



Petoskey Zoning Ordinance

December 18, 2024

Article 4 – Overlay Districts

Article 10 – Land Development Options

New Code Organization

1. Title and Purpose
2. Zoning Districts
3. Regulated Uses and Dimensions
4. Overlay Standards
5. General Provisions
6. Site Development Standards
7. Supplemental Use Standards
8. Site Plan Review
9. Special Use Permits
10. Land Development Options
11. Zoning Board of Appeals
12. Administration and Enforcement
13. Amendments and Severability
14. Definitions



New Code Organization – 1st Group

- 1. Title and Purpose**
- Zoning Districts
- Regulated Uses and Dimensions
- Overlay Standards
- General Provisions
- Site Development Standards
- Supplemental Use Standards
- 8. Site Plan Review**
- Special Use Permits
- Land Development Options
- 11. Zoning Board of Appeals**
- Administration and Enforcement
- Amendments and Severability
- Definitions

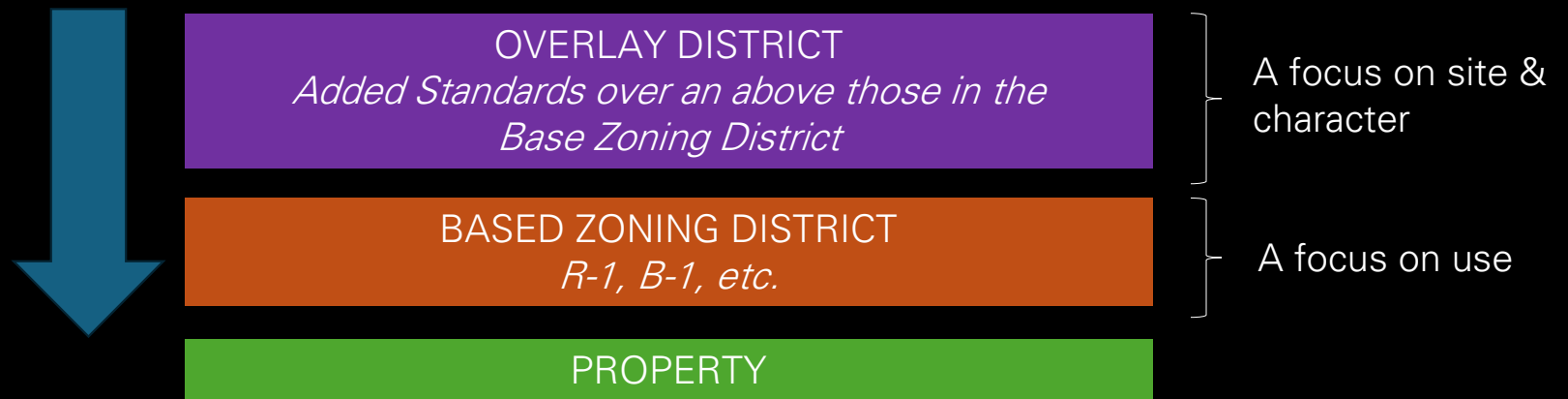


New Code Organization – 2nd Group

1. Title and Purpose
2. Zoning Districts
3. Regulated Uses and Dimensions
4. **Overlay Districts**
5. General Provisions
6. Site Development Standards
7. Supplemental Use Standards
8. Site Plan Review
9. Special Use Permits
10. **Land Development Options**
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Article 4 – Overlay Districts



Article 4 – Overlay Districts

- In addition to the restrictions and requirements of the base zoning district applicable to a particular site, the restrictions of the applicable Overlay District or Districts shall also apply. Overlay districts are tools for dealing with special situations or accomplishing special zoning goals.
- Four Overlay Districts Proposed
 1. Floodplain
 2. Downtown
 3. Historic Neighborhood
 4. Shoreline Protection Strip



Article 4 – Overlay Districts

Petoskey Floodplain

The boundaries of the floodplain areas are identified in the FEMA

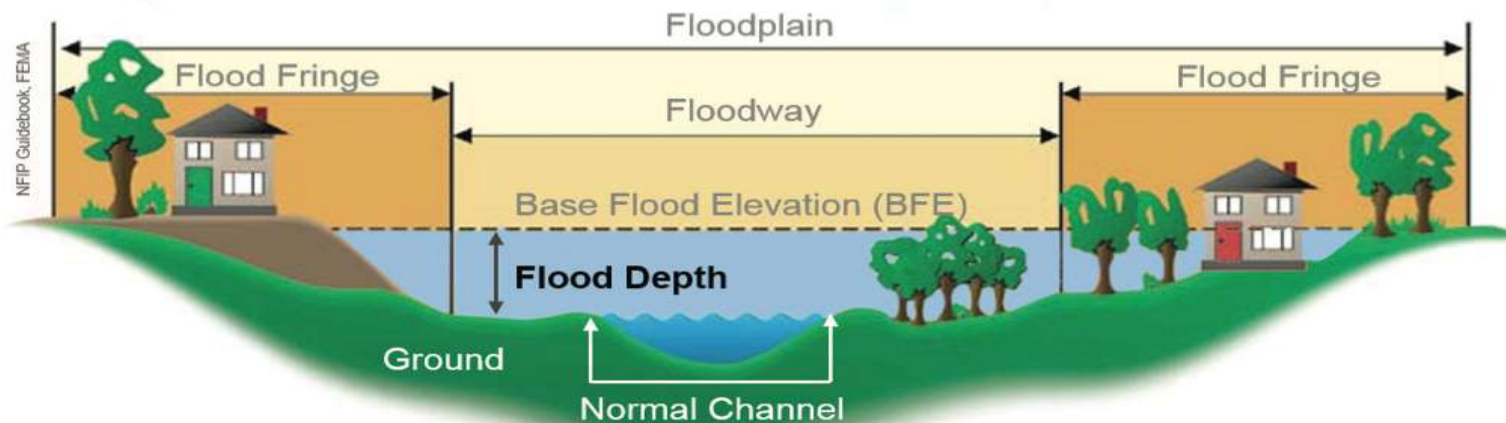
Floor Insurance Rate Maps (FIRM) panels,

numbered 26047C0338D, 26047C0339D, 26047C0426D, and 26047C0427D.



Article 4 – Overlay Districts - Floodplain

- Floodplain Overlay determines what can or cannot be constructed in the Floodway or Flood Fringe.

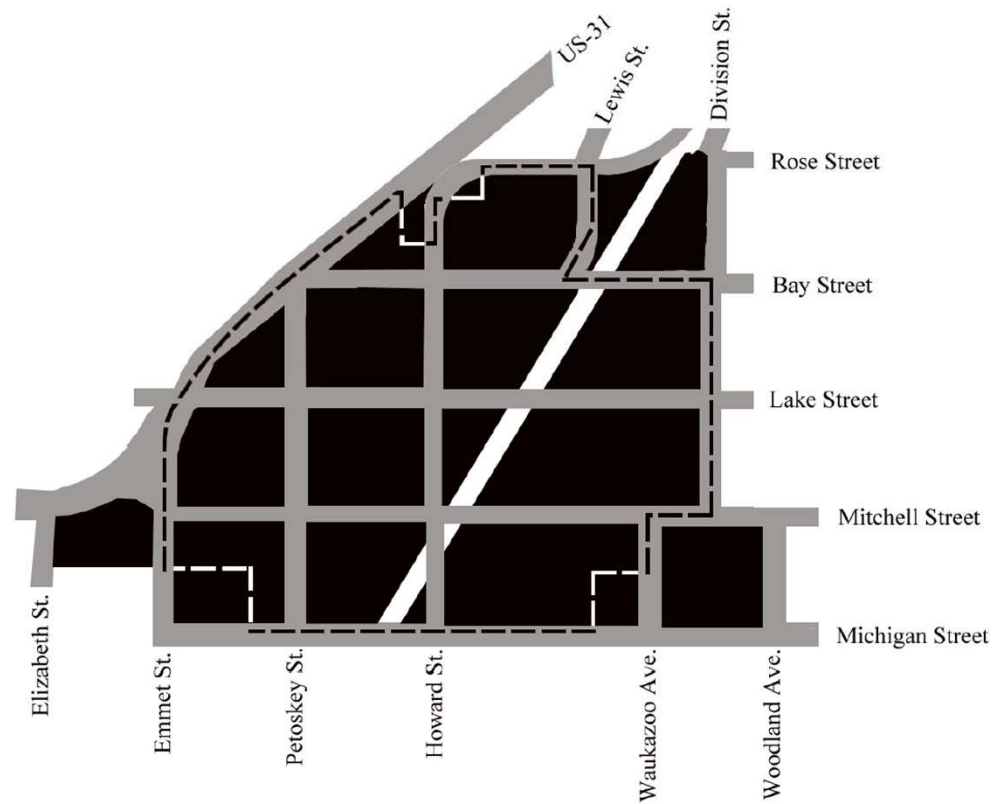


Article 4 – Overlay Districts - Downtown

- Uses the Petoskey Downtown Design Guidebook as the basis for review.
- Commissioned by with Downtown Management Board and the Office of the City Planner in early 2000's
- Used by the Downtown Design Committee to award façade grants
- Replaces the design guidelines in Sections 902 and 903 of the current code.



Article 4 – Overlay Districts - Downtown



Article 4 – Overlay Districts – Historic Neighborhoods

- Protect the City’s character and charm
- Site-specific property dimensional regulations on the historical development patterns
- Encourage the preservation of historic architecture
- Encourage the appropriate renovation of existing structures
- New structures that complement the overall historic character
- Primary focus on bulk and dimensional requirements



Article 4 – Overlay Districts – Historic Neighborhoods

Applies to properties and neighborhoods listed on the National Register of Historic Places

- **East Mitchell Street Historic District** is a residential historic district located in Petoskey, Michigan. It is roughly bounded by Rose, Kalamazoo, State, Howard, Michigan, and Division streets. The district was listed on the National Register of Historic Places in 1986.
- A focus on dimensional aspects of the structures in the neighborhood
- Exterior renovations to existing structures in zoning districts other than the Downtown Overlay, including but not limited to, shall not be subject to the regulations of this Overlay
 - replacing windows,
 - replacing roofs,
 - painting,
 - and residing,.



Article 4 – Overlay Districts – Shoreline Protection Strip

- Applies to properties along Little Traverse Bay
- 35 feet setback from the Ordinary High Water Mark (OHWM) of 580.5 feet as established by State Statute.
- Purpose
 - Prevent soil erosion
 - Provide a filter to remove pesticides, fertilizers and other pollutants,
 - and enhance habitat and shoreline stabilization.
- Allows walkways and stairs to the water
- Encourages use of native ground cover to stabilize the shoreline





Article 10 – Land Development Options

Article 10 – Land Development Options

Section 10.2.1 Intent and Purpose

The purpose of this district is to permit **flexibility** in the regulation of land development; encourage **innovation in land use** and **variety in design**, layout, and type of structures constructed; achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities; encourage provision of **useful open space**; provide **adequate housing**, employment, and shopping opportunities particularly suited to the needs of the residents of the city; and **encourage the use, reuse and improvement of existing sites and buildings** when the uniform regulations contained in other zoning districts do not provide adequate protection and safeguards for the site or surrounding area.



Article 10 – Land Development Options

Section 10.2.2 Uses Permitted

Uses permitted and uses permitted subject to special land use permit approval in this Ordinance may be allowed within the districts identified on the PD plan, except that some uses may be specifically prohibited from districts designated on the PD plan.

The City may allow uses that are not permitted in the district if specifically noted in the PD plan.

Conditions applicable to uses subject to special land use permit approval shall be used as guidelines for design and layout but may be varied by the Planning Commission, provided such conditions are indicated on the PD plan.



Article 10 – Land Development Options

Section 10.2.4 Qualifying Standards

1. To promote the goals and objectives of the City of Petoskey Master Plan.
2. The petitioner shall demonstrate that the characteristics of the site make the site suitable and desirable for a PD project due to certain site features which may include the topography, soils, drainage characteristics, vegetation, site size and location, historic buildings, scenic views or other unique features.
3. The petitioner shall demonstrate and illustrate that the proposed PD zoning is warranted by the better design and amenities incorporated in the proposal that would not be feasible under standard zoning classifications.
4. To permanently establish land use patterns that are compatible or that will protect existing or planned uses
5. To bring about the redevelopment of sites where an orderly change of use or requirements is determined to be desirable and transformational for the City.



Article 10 – Land Development Options

Section 10.2.6 Review Procedures

1. Request for Qualification for a PD
Informational Meeting
2. Pre-Application Submission
3. Completeness Review
4. Submission of PD Plan
Public Hearing
5. PC Approval/Denial
6. City Council Approval/Denial
7. Submission of Site Plans
8. Close-Out Documentation



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1. Name, address, and telephone number of the developer (s) and architect.
2. Legal description of property.
3. Survey of property.
4. Zoning classification of site and abutting parcels.
5. Manner of ownership and dedication.
6. Any mechanism to protect areas designated as common or open spaces.
7. Conceptual plan drawn to an engineers scale not more than 1" = 100'. **(19 other items)**
8. Table of all elements that deviate from existing zoning
9. Additional information (market and traffic studies)
10. Parking calculations
11. Pattern book or design guidelines



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 8. Close-Out Documentation
- PD Process
and
Development Agreement
- Site Plan
Close-Out As-Built Documentation



Article 10 – Land Development Options

Section 10.2.8 Fees and Performance Guarantees

Section 10.2.9 Amendments

- A. Minor – Administrative Review Committee
- B. Major – Planning Commission for Recommendation
City Council Approval



Article 10 – Land Development Options

Section 10.3 Condominium Development

Condominium Act Public Act 59 of 1978 of the State of Michigan

Section 10.4 Cottage Courts

A cottage court development is a grouping of small, detached houses, two-unit houses, or backyard cottages clustered around a common open space or shared courtyard.









Petoskey Zoning Ordinance

DISCUSSION