

ORDINANCE NO. 784

AN ORDINANCE TO AMEND SECTIONS 601, 603, 701 AND 1600 OF APPENDIX A, ZONING ORDINANCE OF THE PETOSKEY CODE OF ORDINANCES

WHEREAS, the Livable Petoskey Master Plan was adopted on July 19, 2021 and has a goal to provide a range of housing types, densities, and price levels to address the needs of all age groups, household types, and income levels; and

WHEREAS, the current lack of new housing construction is impacting the ability of current and new residents to find needed housing; and

WHEREAS, local regulations are one barrier to the construction of new housing that is under the control of the City of Petoskey; and

WHEREAS, the Planning Commission has been reviewing the zoning ordinances for several months to identify possible changes to remove such barriers and other needed changes and clarifications; and

WHEREAS, a public hearing was held December 16, 2021 by the Planning Commission on several changes where no opposition was received; and

WHEREAS, the Planning Commission recommends that the changes to Sections 601, 603, 701, 1600 of the Zoning Ordinance be approved to remove barriers to residential unit construction and group daycare homes in residential districts.

NOW THEREFORE, the City of Petoskey ordains:

1. Sections 601(1) and (2), 603(1), 701 and 1600 of Appendix A to the Petoskey Code of Ordinances are hereby repealed and replaced with the following:

Sec. 601 Principal uses permitted.

In the RM-1 Multiple-Family Residential District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this article:

(1) All uses permitted and as regulated in the R-1 through R-3 Single-Family Residential Districts with the lot area and yards equal to the requirements of the R-2 Single-Family Residential District.

(2) Multiple-family dwellings subject to Section 1600(e)(1).

Sec. 603 Principal uses permitted subject to special conditions.

(1) Nursery schools, day nurseries, child-care centers (not including dormitories or family day-care homes), and group day-care homes (seven or more minor children), subject to state regulations.

Sec. 701. – Principal uses permitted.

In a RM-2 Multiple-Family Residential District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this section:

- (1) All uses permitted and as regulated in the RM-1 Multiple Family District with the following requirements:
 - a. Multiple family dwellings regulated according to Section 1600 (e)(2).
 - b. Single Family dwellings subject to the R-2 Single Family Residential District standards.

2. Section 1600, Sec. 1600 Schedule limiting height, bulk, density and area by zoning district regulations for the RM-1, RM-2 are hereby amended to read as follows:

ZONING DISTRICT	Minimum Lot Size Per Unit		Maximum Height of Structure		Minimum Yard Setback (Per Lot in Feet)				Maximum Lot Area Coverage (All Buildings)
	Area in Square Feet	Width in Feet	In Stories	In Feet	Front	Side Yards		Rear	
						Side (one)	Side (total of two)		
RM-1 Multi-Family	(e.1)	(e.1)	2	25	50	10	20	35	30%
RM-2 Multi-Family	(e.2)	(e.2)	3	33	25	10	20	35	30%

3. Conflicting Standards.

If any of the standards set forth in this amendment conflict with any other standards of previous or further ordinances or amendments, the stricter standards shall apply.

4. Repeal; Savings Clause.

All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.

5. Severability.

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

6. Effect.

This ordinance shall take effect fifteen (15) days following its enactment and shall be published once within seven (7) days after its enactment as provided by Charter.

Adopted, enacted and ordained by the City of Petoskey City Council this 7th day of February 2022.

John Murphy
Its Mayor

Alan Terry
Its Clerk