

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 orderly development, and improve the appearance and character of development.

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 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 shall not be allowed.
- 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 to and 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:

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	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

- 39 G. Accessible Parking: Off-street parking areas shall provide barrier-free spaces in compliance
40 with the Michigan Building Code and the Americans with Disabilities Act (ADA).
- 41
- 42 H. Surfacing: Parking surfaces shall be constructed with impervious or pervious hard surface
43 materials (i.e., concrete, asphalt, or pervious pavers etc.), excluding loose aggregate
44 materials.
- 45
- 46 I. Drainage: All off-street parking areas shall utilize, where practical, Low Impact Development
47 (LID) water quantity management to collect and treat stormwater on-site as required for site
48 plan review, in consultation with the Department of Public Works.
- 49
- 50 J. Curbs and Vehicle Stops: All off-street parking areas shall include curbs or vehicle stops to
51 prevent vehicles from overhanging into or over public rights-of-way, sidewalks, adjacent
52 areas, or landscape areas.
- 53
- 54 K. Exterior Lighting: Except for parcels zoned for single-family and multi-units, all off-street
55 parking areas with a capacity of ten (10) or more vehicles shall provide adequate lighting and
56 comply with the Outdoor Lighting Ordinance. New or redeveloped off-street parking,
57 queuing lanes, and loading areas shall comply with the exterior lighting standards in this
58 Article.
- 59
- 60 L. Snow Storage: The Planning Commission has the authority to require snow storage areas.
61 When required by the Planning Commission, snow storage areas should be provided on the
62 ratio of fifteen (15) square feet per two hundred (200) square feet of off-street parking area.
63 Snow storage areas shall be located in a manner that does not obstruct required clear vision
64 areas.
- 65
- 66 M. Maintenance: All parking areas shall be maintained in good condition and free of debris and
67 garbage. Where parking lot stripping was required, it shall be maintained in good condition.
- 68
- 69 N. Completion: All off-street parking, queuing lanes, and loading areas indicated on a site plan
70 shall be fully completed before the issuance of a Certificate of Occupancy. In the case of
71 phased developments, only the off-street parking, queuing lanes, and loading areas
72 associated with a given phase of development shall be required to be completed.
- 73
- 74 Access Through Yards: Access drives may be placed in the required front or side yard setback to
75 provide access to rear yards, accessory, or attached structures. These drives shall not be
76 considered violations in front or side yards.
- 77
- 78 O. Defined Area: Off-street parking areas and loading zones shall include painted lines, vehicle
79 stops, or other delineating features to define parking and loading spaces clearly.
- 80
- 81 P. Parking Duration: Except when the land is used as storage space in connection with the
82 business of automobile and vehicle repair use, there shall be a 24-hour time limit for parking
83 in non-residential off-street parking areas.
- 84
- 85 a. Vehicles being stored in an off-street parking lot in connection with the business of an
86 automobile and vehicle repair use shall not exceed 28 days.

87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127

128
129
130
131
132
133

- 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.

Q. One and Two-Family Residential Parking Area and Driveway Requirements:

- a. In no case shall more than 40 percent of a required front yard be a paved surface. Parking on non-paved surfaces is prohibited.
- b. A one-family dwelling shall not have more than a single curb cut.

R. Multifamily Residential Parking Area and Driveway Requirements:

- 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.

S. Commercial Parking Area and Driveway Requirements:

- a. Parking areas shall not be located within a required front-yard setback or a street frontage side-yard setback on a corner front yard setback .
- b. The storage of merchandise, motor vehicles for sale, trucks, or the repair of vehicles is prohibited within a required off-street parking area.
- c. Parcels greater than 100 feet in width shall have curb cuts at least 60 feet from an intersection measured from the curb face.
- d. Curb cuts shall be aligned with driveways on the opposite side of the street or offset a minimum distance of 30 feet, unless waived by the Planning Commission based on a recommendation from the City Engineer.
- e. Driveways on the same side of the street shall be separated by at least 30 feet, measured from the entrance radius spring point, unless waived by the Planning Commission based on a recommendation from the City Engineer.

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

6.2.2 Parking Requirements

- A. Minimum/Maximum Parking: To 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.” The Planning Commission may, based on lot configuration, dimensional restrictions, and/or neighborhood development characteristics, grant an increase or decrease of the required parking if:

134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175

1. The applicant can demonstrate 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. The stormwater management plan shall be sufficient to handle the added parking spaces.
 4. The number of required parking spaces may be waived based on lot configuration, dimensional restrictions, and/or neighborhood development characteristics.
- B. **Calculating 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. The number of employees shall be based on the number needed for the largest shift.
 3. Occupancy shall mean legal occupancy as determined by the City of Petoskey Public Safety Department or the Emmet County Building Department.
 4. Parking spaces incorporated into a garage shall count towards the required number of off-street parking spaces permitted.
 5. If on-street parking spaces are in front of the property, then the number of on-street parking spaces may be deducted from the total parking required.
- C. **Use Not Specified:** The required 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. **Required Parking Requirements:** The required number of off-street parking spaces shall be determined per the following table:

Table XX: Number of Required Parking Spaces

REQUIRED 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

REQUIRED NUMBER OF PARKING SPACES	
Land Use	Spaces / Measurement
Dwellings, One-Dwelling Detached	1 / unit with a maximum of 4
Dwellings, Multi Unit	1 / unit 4
Live / Work Unit	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 or Assisted Living Facilities	1/employee plus 1/6 beds.
COMMERCIAL & INDUSTRIAL USES	
Assembly Facilities	0.25 / 1 occupancy
Bed & Breakfast	0.75 / room
Breweries, Distilleries, Wineries	1.25 / employee
Business Services	1 / 200 gfa
Central Cleaning Facilities	4 / 1,000 gfa
Child Care Centers	1 / employee + 1 / 10 children
Commercial Entertainment (Indoors, Outdoors)	0.25 / 1 occupancy
Contractor Establishments	4 / 1,000 gfa
Contractor Storage Yards	1 / 2,000 gfa of storage area
Data Processing Facilities	4 / 1,000 gfa
Distribution Centers	4 / 1,000 gfa
Equipment Rental Establishments	5 / 1,000 gfa
Extractive Industries	1.25 / employee
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
Manufacturing (Food, Light, Heavy)	1.5 / 1,000 gfa
Outdoor Storage, Materials & Equipment	1.25 / employee
Personal Service Establishments	1 / 250 gfa
Professional Services	3 / 1,000 gfa
Recycling Facilities	1.25 / employee
Research & Development Facilities	5 / 1,000 gfa
Restaurants & Eating & Drinking Establishments	1 / 3 occupancy + 1/employee
Retail Establishments	1.5 / 1,000 gfa + 1 / employee
Self-Storage Facilities	1 / 10 units + 1 / employee
Services & Trades Establishment	1 / employee
Sexually Oriented Business	3 / 1,000 gfa
Shopping Center	4 / 1,000 gfa
Tasting Rooms	2 / 1,000 gfa

REQUIRED NUMBER OF PARKING SPACES	
Land Use	Spaces / Measurement
Vehicle Fueling Stations	Based on the use of the building
Vehicle Repair	3 / stall
Vehicle Sales & Rental	1 / 5,000 gfa outdoor display area + 1 / 150 gfa indoor area
Veterinary Services	1.5 / 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 occupancy
Public Use (Critical, Essential, Supporting)	N/A
Religious Institutions	1 / 4 occupancy
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

176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196

- E. Shared Parking: Where a mix of land uses creates staggered peak periods of parking demand, shared parking agreements that have the effect of reducing the total amount of required parking spaces are encouraged. Shared parking agreements for off-street parking for two or more buildings or uses is permitted, subject to the following. :

The total number of required parking spaces for each use on each lot shall not be reduced by more than 30 percent.

1. Shared parking areas shall be located within 300 feet of the use, measured from the nearest point of the building to the nearest point of the off-street parking area or space.
2. If lots are adjacent, they shall be interconnected for vehicular passage.
3. Written agreements that provide for continued use and maintenance of shared parking shall be submitted at the time of site plan or zoning permit approval. All agreements shall include provisions to address future changes in use.
4. Shared parking agreements or leases shall remain in full force and effect binding on both parties. In the event the shared parking agreement or lease is terminated by either party, or is not being enforced or complied with, full parking requirements

197 must be met.

198
199 6.2.3 Loading Zones

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

203
204 B. Location:

205
206 1. On-site loading zones shall be permitted in the rear yard only, except in the “I”
207 districts, which allow side yard loading zones. In exceptional instances, loading
208 zones may be permitted in a side yard, with approval of the Administrative Review
209 Committee or the Planning Commission, when it can be shown that site conditions
210 necessitate such a location.

211
212 2. Loading zones shall not interfere with the normal movement of pedestrians and
213 vehicles in the public street rights-of-way, internal drives, and off-street parking
214 areas.

215
216 3. Loading zones shall be designed for the largest vehicle intended to serve the use, with
217 adequate turning radii, maneuverability, and loading space.

218
219 C. Loading Space Requirements: The minimum number of loading zone spaces shall be
220 provided as described below:

221
222 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

224
225 D. Administrative Waiver: The Administrative Review Committee or the Planning Commission
226 may approve a modification to the loading zone location or space requirements where it has
227 been determined that another measure or location would be more appropriate due to site
228 constraints or the number or type of deliveries experienced by a particular use.

229
230 6.2.4 Access Management

231 A. All off-street parking, loading, and queuing areas shall be arranged for convenient access and
232 safety of pedestrians, bicyclists, and vehicles.

233
234 B. Adequate ingress and egress shall be provided by clearly defined driveways. Backing into
235 public street rights-of-way shall be prohibited.

236

- 237 C. Access shall be obtained from the alley where a parking area abuts an improved alley. The
 238 Administrative Review Committee or the Planning Commission may waive this requirement
 239 if a practical difficulty has been presented that prevents the requirement from being
 240 satisfied.
- 241
- 242 D. Where a parking area has no access to an alley, or the alley has not been maintained or
 243 improved for access but has access to two or more streets, access shall be from the street
 244 with the lower traffic volume. The Planning Commission may waive this requirement if a
 245 practical difficulty has been presented that prevents the requirement from being satisfied.
 246
- 247 E. Access to off-street parking areas for non-residential uses shall not be permitted across lots
 248 that are residential in use or in a residential zoning district.
- 249
- 250 F. Cross Access Management:
- 251
- 252 1. All off-street parking areas not accessed by an alley shall be designed to allow
 253 internal vehicle circulation between adjacent lots by providing a location for cross-
 254 access on the site plan.
- 255
- 256 2. A cross-access agreement shall be recorded with the Emmet County Register of
 257 Deeds before the issuance of a Building Certificate of Occupancy.
- 258
- 259 3. The Planning Commission may waive this requirement if deemed impractical during
 260 site plan review due to topography, natural features, or vehicular safety factors if
 261 appropriate bicycle and pedestrian connections are provided between adjacent
 262 developments and uses.

263 6.3 BICYCLE PARKING

- 265 A. Scope of Regulations: Bicycle parking facilities, which include bicycle parking spaces and
 266 access aisles, shall be provided as required for all new structures and uses established or
 267 for changes in use as of the effective date of this provision.
- 268
- 269 B. Location: Bicycle parking facilities shall be located in a designated safe and convenient
 270 location. The design and location of such a facility shall be harmonious with the surrounding
 271 environment. The facility location shall be at least as convenient as the majority of
 272 automobile parking spaces provided.
- 273
- 274 C. Size: Required bicycle parking spaces shall be two (2) feet by six (6) feet. Each bicycle parking
 275 facility shall provide an access aisle of at least five (5) feet and a vertical clearance of at least
 276 eight (8) feet.
- 277
- 278 D. Design and Maintenance: Accessory off-street parking for bicycle parking shall include
 279 provision for secure storage of bicycles. Such facilities shall provide lockable enclosed
 280 lockers, racks, or equivalent structures in or upon which the user may lock the bicycle.
 281 Structures that require a user-supplied locking device shall be designed to accommodate U-
 282 shaped locking devices. All lockers and racks must be securely anchored to the ground or

the building structure to prevent the racks and lockers from being removed from the location. The surfacing of such facilities shall be designed and maintained to be mud and dust-free.

- E. Schedule of Required Off-Street Bicycle Parking Facilities: Bicycle parking facility spaces shall be provided in adequate numbers as determined by the Zoning Administrator. In making the determination the Zoning Administrator shall consider the number of dwelling units or lodging rooms, the number of employees, and the number of automobile 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

6.4 NON-MOTORIZED TRANSPORTATION

The intent and purpose of this section is to provide safe, non-motorized transportation options and public access within the City through sidewalks and shared-use pathways, unless prohibited. All new development, re-development, and amendments to previously approved site plans, including substantial additions or improvements to existing buildings, either interior or exterior may be required, at the discretion of the Administrative Review Committee or the Planning Commission. 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 efforts 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 adjacent parcel owner if constructed in the street right-of-way.

318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362

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

6.5 LANDSCAPING

6.5.1 Intent

The intent of this section is to:

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

6.5.2 Landscape Plan Requirements

A separate detailed landscape plan shall be submitted to the City. The landscape plan shall demonstrate that all requirements of this section are met and shall include, but not necessarily be limited to, the following items:

- A. Location, spacing, size, root type, and descriptions for each plant type.
- B. Typical straight cross-section including slope, height, and width of berms.
- C. Typical construction details to resolve specific site conditions, such as landscape walls and tree wells used to preserve existing trees or maintain natural grades.
- D. Details in either text or drawing form to ensure proper installation and establishment of proposed plant materials.
- E. Identification of existing trees and vegetative cover to be preserved.

363
364
365
366
367
368
369
370
371

- F. Identification of grass and other ground cover and method of planting.
- G. Identification of landscape maintenance program, including a statement that all diseased, damaged, or dead materials shall be replaced per standards of this Ordinance.
- H. Planting counts must be provided, identifying compliance with all required landscaping.

6.5.3 Screening and Buffering.

372
373
374
375
376
377
378
379
380

- A. Three types of screening or buffering techniques shall be required , depending upon the type of existing uses adjacent to a proposed use. The screening types are described inTable XX. The required screening shall be provided from the rear property line to the front edge of the principal building on the site. The Administrative Review Committee or the Planning Commission may specify certain landscape materials to mitigate the impacts of noise, lighting, and visual impacts.

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

381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401

- B. Screening and Buffer Types. Screening and buffer types 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
 1. Type A (Broken). 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.
 2. Type B (Semi-opaque). A screen that is opaque from the ground to a height of 42 inches, 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. 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.

402 3. Type C (Opaque). A screen that is opaque from the ground to a height of at least six
 403 feet, with intermittent visual obstructions from the opaque portion to a height of at
 404 least 20 feet. An opaque screen is intended to exclude all visual contact between
 405 uses and to create a strong impression of spatial separation. The opaque portion of
 406 the screen must be opaque in all seasons of the year. At maturity, the portion of
 407 intermittent visual obstructions should not contain any completely unobstructed
 408 openings more than ten feet wide. The portion of intermittent visual obstructions may
 409 contain deciduous plants.

410
 411 C. The design and extent of the buffer, screen wall, or fence shall be reviewed by either the
 412 Administrative Review Committee or the Planning Commission, depending on the type of
 413 review outlined in Article 8.

414
 415 D. The requirements of the buffer and screening type outline may be modified at the discretion
 416 of the City based on other factors, including, but not limited to, specific corridor design
 417 plans, sub-area plans, gateway and intersection plans.

418 6.5.4 Landscape Elements

419
 420 The following minimum standards shall apply:

421
 422 A. Quality. Plant materials shall be of varieties and species, free from insects and diseases,
 423 resistant to storm damage, hardy, indigenous to Northwest Michigan and Emmet County,
 424 conform to the current minimum standard of the American Association of Nurserymen, and
 425 shall have proof of any required governmental regulations and/or inspections.

426
 427 B. Composition. A mixture of plant material, such as evergreen, deciduous trees, and shrubs,
 428 is recommended to protect against insect and disease infestation. A limited mixture of hardy
 429 species is recommended rather than many different species to produce a more aesthetic,
 430 cohesive design and avoid a disorderly appearing arrangement.

431
 432 C. Berms. Berms shall be constructed with slopes not to exceed a 1:3 gradient. Berm slopes
 433 shall be protected with sod, seed, or other form of natural ground cover.

434
 435 D. Existing Trees. The preservation and incorporation of existing trees are encouraged. Where
 436 existing trees are used to satisfy the requirements of this section, the following requirements
 437 shall apply:

438
 439 1. Paving or other site improvements shall not encroach upon the existing tree(s) drip
 440 line.

441
 442 2. If existing plant material is labeled "To Remain" on-site plans by the applicant or
 443 required by the City, protective techniques, such as, but not limited to, fencing or
 444 barriers placed at the drip line around the perimeter of the plant material shall be
 445 installed during construction. No vehicle or other construction equipment shall be
 446 parked or stored within the drip line of any plant material intended to be saved. Other
 447 protective techniques may be used, provided the City approves such techniques.
 448

- 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 as outlined in Article 12, or the appropriate financial guarantee 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.

6.5.5 Minimum Size, Spacing Requirements and Species Type

- A. Where landscaping is required, only those plant materials recommended by the City shall be used. Invasive plants shall not be used (See 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.

6.5.6 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 planted for every ten (10) parking spaces. Islands shall be required for every 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

494 or strip, a minimum distance of five feet from the backside of the curb and the
495 proposed landscape plantings shall be provided.

- 496
- 497 4. The City, at its discretion, may approve alternative landscape plantings at the
- 498 perimeter of parking lots where landscaping within parking lots would be
- 499 impractical due to the size of the parking lot, detrimental to safe and efficient traffic
- 500 flow or would create an unreasonable burden for maintenance and snowplowing.
- 501

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

- 504
- 505 1. Where required, parking lots shall meet the buffer requirements outlined in this
- 506 Section.
- 507
- 508 2. Parking lots shall be screened from view with a solid wall at least 42 inches in height
- 509 along the perimeter of those sides visible from a public road.
- 510
- 511 3. Where a parking lot abuts a residential zone district or residential occupied
- 512 property, the Planning Commission may require a wall.
- 513
- 514 4. At its discretion, the City may approve alternative landscape plantings instead of a
- 515 wall.
- 516

517 6.5.7 Site Landscaping

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

524 6.5.8 Subdivision and Site Condominium Landscaping

525
526 Landscaping for single-family residential subdivisions and site condominiums shall be provided per
527 the following requirements:

- 528
- 529 A. Street Trees. The frontage of all internal public or private streets shall be landscaped with a
- 530 minimum of one tree for every 30 linear feet or a fraction thereof. Such street trees shall meet
- 531 the minimum size and spacing requirements outlined in this Section.
- 532
- 533 B. Buffers Between Land Uses. Where required in this Section, a subdivision or site
- 534 condominium buffer shall be required.
- 535
- 536 C. Screening from Public Streets. Where a subdivision or site condominium abuts a public
- 537 right-of-way located outside the proposed subdivision or site condominium, the screening
- 538 requirements in this Section shall be met.
- 539

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

545
 546 6.5.9 Screening of Trash Containers

- 547 A. Outside trash disposal containers two yards or greater in capacity shall be screened on all
 548 sides with an opaque fence or wall and gate at least as high as the container, but no less than
 549 six feet in height, and shall be constructed of material that is compatible with the
 550 architectural materials used in the site development.
- 551 B. Containers shall be consolidated to minimize the number of collection sites and reasonably
 552 located to equalize the distance from the building they serve.
- 553 C. Containers and enclosures shall be located away from public view insofar as possible.
- 554 D. Containers and enclosures shall be situated so they do not cause excessive nuisance or
 555 offense to occupants of nearby buildings.
- 556 E. Concrete pads of appropriate size and construction shall be provided for containers or
 557 groups of containers having a capacity of six 30-gallon cans or more. Aprons shall be
 558 provided for loading of bins with a capacity of one and one-half cubic yards or more.
- 559 F. The enclosure area and pad size shall be increased to accommodate the storage of
 560 recyclable materials and their containers.
- 561 G. Screening and gates shall be of a durable construction.
- 562 H. The pad in front of the dumpster shall be constructed of heavy-duty concrete, with a
 563 compressive strength of 5,000 psi, the same width as the enclosure and 1/2 of its depth.

564
 565
 566
 567
 568
 569
 570
 571
 572 6.6 EXTERIOR LIGHTING

573 Refer to the City of Petoskey Outdoor Light Ordinance.
 574

575 6.7 STORMWATER MANAGEMENT

576 A. Stormwater Management. All developments and earth changes subject to review under the
 577 requirements of this Ordinance shall be designed, constructed, and maintained to prevent
 578 flooding and protect water quality. The facilities and measures required on-site shall reflect
 579 the site's natural features, wetlands, and watercourses, the potential for on-site and off-site
 580 flooding, water pollution, erosion, and the size of the site. Stormwater management shall
 581 comply with the following standards:
 582

583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615

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 the preferred 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 is 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 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. Low Impact Development drainage systems shall be designed to protect public health and safety and be visually attractive, considering viable alternatives.
6. 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.

616 **6.8 NOISE**

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

621 Table XX: Noise Levels

	Noise Levels by Land Use Type		
	Proposed Use	Adjacent Uses	
Timeframe	Residential, 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)

623

- 624 B. Impact Noises. Intermittent noises that do not operate more than one minute in any one-
625 hour period are permissible up to a level of 10 dB(A) in excess of the figures in subsection (1)
626 only during the time from 7:00 a.m. to 7:00 p.m. when uses adjacent to an industrial use are
627 either commercial or residential. The impact noise shall be measured using the fast
628 response of the sound level meter.
629
- 630 C. Temporary or Incidental Activities. Noise and vibration impacts resulting from temporary or
631 incidental activity such as construction or moving of materials or equipment on-site that
632 occurs between 7:00 a.m. and 7:00 p.m. shall be exempt from the requirements 6.8.A.
633

634 6.9 BUILDINGS: SCALE, MASS, AND DESIGN

- 635 A. All site plans submitted for review shall include an elevation drawing that shows proposed
636 building facades as seen from public streets. The site plan and elevation drawings shall label
637 proposed exterior materials on walls and roofs of principal and accessory buildings and on
638 other fences or walls on the site. Color samples or color photographs of proposed materials
639 shall be provided.
640
- 641 B. In cases where the Planning Commission determines unusual building size or mass, large
642 site size, special conditions related to topography, high traffic uses, special natural or
643 manmade features on-site or nearby, or similar unique conditions are present, the
644 Administrative Review Committee or the Planning Commission may require any of the
645 following additional methods of illustrating the impacts of a proposed development:
646
- 647 1. Additional elevation drawings from points other than the public street or perspective
648 drawings from critical viewpoints recommended by the city.
649
 - 650 2. Cross sections, particularly when the Planning Commission is examining relative
651 height of buildings or site topography in regard to impacts upon neighboring
652 properties.
653
 - 654 3. Bird's eye views or axonometric drawings that present the overall size and mass of
655 site structures and features. An aerial view must accurately reflect ground control
656 points as well as individual buildings and site features.
657
 - 658 4. A computer-generated image or video may be provided to show a before-and-after
659 illustration of a proposed development's scale and mass.
660
 - 661 5. A computer-generated vicinity model that shows a three-dimensional representation
662 of building(s) and features.
663
 - 664 6. Use of balloons, flags, stakes, posts, or other vertical elements showing the corners,
665 outline, height, and other physical aspects of a proposed development on the actual
666 parcel to be impacted.
667
 - 668 7. Use of colored degradable spray paint to identify horizontal outlines of site features
669 such as parking, landscape areas, driveways, curb cuts, building footprints, etc.
670

671 C. The Planning Commission or Administrative Review Committee may increase or reduce
 672 requirements applying to this Article to improve a site plan and its impact upon the property
 673 or its surroundings.

674
 675 If the Planning Commission or Administrative Review Committee chooses to reduce or
 676 increase requirements, it shall identify the unique conditions found at the site; indicate the
 677 benefit to the public health, safety or welfare of modifying such requirements; prescribe the
 678 modified requirements; and it may offer relevant conditions where needed to mitigate any
 679 impacts of the modified requirements.

680
 681 D. In review of building facades and features, the Planning Commission shall consider:

682
 683 1. Exterior materials should be of a finished appearance and quality consistent with the
 684 adjacent neighborhood. The Planning Commission or Administrative Review
 685 Committee may limit the amount of or prohibit the use of corrugated metal, concrete
 686 block, sheet metal and colored plastic or fiberglass. The commission may consider
 687 such factors as whether the building is an accessory structure, the adequacy of the
 688 setback and screening, and any impact upon street view and view from nearby
 689 residential buildings.

690
 691 2. The scale, bulk, shape, exterior materials, and color of buildings shall be evaluated
 692 for their compatibility with the site size and shape and with surrounding buildings
 693 and structures.

694
 695 E. Buildings shall be situated to fit the existing site rather than imposed on the landscape in a
 696 manner that requires significant alteration of site grades. This restriction may be waived by
 697 the Planning Commission or Administrative Review Committee where significant alteration
 698 of grades would result in preservation and protection of a scenic view or other significant
 699 natural or manmade resource, or would result in an improved site layout and function
 700 without adversely impacting significant resources.

701
 702 F. Accessory structures shall be designed to complement the principal building(s) on the site
 703 as to color, exterior materials, size, and shape.

704
 705 G. The Administrative Review Committee or the Planning Commission may require screening of
 706 appropriate size and type where needed to obstruct visibility of accessory structures from
 707 the street or from adjacent properties.

708
 709 **6.10 ROOF TOP DECKS FOR COMMERCIAL DISTRICTS**

710 A. Roof Top Deck Commercial Usage. Use of a rooftop deck for commercial purposes may be
 711 permitted in the [INSERT DISTRICTS] Zoning Districts but only as a special land use and only
 712 as an accessory to the principal use permitted for the building, and subject to the following
 713 restrictions:
 714

- 715 1. Occupancy. The Planning Commission may limit the number of persons using such
716 rooftop decks based on the occupancy established by the Fire Code and the impact
717 on adjacent properties.
- 718
- 719 2. Code Requirement. A building permit for any rooftop deck must be obtained from the
720 Emmet County Building Department, and such usage is subject to the construction
721 of and maintenance of guardrails and means of egress required by the Michigan
722 Building Code and the Petoskey City Code.
- 723
- 724 3. Use. The Planning Commission may require screening from the view of adjacent
725 properties.
- 726
- 727 4. Structures. The proposed outdoor roof deck shall not exceed fifty (50%) percent of
728 the total square footage of the roof area. The dimensional area of all structures (other
729 than a mechanical, heating, or cooling element or one that the Building Code requires
730 as a health or life-safety feature) shall not exceed fifteen (15%) percent of the square
731 footage of the total top roof area. Structures for such usage shall be set back at least
732 five (5) feet from the edge of any roof not fronting on a public street or right of way and
733 at least fifteen (15) feet from the edge of any roof that fronts on a public street or right
734 of way. Mechanical, heating, or cooling equipment or structures that the Building
735 Code requires as a health or life-safety feature shall not be subject to this setback
736 requirement.
- 737
- 738 5. Noise. Amplified musical instruments are prohibited. Any other music or sound that
739 would violate the City's noise ordinances and restrictions or exceed fifty-five (55)
740 decibels measured at the property line where the deck or patio is located is
741 prohibited.
- 742
- 743 6. Time. Roof-top deck usage is permitted only between 7:00 a.m. and 11:00 p.m.
- 744
- 745 7. Lighting. Lighting shall comply with the City of Petoskey Outdoor Lighting Ordinance.
- 746
- 747 8. Furniture. Tables, chairs, umbrellas, fire pits, and grills (gas only) shall be securely
748 fastened to prevent movement by the wind.
- 749

750 6.11 WALLS (SCREENING)

- 751 A. For those districts and uses listed below, there shall be provided and maintained a screening
752 wall as noted:

753 Table XX: Required Walls
754
755

Land Uses Requiring Walls	Height	Location of Wall
Commercial and Industrial Districts	6'0"	Along common boundary
Required Parking in Multiple-Family Areas	4'6"	Along common boundary

Junk Yards	8'0"	All sides of use
Storage Facilities	4'6" – 8'0"	Along common boundary
Required Off-Street Parking in Residential Areas	4'6"	Along common boundary

756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778

- B. 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 or Administrative Review Committee 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 Planning Commission or Administrative Review Committee, 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 in reviewing such a request.
- C. Walls shall be constructed of masonry, concrete or other materials approved by the Planning Commission or Administrative Review Committee. 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 screening character required and shall be reviewed and approved by the building inspector.
- D. Where a screening wall is required, a landscaped earth mound may be permitted in lieu of such wall, provided that the height of the earth mound not be less than the required height of the obscuring wall.