

City of Pleasant Ridge
Ordinance No. ____

AN ORDINANCE TO AMEND THE CITY OF PLEASANT RIDGE CODE OF ORDINANCES,
CHAPTER 82 – ZONING

THE CITY OF PLEASANT RIDGE ORDAINS:

Section 1. Intent and Purpose

The City desires to amend its Zoning Ordinance to provide for access management standards for lots along Woodward Avenue, to adjust setback requirements in zoning districts which are located along Woodward Avenue, and to prohibit drive-through facilities.

Section 2. Amendment

1. Amend Section 82-3 to add the following new definitions:

DRIVE THROUGH. A commercial facility which provides food, beverages, other products, or services directly to a customer in a motor vehicle; or where the customer drives a motor vehicle onto the property and to a window or mechanical device through which the customer is served without exiting the vehicle. Fueling stations are not considered Drive-Through Facilities.

OPEN SPACE. The portion of a lot not covered by buildings, structures, or hard surfaces such as concrete, asphalt, brick, paver blocks, stone, or compacted gravel,

2. Amend Section 82-164, Yard and Bulk Requirements, as follows:

- RM front yard setback requirement changed to refer to footnote 9 of Section 82-164
- RO front yard setback reduced from 20 to 3 feet, and side (one) and side (total) setback requirements reduced to 0 feet.
- RO maximum lot coverage requirement eliminated
- C front setback requirement reduced from 10 feet to 3 feet
- C maximum lot coverage requirement eliminated
- Minimum open space requirement added for districts as follows:
 - R-1A: 50%
 - R-1B: 45%

- R-1C: 35%
 - R-1D: 25%
 - R2: 25%
 - RM, RO, C, W, P: no minimum open space requirement
- Footnote 3 amended as follows: ~~No rear yard~~ A 10-foot rear yard is required in the RO and ~~C districts~~ district where the rear property line abuts upon a public alley.
3. Section 82-197, subsection (b)(1) is amended to eliminate items d, e, and f and to renumber current items g-o to items d-l.
 4. Add new Section 82-208. Access Management:
 - (a) Intent. These access management standards are adopted to minimize the number of driveway accesses from Woodward Avenue onto abutting properties. The City has implemented or is in the process of implementing bicycle infrastructure, including two-way cycle tracks along most of the length of Woodward Avenue in the City. Individual driveway accesses for parcels along Woodward increase the number of conflict points between people using sidewalks or bicycle lanes and motorists. Furthermore, all parcels abutting Woodward Avenue also abut rear alleys which provide access to off-street parking areas. Finally, site driveways reduce the amount of on-street parking that can be provided along Woodward Avenue.
 - (b) Applicability. The provisions of this Section shall apply to all lots with frontage on Woodward Avenue. The standards herein apply in addition to, and simultaneously with, the other applicable regulations of the Zoning Ordinance. Permitted and special land uses on these lots shall be as regulated in the applicable zoning district, and shall meet the following additional provisions:
 - (1) New driveway accesses onto Woodward Avenue are prohibited.
 - (2) No building or structure shall be erected or enlarged unless existing driveway accesses onto Woodward Avenue are eliminated.
 - (3) A change of use within a building shall require that existing driveway accesses onto Woodward Avenue be eliminated.
 - (c) Drive-Through Uses Prohibited. Drive-through uses are prohibited for any site along Woodward Avenue. This provision does not apply to instances where the customer is parked in an off-street parking space designed in accordance with the requirements of this Ordinance and the good or service is delivered to the customer by an employee outside of the building.

Existing drive-through uses may continue as nonconforming uses, subject to the requirements of Section 82-194.

(d) **Modification of Requirements.**

- (1) The Planning Commission may modify the standards of subsection (b) upon a finding that alternate off-site access points are insufficient and make it impractical to fully comply with the access management standards, or that the nature of a proposed use requires alternate circulation patterns.
- (2) The Planning Commission shall find that the proposed access point is the minimum necessary to adequately serve the use before granting a modification from this section to allow for a new access point to be constructed off Woodward, or to allow an existing access point to remain. The Planning Commission shall also determine that the proposed access point has been designed to minimize, to the greatest extent possible, conflicts with bicycle and pedestrian infrastructure.
- (3) If deemed necessary by the Planning Commission, the property owner or applicant shall provide a traffic study prepared by a qualified transportation engineer certifying that the access to Woodward Avenue is necessary because no alternative exists, and that the access point is not simply for the convenience of the development.

Section 3. Severability.

Should any provision or part of this Article be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Article, which shall remain in full force and effect.

Section 4. Repealer.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5. Savings clause.

Nothing in this Article shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 6. Effective Date.

This Ordinance shall become effective fifteen days after enactment and upon publication as provided by law.

Section 7. Adoption.

This Ordinance is hereby declared to have been adopted by the City Commission of the City of Pleasant Ridge at a meeting duly called and held on the __ day of _____ 202_, and ordered to be given publication in the manner prescribed by law.

Planning Commission Introduction:Monday, October 24, 2022
Planning Commission Public HearingMonday, October 24, 2022
City Commission Introduction:.....
City Commission Public Hearing:
City Commission Adoption:
Published:.....
Effective:.....

Attest:

Amy Allison
City Clerk