

City of Hastings
COUNTY OF BARRY, STATE OF MICHIGAN

ORDINANCE NO. 606

AN ORDINANCE TO AMEND CHAPTER 90 OF THE HASTINGS CODE OF 1970, AS AMENDED, BY AMENDING THE FOLLOWING: CHAPTER 90, ARTICLE 90-VI, DIVISION 90-VI-4 R-1, SECTION 90-289 (A), DIVISION 90-VI-5 R-2, SECTION 90-312 (H) AND SECTION 90-314 (A), DIVISION 90-VI-6 R-D, SECTION 90-339 (A), DIVISION 90-VI-8 A-1, SECTION 90-391, SECTION 90-392 (B), 90-393 (A), AND SECTION 90-394 (A), DIVISION 90-VI-9 A-2, SECTION 90-423 (A) AND SECTION 90-424 (A), DIVISION 90-VI-10 A-O, SECTIONS 90-452 (B), 90-453 (A), AND 90-454 (A)

AS RECOMMENDED BY THE PLANNING COMMISSION ON AUGUST 1, 2022

THE CITY OF HASTINGS ORDAINS:

SECTION I.

Article 90-VI is hereby amended by amending Division 90-VI-4 R-1, Section 90-289 (a), Division 90-VI-5 R-2, Sections 90-312 (h), Section 90-314 (a), Division 90-VI-6 R-D, Section 90-339 (a), Division 90-VI-8 A-1, Section 90-391, Section 90-392 (b), 90-393 (a), Section 90-394 (a), Division 90-VI-9 A-2, Section 90-423 (a), Section 90-424 (a), Division 90-VI-10 A-O, Section 90-452 (b), Section 90-453 (a), and Section 90-454 (a).

Section 90-289 District Regulations

Buildings and structures shall not be erected or enlarged in the R-1 district unless the following requirements are met and maintained:

- a) Minimum lot area 9,900 square feet.
- b) Minimum lot width 75 feet.

Section 90-312 Permitted Uses

Land and structures in the R-2 district may be used for the following purposes only:

- a) Single-family detached dwellings.
- b) Two-family dwellings.
- c) Child and adult day care homes with no more than six minor children or adults.

- d) State licensed adult foster care family homes with no more than six adults. Such facilities shall be at least 1,500 feet apart as measured between property lines.
- e) Home occupations as regulated by section 90-775.
- f) Private communication antennas not exceeding 35 feet in height as regulated by section 90-921.
- g) Accessory uses, buildings, and structures customarily incidental to any of the above uses as regulated by article IX, division 3 of this article.
- h) Essential public service equipment.
- i) Public schools per section 90-810
- j) Accessory Dwelling Units as regulated by Secs 90-914/915.

Section 90-314 District Regulations

Buildings and structures shall not be erected or enlarged in the R-2 district unless the following requirements are met and maintained:

- a) Minimum lot area 8,000 square feet.
- b) Minimum lot width 66 feet.

Section 90-339 District Regulations

Buildings and structures shall not be erected or enlarged in the R-D district unless the following requirements are met and maintained:

- a) Minimum lot area 9,900 square feet.
- b) Minimum lot width 75 feet.

Section 90-391 Purpose

The A-1 district is designed to allow apartments at a higher density than the A-2 district. Public water and sanitary sewer are necessary for uses in this district.

Section 90-392 Permitted Uses

Land and structures in the A-1 district may be used for the following purposes only:

- a) Single-family detached dwellings.
- b) Multiple-family dwellings with no more than eight units per building and a maximum density of 14 units per acre.
- c) Two-family dwelling units.
- d) Child and adult day care homes with no more than six minor children or adults.
- e) Housing for the elderly, retired or those requiring assisted care including nursing homes subject to the standards of article XIII of this chapter.
- f) Home occupations as regulated by section 90-775.

- g) Private communication antennas not exceeding 35 feet in height as regulated by section 90-833.
- h) Accessory uses, buildings, and structures customarily incidental to any of the above uses as regulated by article IX, division 3 of this chapter.
- i) Essential public service equipment.
- j) Public schools per section 90-810.
- k) Accessory Dwelling Units as regulated by Secs 90-914/915.

Section 90-393 Special Uses

The following uses may be permitted as special land uses in the A-1 district subject to the applicable general and specific requirements and standards of article XIII of this chapter:

- a) Multiple-family dwellings with no more than 24 units per building and a maximum density of 14 units per acre.
- b) Churches, synagogues or other similar places of worship and customary related uses.
- c) Public and institutional uses and hospitals.
- d) Private schools.
- e) Antennas and towers exceeding a height of 35 feet.
- f) Noncommercial parks, playgrounds, and playfields.
- g) Essential public service buildings and structures.
- h) Child and adult day care homes that provide care to more than six but not more than 12 minor children or adults.
- i) Child day care centers.
- j) Bed and breakfast establishments.
- k) Residential substance abuse treatment facility as licensed under Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.6233 et seq.) provided such facility is at least 800 feet from a similar facility or a licensed child day care home or center.
- l) Foster care group home for seven or more children or adults.
- m) Crisis shelter homes within a single-family dwelling operated by a nonprofit agency which provide temporary housing for families or individuals involved in domestic violence or similar crisis situations which prevent them from staying in their own homes.
- n) Transitional or Emergency Housing.

Section 90-394 District Regulations

Buildings and structures shall not be erected or enlarged in the A-1 district unless the following requirements are met and maintained.

- a) Minimum lot area 6,600 square feet.
- b) Minimum lot width 66 feet.

Section 90-423 Special Uses

The following uses may be permitted as special land uses in the A-2 district subject to the applicable general and specific requirements and standards of article XIII of this chapter:

- a) Multiple-family dwellings with no more than eight units per building including attached townhouse buildings, and a maximum density of eight units per acre.
- b) Churches, synagogues or other similar places of worship and customary related uses.
- c) Public and institutional uses and hospitals.
- d) Private schools.
- e) Antennas and towers exceeding a height of 35 feet.
- f) Non-commercial parks, playgrounds and playfields.
- g) Essential public service buildings and structures.
- h) Child and adult day care homes with more than six but not more than 12 minor children or adults.
- i) Child day care centers.
- j) Bed and breakfast establishments.
- k) Gathering halls, lodges, or clubs of fraternal organizations, including accessory uses of such buildings, including, but are not limited to, garage sales, flea markets, art sales, wedding receptions and similar gatherings within such buildings as may be permitted by the planning commission.
- l) Accessory buildings which are more than one story in height, and which are similar in architectural style to the principal building on the property per section 90-1090 herein.

Section 90-424 District Regulations

Buildings and structures shall not be erected or enlarged in the A-2 district unless the following requirements are met and maintained:

- a) Minimum lot area 6,600 square feet.
- b) Minimum lot width 66 feet.

Section 90-452 Permitted Uses

Land and structures in the A-O district may be used for the following purposes only:

- a) Single-family detached dwellings.
- b) Multiple-family dwellings with no more than eight units per building and a maximum density of 14 units per acre.
- c) Two-family dwelling units.
- d) Child and adult day care homes with no more than six minor children or adults.
- e) Offices permitted by section 90-477 and other uses.

- f) Housing for the elderly, retired or those requiring assisted care, including nursing homes, subject to the standards of section 90-1080.
- g) Home occupations as regulated by section 90-775.
- h) Private communication antennas not exceeding 35 feet in height as regulated by section 90-833.
- i) Accessory uses, buildings, and structures customarily incidental to any of the above uses as regulated by article IX, division 3 of this chapter.
- j) Essential public service equipment.
- k) Public schools per section 90-810.
- l) Accessory Dwelling Units as regulated by Secs 90-914/915.

Section 90-453 Special Uses

The following uses may be permitted as special land uses in the A-O district subject to the applicable general and specific requirements and standards of article XIII of this chapter:

- a) Multiple-family dwellings with no more than 24 units per building and a maximum density of 14 units per acre.
- b) Churches, synagogues or other similar places of worship and customary related uses.
- c) Public and institutional uses and hospitals.
- d) Private schools.
- e) Antennas and towers exceeding a height of 35 feet.
- f) Noncommercial parks, playgrounds, and playfields.
- g) Essential public service buildings and structures.
- h) Child and adult day care homes with more than six but not more than 12 minor children or adults.
- i) Child day care centers.
- j) Bed and breakfast establishments.
- k) Residential substance abuse treatment facility as licensed under Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.6233 et seq.) provided such facility is at least 800 feet from a similar facility or a licensed child day care home or center.
- l) Gathering halls, lodges, or clubs of fraternal organizations.
- m) Accessory buildings which are more than one story in height, and which are similar in architectural style to the principal building on the property per the requirements of section 90-1090 herein, except that such buildings shall still comply with the building size requirements of subsection 90-831(d). Other regulations of section 90-1090 shall supersede all conflicting regulations of section 90-831.
- n) Transitional or Emergency Housing.

Section 90-454 District Regulations

Buildings and structures shall not be erected or enlarged in the A-O district unless the following requirements are met and maintained:

- a) Minimum lot area 6,600 square feet.
- b) Minimum lot width 66 feet.

SECTION II.

If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

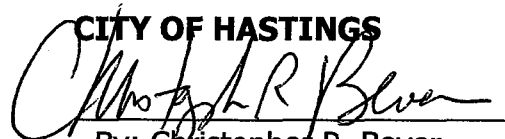
SECTION III.

This ordinance shall become effective upon its adoption and publication as provided by City Charter.

Moved by Nesbitt, with support by Resseguie, that **Ordinance No. 606** be adopted as read.

YEAS: Bowers, Cary, Jarvis, McClean, McNabb-Stange, Nesbitt, Resseguie, Smith and Tossava.
 NAYS: None.
 ABSENT: None.


Adoption Date: August 22, 2022
 Effective Date: August 26, 2022
 First Reading: August 08, 2022
 Second Reading: August 22, 2022

CITY OF HASTINGS

 By: Christopher R. Bever
 City Clerk

CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of the City of Hastings, Michigan, does hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Hastings, at a regular meeting of the City Council on the 22 day of August 2022, at which meeting a quorum was present and remained throughout, and that the original of said Ordinance is on file in the records of the City of Hastings. I further certify that the meeting was conducted, and public notice was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

Dated: October 17, 2023

A handwritten signature in black ink, appearing to read "Christopher R. Bever", written over a horizontal line.

Christopher R. Bever
City Clerk