



AGENDA

ZONING COMMITTEE

June 12, 2025

10 AM – 12 PM

Community Room

1. Call to Order
2. Continue Review
 - a. Article 6 – Site Development Standards
3. Next Meeting

Article 6: Site Development Standards

6.1 INTENT & PURPOSE

The site development standards in this Article are to protect public health, safety, and general welfare; promote ~~harmonious and~~ orderly development, ~~and foster civic beauty by~~ improving the appearance, character, ~~and economic value of civic, commercial, and industrial of~~ development ~~.when required by other articles of this ordinance.~~

6.2 PARKING

6.2.1 General Standards

The following standards shall apply to any required off-street parking areas:

- A. Use: Off-street parking, loading, or ~~stacking areas queuing lanes~~ shall only be used for their intended purpose. All other uses are prohibited.
- B. Location: All off-street parking areas shall be on the same lot as the use it serves or within three hundred (300) feet, measured from the closest point of the building to the nearest point of the off-street parking area.
- C. Setbacks: Parking may be allowed in the side and rear yard setbacks. Parking in the front yard setback is not allowed. ~~unless waived by the Administrative Review Committee or Planning Commission based on lot configuration, dimensional restrictions, and/or neighborhood development characteristics.~~
- D. Screening & Landscaping: All off-street parking areas shall meet the buffer requirements specified in this Article.
- E. Pedestrian Circulation: All off-street parking areas shall provide safe, efficient pedestrian circulation that allows appropriate access and established use from the off-street parking lot. The Planning Commission shall determine the adequacy of the pedestrian circulation network as part of the site plan review.
- F. Dimensions: Off-street parking areas shall be designed to the following minimum standards:

~~F.—~~
Table XX: Parking Space Dimensional Requirements

DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES			
Parking Angle	Min. Stall Width	Min. Stall Depth	Min.-Max. Aisle Widths
Parallel	8.0 feet	22-23 feet	12 – 16 feet
45 degrees	8.5 feet	19 feet	12 – 16 feet
60 degrees	8.5 feet	20 feet	16 – 20 feet
90 degrees	8.5 feet	18 feet	22 – 26 feet

DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES			
90 degrees- compact	8.0 feet	17 feet	20–24 feet

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F. Accessible Parking: Off-street parking areas shall provide barrier-free spaces in compliance with the Michigan Building Code and the Americans with Disabilities Act (ADA).

A.G. Surfacing: Parking surfaces shall be ~~designed-constructed~~ with impervious and pervious hard surface materials (i.e., concrete, asphalt, pavers, or pervious compacted crush stone, etc.), excluding loose aggregate materials.

B.H. Drainage: All off-street parking areas shall utilize, where practical, Low Impact Development (LID) water ~~quality technologies~~quantity management to collect and treat stormwater on-site as required for site plan review, in consultation with the Department of Public Works.

E.I. Curbs and Vehicle Stops: All off-street parking areas shall include curbs, or vehicle stops to prevent vehicles from overhanging into or over public rights-of-way, sidewalks, adjacent areas, or landscape areas.

D.J. Exterior Lighting: Except for parcels zoned for single-family, duplex ~~dwelling~~, triplex, and quadplex units, all off-street parking areas with a capacity of ten (10) or more vehicles shall provide adequate lighting and comply with the requirements of Section 6.6. throughout the hours when the parking area is in operation. New or redeveloped off-street parking, stackingqueuing lanes, and loading areas shall comply with the exterior lighting standards in this Article.

E.K. Snow Storage: The Planning Commission has the authority to require snow storage areas. When required by the Planning Commission, snow storage areas ~~shall~~should be provided on the ratio of fifteen (15) square feet per two hundred (200) square feet of off-street parking area. Snow storage areas shall be located in a manner that does not obstruct required clear vision areas.

F.L. Maintenance: All parking areas shall be maintained in good condition and free of debris and garbage. Where parking lot stripping was required, it shall be maintained in good condition.

G.M. Completion: All off-street parking, stackingqueuing lanes, and loading areas indicated on a site plan shall be fully completed before the issuance of a Certificate of Occupancy. In the case of phased developments, only the off-street parking, stackingqueuing lanes, and loading areas associated with a given phase of development shall be required to be completed.

H. Access Through Yards: Access drives may be placed in the required front or side yard setbacks to provide access to rear yards, accessory, or attached structures. (These drives shall not be considered structural violations in front or side yards.) ~~Any walk, terrace, or like surface area not in excess of nine (9) inches above the grade upon which it is placed shall not be considered a structure and shall be permitted in any required yard.~~

~~I.—Barrier-Free Parking: Off-street parking areas shall provide barrier-free spaces in compliance with the State Building Code and the Americans with Disabilities Act (ADA).~~

~~J.N. Defined Area: Off-street parking areas and loading zones shall include painted lines, vehicle stops, or other delineating features to define parking and loading spaces clearly.~~

~~K.O. _____ Parking Duration: Except when the land is used as storage space in connection with the business of automobile and vehicle repair use, there shall be a 24-hour time limit for parking in non-residential off-street parking areas.~~

~~1.a. _____ Vehicles being stored in an off-street parking lot in connection with the business of an automobile and vehicle repair use shall not exceed 28 days.~~

~~2.b. _____ No vehicle being stored on a public street right-of-way in connection with the business of an automobile and vehicle repair use shall exceed 24 hours.~~

~~L.F. Downtown Overlay: Properties within the Downtown Overlay District are exempt from the off-street parking requirements.~~

M.P. _____ One and Two-Family Residential Parking Area and Driveway Requirements:

~~1.a. _____ In no case should shall more than 40 percent of a required front yard be a paved surface. Parking on non-paved surfaces is prohibited.~~

~~2.b. _____ A one-family dwelling is restricted shall not have more than to a single curb cut.~~

N.Q. _____ Multifamily Residential Parking Area and Driveway Requirements:

~~1.a. Parking areas shall be located to the rear of the building or internal to the building to continue or establish a continuous facade wall along the street and/or to conceal the expanse of parking area.~~

~~2.—Bicycle parking shall be provided for any building with five or more units at a ratio of one space per two units.~~

O.R. _____ Commercial Parking Area and Driveway Requirements:

~~1.a. _____ Parking areas shall not be located within a required front-yard setback or a street frontage side-yard setback on a corner front setback lot.~~

~~2.—Parking areas shall have barriers such as concrete bumpers or curbs to prevent vehicles from extending over or into any public sidewalk, walkway, rights-of-way or landscape buffer areas. Parking areas shall include striping that delineates each individual parking space.~~

~~3.b. _____ The storage of merchandise, motor vehicles for sale, trucks, or the repair of vehicles is prohibited within a required off-street parking area.~~

~~4.c. Parcels greater than 100 feet in width shall have curb cuts at least 60 feet from an intersection measured from the curb face.~~

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~~5.d.~~ Curb cuts shall be aligned with driveways on the opposite side of the street or offset a minimum distance of 30 feet.

~~e.~~ Driveways on the same side of the street shall be separated by at least 30 feet, measured from the entrance radius spring point.

~~S.~~ Downtown Overlay: Properties within the Downtown Overlay District are exempt from the off-street parking requirements.

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6.2.2 Parking Requirements

A. Minimum/Maximum Parking: To ~~minimize~~ reduce excessive areas of pavement that detract from the aesthetics of the City and contribute to high rates of stormwater runoff, this Ordinance establishes a minimum and maximum number of parking spaces for each use, hereinafter referred to as "required parking.": ~~There are no minimum parking requirements.~~ The Planning Commission may grant an increase or decrease of ~~the maximum~~ the required parking number of parking spaces if:

- 1. The applicant can demonstrate ~~to the Planning Commission~~ that additional parking is necessary based on documented evidence of actual use or anticipated demand.
- 2. The increase in parking will not burden neighboring property owners and/or natural features.

~~3.~~ In granting a request to exceed the maximum number of parking spaces, the shall determine if the stormwater treatment management plan shall be sufficient to handle the added parking spaces.

~~3.4.~~ unless The number of required parking spaces may be waived by the Administrative Review Committee or Planning Commission based on lot configuration, dimensional restrictions, and/or neighborhood development characteristics.

B. Parking Minimum/Maximums Required Parking Spaces: The following rules shall be applied when calculating the maximum number of parking spaces:

- 1. Measurements based on square feet shall be calculated by Gross Floor Area (GFA) as defined in this Ordinance.
- 2. ~~For non-residential uses, t~~he number of employees shall be based on the maximum required number needed for the largest average shift.
- 3. ~~For uses with assembly halls and churches, the requirements will be based on the number of individual seats shall use a measurement of twenty-four (24) inches of bench or pew space or twenty-five (25) square feet of floor as one seat.~~

4.3. _____ Occupancy shall mean legal occupancy as determined by the City of Petoskey Public Safety Department or ~~t~~The Emmet County Building Department.

5.4. _____ Parking spaces incorporated into a garage shall ~~not~~ count towards the ~~maximum-required~~ number of off-street parking spaces permitted.

6.5. _____ If on-street parking spaces are in front of the use, then the number of on-street parking spaces may be deducted from the total parking required.

C. Use Not Specified: The ~~maximum-number-of-parkingrequired parking~~ spaces for uses not specified in the table below shall be determined by the Zoning Administrator based on whether or not the proposed use is similar enough to fit within the definition of an existing listed use. The determination of the Zoning Administrator may be appealed to the Zoning Board of Appeals.

D. ~~Minimum/MaximumRequired~~ Parking Requirements: The ~~maximum-required~~ number of off-street ~~required~~ parking spaces shall be determined per the following table:

Table XX: ~~Minimum/Maximum Number of Parking Spaces~~Number of Required Parking Spaces

MINIMUM / MAXIMUMREQUIRED NUMBER OF PARKING SPACES	
Land Use	Spaces / Measurement
RESIDENTIAL USES	
Accessory Dwelling Units	1 / dwelling unit
Boarding & Rooming Houses	1 / boarding room
Cottage Courts	1 / dwelling unit
Dwellings, One-Dwelling Detached	1 / unit with a maximum of 4
Dwellings, Duplex	1 / unit with a maximum of 4
Dwellings, Triplex	1/unit plus 1
Dwellings, Quadplex	1/unit plus 1
Dwellings: Five or more units	1 / dwelling unit
Live / Work Units	2 / unit
Mobile Home Developments	See §7.2.11 and Article 10
Residential Above 1st Floor Commercial	1 / dwelling unit unless in CBD
State-Licensed Residential Facilities	2 + 1 per employee 1/employee plus 1/6 beds.
PUBLIC & QUASI-PUBLIC USES	
Cemeteries	N/A
Cultural Centers	0.25 / 1 occupancy
Educational Institutions	1 / 1,000 gfa + 1 / classroom + assembly requirements
Golf Facilities (Clubhouse)	6 / 1,000 gfa + 1 per hole
Outdoor Public Recreation Facilities	6 / 1,000 gfa
Private Clubs, Lodges & Fraternal Organizations	0.75 / 3 occupancy
Public Use (Critical, Essential, Supporting)	N/A
Religious Institutions	0.25 / 1 occupancy

MINIMUM/MAXIMUMREQUIRED NUMBER OF PARKING SPACES	
Land Use	Spaces / Measurement
Training Facility	1 / 1,000 gfa + assembly requirements
TRANSPORTATION & UTILITY USES	
Energy Generation Facilities	4 / establishment
Renewable Energy Systems, Commercial Solar Energy, or Wind Conversion Systems	4 / establishment
Trucking & Freight Terminals	1 / employee
Wireless Communications, Freestanding / Tower	2 / establishment
COMMERCIAL USES	
Assembly Facilities	0.25 / 1 occupancy
Automobile and Vehicle Major Repair	3 / stall
Automobile and Vehicle Minor Repair	3 / stall
Automobile Sales & Rental	1 / 5,000 gfa outdoor display area + 1 / 150 gfa indoor area
Automobile Service Stations	2 / pump + 1 / stall
Bed & Breakfast	0.75 / room
Business Services	1 / 200 gfa
Cafés & Bakeries	1 / 3 occupancy
Child Care Centers	1 / employee + 1 / 10 children
Commercial Entertainment (Indoors, Outdoors)	0.25 / 1 occupancy
Drinking Establishments	1 / 3 occupancy
Financial Services-Drive-Thru	1 / 150 gfa (+4 vehicle stacking per window, if applicable)
Funeral Establishments	0.25 / occupancy
Greenhouses & Nurseries	1 / 200 gfa of sales area
Health Care Services	4 / exam room
Hospitals	3 / patient bed
Kennels	1.5 / 1,000 gfa
Lodging Establishments	1 / guest room
Personal Service Establishments	1 / 250 gfa
Professional Services	3 / 1,000 gfa
Restaurants & Eatery Establishments	1 / 3 occupancy
Retail Establishments	1.5 / 1,000 gfa + 1 / employee
Services & Trades Establishment	1 / employee
Sexually Oriented Business	3 / 1,000 gfa
Shopping Center	4 / 1,000 gfa
Veterinary Services	1.5 / 1,000 gfa
INDUSTRIAL USES	
Breweries, Distilleries, Wineries	1.25 / employee
Central Cleaning Facilities	4 / 1,000 gfa
Contractor Establishments	4 / 1,000 gfa
Contractor Storage Yards	1 / 2,000 gfa of storage area
Data Processing Facilities	4 / 1,000 gfa

MINIMUM/MAXIMUM REQUIRED NUMBER OF PARKING SPACES	
Land Use	Spaces / Measurement
Distribution Centers	4 / 1,000 gfa
Equipment Rental Establishments	5 / 1,000 gfa
Extractive Industries	1.25 / employee
Manufacturing (Food, Light, Heavy)	1.5 / 1,000 gfa
Outdoor Storage, Materials & Equipment	1.25 / employee
Recycling Facilities	1.25 / employee
Research & Development Facilities	5 / 1,000 gfa
Self-Storage Facilities	1 / 10 units + 1 / employee
Tasting Rooms	2 / 1,000 gfa
Veterinary Services	1.5 / 1,000 sf
Warehousing & Distribution	1.25 / employee
Wholesale Activities	1.25 / employee
PUBLIC & QUASI-PUBLIC USES	
Cemeteries	N/A
Cultural Centers	0.25 / 1 occupancy
Educational Institutions	1 / 1,000 gfa + 1 / classroom
Private Clubs, Lodges & Fraternal Organizations	1 / 4 occupants
Public Use (Critical, Essential, Supporting)	N/A
Religious Institutions	1 / 4 occupants
Training Facility	1 / 1,000 gfa + assembly requirements
TRANSPORTATION & UTILITY USES	
Energy Generation Facilities	4 / establishment
Renewable Energy Systems, Commercial Solar Energy, or Wind Conversion Systems	4 / establishment
Trucking & Freight Terminals	1 / employee
Wireless Communications, Freestanding / Tower	2 / establishment

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E. **Shared Parking:** Two or more buildings or uses may collectively provide off-street parking, provided the following conditions are met:

1. A copy of a shared parking agreement between all parties concerned shall be provided to the City. The agreement shall include provisions that assure continued long-term use and maintenance of the parking facility by each party and their successors in interest, including owners and occupants of the premises which the parking facility serves.

6.2.3 Loading Zones

A. In all zoning districts, every building or portion occupied by a use requiring the receipt and distribution of materials or merchandise by vehicles shall provide and maintain adequate off-street loading zones.

B. **Location:**

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1. On-site loading zones shall be permitted in the rear yard only, except in the “I” district(s), which allows side yard loading zones. In exceptional instances, loading zones may be permitted in a side yard, with approval of the Administrative Review Committee or the Planning Commission, when it can be shown that site conditions necessitate such location.
2. Loading zones shall not interfere with the normal movement of pedestrians and vehicles in the public street rights-of-way, internal drives, and off-street parking areas.
3. Loading zones shall be designed for the largest vehicle intended to serve the use, with adequate turning radii, maneuverability, and loading space.

C. Loading Space Requirements: The minimum number of loading zone spaces shall be provided as described below:

Table XX: Loading Zones

NUMBER OF LOADING ZONE SPACES REQUIRED	
Size	Loading Space(s)
Less than 20,000 sq. ft. gross floor area	1
20,001 – 75,000 sq. ft. gross floor area	2
75,001 – 100,000 sq. ft. gross floor area	3
101,000 sq. ft. gross floor area or more	5

D. Administrative Waiver: The Administrative Review Committee or the Planning Commission may approve a modification to the loading zone location or space requirements where it has been determined that another measure or location would be more appropriate due to site constraints or the number or type of deliveries experienced by a particular use.

6.2.4 Access Management

- A. All off-street parking, loading, and stacking areas shall be arranged for convenient access and safety of pedestrians, bicyclists, and vehicles.
- B. Adequate ingress and egress shall be provided by clearly defined driveways. Backing into public street, rights-of-way shall be prohibited.
- C. Access shall be obtained from the alley where a parking area abuts an improved alley. The Administrative Review Committee or the Planning Commission may waive this requirement if a practical difficulty has been presented that prevents the requirement from being satisfied.
- D. Where a parking area has no access to an alley, or the alley has not been maintained or improved for access but has access to two or more streets, access shall be from the street with the lower traffic volume. The Planning Commission may waive this requirement if a practical difficulty has been presented that prevents the requirement from being satisfied.

- 257 E. Access to off-street parking areas for non-residential uses shall not be permitted across lots
- 258 that are residential in use or a residential zoning district.
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- 260 F. Cross Access Management:
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- 262 1. All off-street parking areas not accessed by an alley shall be designed to allow
- 263 internal vehicle circulation between adjacent lots by providing a location for cross-
- 264 access on the site plan.
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- 266 2. A cross-access agreement shall be recorded with the Emmet County Register of
- 267 Deeds before the issuance of a Building Certificate of Occupancy.
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- 269 3. The Planning Commission may waive this requirement if deemed impractical during
- 270 site plan review due to topography, natural features, or vehicular safety factors if
- 271 appropriate bicycle and pedestrian connections are provided between adjacent
- 272 developments and uses.
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6.3 BICYCLE PARKING

- 275 A. Scope of Regulations: Bicycle parking facilities, which include bicycle parking spaces and
- 276 access aisles, shall be provided as required for all new structures and uses established or
- 277 for changes in use as of the effective date of this provision.
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- 279 B. Size: Required bicycle parking spaces shall be two (2) feet by six (6) feet. Each bicycle parking
- 280 facility shall provide an access aisle of at least five (5) feet and a vertical clearance of at least
- 281 eight (8) feet.
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- 283 C. Design and Maintenance: Accessory off-street parking for bicycle parking shall include
- 284 provision for secure storage of bicycles. Such facilities shall provide lockable enclosed
- 285 lockers, racks, or equivalent structures in or upon which the user may lock the bicycle.
- 286 Structures that require a user-supplied locking device shall be designed to accommodate U-
- 287 shaped locking devices. All lockers and racks must be securely anchored to the ground or
- 288 the building structure to prevent the racks and lockers from being removed from the location.
- 289 The surfacing of such facilities shall be designed and maintained to be mud and dust-free.
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- 291 D. Location: Bicycle parking facilities shall be located in a designated safe and convenient
- 292 location. The design and location of such a facility shall be harmonious with the surrounding
- 293 environment. The facility location shall be at least as convenient as the majority of
- 294 automobile parking spaces provided.
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- 296 E. Schedule of Required Off-Street Bicycle Parking Facilities: Bicycle parking facility spaces
- 297 shall be provided in adequate numbers as determined by the Zoning Administrator. In making
- 298 the determination, the Zoning Administrator shall consider, when appropriate, the number
- 299 of dwelling units or lodging rooms, the number of employees, and the number of automobile
- 300 parking spaces per the following guidelines:

Table XX: Bicycle Parking

BICYCLE PARKING REQUIREMENTS	
Size	Loading Space(s)
Bed & Breakfast and Rooming Homes	One (1) per three (3) lodging rooms
Hotels and Motels	One (1) per twenty (20) employees and one (1) per ten (10) rental rooms
Places of assembly, recreation, entertainment, and amusement	One (1) per ten (10) parking spaces.
Commercial establishments	One (1) per ten (10) parking spaces; up to a maximum of twenty (20) bicycle parking spaces
Multiple Family	One (1) bicycle space per three (3) units

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F. Reduction of Off-Street Automobile Parking:

1. Establishments Located on, or Connect to, a Designated Public Pathway: For each one (1) bicycle parking space, the automobile parking can be reduced by two (2) parking spaces.

6.4 NON-MOTORIZED TRANSPORTATION

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Safe, non-motorized transportation options shall provide public access within the City through sidewalks and shared-use pathways. All new development, re-development, and amendments to previously approved site plans, including substantial additions or improvements to existing buildings, either interior or exterior, with a construction cost of twenty-five (25%) percent of the property’s State Equalized Value (SEV) or more within a twelve-month period may be required, at the discretion of the Administrative Review Committee or the Planning Commission, to provide adequate non-motorized transportation options as prescribed in this Section. New development in the districts zoned [INSERT DISTRICTS] shall be exempt from the following requirements unless part of a site plan under a special land use in Article 9 or the land development options in Article 10.

- A. All reasonable effort shall be made to avoid cutting trees when locating sidewalks or shared-use pathways.
- B. The Planning Commission may modify a non-motorized transportation requirement of this Section or the proposed design as submitted by the applicant, upon review of a site plan or under the recommendation of the Department of Public Works or Zoning Administrator.
- C. When required, permits must be obtained from the Michigan Department of Transportation or the Emmet County Road Commission.
- D. Sidewalk and shared-use pathway maintenance, including replacement in the case of inadequate construction, unsafe, defective, or nonconforming design, as determined by the Zoning Administrator, shall be the responsibility of the parcel owner or adjacent parcel owner if constructed in the street right-of-way.

338 E. Depending on site conditions or project phasing, the Administrative Review Committee or
 339 the Planning Commission may require an easement on the property, which would be solely
 340 used to install a sidewalk or shared-use pathway at a later date. The City Attorney shall
 341 review the easement prior to acceptance and recording.
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343 **6.5 LANDSCAPING**

344 6.5.1 Intent

345 The intent of this section is to:

- 346 A. Protect and preserve the community's appearance, character, and value.
- 347 B. Minimize noise, air, and visual pollution.
- 348 C. Improve the overall aesthetics and appearance, divide the expanse of pavement, and define
 349 parking areas and vehicular circulation within off-street parking lots and other vehicular use
 350 areas.
- 351 D. Require buffering of residential areas from more intense land uses and public road rights-of-
 352 way.
- 353 E. Prevent soil erosion and soil depletion and promote sub-surface water retention.
- 354 F. Encourage an appropriate mixture of plant material, such as evergreen and deciduous trees
 355 and shrubs, to protect against insect and disease infestation and produce a more aesthetic
 356 and cohesive design.
- 357 G. Encourage the integration of existing woodlands in landscape plans.

358 **6.5.2 Applicability**

359 These requirements shall apply to all uses for which site plan review is required per Article 8 of this
 360 Ordinance and subdivision plat review as required under the Subdivision Control Ordinance.
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362 **6.5.3 Landscape Plan Requirements**

363 A separate detailed landscape plan shall be submitted to the City as part of the site plan review or
 364 tentative preliminary plat review. The landscape plan shall demonstrate that all requirements of this
 365 section are met and shall include, but not necessarily be limited to, the following items:
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- 367 A. Location, spacing, size, root type, and descriptions for each plant type.
- 368 B. Typical straight cross-section including slope, height, and width of berms.
- 369 C. Typical construction details to resolve specific site conditions, such as landscape walls and
 370 tree wells used to preserve existing trees or maintain natural grades.

- 382 D. Details in either text or drawing form to ensure proper installation and establishment of
- 383 proposed plant materials.
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- 385 E. Identification of existing trees and vegetative cover to be preserved.
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- 387 F. Identification of grass and other ground cover and method of planting.
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- 389 G. Identification of landscape maintenance program, including a statement that all diseased,
- 390 damaged, or dead materials shall be replaced per standards of this Ordinance.
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- 392 H. Planting counts must be provided, identifying compliance with all required landscaping.
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6.5.4 Screening and Buffering.

- 395 A. Three types of screening or buffering techniques shall be required in this district, depending
- 396 upon the type of existing uses adjacent to a proposed use. The screening types are described
- 397 below. The required screening shall be provided from the rear property line to the front edge
- 398 of the principal building on the site. The Administrative Review Committee or the Planning
- 399 Commission may specify certain landscape materials to mitigate the impacts of noise and
- 400 light.
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Table XX: Screening and Buffering Land Use Matrix

Proposed Use, Required to Provide Screening and Buffering	Existing or Adjacent Use Impacted			
	Industrial	Commercial	Residential	Vacant
Industrial	Type A	Type B	Type C	Type C
Commercial	Type A	Type A	Type C	Type C
Residential	Type C	Type C	Type B	Type B

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B. Screening and Buffer Types

1. Type A. A screen composed of intermittent visual obstructions from the ground to a height of at least 20 feet. The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces. It may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The screen may contain deciduous plants.
2. Type B. A screen that is opaque from the ground to a height of three feet, with intermittent visual obstruction from above the opaque portion to a height of at least 20 feet. The semi-opaque screen is intended to partially block the separation of spaces. The semi-opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Compliance of planted

vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than ten feet wide. The zone of intermittent visual obstruction may contain deciduous plants.

3. **Type C:** A screen that is opaque from the ground to a height of at least six feet, with intermittent visual obstructions from the opaque portion to a height of at least 20 feet. An opaque screen is intended to exclude all visual contact between uses and to create a strong impression of spatial separation. The opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than ten feet wide. The portion of intermittent visual obstructions may contain deciduous plants.

Table XX: Plant Material by Screening and Buffer Type

		Landscape Materials				
		Shrubs	Small Deciduous Trees	Large Deciduous Trees	Evergreen Trees	Other Materials
Type A – Options: Broken Landscape						
	1		30' on center			
	2		30' on center with a split rail fence			
	3	Assorted Shrubs		40' on center		
		Landscape Materials				
		Shrubs	Small Deciduous Trees	Large Deciduous Trees	Evergreen Trees	Other Materials
Type B – Semi Opaque Landscape						
	1					42" High stone or masonry wall
	2		30' on center			On top of 3' high earth berm
	3					3' high seeded earth berm
	4			40' on center		

	5				3' high evergreen hedge planted 3' on centers	
Type C – Opaque Landscape						
	1	6' high evergreen hedge on 4' centers				
	2			40' on center		
	3					6' high fence
	4				8' high, staggered, with branches touching the ground	

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C. The design and extent of the buffer, screen wall, or fence shall be reviewed by either the Administrative Review Committee or the Planning Commission, depending on the type of review outlined in Article 8.

6.5.5 Landscape Elements

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The following minimum standards shall apply:

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- A. Quality. Plant materials shall be of varieties and species, free from insects and diseases, hardy, indigenous to Northwest Michigan and Emmet County, conform to the current minimum standard of the American Association of Nurserymen, and shall have proof of any required governmental regulations and/or inspections.
- B. Composition. A mixture of plant material, such as evergreen, deciduous trees, and shrubs, is recommended to protect against insect and disease infestation. A limited mixture of hardy species is recommended rather than many different species to produce a more aesthetic, cohesive design and avoid a disorderly appearing arrangement.
- C. Berms. Berms shall be constructed with slopes not to exceed a 1:3 gradient. Berm slopes shall be protected with sod, seed, or other form of natural ground cover.
- D. Existing Trees. The preservation and incorporation of existing trees are encouraged. Where existing trees are used to satisfy the requirements of this section, the following requirements shall apply:
 - 1. Paving or other site improvements shall not encroach upon the existing tree(s) drip line to be preserved.
 - 2. If existing plant material is labeled "To Remain" on-site plans by the applicant or required by the City, protective techniques, such as, but not limited to, fencing or barriers placed at the drip line around the perimeter of the plant material shall be

installed during construction. No vehicle or other construction equipment shall be parked or stored within the drip line of any plant material intended to be saved. Other protective techniques may be used, provided the City approves such techniques.

- 3. If healthy trees that are used to meet the minimum requirements of this Ordinance or those labeled to remain are cut down, destroyed, damaged, or excavated at the drip line, as determined by the City, the Contractor shall replace them with trees which meet Ordinance requirements.

E. Installation, Maintenance, and Completion.

- 1. All landscaping required by this Ordinance shall be planted before obtaining a Certificate of Occupancy or the appropriate financial guarantee, as outlined in Article 12, shall be placed in escrow in the amount of the cost of landscaping to be released only after landscaping is completed.
- 2. All landscaping and landscape elements shall be planted, and earth moving or grading performed to accepted planting and grading procedures.
- 3. The owner of property required to be landscaped by this Ordinance shall maintain such landscaping in a strong and healthy condition, free from refuse, debris, and insects. All materials used to satisfy the requirements of the Ordinance that become unhealthy or dead shall be replaced within one year of damage or death or the next appropriate planting period, whichever comes first. All landscaped areas shall have a readily available and acceptable water supply.
- 4. An underground irrigation system shall serve all landscaping required by this Ordinance.

6.5.6 Minimum Size, Spacing Requirements and Species Type

- A. Where landscaping is required, only those plant materials recommended by the City Petoskey shall be used. Invasive plants shall not be used. (please consult the definition in Article 14). The size and spacing requirements shall be determined by the Administrative Review Committee or the Planning Commission, depending on the type of review required.

6.5.7 Parking Lot Landscaping

- A. Required Landscaping Within Parking Lots. Separate landscape areas shall be provided within parking lots per the following requirements:
 - 1. Where landscape islands are required in this Article, there shall be a minimum of one (1) tree for every ten (10) parking spaces planted. Islands shall be required for each of the 16 continuous spaces. Where landscape islands are not required, the same ratio of trees shall be placed on the site within ten feet of the parking lot perimeter.
 - 2. Landscaped islands shall be curbed and shall not be less than 100 square feet in area.

- 3. A minimum distance of three feet from the backside of the curb and the proposed landscape plantings shall be provided. Where vehicles overhang a landscape island or strip, a minimum distance of five feet from the backside of the curb and the proposed landscape plantings shall be provided.
- 4. The City, at its discretion, may approve alternative landscape plantings at the perimeter of parking lots where landscaping within parking lots would be impractical due to the size of the parking lot or, detrimental to safe and efficient traffic flow or would create an unreasonable burden for maintenance and snowplowing.

B. Required Landscaping at the Perimeter of Parking Lots. Separate landscape areas shall be provided at the perimeter of parking lots per the following requirements:

- 1. Where required, parking lots shall meet the buffer requirements outlined in the Table in this Section.
- 2. Parking lots shall be screened from view with a solid wall at least three feet in height along the perimeter of those sides visible from a public road. At its discretion, the City may approve alternative landscape plantings instead of a wall.

6.5.8 Site Landscaping

In addition to any landscape greenbelt and/or parking lot landscaping required by this Section, site area landscaping shall be provided to screen potentially objectionable site features such as, but not limited to, retention/detention ponds, transformer pads, air-conditioning units, and loading areas. Such site area landscaping may include a combination of the preservation of existing tree cover, planting new trees and plant material, landscape plazas and gardens, and building foundation planting beds.

6.5.9 Subdivision and Site Condominium Landscaping

Landscaping for single-family residential subdivisions and site condominiums shall be provided per the following requirements:

- A. Street Trees. The frontage of all internal public or private streets shall be landscaped with a minimum of one tree for every 40 lineal feet or a fraction thereof. Such street trees shall meet the minimum size and spacing requirements outlined in this Section.
- B. Buffers Between Land Uses. Where required in the Table outlined in this Section, a subdivision or site condominium buffer shall be required.
- C. Screening from Public Roads. Where a subdivision or site condominium abuts a public road right-of-way located outside the proposed subdivision or site condominium, the screening requirements in this Section shall be met.

564 D. Other Site Improvements. A landscape plan for a subdivision or site condominium
565 development shall also include landscaping details of the entrance to the development,
566 stormwater retention and/or detention areas, community buildings and other recreational
567 areas, and any other site improvement that would be enhanced through the addition of
568 landscaping.

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570 **6.5.10 Screening of Trash Containers**

- 571 A. Outside trash disposal containers two yards or greater in capacity shall be screened on all
572 sides with an opaque fence or wall and gate at least as high as the container, but no less than
573 six feet in height, and shall be constructed of material which is compatible with the
574 architectural materials used in the site development.
- 575
- 576 B. Containers shall be consolidated to minimize the number of collection sites and located to
577 equalize the distance from the building they serve reasonably.
- 578
- 579 C. Containers and enclosures shall be located away from public view insofar as possible.
- 580
- 581 D. Containers and enclosures shall be situated so they do not cause excessive nuisance or
582 offense to occupants of nearby buildings.
- 583 E.
- 584 F. Concrete pads of appropriate size and construction shall be provided for containers or
585 groups of containers having a capacity of six 30-gallon cans or more. Aprons shall be
586 provided for loading of bins with a capacity of one- and one-half cubic yards or more.
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- 588 G. The enclosure area and pad size shall be increased to accommodate the storage of
589 recyclable materials and their containers.
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- 591 H. Screening and gates shall be of a durable construction.
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- 593 I. The pad in front of the dumpster shall be constructed of heavy-duty concrete, with a
594 compressive strength of 5,000 psi, the same width as the enclosure and ½ of its depth.
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596 **6.6 EXTERIOR LIGHTING**

597 **6.6.1 Intent & Purpose**

598 The provisions of this Section are intended to control the use of outdoor, artificial illuminating
599 devices emitting rays into the night sky by:

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- 601 A. Lighting shall comply with Section 5.19.
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- 603 B. All light shall have a clear purpose. Before installing or replacing a light, determine whether
604 a light is needed. Consider how the use of light will impact the area, including wildlife and the
605 environment.
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- 607 C. Use shielding and aiming to target the direction of the light beam so it points downward and
608 does not spill beyond where it is needed.

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- D. Use the lowest light level required.
- E. Use controls such as timers or motion detectors to ensure that light is available when needed, dimmed when possible, and turned off when not needed.
- F. Limit the amount of shorter wavelength (blue-violet) light to the least amount needed.

6.6.2 Exemptions

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The following uses and activities shall be exempt from the standards of this Section, provided they do not create glare perceptible to persons operating motor vehicles in the public right-of-way:

- A. New Technology and/or Location: The Zoning Administrator may grant exceptions to the material, light source, method of installation, or location standards in this Section in consideration of any new state-of-the-art technology, so long as the exception still meets all other applicable standards of this Section.
- B. Residential Lighting: Low-intensity residential decorative lighting, such as porch lights or low-level façade and landscape lighting, provided any such lights are directed toward the residential building or land.
- C. Holiday Decorations: The decorative exterior lighting shall not include searchlights, floodlights, or stroboscopic lights.
- D. Neon Lights: Displayed as part of an approved sign.
- E. Flag Lighting: Luminaires illuminate the flag of the United States of America.
- F. Temporary Lighting: Associated with an approved temporary event permitted by this Ordinance.
- G. Fossil Fuels: Outdoor light fixtures, such as kerosene lanterns and gas lamps, produce light from the combustion of fossil fuels.
- H. Statutory Authority: Circumstances where federal or state laws, rules, or regulations take precedence over the provisions of this Section or where fire, police, emergency, or repair personnel need light for temporary or emergency situations or lighting that is only activated at the time of power outages.

6.6.3 Shielding & Filtration

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- A. All nonexempt exterior lighting shall be hooded and/or louvered to provide a glare-free area beyond the property line and any public right-of-way.
- B. All lighting fixtures shall have one hundred (100) percent cut-off shielding that prevents light from being emitted above a horizontal plane, the lowest direct light emitting part of the luminaire.

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- C. Light sources shall be located to minimize glare hazards, and all poles or standards used to support outdoor light fixtures shall be coated with a material that minimizes glare for the light source.

6.6.4 Exterior Lighting Site Standards

- A. Hours of Operation: All exterior lighting shall be equipped with automatic timing devices and shut off if no customers or staff are present between sunset and sunrise, except for lighting necessary for security purposes or for uses that continue after 10:00 pm.
- B. Pole Height: The maximum pole height for exterior lighting shall not exceed twenty-two (22) feet or the maximum height of the principal building, whichever is less.
- C. Wall Pack: Wall pack lighting shall be limited to above ingress and egress points.
- D. Prohibitions: The following light sources and fixtures shall be prohibited:
 - a) Unshielded luminous tube (neon), fluorescent.
 - b) Metal halide
 - c) Mercury vapor
 - d) High-pressure sodium
 - e) Halogen
 - f) Animated, flashing, or moving lights
 - g) Laser sources of light
 - h) Searchlights

6.6.5 Illumination

Illumination levels within a site shall ensure that a site is adequately but not excessively lit to provide visibility, safety, and security without unnecessarily contributing to light pollution and negatively impacting neighboring properties.

- A. Intensity: The maximum intensity of light within any site shall not exceed the following standards, measured in footcandles (fc) at grade:

Table XX: Illumination Requirements

Land Use Type	Illumination Specification		
	Maximum Initial Illuminance Value at the Boundary	Beyond the Boundary	Percentage of Fixtures emitted at an angle of 90 degrees or higher from the nadir

Residential areas, neighborhood business locations, light industrial areas with limited nighttime use, and residential mixed-use areas	No greater than 0.10 footcandles	No greater than 0.01 horizontal footcandles	2%
Commercial corridors, industrial, and higher-density residential areas	No greater than 0.20 footcandles	No greater than 0.01 horizontal footcandles	5%
Downtown business district	No greater than 0.60 footcandles		10%

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B. Color Temperature: All exterior lighting shall emit light measuring 4,600K to 6,500K on the Kelvin scale.

6.7 STORMWATER MANAGEMENT

A. Stormwater Management. All developments and earth changes subject to review under the requirements of this Ordinance shall be designed, constructed, and maintained to prevent flooding and protect water quality. The facilities and measures required on-site shall reflect the site's natural features, wetlands, and watercourses, the potential for on-site and off-site flooding, water pollution, erosion, and the size of the site. Stormwater management shall comply with the following standards:

1. Stormwater management conveyance, storage, and infiltration measures and facilities shall be designed to prevent flood hazards and water pollution related to stormwater runoff and soil erosion from the proposed development.
2. Low Impact Development (LID) is an alternative site design strategy that uses natural and engineered infiltration and storage techniques to control stormwater where it is generated. LID combines conservation practices with distributed stormwater source controls and pollution prevention to maintain or restore watershed functions. LID are encouraged and may be required where the Administrative Review Committee or the Planning Commission deems it to be safe and otherwise appropriate as a method of stormwater conveyance to decrease runoff velocity, allow for natural infiltration, allow suspended sediment particles to settle, and to remove pollutants.
3. Alterations to natural drainage patterns shall not create flooding or water pollution for adjacent or downstream property owners.
4. Discharge of runoff from any site that may contain oil, grease, toxic chemicals, or other polluting materials is prohibited. If a property owner desires to trap pollutants, the owner must meet the Michigan Department of Environment, Great Lakes, and Energy (EGLE) requirements. Based upon professionally accepted principles, such a proposal shall be submitted and reviewed by the City Engineer, with consultation of appropriate experts.

5. Drainage systems shall be designed to protect public health and safety and be visually attractive, considering viable alternatives.

B. On-Site Stormwater Detention. To control drainage to off-site properties and drainage ways, all properties, except single-dwellings, duplex, triplex, and quadplex, developed under this Zoning Ordinance, whether new or improved, shall provide for on-site detention storage of stormwater in accordance with the current Michigan Department of Environment, Great Lakes, and Energy and local Department of Public Works standards.

6.8 NOISE

A. Noise. The intensity level of sounds measured at the property line bordering the adjacent land use shall not exceed the following decibel levels as measured with an A-weighted filter to account for variations in frequency.

Table XX: Noise Levels

Timeframe	Noise Levels by Land Use Type		
	Proposed Use	Adjacent Uses	
	Commercial & Industrial	Commercial & Industrial	Residential
7:00 A.M to 7:00 P.M.		60 dB(A)	50 dB(A)
7:00 P.M. to 7:00 A.M.		55 dB(A)	45 dB(A)

B. Impact Noises. Intermittent noises that do not operate more than one minute in any one-hour period are permissible up to a level of 10 dB(A) in excess of the figures in subsection (1) only during the time from 7:00 a.m. to 7:00 p.m. when uses adjacent to an industrial use are either commercial or residential. (The impact noise shall be measured using the fast response of the sound level meter.)

C. Temporary or Incidental Activities. Noise and vibration impacts resulting from temporary or incidental activity such as construction or moving of materials or equipment on-site that occurs between 7:00 a.m. and 7:00 p.m. shall be exempt from the requirements 6.8.A.

6.9 BUILDINGS: SCALE, MASS, AND DESIGN

A. All site plans submitted for review of proposed use in this district shall include an elevation drawing that shows proposed building facades as seen from the street. The site plan and elevation drawings shall label proposed exterior materials on walls and roofs of principal and accessory buildings and on other fences or walls on the site. Color samples or color photographs of proposed materials shall be provided.

B. All business, service, or processing activities permitted in this district shall be conducted completely within enclosed buildings except customer, employee, and freight vehicle parking, loading zones, and those open-air uses specifically identified in this district as permitted subject to particular performance standards. Outdoor storage of equipment and materials such as topsoil, sand, and gravel shall be limited to 30 percent of the rear yard and shall be screened.

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- C. In cases [where] the planning commission determines unusual building size or mass, large site size, special conditions related to topography, high traffic uses, special natural or manmade features on-site or nearby, or similar unique conditions are present, the Administrative Review Committee or the Planning Commission may require any of the following additional methods of illustrating the impacts of a proposed development:
1. Additional elevation drawings from points over than the public street or perspective drawings from critical viewpoints recommended by the city.
 2. Cross sections, particularly when the planning commission is examining relative height of buildings or site topography in regard to impacts upon neighboring properties.
 3. Bird's eye views (axonometric) that present the overall size and mass of site structures and features. The oblique aerial view must accurately reflect ground control points as well as individual building and site features.
 4. A computer-generated image or a synthesized image video may be provided to show before and after illustration of a proposed development's scale and mass.
 5. A scale model that shows three-dimensional representation of building(s) and features.
 6. Use of weather balloons, flags, stakes, posts, or other vertical elements showing the corners, outline, height, and other physical aspects of a proposed development on the actual parcel to be impacted.
 7. Use of colored degradable spray paint to identify horizontal outlines of site features such as parking, landscape areas, driveways, curb cuts, building footprints, etc.
- D. In cases where the Administrative Review Committee or the Planning Commission determines unusual building size or mass, large site size, special conditions related to topography, high traffic uses, special natural or manmade features on-site or nearby, or similar unique conditions are present, the planning commission may increase or reduce requirements applying to this Article to improve a site plan and its impact upon the property or its surroundings.
- If the planning commission chooses to reduce or increase requirements, it shall identify the unique conditions found at the site; indicate the benefit to the public health, safety or welfare of modifying such requirements; prescribe the modified requirements; and it may offer relevant conditions where needed to mitigate any impacts of the modified requirements.
- E. In review of building facades and features, the planning commission shall consider:

- 812 1. Exterior materials should be of a finished appearance and textural quality suitable to
- 813 the desired image for this entryway to town. The commission may limit the amount of
- 814 or prohibit the use of corrugated metal, concrete block, sheet metal and colored
- 815 plastic or fiberglass. The commission may consider such factors as whether the
- 816 building is an accessory structure, the adequacy of the setback and screening, and
- 817 any impact upon street view and view from nearby residential buildings.
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- 819 2. The color of exterior materials and finishes should be compatible with the natural and
- 820 Victorian scenic character of Petoskey.
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- 822 3. The scale, bulk, shape, exterior materials, and color of buildings shall be evaluated
- 823 for their compatibility with the site size and shape and with surrounding buildings
- 824 and structures.
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- 826 F. Buildings shall be situated to fit the existing site rather than imposed on the landscape in a
- 827 manner that requires significant alteration of site grades. This restriction may be waived by
- 828 the planning commission where significant alteration of grades would result in preservation
- 829 and protection of a scenic view or other significant natural or manmade resource, or would
- 830 result in an improved site layout and function without adversely impacting significant
- 831 resources.
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- 833 G. Accessory structures shall be designed to blend with the principal building(s) on the site as
- 834 to color, exterior materials, size and shape.
- 835
- 836 H. The Administrative Review Committee or the Planning Commission may require screening of
- 837 appropriate size and type where needed to obstruct visibility of accessory structures from
- 838 the street or from adjacent properties.
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6.10 ROOF TOP DECKS

- 841 A. Roof Top Deck Commercial Usage. Use of a rooftop deck for commercial purposes may be
- 842 permitted in the [INSERT DISTRICTS] Zoning Districts but only as a special land use and only
- 843 as an accessory to the principal use permitted for the building, and subject to the following
- 844 restrictions:
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- 846 1. The Planning Commission approval of the rooftop deck usage as a special land use
- 847 must be first obtained.
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- 849 2. Any structure on a rooftop deck must be permitted under the Zoning Code.
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- 851 3. The Planning Commission may limit the number of persons using such rooftop decks
- 852 as determined necessary or advisable by the Planning Commission to prevent the
- 853 City's noise ordinances from being violated.
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- 855 4. A building permit for any rooftop deck activity must be obtained from the Emmet
- 856 County Building Department, and such usage is subject to the construction of and
- 857 maintenance of guardrails and other protective Petoskey City Code features as
- 858 required by the Emmet County Building Code.

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5. Such usage must be screened from view of adjacent properties, and the proposed area shall not exceed fifty (50%) percent of the total square footage of the roof area.
6. Structures for such usage shall be set back at least five (5) feet from the edge of any roof not fronting on a public street or right of way and at least fifteen (15) feet from the edge of any roof that fronts on a public street or right of way. Mechanical, heating, or cooling equipment or structures that the Building Code requires as a health or life-safety feature shall not be subject to this setback requirement.
7. The dimensional area of all structures (other than a mechanical, heating, or cooling element or one that the Building Code requires as a health or life-safety feature) shall not exceed fifteen (15%) percent of the square footage of the total top roof area.
8. Amplified musical instruments are prohibited. Any other music or sound that would violate the City's noise ordinances and restrictions or exceed seventy (70) decibels measured at the property line where the deck or patio is located is prohibited.
9. Roof-top deck usage is permitted only between 7:00 a.m. and 11:00 p.m., except for special events approved by the City Council.
10. Lighting shall be shielded and pointed downward and shall not be a nuisance to adjacent properties.

6.11 WALLS

- A. For those districts and uses listed below there shall be provided and maintained an obscuring wall as required by the conditions, heights, and locations noted:

Table XX: Required Walls

Land Uses Requiring Walls	Conditions	Height	Location of Wall
Commercial and Industrial Districts	When abutting residential	6'0"	Along common boundary
Required Parking in Multiple-Family Areas	When abutting single-family areas	4'6"	Along common boundary
Junk Yards		8'0"	All sides of use
Storage Facilities	When abutting any residential, office or public park	4'6" – 8'0"	Along common boundary
Required Off-Street Parking in Residential Areas	When abutting any single-family, duplex, or triplex	4'6"	Along common boundary

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- B. Obscuring walls shall not be required when any building, parking or storage area within any district requiring a wall, or any use requiring a wall, when such buildings, parking or storage areas are located more than 200 feet from an abutting residential district.

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- C. Required walls shall be located on the lot line except where underground utilities interfere and except in instances where this ordinance requires conformance with front yard setback lines in abutting residential districts. Upon review of the site plan, the planning commission may approve an alternate location for the wall or may waive the wall requirement if in specific cases it would not serve the purposes of screening the parking area effectively. Required walls may, upon approval of the board of appeals, be located on the opposite side of an alley right-of-way from a nonresidential zone that abuts a residential zone when mutually agreeable to affected property owners. The continuity of the required wall on a given block will be a major consideration of the board of appeals in reviewing such request.
- D. Walls shall be of masonry construction. Decorative openings in the wall may be permitted provided they do not exceed 20 percent of the surface. Where walls are so pierced, the openings shall be spaced as to maintain the obscuring character required and shall be reviewed and approved by the building inspector.
- E. Where an obscuring wall is required, a landscaped earthmound may be permitted in lieu of such wall, provided that the height of the earthmound not be less than the required height of the obscuring wall.
- F. The Zoning Board of Appeals may waive or modify for foregoing requirements where cause can be shown that no good purpose would be served, provided that in no instance shall a required wall be permitted to be less than four feet six inches in height except where Section 5.10 (Corner Clearance) applies.
- G. In consideration of request to waive wall requirements between nonresidential and residential districts, the Zoning Board of Appeals shall refer the request to the Planning Commission for a determination as to whether or not the residential district is considered to be an area in transition and will become nonresidential in the future.