitted in the district.

Use	Primary Frontage Areas	Secondary Frontage Areas	Neighborhood Frontage Areas
Auto/vehicle wash—Automatic tunnel	SE	NP	NP
Auto/vehicle wash—Manual	NP	NP	NP
Automobile service, repair and body work	NP	NP	NP
Banks with drive-up windows	SE	SE	NP

Banks	P	P	NP
Bar/night club	SE	SE	NP
Bicycle shops	P	P	NP
Bookstores	P	P	NP
Childcare centers, day care centers, child caring institutions, and child placing agencies	SE	SE	SE
Churches, places of worship	P	P	SE
Clinics—Medical, dental, veterinary	P	P	NP
Community centers	P	P	NP
Dry cleaners, laundromats	P	P	NP
Entertainment uses—Theaters, art studios, music studios, bowling alleys, assembly halls, fraternal organization halls, concert halls, etc.	P	P	NP
Farmer's market/produce market	SE	SE	SE
Food stores—Grocery stores, meat markets, bakeries, coffee shops, delicatessens, etc.	P	P	NP
Fueling/gas stations	SE	NP	NP
Funeral homes	P	P	NP
Government administrative, service and public safety buildings	P	P	SE
Hardware, paint and wallpaper stores	P	P	NP
Health clubs, gyms and fitness centers	P	P	NP
Hotels	P	P	NP
Household appliance and electronics shops/repair.	P	P	NP
Housing for the elderly—Assisted or independent living facilities	SE	SE	SE
Liquor stores/party stores/convenience stores	SE	NP	NP
Libraries, museums and art galleries	P	P	NP
Live-work units	P	P	NP
Offices—Medical, dental, executive, professional, technical, legal, sales	P	P	NP
Outdoor sales of boats, cars, trucks, recreational vehicles, mobile homes, towing trailers, etc.	NP	NP	NP
Parking lot/park n' ride lot	SE	SE	SE
Personal service establishments—Tanning booths, barbershops, beauty shops, professional massage, nail salons, etc.	P	P	NP
Photographic studios with accessory photographic processing	P	P	NP
Post office	P	P	NP

Public or private schools or trade schools	SE	SE	SE
Regulated Uses	Per article XIII of Walker Zoning Ordinance		
Residential units above first story	P	P	P
Residential units at first-story level	SE	P	P
Restaurants w/drive-up window	NP	NP	NP
Restaurants	P	P	NP
Retail uses—Clothing shops, department stores, drugstores, florists, gift stores, music stores, antique shops, home improvement stores, card shops, sporting goods, pet shops, etc.	P	P	NP
Townhouses	NP	P	P
Wireless telecommunication towers	SE	SE	SE
Other uses as approved by the planning commission, consistent with the standards and regulations of this district, the principles of the City of Walker "Downtown Standale" Master Plan, and the Standale Downtown Development Authority Development Plan and Tax Increment Financing Plan.			

Section 6. Sec. 94-317 – Private streets in site condominium projects – is amended by correcting the lettering of the second subsection (i) to (j) and by adding subsection (k) as follows:

Sec. 94-317. - Private streets.

(j) *Maintenance provisions.* A private street may not be approved without adequate provision being made in the master deed to insure the continued repair and maintenance of the private street (including, without limitation, street signs), and complete financing of the costs thereof by the private parties benefitting from the private street.

(k) One (1) residential building permit for a house may be issued by the building official following the construction of the base asphalt coat of the private street system, as shown on the approved and final site condominium project plan and approved by the city engineer.

No other building permits may be issued until the private street system has been fully constructed in compliance with the approved and final site condominium project plan and approved by the city engineer.

For the purposes of this section, the term "fully constructed" means that the private street system has been constructed with the approved sub-grade, base coat and final top coat of asphalt, along with any required curbing, driveways,

signage, storm sewer appurtenances, soil erosion control measures and other related devices, as shown on the final and approved site condominium project plan.

Section 7. Severability. The various parts, sections, and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section, or clause is determined invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be thereby affected.

Section 8. Effective Date. This Ordinance will become effective upon the expiration of seven days after publication of a notice of ordinance adoption in a newspaper of general circulation within the City of Walker.

First reading: January 14, 2013

Second reading: January 28, 2013

Effective date: February 11, 2013