MANISTEE CITY PLANNING COMMISSION

70 Maple Street
P.O. Box 358
Manistee, Michigan 49660

MEETING OF DECEMBER 4, 1996

There will be a meeting of the Manistee City Planning Commission to be held on Wednesday, December 4, 1996 at 7:00 P.M. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

AGENDA

I. Roll Call - Welcome New Member Duane Jones

II. Matters Pertaining to the General Citizenry:
- A. Public Hearing:
  1. Groundwater Protection/Wellhead Protection
  2. Renaissance Zone
  3.
- B. Site Plan Reviews:
  1. AMBAR
  2.
- C. Questions, Concerns and Consideration of Matters
  1.
  2.

III. Business Session:
- A. Approval of Minutes from Last Meeting (11/7/96)
- B. Unfinished Business:
  1. Groundwater Protection/Wellhead Protection
  2. Renaissance Zone
  3. Parks Plan
  4. Meeting Schedule 1997
  5.
- C. Other Communications:
  1. City Update
  2.
- D. Reports:
  1. D.D.A. Update
  2. Zoning Board of Appeals
  3. Site Plan Review/Historic Overlay Committees
  4. Joint City Review/Ordinance Committee
  5. Pre-Manufactured Homes - Adult Foster Care
- E. New Business:
  1. M-55 Park
  2. Resolution - Denis Johnson
  3. Review of By-Laws
  4. Election of Officers 1997
  5. Committee Appointments 1997
  6.

IV. Work/Study Session:

V. Adjournment

cc: Planning Commission Members
City Council
R. Ben Bifoss, City Manager
Jon Rose, City Code Administrator
Kurt Schindler, County Planner
Manistee News Advocate
Manistee Observer
WMTE Radio
WXYQ Radio
Jeff Mikula, Abonmarche
Dale Picardat, Community Development Officer
Julie Beardslee, Assessor

CODE ADMINISTRATOR
CITY OF MANISTEE

MEMORANDUM

TO: Planning Commission Members

FROM: Jon R. Rose

DATE: November 26, 1996

RE: December 4, 1996 Meeting

We will have a meeting on Wednesday, December 4th in the Council Chambers. On the agenda we have public hearings on Wellhead Protection and the Renaissance Zone. These are Zoning Amendments which need to have a public hearing. Changes have been made to the proposed Wellhead Protection Amendment (the map on page 6 of 8 and the highlighted text on page 7 of 8) are enclosed for your review. We also have a site plan review for Ambar.

We will continue discussion on the Parks Plan (Denise mailed each of you a copy on November 8th). After review we have discovered that the July and December 1997 meeting that we changed to the second Thursday of the month are in conflict with the School Board Meeting. We will discuss these changes.

Enclosed is a copy of a proposed resolution that we have prepared for Denis Johnson. We will have Election of Officers for the 1997 year and an annual review of the By-Laws (copy enclosed).

We are currently short two members and Tony has begun his absence. We need a minimum of five members to make quorum. If you are unable to attend please call us and let us know.

We will see you at the meeting.

JRR:djm

Enclosures

City of Manistee
70 Maple Street • P.O. Box 358 • Manistee, Michigan 49660
616-723-2558
FAX 616-723-1546

December 4, 1996

Denis R. Johnson
480 Water Street
Manistee, MI 49660

Dear Denis,

The City of Manistee Planning Commission would like to thank you for your years of service to the Commission. It is with regret that the Planning Commission accepts your resignation.

During the December 4, 1996 meeting a resolution was passed by the Planning Commission to honor you for your service. Your list of accomplishments to the Planning Commission were too numerous to list so we listed a few highlights of your years of service. You have been instrumental in creating the professional and progressive Planning Commission we have today. Your positive attitude and dedication to the Commission will be greatly missed.

Please accept this resolution with the heartfelt thanks of the Planning Commission. Also our best wishes go out to you and your family.

Sincerely,

CITY OF MANISTEE PLANNING COMMISSION

Roger Yoder
Chairman

RY:dm

Enclosures

12-3-96

RESOLUTION

Denis R. Johnson

WHEREAS, *Denis R. Johnson has served on the City of Manistee Planning Commission from February 2, 1982 to October 17, 1996, and*

WHEREAS, *Denis served as Secretary of the Commission from March 1985 to December 1993, and*

WHEREAS, *Denis has served as Vice-Chair to the Planning Commission since April 1994, and*

WHEREAS, *Denis has served as the Planning Commission representative to the Zoning Board of Appeals from 1984 to 1996, and*

WHEREAS, *Denis has acted as Chairman to the Zoning Board of Appeals since July 1992, and*

WHEREAS, *Denis has been instrumental in writing and updating the current City of Manistee Zoning Ordinance, and*

WHEREAS, *Denis has been an active Member of the Planning Commission, and*

NOW, THEREFORE, BE IT RESOLVED *that the City of Manistee Planning Commission hereby thanks Denis R. Johnson for his fourteen years of dedicated service to the City of Manistee Planning Commission, and extends our best wishes to him in the future.*

Roger Yoder, Chairman

Jon R. Rose, Code Administrator

12-9-96

MANISTEE CITY PLANNING COMMISSION

BY-LAWS
and
RULES OF PROCEDURE

The following by-laws and rules of procedure are hereby adopted by the Planning Commission to facilitate the performance of its duties as outlined in Act 285, P.A. of 1931, as amended (being M.C.L. 125.34, Municipal Planning).

Section 1.0 Officers:

1.1 Selection: At the regular meeting in December of each year, the Planning Commission shall select from its membership a Chairman, Vice Chairman and Secretary. All officers are eligible for reelection.

1.2 Tenure: The officers shall take office at the start of the next regular meeting following their selection and shall hold office for a term of one year, or until their successors are selected and assume office.

Section 2.0 Officers' Duties:

2.1 Chairman: The Chairman shall:
- A. Preside at all meetings,
- B. Appoint committees,
- C. Periodically meet with Planning Department Staff,
- D. Appoint an acting Secretary for a meeting at which the Secretary is absent, and
- E. Perform such other duties as may be ordered or authorized by the Planning Commission.

2.2 Vice Chairman: The Vice-Chairman shall:
- A. Act in the full capacity of the Chairman in the absence of the Chairman, and
- B. In the event the office of the Chairman becomes vacant, shall succeed to the office of Chairman for the unexpired term. The Planning Commission shall select a successor to the office of Vice-Chairman from its membership for the unexpired term.

2.3 Secretary: The Secretary shall:
- A. Execute documents in the name of the Planning Commission,
- B. Be responsible for the minutes of each meeting and shall have them spread in suitable volumes.
- C. Be responsible for copies of the minutes being distributed to each member of the Planning Commission prior to the next meeting of the Planning Commission,
- D. Be responsible for all communications, petitions and reports addressed to the Planning Commission,
- E. Keep attendance records and shall notify the City Council whenever any member of the Planning Commission is absent from three consecutive regularly scheduled

meetings so the City Council can take further action pursuant to Section 3.2 of these rules of procedure and by law, and

F. Perform such other duties as the Planning Commission may determine.

G. Maintain an accounting of funds budgeted to the Planning Commission.

Section 3.0 Meetings:

3.1 Regular Meetings: Meetings of the Planning Commission will be held the First Thursday of every month at 7:00 p.m. in the City Council Chambers at City Hall. When the regular meeting day falls on a legal holiday, or if city wide festivities are planned for that date, the Planning Commission shall select a suitable alternate day in the same month. A meeting of the Planning Commission shall only be canceled due to severe weather or when quorum cannot be present. [Annotation: The meeting time was changed from 7:15 p.m. by amendment on December 10, 1992]

3.2 Attendance: If any member of the Planning Commission is absent from three consecutive regularly scheduled meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the City Council to remove any member from the Planning Commission for nonperformance of duty or misconduct of office, or both, after a public hearing. In the absence of the Secretary, the appointed acting Secretary shall perform the secretary's reporting function to the City Council.

3.3 Special Meetings: Special meetings shall be called at the request of the Chairman, or by three members of the Planning Commission. Notice of special meetings shall be given by the Secretary to the members of the Planning Commission at least 48 hours prior to such meeting and shall state the purpose and time and place of the meeting. The Chairman may designate special meetings for the exclusive purpose of discussion of long range portions of the master plan or for other single issue discussions.

3.4 Public: All regular and special meetings, hearings, records and accounts shall be open to the public.

3.5 Quorum: Five members shall constitute a quorum for the transaction of business and the taking of official action for all matters except the adoption of a master plan, or any part of a master plan. The affirmative vote of six members shall be necessary for the adoption of a master plan, or any part of a master plan. Whenever a quorum is not present at a meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official unless and until ratified and confirmed at a subsequent meeting when a quorum is present by acting to approve the minutes of the meeting at which the quorum is not present.

3.6 Order of Business: The secretary or his designate shall prepare an agenda for each meeting and the order of business therein shall be as follows:

A. Call to order and roll call.
B. Matters pertaining to the general citizenry and citizens present at the meeting, to be heard in the following order:
   1. Advertised Public Hearings. The Chairman will declare such a public hearing open and state its purpose. The petitioner, or proponent of the action advertised will be heard first. No action will be taken during a Public Hearing.
   2. Site plan reviews.
   3. Persons requested or requesting to be heard by the Planning Commission for discussion of a local problem, presentation on an issue.
   4. Public Participation.
C. Housekeeping Business.
   1. Approval of minutes.
D. Unfinished business. Items considered here are to be taken up in the same order considered to be priority by the Commission and/or its staff, with the highest priority taken first.
E. Other Communications.
F. Reports
G. New Business, communications, other.
H. Work Session
I. Adjournment.

3.7 Motions: Motions shall be restated by the Chairman before a vote is taken.

3.8 Voting: Voting shall be by voice or shall be by roll call and each vote recorded in the minutes. Roll call votes shall only be done upon request of a member or by ruling of the Chairman. Members must be present to cast a vote.

3.9 Commission Action: Action by the Planning Commission on any matter on which a hearing is held shall not be taken until after the hearing has concluded.

3.10 Parliamentary Procedure: Parliamentary Procedure in Commission meetings, when needed, shall be governed by Roberts' Rules of Order.

3.11 Conflict of Interest: As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
A. A commission member issuing, deliberating, voting or reviewing a case concerning himself.
B. A commission member issuing, deliberating, voting or reviewing a case concerning work on land owned by himself.

C. A commission member issuing, deliberating, voting or reviewing a case involving a corporation, company, partnership, or other entity in which he is a part owner, or any other relationship where he may stand to have a financial gain or loss.

D. A commission member issuing, deliberating, voting or reviewing a case which is an action which results in a pecuniary benefit to himself.

E. A commission member issuing, deliberating, voting or reviewing a case concerning his spouse, children, step-child, grandchildren, parents, brother, sister, grandparents, parents in-law, grandparents in-law or member of his household.

F. A commission member issuing, deliberating, voting or reviewing a case where he/she is a member of the Manistee City Planning Commission and

1. is an applicant, or
2. has a direct interest in the permit, or
3. chooses to intervene in a permit application case and is done in such a manner that the commissioner feels, in his/her judgement, that his/her job, scope of duties and/or position may be a risk, pending the outcome of the permitting process. A commission member shall, when he/she has a conflict of interest do the following immediately, upon the first review of the case and determining a conflict exists:
   a) declare a conflict exists at the beginning of the meeting where the case appears on the agenda, or when the topic brought up so such declaration is recorded in the minutes, and
   b) refrain from participating in the discussion, site inspection or review of the case, except where specific information has been requested by the commission, and
   c) refrain from casting a vote on any motion having to do with the case.

Section 4.0 Committees:

4.1 Executive Committee:

A. The Executive Committee shall be a standing committee of the Planning Commission. Its membership shall be the elected officers of the Commission, and they shall hold the same offices in the committee. The Executive Committee may deal with recommendations to the Planning Commission on

1. matters of the Planning Commission Budget;
2. employment of a Planning Director for the Planning Department;
3. overseeing the Director's day-to-day administration of the Planning Department;
4. office and personnel policy; and anything else directed to the Executive Committee by the Planning Commission.

B. The Executive Committee has limited power to act only on housekeeping matters, budget, office policy, overseeing contracts and personnel when time constraints

require action prior to the next regularly scheduled Planning Commission meeting. Such actions shall be reported at the next regularly scheduled Planning Commission meeting and are subject to the Planning Commission's review and veto.

4.2 Ad Hoc Committees: The Planning Commission or Chairman of the Planning Commission may establish and appoint ad hoc committees for special purposes or issues, as deemed necessary. No more than four members of the Planning Commission may serve on an ad hoc committee at any given time.

Committee appointments shall be made at the first regular meeting held in January of each year or at the time the committee is formed. Committees requiring appointments may include, but are not limited to: Site Plan /Historic Overlay District Review Committee, Joint Planning Commission/City Council Review Committee, Ordinance Committee, Zoning Board of Appeals, Manistee County Plat Review Board, DDA Liaison.

4.3 Citizen Committees: The Planning Commission, Chairman of the Planning Commission, and/or the Planning Director may establish and appoint citizen committees with the consent of the Planning Commission. Membership can be any number, so long as no more than four members of the Planning Commission serve on a citizen committee at any given time. The purpose of the citizen committee is to have more citizen and municipal government involvement, to be able to use individuals who are knowledgeable or expert in the particular issue before the Planning Commission, to better represent various interest groups.

Section 5.0 Rules of Procedure for All Committees:

5.1 Subservient to the Planning Commission: All committees are subservient to the Planning Commission and report their recommendations to the Planning Commission for review and action. A simple majority vote by the Planning Commission can overrule any action of any committee.

5.2 Same Principles: The same principles of these Rules of Procedure for the Planning Commission also apply to all committees of the Planning Commission:

A. Officers of committees are appointed by the Chairman at the time the committee is created or are elected by the committee from its membership at their first meeting. Officers, at a minimum, shall include a chairman and a secretary-vice chairman.

B. A committee's quorum shall be at least half the total appointed membership of the committee. Only citizen committees can elect to meet without a quorum as provided in section 3.4 of these Rules of Procedure.
C. Only those appointed members of a committee who are present at the time of a vote shall be eligible to cast a vote.
D. If any member of a committee is absent from three consecutively scheduled meetings of that committee, than that member shall be considered delinquent. Delinquency shall be grounds for the Planning Commission to remove the member from the committee. The elected committee secretary or acting secretary shall (and the Planning Director may) keep attendance records and notify the Planning Commission of any committee member who has been absent from three consecutively scheduled meetings to the Planning Commission may consider removal of the individual from the committee.
E. The secretary of the committee shall keep minutes of the committee meetings in the same format as the minutes of the Planning Commission. Minutes shall be filed in the Planning Department.
F. Committees have reasonable use of Planning Department staff time and assistance and direction for performing the work of the committee.
G. All committee meetings, records, etc. are open to the public
H. Citizen committees may form subcommittees from their own membership or with additional citizens when deemed necessary. Subcommittees are subservient to the parent committee. Subcommittees are informal, not requiring quorums, attendance, minutes, public participation, Less than one half the committees' members shall be appointed to a single subcommittee.

Section 6.0 Per Diem, Expenses and Mileage:

6.1 Mileage and Per Diem shall be paid to members of the Planning Commission at rates established by the City Council from time to time for attendance at Commission meetings and Executive Committee meetings and other authorized meetings or trips to represent the Commission, if those members bill the Commission for the same.

6.2 The payment of registration fees and/or the reimbursement for expenses to represent the City at planning related meetings, seminars and workshops must be approved by the Planning Commission in regular session prior to any payments being made by the city, provided budgeted funds are available and if those members bill the Commission for the same.

Section 7.0 Hearings:

7.1 Master Plan Hearings: Before the adoption of any part of the Master Plan as defined in Section 8 of P.A. 285 of 1931, as amended (being M.C.L. 128.38, Municipal Planning) or any amendment to the Master Plan, or recommending approval of an amendment to the governing body, the Planning Commission shall hold a public hearing on the matter. Notice of the time and place of the hearing shall be given, not less than 15 days prior to such hearing, by one publication in each newspaper of general circulation.

7.2 Special Hearings: Notice of special hearings for the purposes of presenting preliminary master plans, obtaining public opinion on a problem, or discussion of a particular problem with interested parties will be given in the most practical manner and to persons, or group representatives most interested.

7.3 Notice of Decision: A written notice containing the decision of the Planning Commission will be sent to petitioners and originators of a request for the Planning Commission to study a special problem.

Section 8.0 Matters to be considered by the Planning Commission:

8.1 The following matters shall be presented for consideration at a meeting of the Planning Commission:

A. All preliminary plans and reports for the physical development of the city, including the general location, character and extent of streets and roads, viaducts, bridges, parks and open spaces; the general location and extent of public utilities and terminals.
B. The removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any public right-of-way, grounds, agricultural land, open spaces, buildings or properties.
C. The general character, extent and layout of the replanning and redevelopment of blighted districts and slum areas.
D. Land subdivision plats.
E. All planning reports and plans before publication.
F. Capital improvement programs.
G. Planning Department and Commission's budget requirements for the fiscal year and requests for appropriations.
H. Selection of consultants and determination of basis for compensation and selection of a Planning Director.
I. Plans, zoning ordinances, etc. adopted by municipalities.

J. Such other matters as the Planning Director shall find advisable or essential to receive consideration by the Planning Commission.

Section 9.0 Matters to be acted upon by staff on behalf of the Commission:

9.1 The Planning Department Director shall take action or make recommendation in the name of the Planning Commission, in accordance with such plans, policies and procedures as are approved or established by the Planning Commission from time to time. Where there is a serious conflict of interest, public controversy, or uncertainty or doubt as to the plans, policies or procedures approved or established by the Planning Commission, presentation of the matter shall be made at a Planning Commission meeting.

Section 10.0 Site Plan Review and Lot Split and Combination Review Policy:

10.1 Submitted site plans shall be reviewed in the following manner:

Basic Site Plans: shall only be subject to review by the city code administrator.

Medium Site Plans:

New Single Family Homes -
subject to review by city code administrator, with his option to refer the plan to the planning commission or site plan review committee.

New Multi-Family Homes -
subject to review by the planning commission.

New Non-Residential Structures -
subject to review by the planning commission.

Additions to Non-Residential Structures -
subject to review by the city code administrator and site plan review committee, with option to refer the plan to planning commission.

Detailed Site Plans: shall only be subject to review by the planning commission and/or Board of Appeals

10.2 Plans for Lot Splits and Combinations shall be reviewed, as required in Section 151.07(E) of the Manistee City Subdivision Ordinance, in the following manner:

Plans for the proposed lot split or combination shall be forwarded by the City Code Administrator to the Site Plan Review Committee at a meeting of the committee, for their review. The committee shall review the plan to see that each resulting parcel meets each and every requirement of the City of Manistee Zoning Ordinance for the land use district in which the parcels are located. After reviewing the plan the Committee is authorized to either:

1. Submit recommendations on the plan to the Manistee City Council on behalf of the Planning Commission, or
2. Refer the plan to the full Planning Commission for review and recommendation.

As provided in Section 151.07(E) of the Manistee City Subdivision Ordinance, recommendations of the Site Plan Review Committee and/or of the Planning Commission can be made with or without a public hearing. [Annotation: Section 10.2 added by amendment on December 9, 1993]

Section 11.0 Planning Commission Staff:

11.1 Authorization: The Planning Commission staff may consist of a Planning Director and such other personnel as may be authorized by the Planning Commission after the budget for the same is approved by the City Council.

11.2 General Responsibility: The Planning Commission Staff is charged with the duty of preparation and administration of such plans as are authorized by the Planning Commission.

11.3 Planning Director's Duties: The Planning Director shall be responsible for the professional and administrative work in directing and coordinating the program of the Planning Commission. His work shall be carried on with the widest degree of professional responsibility, subject to the policy determinations of the Planning Commission and administrative policies of the City Council. The Planning Director shall:

A. Supervise and review the work of professional, technical and nontechnical employees of the Planning Commission Staff.
B. Prepare a proposed annual budget for the Planning Commission and Department to submit to the Planning Commission.
C. Be responsible for carrying out the directives of the Planning Commission.
D. Work with the chairman of the Planning Commission for formulation of staff policy, subject to approval by the Planning Commission.
E. Recommend to the Planning Commission the process to implement plans and policies such as:

1. Zoning and subdivision control.
2. Programs for capital expenditures.
3. Other actions by the commission or other government agencies.

F. Officially present the Planning Commission's recommendations to the City Council.

G. Officially represent the Planning Commission, its staff, the Planning Department, at planning conferences, interdepartmental meetings, the public and press.

H. Encourage development in harmony with plans, policies and ordinances, supply information, and promote understanding of planning.

I. Perform other such duties as are contained in a job description adopted by the Planning Commission.

Section 12.0 Adoption and Repeal:

12.1 Upon adoption of these by-laws and rules of procedure, they shall become effective and all previous rules of procedure or bylaws shall be repealed.

Section 13.0 Amendments:

13.1 These rules may be amended at any regular meeting of the Planning Commission by a two-thirds (2/3) vote of the total membership of the commission.

Adopted by Manistee City Planning Commission - 1/9/92
Amended by Manistee City Planning Commission - 12/10/92
Amended by Manistee City Planning Commission - 12/9/93

City of Manistee
70 Maple Street • P.O. Box 358 • Manistee, Michigan 49660
616-723-2558
FAX 616-723-1546

November 20, 1996

TO: Parks Commission

FROM: R. Ben Bifoss, City Manager

SUBJECT: M-55 Property

Thank you for the correspondence advising of the Parks Commission action at its November 13 meeting. That request was for the City Council to establish a park designation and proceed with planning a 173 acre public recreation development along M-55 in Manistee Township. Several items are worthy of your attention before this matter proceeds to the City Council.

First, state statute requires that matters such as this be reviewed by the Planning Commission. The law does not require the Planning Commission's concurrence; however it does require the Planning Commission's review and recommendations prior to City Council action. As such, this matter should be referred to the Planning Commission prior to City Council consideration.

The Parks Commission may or may not be aware that this property is zoned by Manistee Township. No land use can occur without the Township's consent. The property is currently zoned industrial. The City, Township and County have expended a great deal of time and effort pursing Renaissance Zone designation. Such designation, if received, may impact future land uses for the 173 acres.

By copy of this correspondence I have requested that this matter be placed on the Planning Commission's next agenda for their consideration. That meeting is scheduled for Wednesday, December 4, 1996 at 7:00 p.m. Thank you.

RBB:cl

cc. (with attachments)
Manistee City Council
Roger Yoder, Chairman-Planning Commission
Homer Ramsdell, Parks Foreman
Jon Rose, Code Administrator

NOV 1 5 1996

City of Manistee

PARKS COMMISSION
616-723-255

70 Maple Street • P.O. Box 358 • Manistee, Michigan 49660

11/15/96

City Manager Ben Bifoss
c/o City Hall
Manistee

Dear Ben,

At the Parks Commission meeting November 1996, John Rozga motioned, with Howard Turk seconding, to:

Ask City Council for park designation, and to proceed with planning for the 173 acre M-55 Parcel for public recreation development.

Approved unanimously.

Sincerely,

Mark Swanson

Mark Swanson
Parks Commission Secretary
Members present at meeting: Trucks, Rozga, Turk, Burns, Swanson
Members absent: Miehlke, Scarlata

NOV 1 5 1996

CITY OF MANISTEE
PARKS COMMISSION

Proceedings of Regular meeting Nov 13, 1996

Present: Shirley Trucks, John Rozga, Mark Swanson, Paul Burns, Howard Turk, Homer Ramsdell Absent: Jennifer Scarlata, Laverne Mielke,
Meeting was called to order by Chair Trucks at City Hall at 6:02pm.

I. Minutes of the October meeting were presented. Approved except for a need to correct the Marina count for boats.

II. Old business:

A) A swing set has been ordered for Szymarek Park.

B) City Council approved and appropriated up to $6,500 to replace the fencing and backstops at Rietz Park. The old (tin) fencing has been taken down. Apple Fence of Traverse City submitted the low bid.

C) The Planning Commission approved the placement of a flagpole at the Douglas Park entry sign. Funding will be provided by the county's veterans groups.

D) We have received a $1,000 check from Morton Performance Chemical toward the installation of a basketball court at Morton Park.

E) John requested we establish a liaison committee with the Planning Commission to develop a recreation plan for the 173 acre M-55 parcel. Homer suggested we wait until word has been received regarding the other 200 acres which was included in the Renaissance Zone application. John motioned, with Howard seconding, to: send a letter to City Council asking for park designation and to proceed with planning for the 173 acre M-55 parcel for public recreation development. Approved unanimously.

F) The final draft Parks Master Plan is to the Planning Commission. They have a regular meeting scheduled for Wednesday, Dec 4, 7:00pm at City Hall. The plan will be discussed. Shirley and other Parks Commission members will attend.

III. New business

A) Paul has caught wind of a Planning Commission idea to begin planning for designated bikeways. Mark was appointed to represent the Parks Commission.

IV. Parks Report (Homer)

A) No word re Akzo property behind the old Kmart.

B) Riverwalk East - work has begun: electrical, sheet piling, tiebacks.

C) Morton Park - Rotary has purchased playground equipment. Will have to wait till spring to install.

D) Duffy Park - Water Dept ran waterline from Washington St to behind backstop.

E) Park Rules - have received some from other communities. Need to update and organize ours.

F) Skateboards - I ordered a video. It has not arrived.

G) Boat Ramps - 6 of 8 removed at 1st St, pulled at Arthur and 9th St. Consumer's Power to install new lights at 1st St launch.

H) Donation - City Council member Jan Gavlinski has donated her City Council stipend to the parks department for the next year.

I) Truck - I have a new Chevy 4x4 pickup with a plow.

J) Storage - I am losing an Excello building for storage.

K) Hockey Association - may disband for lack of interest.

L) Sands park old building - may give over basement for youth football and baseball equipment storage.

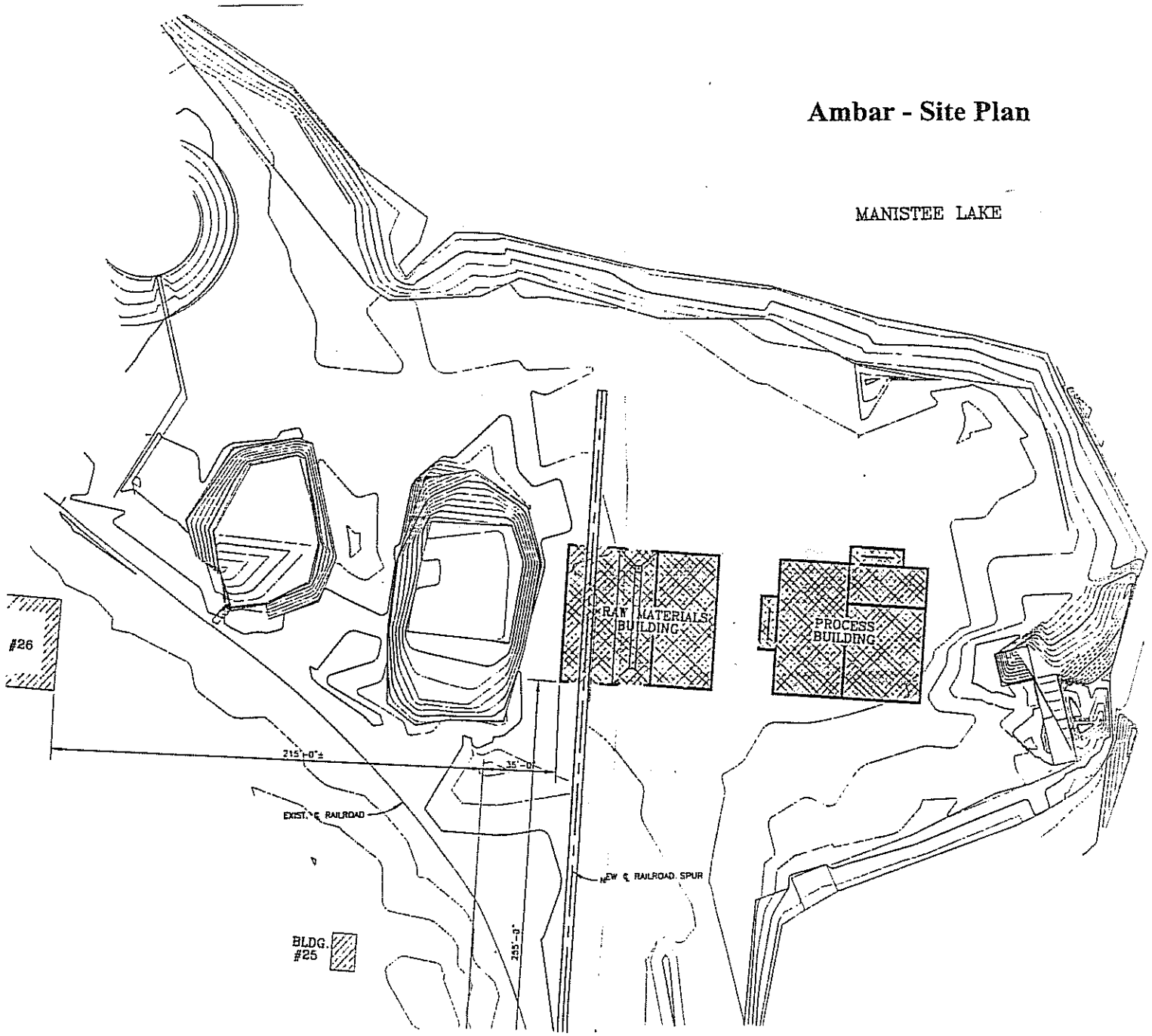
G) Miscellaneous - Restrooms/Bathhouses are winterized; riverwalks closed; picnic tables to Kieszkowski's; porta pots going; leaf work in parks ongoing till snow; removed benches, trashcans, flowerpots from River St.; repaired lights at teen center/an outside one was vandalized; repairing Rietz Park bleachers, life rings are down; some park signs down to refinish, repaired 3 Marina building heaters.

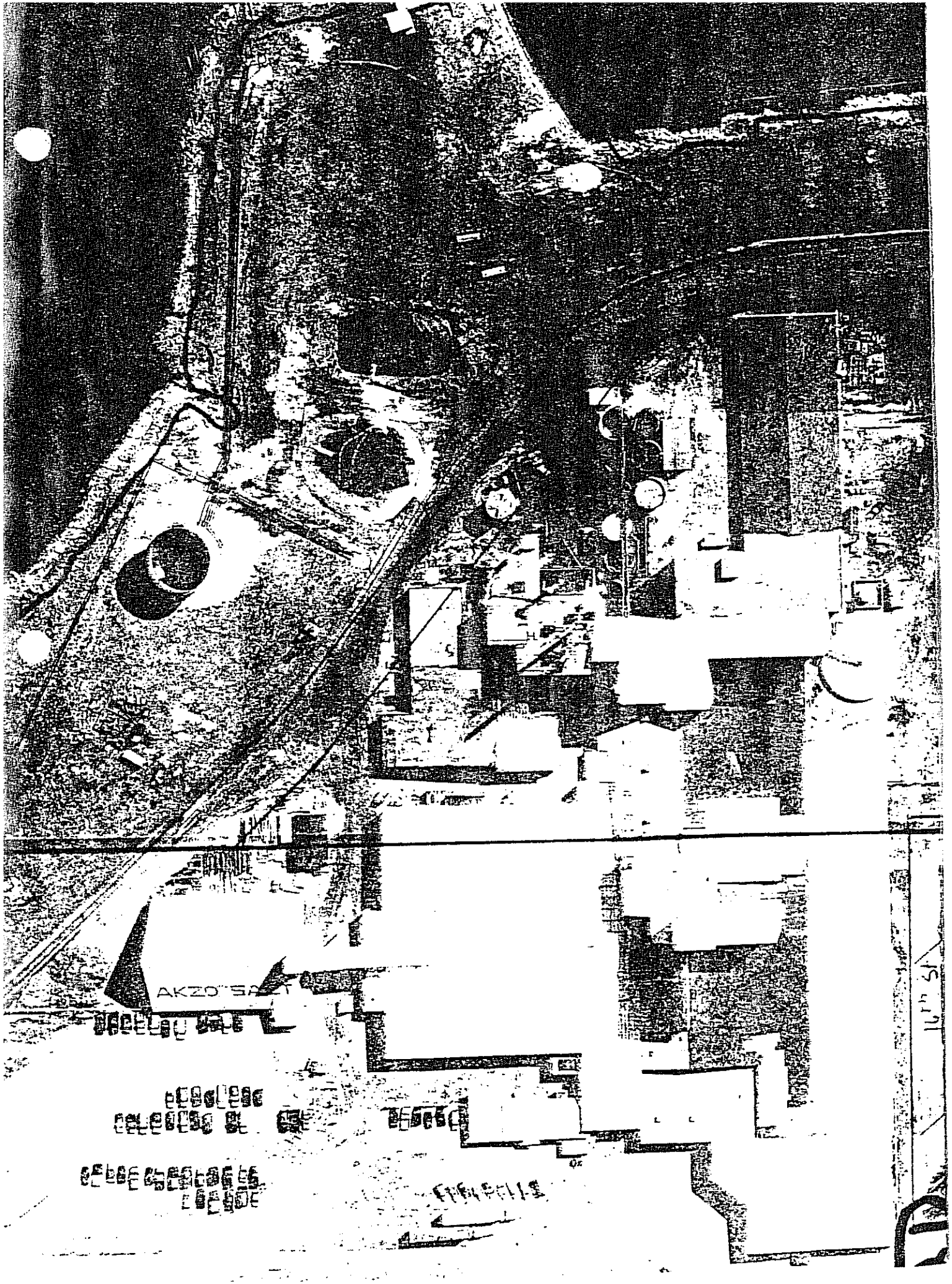
V. Adjournment: Being no further business, adjourn at 7:18 pm.
Respectfully submitted, 11/15/96 Mark Swanson, Secretary

Mark Swanson

***Next regular meeting: Wednesday, Dec 11, 6:00pm at City Hall**

Ambar - Site Plan




AKZO SA
16th St

PUBLIC NOTICE

The Manistee City Planning Commission will hold a public hearing at 7:00 p.m. on Wednesday, December 4, 1996 in the Council Chambers at City Hall 70 Maple Street, Manistee, MI 49660 to consider amending the City of Manistee Zoning Ordinance.

The Amendment is to add Section 6901 **RENAISSANCE ZONE** to the Zoning Ordinance. The regulations contained in this section would apply to those properties within the City which are included in the Manistee County Renaissance Zone Application.

Copies of the proposed Ordinance Amendment are available at Manistee County Public Library, 95 Maple Street, Manistee, Michigan and at Manistee City Hall, 70 Maple Street.

Interested parties are welcome to attend the hearing, or can comment in writing to: Code Administrator, City of Manistee, 70 Maple Street, Manistee, MI 49660.

This notice was posted by Jon R. Rose, Code Administrator, to comply with Sections 4 & 5 of the Michigan Open Meetings Act (P.A. 267 of 1976) at 12:00 noon, Tuesday, November 26, 1996 on the bulletin board at the south entrance to City Hall.

Signed: _____
Jon R. Rose, Code Administrator

City of Manistee

616-723-2558
FAX 616-723-1546

70 Maple Street • P.O. Box 358 • Manistee, Michigan 49660

November 27, 1996

RE: Zoning Ordinance Amendment

To Whom it May Concern:

There will be a public hearing at 7:00 p.m. on Wednesday, December 4, 1996 in the Council Chambers, City Hall, 70 Maple Street, Manistee Michigan. This hearing is to consider amending the Zoning Ordinance to create a new overlay Zoning District called the Renaissance Zone District. You are receiving this notice because your property is within 300 feet of the proposed Renaissance Zone. The enclosed map shows the locations of the proposed Renaissance Zone.

Manistee County has applied to the state for the establishment of a Renaissance Zone. Two parcels in the City are included in this County proposal. The proposed amendment to the City Zoning Ordinance will only go in effect if the State awards a Renaissance Zone status to the Manistee County application. Uses permitted in the Renaissance Zone District are similar to the uses permitted on these parcels now.

Changes are predominantly administrative in nature to allow for the County wide Renaissance Zone to be consistent through various municipalities. Copies of the proposed Ordinance Amendment are available at Manistee County Public Library, 95 Maple Street Manistee Michigan and at Manistee City Hall, 70 Maple Street.

Interested parties are welcome to attend the hearing or can comment in writing to: Code Administrator, City of Manistee, 70 Maple Street, Manistee, MI 49660.

Sincerely,

CITY OF MANISTEE

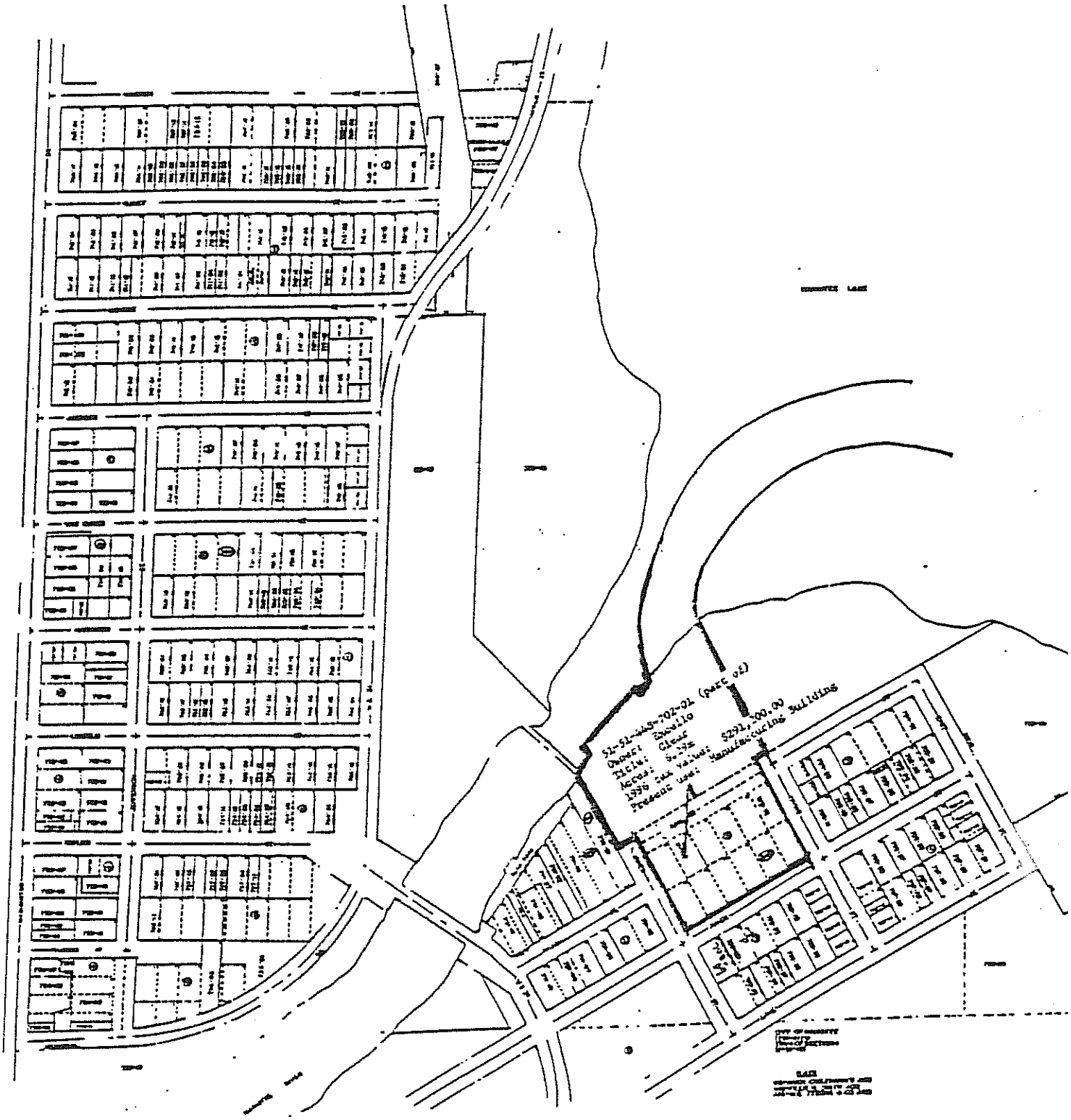
Jon R. Rose
Code Administrator

JRR:djm

A

City of Manistee

SW¼ of Section 1 T21N R17W



Manistee County

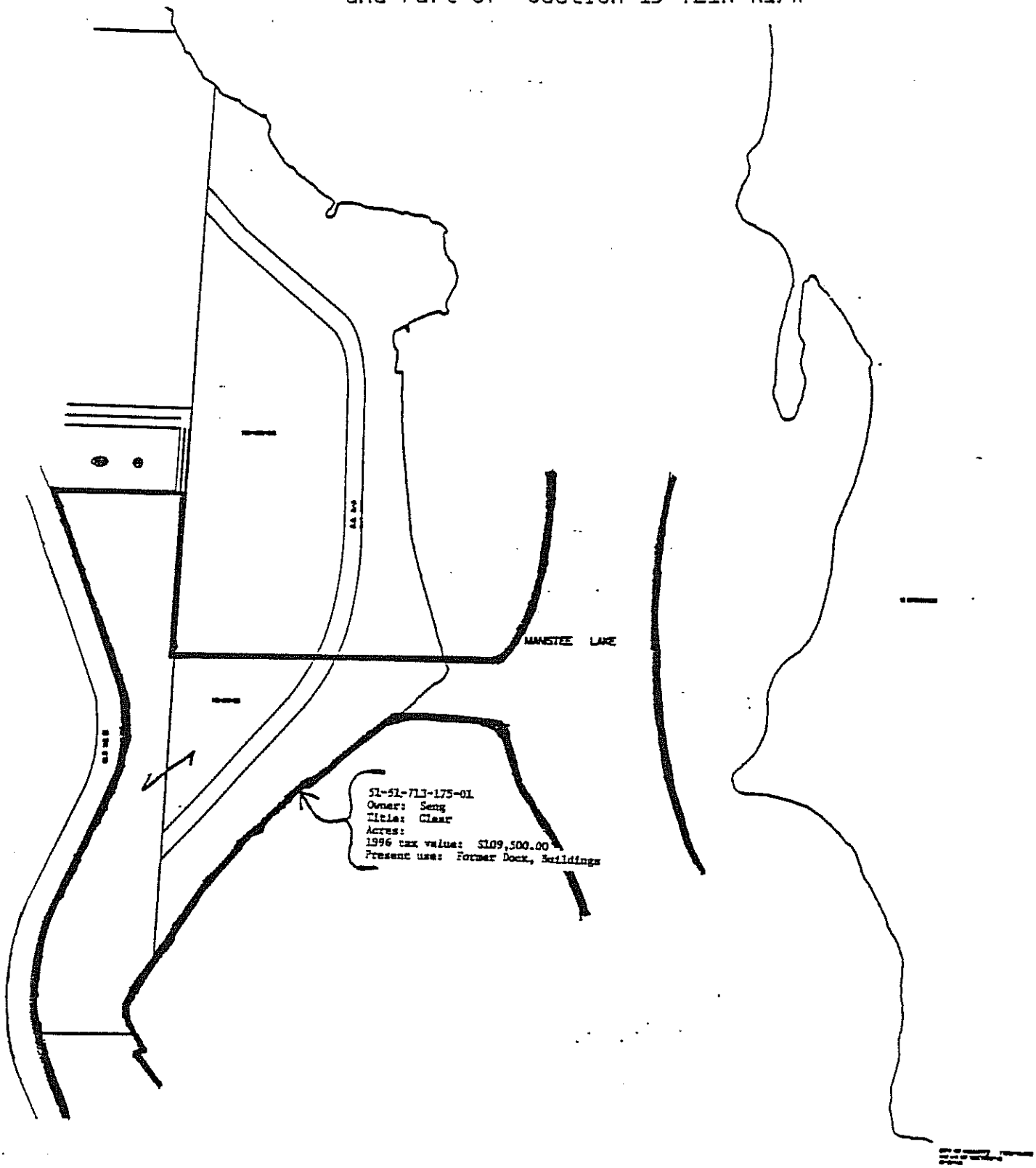
Renaissance Zone

B

City of Manistee

NW¼ of Section 18 T21N R16W

and Part of Section 13 T21N R17W



Manistee County

Renaissance Zone

PLANNING DEPARTMENT
(616) 723-6041

Manistee County

Manistee County Courthouse • 415 Third Street • Manistee, Michigan 49660

October 16, 1996

Mr. Jon Rose
Enforcement Officer
City of Manistee
70 Maple Street
Manistee, Michigan 49660

Dear Mr. Rose,

Please find a first draft of a Renaissance Zone Amendment to your zoning ordinance. The Renaissance Zone Amendment has been tailored to be adopted as part of your community's zoning ordinance. Also please note on the last page the effective date is tiebarred to the acceptance of Manistee county's Renaissance Zone. In other words, if Manistee county is not chosen as a renaissance zone this amendment does not take effect. This makes it possible for you to adopt the amendment into your zoning ordinance right away, but the effective date will only occur if the community, in fact, is designated as one of Michigan's Renaissance Zones.

Please consider this a first draft; it should be reviewed before adopted. I have the document in a word processor format and will happy to make changes and print a final copy for purposes of adoption. It would be appreciated if this was brought up as soon as possible. Officials from Manistee county will have to meet with Renaissance Zone State Selection Committee November 1, 1996. It would be beneficial for our efforts to be able to say that a number of communities have already made some progress towards the adoption of the zoning amendments. For that reason, I would appreciate being kept informed as to your progress on this effort.

The amending maps for the renaissance zones are reproduced directly from the Renaissance Zone Proposal and should reflect nothing new that your community has not already seen and reviewed.

If you have any questions please do not hesitate to contact me; if I can be further assistance, please let me know.

Sincerely,

Kurt H. Schindler
County Planning Director

KHS/jn
enc.

AN ORDINANCE TO AMEND IN PART AN
ORDINANCE ENTITLED "MANISTEE CITY ZONING
ORDINANCE" WHICH WAS ADOPTED MAY 1, 1990, AS AMENDED,
TO ADD A RENAISSANCE ZONE INDUSTRIAL DISTRICT, AND
TO ADD A LAKEFRONT RENAISSANCE ZONE INDUSTRIAL DISTRICT

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. The Manistee City Zoning Ordinance of May 1, 1990 being Part Twelve, Title Six of the Codified Ordinances of Manistee, Michigan (Ordinance) is hereby amended pursuant to Section 1804. of the zoning ordinance, by changing the Official Zoning Map established and referenced in Section 1802. and 1803., by adding one new zoning district, being a Lakefront Renaissance Zone Industrial District as shown on the amendatory map on page 2 and 3 of this ordinance and adding the two [one] districts to the list of zoning districts in section 1801 of the zoning ordinance.

MICHIGAN RENAISSANCE ZONE ZONING.

October 11, 1996

Introduction

This is prepared by the Renaissance Zone Committee of the Manistee County Planning Commission. This document presents standard, or model, zoning language for areas of Manistee County which are designated as Renaissance Zones pursuant to P.A. 376 of 1996 (being the Michigan Renaissance Zone Act, MCL 125.2681 *et. seq.*) in Manistee County.

This zoning language includes the option for the Manistee County Economic Development Office to provide a streamlined zoning permit application procedure. It also provides for an accelerated review of special use permits.

This zoning language also includes a list of enterprises which should be considered for inclusion in a designated Renaissance Zone. If the land use is not included in the list, that is intentional, and the land use is not intended to have the tax advantages the Renaissance Zone provides.

Amendment

A part of the county Renaissance Zone designation application is to have a uniform county-wide zoning approach. What is presented here is that uniform framework. The zoning adopted by each municipality will be modified to fit the codification of that particular zoning ordinance. A municipality may want to modify it further to fit their local needs. This model, or standard, is presented as a starting point.

The model language provided here is written making the following assumptions:

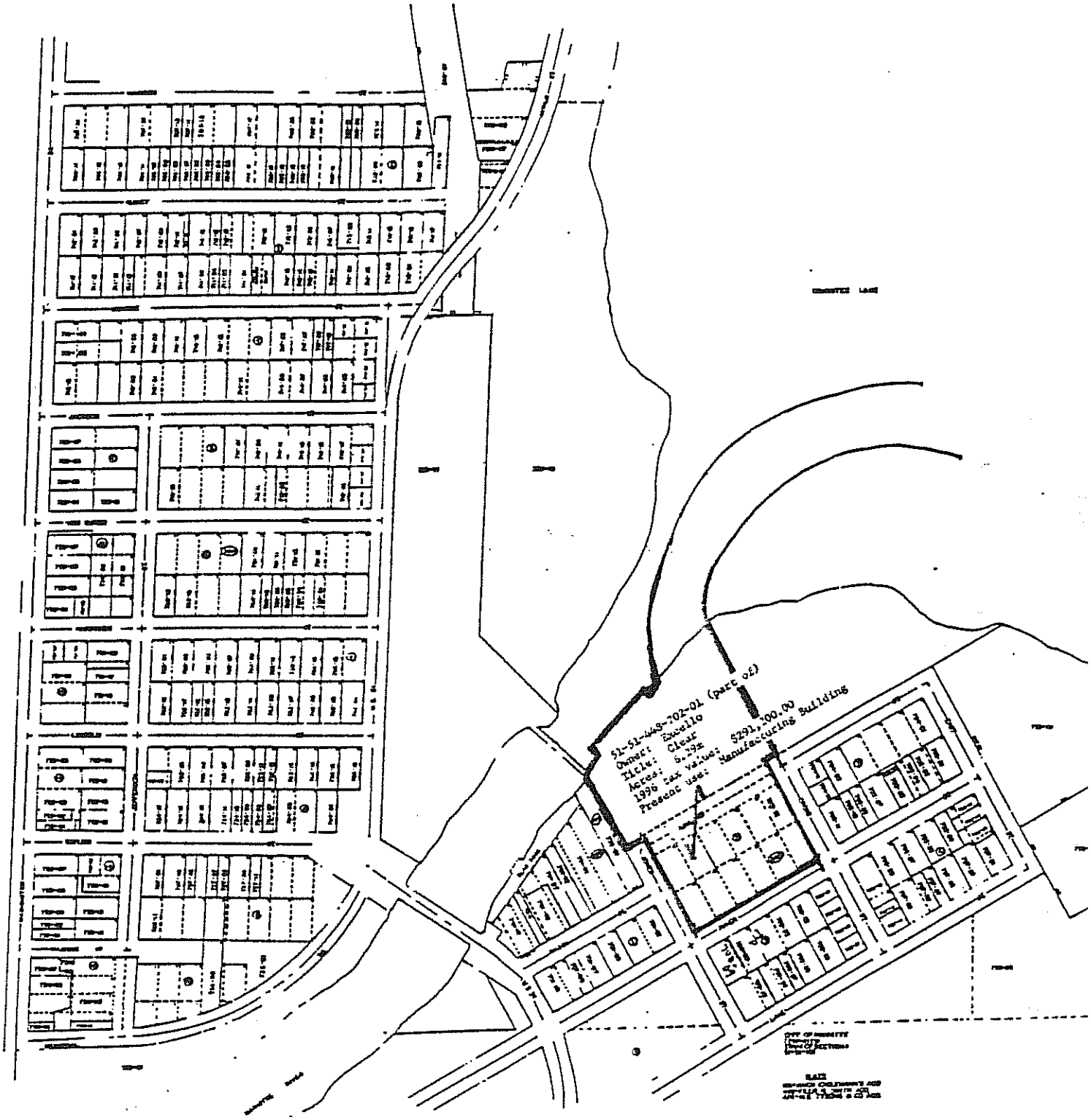
1. The municipality already has site plan review requirements in its zoning ordinance.
2. The municipality already has groundwater protection site plan provisions in its zoning ordinance.
3. The municipality already has the standardized special use permit procedure system in its zoning ordinance.
4. The section numbering system follows the standard system of codification used by the County Planning Department.
5. The municipal zoning has adopted by reference the *Standard Industrial Code* (SIC) classification system of enterprises for purposes of listing land uses and defining those land uses.

The following are the proposed standard/model zoning amendments with some explanation.

A

City of Manistee

SW¼ of Section 1 T21N R17W



Manistee County

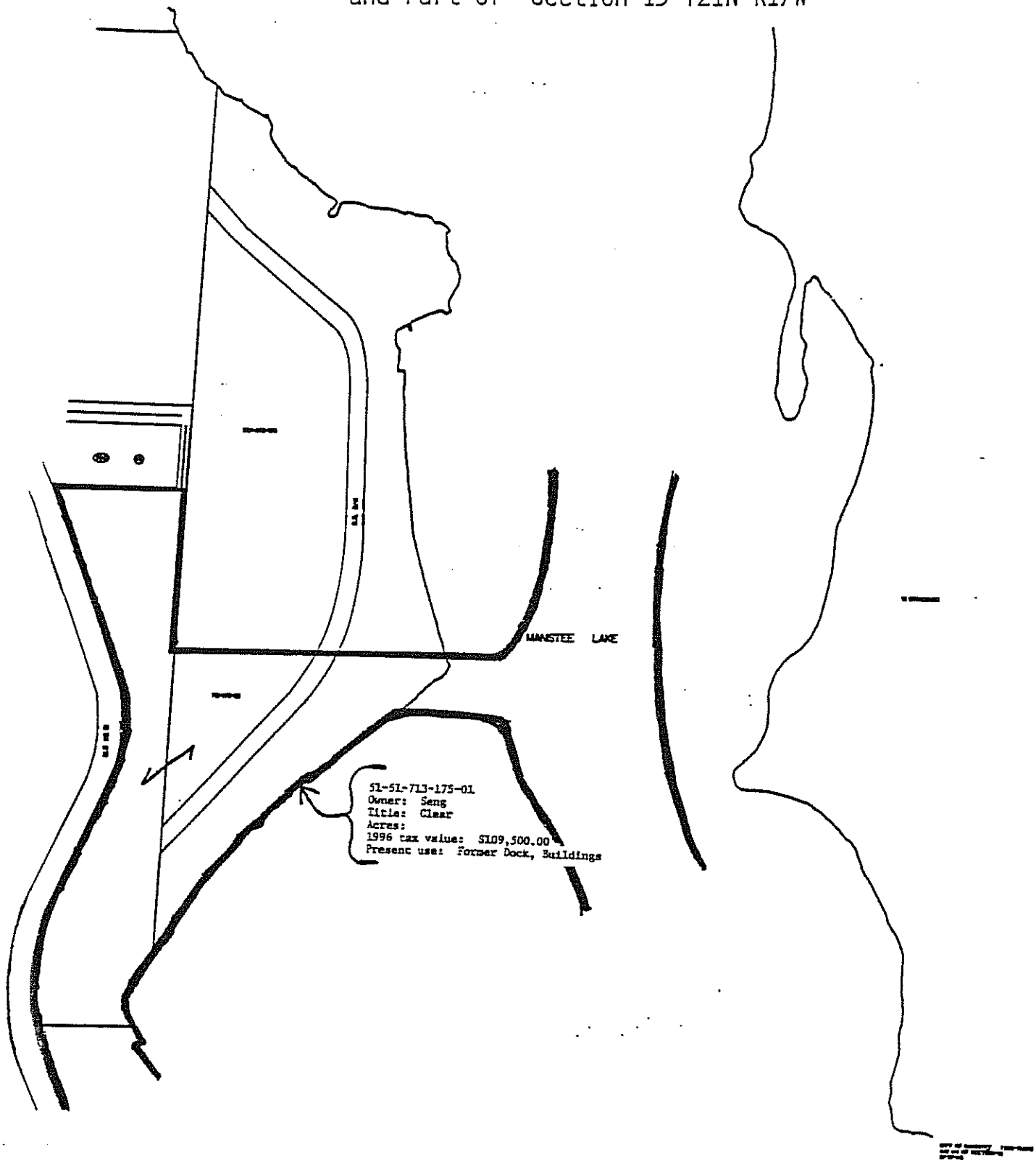
Renaissance Zone

B

City of Manistee

NW¼ of Section 18 T21N R16W

and Part of Section 13 T21N R17W



Manistee County

Renaissance Zone

2. The Ordinance is hereby amended to add an Article 69 for a Renaissance Zone Lakefront Industrial District, as follows, to wit;

ARTICLE 69: RENAISSANCE ZONE LAKEFRONT INDUSTRIAL DISTRICT

6901. Purpose

It is the intent of this district to provide for industrial development in certain parts of Manistee City, which have been designated by the Michigan Legislature as Renaissance Zones, pursuant to P.A. 376 of 1996 (being the Michigan Renaissance Zone Act, MCL 125.2681 *et. seq.*); to provide for alternative permit processing though the Manistee County Economic Development Office; to provide for an accelerated schedule for special use permit review and action; to provide for a zoning district which is the same as the boundaries of the designated Renaissance Zones; to provide protection to Manistee Lake, its water quality, to protect its shoreline from erosion or instability, to minimize the disturbance of heavy metals which may be on the lake bottom; to recognize, encourage and maintain a higher proportion of industries in the central and southern portion of the lake near railroad and shipping access that does not adversely affect the area; to prioritize the use of certain lakefront property on Manistee Lake for industrial businesses which require the use of the lake and require being in the proximity of the lake, (conversely, it is the intent of this district to encourage the development of businesses which do not need proximity to Manistee Lake to be located in those other landward areas); while at the same time to be consistent with the provisions of Manistee City Master Plan, the Manistee Lake Management Plan of 1982, the Manistee County Land Use Plan and the Manistee County Economic Development Strategy.

6902. Permitted Uses

Only the following uses shall be permitted, by permit, as specified in section 8401 *et. seq.* of this Ordinance:

A. Manufacturing [D: 20-3999]
B. Transportation and public utilities [E: 40-4971]
C. Wholesale [F: 50-5199]
D. Accessory buildings and uses to the above.
E. A sign, only in accordance with the regulations specified in Section 1060;

provided they meet the following conditions:

1. the activity is carried on entirely within an enclosed building ("Activity", as used here, and in Section 6703, does not mean parking, signs, arrival and departure of shipping, other incidental activities which are not permanent in nature and not an adverse impact to neighboring uses);

2. if there is an accessory/work area, it is enclosed by a solid wall;
3. if the parcel at question is Manistee Lake frontage, no alteration to the lake shore;
4. if the parcel at question is Manistee Lake frontage, the land use is of such a nature that access to lake water for economic advantages (for purposes of, but not limited to, large quantities of cooling or process water, shipping-dockage access, marine, naval or coast guard, railroad access) is an integral part of the site selection for the proposed use.

Permit applications shall include a site plan and a letter confirming that all conditions listed above shall be adhered to and are normally practiced by the very nature of the normal business practices of the proposed use, said letter to specifically address each of the conditions raised in this sub-section, to become a part of the application and a part of the conditions of the use permit; and further, if any of the above conditions are not adhered to, the permit shall be void.

6903. Special Uses

Only the following uses shall be permitted, by Special Use Permit, as specified in section 8601 *et. seq.* of this Ordinance. For this zoning district only, section 8607 of this ordinance not withstanding, the Commission shall act on the Special Use Permit within 30 days of receiving a complete application as determined pursuant to section 8605.:

A. Manufacturing [D: 20-3999]
B. Transportation and public utilities [E: 40-4971]
C. Wholesale [F: 50-5199]

provided the above uses involve;

1. An activity outside an enclosed building;
2. an activity not in a work area enclosed by a solid wall;
3. discharge, treated or untreated, sent to Manistee Lake, if the parcel at question is Manistee Lake frontage;
4. alteration to the Manistee Lake shoreline if the parcel at question is Manistee Lake frontage.

D. Planned Unit Development for commercial, marina, dwelling land uses.
E. Accessory buildings and uses to the above.
F. A sign, only in accordance with the regulations specified in Section 1060.

6904. Renaissance Zone Conditions

Any permitted or special uses in this district shall meet the following conditions to be able to apply for a zoning permit under this ordinance:

A. The entrepreneur will make a minimum investment in improvements (building, equipment, etcetera) on land in

the Renaissance Zone.

B. The business enterprise will, as much as possible, result in new employment in Manistee County with a minimum commitment for new hires at a minimum wage of $7.50 per hour.

C. The business will provide economic base jobs and production, so that a predominance, if not all, of the product is exported outside of Manistee County to avoid competition with secondary (spinoff or ripple effect) enterprises doing business, selling goods and services in Manistee County.

6905. Streamlined Permit Review

Because one of the primary purposes of this district is to accommodate industrial economic development through Michigan's Renaissance Zone program both permitted use and Special Use permits may be applied for on behalf of a client by the Manistee County Economic Development Office as a means to reduce paperwork, streamline the permit process for potential economic development in Manistee County. For this zoning district only, the director of the Manistee County Economic Development Office may be designated as Manistee City deputy zoning administrator pursuant to section 8201 *et. seq.* of this Ordinance.

6906. Regulations and Standards

The following regulations shall apply to all Permitted Uses and Special Uses in this District:

A. Minimum Parcel Area - No building, structure or use shall be established on any parcel less than _____ (15,000) square feet.

B. Buildable Area - Each parcel shall have a minimum of 15,000 square foot buildable area per principle unit, which shall not include:

1. sand dune with slopes greater than 18 percent,
2. beach contiguous to a lake or stream,
3. wetland,
4. area which is not accepted by the Manistee-Mason District Health Department for on-site sewage disposal unless an alternate system of sewage disposal is approved by the Manistee-Mason District Health Department,
5. high risk erosion area,
6. that part of a flood plane where flood waters are expected to have a destructive current,
7. existing public utility easements,
8. existing public rights-of-way,
9. water setback areas, and
10. slopes over 25 percent.

C. Minimum Parcel Width - Parcel width shall be no less than _____ (100) feet and it shall front on a public road.

D. Minimum Setback Requirements:

1. The following requirements shall apply to every parcel, building, structure or use:
   a. Front Yard - The minimum front setback shall not be less than _____ (49) feet from the front property line, or _____ (82) [49+33] feet from the centerline of the road, whichever is greater.

      [Annotation: The setback distance is based on measurements of the distance snow is thrown back from the edge of a county-plowed road by snow plows; an average of fourteen (14) meters (46 feet) and a mean maximum twenty five (25) meters (82 feet) from the centerline of the road.]
   b. Side Yards - The minimum setback of either side yard shall not be less than _____ (___) feet;
   c. Rear Yard - The minimum rear setback shall not be less than _____ (___) feet.
   d. Waterfront Yard: See section 1011 of this Ordinance.
2. When a proposed non-residential or non-park use is contiguous to any dwelling, the parcel owner of the proposed use shall establish one of the following buffers on his parcel adjacent to, and along the contiguous boundary of the parcel on which the dwelling is located:
   a. a buffer area (setback) of fifty (50) feet, or
   b. a berm four (4) feet, or more high, or
   c. a solid wall four (4) feet, or more, in height, or
   d. a proportionately adjusted combination of the above.

E. No principle building shall be constructed in this District which contains less than _____ (___) square feet of floor area, or is less than _____ (__) feet wide.

F. No accessory building shall be constructed in this District which contains more than _____ (_____) square feet of building area, or is more than _____ (__) feet high but in no case shall be larger than the principal building on the same parcel.

G. Buffer zone - In any industrial site, all buildings, structures or materials used for industrial purposes shall, when abutting a district of any other kind, be separated by a buffer zone. The buffer zone shall be _____(one hundred (100)) feet wide.
   1. A buffer zone shall be measured from the district boundary line. If the district boundary line follows the centerline of a street or right-of-way the buffer zone shall be measured from the right-of-way line inside the lakefront district.
   2. A buffer zone shall have no structure, storage of equipment, materials, operations, or be similarly occupied. The buffer zone shall be a landscaped

area designed to separate and protect non-industrial districts from impacts of industrial uses in this industrial district.

H. Vegetation belt - A five (5) foot wide vegetation belt along the Manistee Lake shoreline shall be maintained with woody plant material for erosion and bank stabilization, as a buffer to users of the lake and to create a margin of open space between the water and land uses wherever shoreline use is not active. As used here, active shoreline use means improved ship dockage, pump house, launching facilities, beach.

3. CONFLICTING ORDINANCES: All other ordinances and parts of ordinances, or amendments thereto, of Manistee City in conflict with the provisions of this ordinance are hereby repealed.

4. EFFECTIVE DATE: This ordinance amendment shall take effect after upon publication in the Manistee News Advocate, as provided by law, or on the same date the Renaissance Zones in Manistee County take effect by action of the Michigan Legislature, pursuant to P.A. 376 of 1996 (being the Michigan Renaissance Zone Act, MCL 125.2696 *et. seq.*), whichever is later.

[C:\WP\TOWNS\RZ.CTY]

PLANNING DEPARTMENT
(616) 723-6041

Manistee County

Manistee County Courthouse • 415 Third Street • Manistee, Michigan 49660

October 16, 1996

Mr. Jon Rose
Enforcement Officer
City of Manistee
70 Maple Street
Manistee, Michigan 49660

Dear Mr. Rose,

As you are aware, your community has been working with Manistee County for purposes of incorporating wellhead protection into your local zoning ordinance. This letter is to send you a draft of ground water protection zoning amendments. This draft should be reviewed and proof read before it is adopted. I have this document in a word processor format and would be happy to make any changes and print a final copy for purposes of adoption when you are ready.

As you have heard at the October 10, wellhead protection meeting, there are areas around each public water supply well which should receive additional protection of ground water, because that area provides water to the municipal well. The map included in the zoning amendment enclosed is the boundary of the wellhead protection area overlay zone for the water supply wells in your community. The boundary was established through the wellhead delineation process done by Earth Tech. If you have questions concerning this please let me know and I would also appreciate your keeping me apprised of progress on this project.

Sincerely,

Kurt H. Schindler
County Planning Director

KHS/jn
enc.

MEMO

FROM: Kurt H. Schindler, County Planner
DATE: October 11, 1996
TO: Jon Rose and members of City Council, City Planning Commission
RE: Groundwater protection zoning amendments.

==========

1. You asked the definition of "Hazardous Substances" be modified to delete subparagraph "A". That is done.

2. You asked the statement of threshold of the volume of hazardous substances (Section 1007.A. and 9407.A.) be modified so that it does not include materials kept in single family homes. To do this, would exempt a home occupation and other businesses located in a single family home, from having to comply with the groundwater protection requirements of your ordinance.

The following alternate modifications are offered:

(1) Increase the quantity in the threshold of hazardous substance to about 40 gallons (so a 50 gallon barrel would be subject to the regulation, but two mid size automobile fuel tanks would not. Mrs. Dean said the threshold was intentionally set so barrels were subject to the regulation. The 100 Kg. has become a standard threshold, and also used with 1982 EPA small quantity hazardous waste generators legislation.) The problem is some larger motor vehicles have large fuel tanks, and two such autos could exceed 50 gallons.

If the intent is to exempt motor vehicles, then this alternate may deal with the issue more directly:

(2) Exempt fuel stored in a fuel tank which is part of a motor vehicle for purposes of use by that vehicle's motor. This is also Mrs. Dean's recommendation.

(Note: it is not necessary to specify this exemption in Section 1007.B.2.d. as that paragraph only applies to those activities which are over the threshold in 1007.A., thus no change is made here.)

3. You asked Section 1007.B.1.a. be modified to specifically address "prevent groundwater contamination..." instead of "protect the natural environment...." That is done.

4. You asked to modify Section 1007.B.1.c.(3) to read as follows, "connected to a public ~~sewer~~ <u>storm water</u> system. I do not recommend this. The intent by the consultants (Lillian Dean) is that floor drains are connected to a sanitary sewer system, if permitted by the city. If such a connection is not permitted,

then Section 1007.B.1.c.(3) should simply be omitted. The suggested alternative for the drain to go into an untreated storm water system is advocating the drainage of hazardous substances directly into surface waters (a violation of Section 1007.B.1.a.) and possibly some other point discharge pollution regulations.

5. You asked Section 9407.B.5. be expanded to precisely spell out the meaning of "contaminated". Mrs. Dean recommends if you want to do this the citation should be to P.A. 307 (as in 307 lists). That is done. However, Mrs. Dean goes on to say use and meaning of "contamination" <u>appears</u> to be moving toward the meaning and lists constructed for the 307 administrative rules. In the future that may or may not be the case (and, frankly it is not real smart to try to second guess the way things like this may go.) If it is not the case, and the city's ordinance is tied to 307, the inconsistency could be difficult at best. This is why the text was left with just "contamination". The city may want to reconsider this (maybe handle the citation as an annotation, rather than ordinance text).

6. You asked Section 9407.B.8. be modified to remove the mandatory advisory review by the County Staff Review Group in cases of development within a wellhead protection overlay zone area. This is not recommended. The county group provides the Task Forces' desired county-wide coordination, including coordination between two neighboring municipalities sharing one wellhead delineation area.

For example, if a development is proposed in Filer Township, within the recharge area of the City of Manistee's wellfield, the county Staff Review Group provides city representatives the opportunity to review the site plan and to influence the township's decision on this process. The reciprocal can be reasonably expected of the city for other municipality's interests. The language being proposed for deletion is to accomplish this. The omission of the language in Section 9407.B.8. counters the reciprocal cooperative coordination effort being sought for these situations.

Further, the city (nor the township) does not loose any local control. The County Staff Group's written review is advisory, and not binding on the city or township.

[C:\WP\TOWNS\GWWELLHE.CTY]

October 11, 1996; Draft. (codification based on a Jan. 24, 1994 printing of the city ordinance)

AN ORDINANCE TO AMEND IN PART AN
ORDINANCE ENTITLED "MANISTEE CITY ZONING
ORDINANCE" WHICH WAS ADOPTED MAY 1, 1990, AS AMENDED,
TO ADD A DEFINITION OF HAZARDOUS WASTE,
TO AMEND/CHANGE THE ZONING MAP, AND
TO ADD A SECTION ON GROUNDWATER PROTECTION,
TO ADD A WELLHEAD PROTECTION OVERLAY DISTRICT.
TO ADD AN ITEM TO BE INCLUDED IN A ZONING PERMIT APPLICATION,
TO ADD IN ITEM TO BE SHOWN ON ALL SITE PLANS, AND
TO ADD ITEMS TO BE SHOWN ON SITE PLANS
FOR BUSINESSES USING HAZARDOUS MATERIALS.

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

Section 1. That the City of Manistee Zoning Ordinance of May 1, 1990, as amended, (Title XV, Chapter 150 of the Manistee Code of Ordinances) is hereby amended to add a definition to Section 503 (the section of the zoning ordinance where words are defined), as follows, to wit:

HAZARDOUS SUBSTANCES means one or more of the following:

A. A chemical or other material which is or may become injurious to the public health, safety, or welfare or to the environment.

B. "Hazardous substance" as defined in the comprehensive environmental response, compensation and liability act of 1980, Public Law 96-510,94 Stat. 2767.

C. "Hazardous waste" as defined in Article II Chapter 3 Part 111 of P.A. 451 of 1994, as amended, (being the Hazardous Waste Management part of the Natural Resources and Environmental Protection Act, MCL 324.45101 et. seq.)

[Annotation: MCL 324.45101 et. seq. is formerly P.A. 64 of 1979 (being MCL 299.501 to 299.551, the Hazardous Waste Management Act).]

D. "Petroleum" as defined in Article II Chapter 8 Part 213 of P.A. 451 of 1994, as amended, (being the Leaking Underground Stroage Tanks part of the Natural Resources and Environmental Protection Act, MCL 324.45101 et. seq.).

[Annotation: MCL 324.45101 et. seq. is formerly P.A. 478 of 1988 (being MCL 299.831 to 299.850, the Leaking Underground Storage Tank Act).]

Section 2. That the City of Manistee Zoning Ordinance of May 1, 1990, as amended, (Title XV, Chapter 150 of the Manistee City Code of Ordinances) is hereby amended by adding a new section after section 1006 (so it is 1006½) to Article 10 (general provisions), as follows, to wit:

1007. Hazardous Substance Groundwater Protection.

A. All businesses and facilities (except fuel stored in a fuel tank which is part of a motor vehicle for purposes of use by that vehicle's motor) which:

1. use or generate hazardous substances in quantities greater than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) per month or ninety five (95) liters (approximately twenty five (25) gallons) per month, whichever is less, or
2. stores greater than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) or ninety five (95) liters (approximately twenty five (25) gallons), whichever is less,

shall comply with the following groundwater protection requirements.

B. Groundwater Protection requirements:

1. Groundwater Protection, generally:
   a. The project and related improvements shall be designed to prevent groundwater contamination from hazardous substance discharge to the natural environment, including lakes, ponds, streams, wetlands, floodplains, groundwater, street slopes, and natural and man-made drainage systems.
   b. Stormwater management and drainage facilities shall be designed to retain the natural retention and storage capacity of any wetland, water body, or watercourse, and shall not increase flooding or the potential for pollution of surface or groundwater, on-site or off-site.
   c. General purpose floor drains and storm drains shall be:
      (1) connected to an on-site holding tank (not a septic tank/drain field or a dry well) in accordance with state, county and municipal requirements, or
      (2) authorized through a state groundwater discharge permit, or
      (3) connected to a storm water system.

d. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances and polluting materials shall be met. No discharge to groundwater, including direct and indirect discharges, shall be allowed without appropriate state and county permits and approvals.

e. In determining conformance with the standards in this Ordinance, the Administrator or Commission, whichever one is applicable, shall take into consideration the publication titled "Small Business Guide to Secondary Containment; Practical Methods for Above-ground Storage and Containment of Hazardous Substances and Polluting Materials" published by the Clinton River Watershed Council, May 1990, and other references.

f. Out-of-service water wells shall be sealed and abandoned in accordance with applicable requirements of the Michigan Department of Public Health and the Manistee-Mason District Health Department.

g. If the site plan includes territory within a Wellhead Protection Overlay Zone submit a signed statement providing permission for periodic follow-up groundwater protection inspections by the Administrator, county and state officials.

2. Above-ground Storage

a. Primary containment of hazardous substances shall be product-tight containers which are protected from weather, leakage, accidental damage, and vandalism.

b. Secondary containment for the storage of hazardous substances and polluting materials is required. Secondary containment shall be one of the following, whichever is greatest:

(1) sufficient to store the substance for the maximum anticipated period of time necessary for the recovery of any released substance, or

(2) shall be at least as great as volumes required by state or county regulations, or

(3) shall, if not protected from rainfall, contain a minimum of

(a) 110 percent of the volume of the largest storage container within the dike of the secondary containment area, plus

(b) the volume that is occupied by all other objects within and below the height of the dike of the secondary containment area plus

(c) the volume of a 6 inch rainfall.

c. Secondary containment structures such as out buildings, storage rooms, sheds and pole barns shall not have floor drains which outlet to soils, groundwater, or nearby drains or rivers.

d. Areas and facilities for loading/unloading of hazardous substances and polluting materials, as well as areas where such materials are handled, stored or used, shall be designed and constructed to prevent discharge or runoff to floor drains, rivers, lakes, wetlands, groundwater or soils.

e. State of Michigan and Federal agency requirements for storage, leak detection, record keeping, spill prevention, emergency response, transport and disposal shall be met.

f. Bulk storage of pesticides shall be in accordance with requirements of the Michigan Department of Agriculture.

3. Underground Storage

a. Underground storage tank installation, operation, maintenance, closure and removal shall be in accordance with the requirements of the State Police Fire Marshal Division and the Michigan Department of Natural Resources.

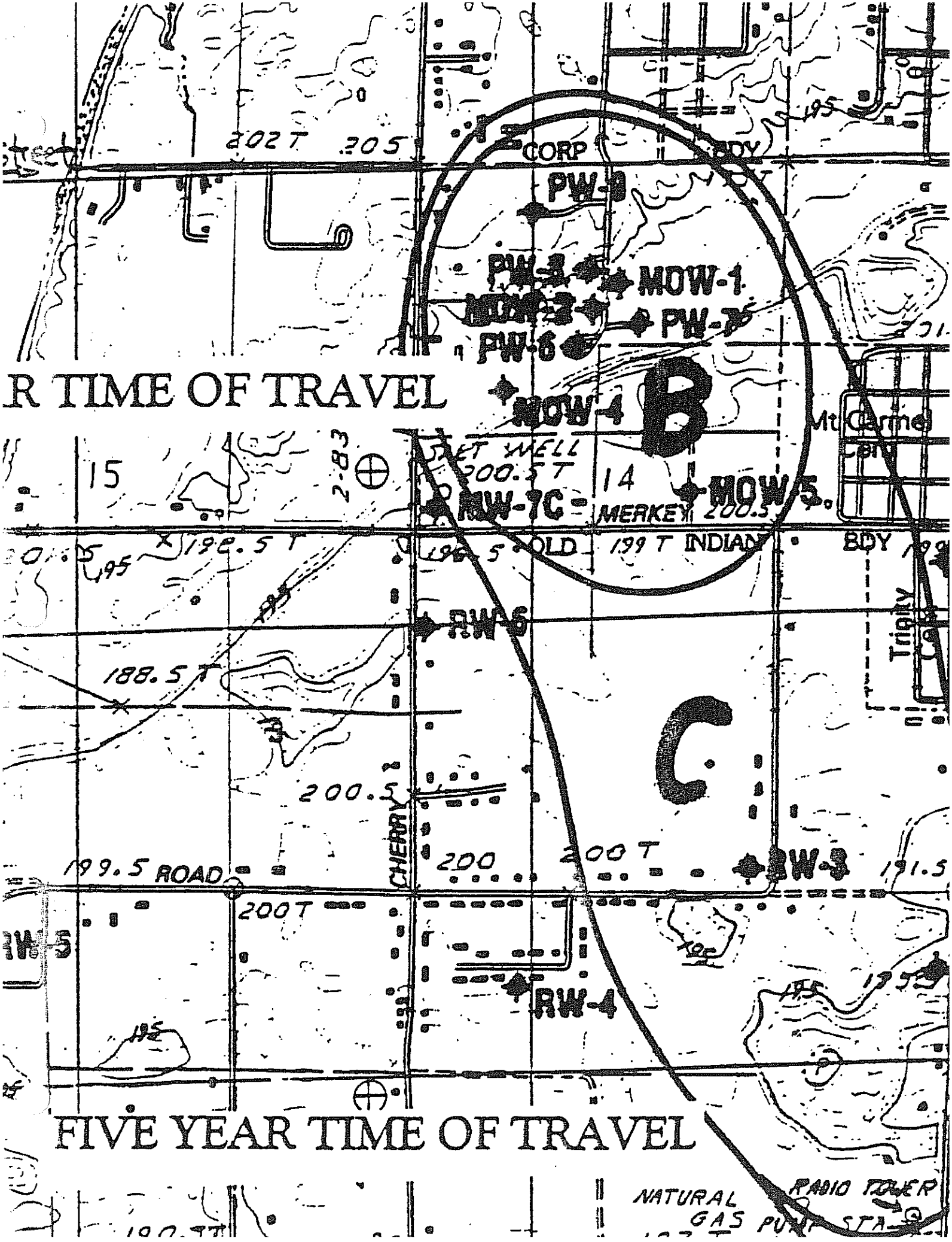
b. Bulk storage facilities for pesticides and fertilizers shall be in compliance with requirements of the Michigan Department of Agriculture.

<u>Section 3.</u> That the City of Manistee Zoning Ordinance of May 1, 1990, as amended, (Title XV, Chapter 150 of Manistee City Code of Ordinances) is hereby amended by adding a new Overlay District to after subsection 1801.F.3.), as follows, to wit:

3. Wellhead Protection Overlay District

<u>Section 4.</u> That the City of Manistee Zoning Ordinance of May 1, 1990, as amended, (Title XV, Chapter 150 of Manistee City Code of Ordinances) is hereby amended, persuant to Section 1804, by

changing the Official Zoning Map established and referanced in Section 1803, adding a new Overlay District as shown on the amendatory map on page 6 of this Ordinance.


R TIME OF TRAVEL
FIVE YEAR TIME OF TRAVEL
PW-9
PW-3
MOW-1
MOW-2
PW-7
PW-6
MOW-4
B
MOW-5
MW-7C
RW-6
C
RW-3
RW-4
RW-5
CORP
BDY
202 T
205
195
15
14
2-83
JET WELL
200.5 T
MERKEY
200.5
198.5 T
OLD
199 T
INDIAN
188.5 T
200.5
CHERRY
199.5
ROAD
200
200 T
191.5
200 T
Mt Carmel
Trinity
NATURAL
GAS
RADIO TOWER

Section 5. That the City of Manistee Zoning Ordinance of May 1, 1990, as amended, (Title XV, Chapter 150 of Manistee City Code of Ordinances) is hereby amended by adding a new Article 76, as follows, to wit:

ARTICLE 76: WELLHEAD PROTECTION OVERLAY DISTRICT

7601. Area Affected

Every parcel of land which lies in whole or in part within Wellhead Protection Overlay Zone as depicted on the Official Zoning Map around public Type I water wells is subject to the regulations of this Overlay Zone to the extent the parcel lies within this Overlay Zone. The regulations of this Overlay Zone are in addition to any regulations in the underlying Land Use Districts, however these regulations supercede all conflicting regulations of the underlying Land Use District to the extent of such conflict but no further.

7602. Wellhead Protection Zones

As shown on the Official Zoning Map, there shall be three concentric sectors within this Overlay Zone:

A. Sector A shall be an area around the water well intended to be protected by this Overlay Zone which shall include entirly within the territory of Filer Charter Township, and not included on the City of Manistee Zoning Map.

B. Sector B shall be the next largest area around the water well, as shown on the Official Zoning Map, intended generally to include, at a minimum, an area necessary for a one year zone of protection for the well.

C. Sector C shall be the remainder of this Overlay Zone outside of Sectors A and B, as shown on the Official Zoning Map, intended generally to include, at a minimum, a ten year zone of protection for the well.

7603. Sector A Land Use Prohibitions

The underlying zoning district not withstanding, no person shall use land within sector A for any land use which involves any of the following:

A. Any use listed in Section 7604 of this Ordinance

B. Any use listed in Section 7605 of this Ordinance

C. Any other land use except:

1. A water well pump station.
2. A water tower.
3. Open space area, planted to grass, garden, or other ground cover.

4. A park which is planted to grass and does not include any motorized rides, entertainment, and so on.

7604. Sector B Land Use Restrictions

The underlying zoning district not withstanding, no person shall use land within sector A or B for any land use except as provided for here. The list of permitted and special uses allowed in the land use district underlying this overlay district shall remain unchanged in Sector B of this overlay district, except as follows. All uses listed in section 7604.C of this Ordinance shall be prohibited uses or special uses, not withstanding the provisions of the underlying zoning district.

A. The uses listed in section 7604.C of this Ordinance shall be prohibited except when one of the two following conditions exist:
   1. The use is a facility which use or generates hazardous substances:
      a. in quantities less than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) per month or ninety five (95) liters (approximately twenty five (25) gallons) per month, whichever is less, or
      b. stores less than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) or ninety five (95) liters (approximately twenty five (25) gallons), whichever is less,

      or
   2. The business and facilities use, store or generate hazardous substances
      a. above the amounts established in section 7604.A.1, and
      b. has an approved permit by a county, state or federal agency with authority to issue such permit for the use of the hazardous substances.

B. If the proposed uses listed in section 7604.C of this Ordinance are not prohibited pursuant to section 7604.A of this Ordinance, then it shall be considered a special use pursuant to Section ? <u>et. seq.</u> of this Ordinance.

C. Affected Land Uses:
   1. Any use listed in Section 7605 of this Ordinance
   2. Dwellings, Duplexes, Apartment buildings which are connected to on-site sewage disposal and include more than one (1) living unit per _____ (__,____) [20,000 suggested minimum] square feet of land area.
   3. Agricultural Production-Crops, Agricultural Production-Livestock [01-0299] (farm) vehicle maintenance and chemical storage areas; tanks for

mixing chemicals; power washing; nitrate contamination due to over fertilizing; pesticide and herbicide infiltration

4. Lawn care [0782] (threats from pesticides and containers with residues; improper disposal of washout water)

5. Any Manufacturing [D: 20-3999] that uses: (category includes any business which uses chemical solvents or petroleum-based products)
   a. Petroleum and coal products (fossil fuel storage; solvent storage and use; blending of materials; outdoor storage piles; large tanks; bulk storage)
   b. Chemicals and allied products, including paints (chemical storage, use and production; equipment cleaning; industry has made major improvements; management and disposal of hazardous chemicals is the concern)
   c. Rubber and miscellaneous plastic products (raw materials; hazardous substances; machine shops)
   d. Furniture manufacturing and refinishing (threats due to chemical solvents, oil-based paints, lacquers, varnishes, etc.)
   e. Primary metal industry; fabricated metal products (threats due to solvents, strong acid or alkaline solutions, paints, cyanide solutions, and oils; much variation among businesses; floor drains; gondolas with dripping parts; dip tanks; cutting oils; messy products are a concern)
   f. Electronic and other electric equipment, including metal plating and finishing (threats due to plating solutions, plating sludge, solvents and still bottoms; management and disposal of acids and other hazardous wastes; floor drains are a concern)
   g. Food processing and food products (processing wastes; caustics from in-line cleaning; wastewater disposal; brine storage; outdoor storage of pulp and other organic wastes)
   h. Lumber and wood production (chemical treatment of wood; chemical storage)
   i. Apparel and textile products (hazardous substances; equipment cleaning)
   j. Paper and allied products; pulp and paper manufacturing (materials storage; pulp waste)
   k. Printing and publishing (storage and use of chemicals; equipment cleaning; engraving; silk screen residues)
   l. Leather and leather products (storage and use of hazardous substances)

m. Stone, clay and glass products (storage and use of hazardous substances)

n. Electronic and other electric equipment (hazardous substances; equipment cleaning; machine shops)

o. Other manufacturing or processing which uses chemical solvents, oils, and/or chemicals

p. Mining, including iron ore and sand and gravel excavation (spoil disposal; equipment maintenance)

q. Oil and gas well drilling and production (threats due to drilling mud, oils, and brine solutions; dehydrating gas condensate)

6. Rail Transportation [40] (chemical solvents used in vehicle maintenance, paints, thinners, etc.)

7. Local and Interurban Passenger transit [41] (chemical solvents used in vehicle maintenance, paints, thinners, etc.)

8. Trucking and Courier services (except. air [421]) (chemical solvents used in vehicle maintenance, paints, thinners, etc.)

9. Trucking terminal facilities [423] (chemical solvents used in vehicle maintenance, paints, thinners, etc.)

10. Transportation by Air [45] e.g. airports (threats due to chemical solvents used in vehicle and aircraft maintenance and de-icing, etc.)

11. Electric Services [491] e.g. electric power generation substations; other electric services (threats due to acids, oil, PCBs, etc.) and fossil fuel power plants (solvents and oils; equipment repair).

12. Combination Utility Services [493] e.g. electric power generation substations; other electric services (threats due to acids, oil, PCBs, etc.) and fossil fuel power plants (solvents and oils; equipment repair).

13. Sewerage systems [4952] (wastewater treatment plants and sludge application sites) (Improper septage waste application)

14. Refuse Systems [4953] (hazardous waste treatment or disposal, sanitary landfills, recycling facilities, hazardous material recycling, used oil collection sites)

15. Chemicals and Allied Products [516]; warehouse operations where paints, solvents, or chemicals are blended or mixed prior to distribution or sale (floor drains; septic systems may connect to groundwater)

16. Petroleum and Petroleum Products [517] (fuel oil tanks; spills and leaks; transfer of product increases potential for spills)

17. Paints, Varnishes and supplies [5198]; warehouse operations where paints, solvents, or chemicals are blended or mixed prior to distribution or sale (floor drains; septic systems may connect to groundwater)
18. Gasoline service stations [554] without vehicle maintenance (spilled fuel runs off to nearby ditch; public drips oil and gasoline; leaking underground tanks)
19. Disinfecting and pest control services [7342] (pesticides and containers with residues)
20. Building Maintenance Services, nec [7349] (small leftover amounts of paints and solvents; improper disposal of hazardous materials; container washout; soaps and rinse water)
21. Photofinishing laboratories [7384] (chemical use and disposal; should be connected to sewer)
22. Miscellaneous repair services [76] (e.g. small engine and electrical equipment repair (solvents; oils; leaks and spills)
23. Reupholstery and Furniture Repair [764], including antiques (threats due to chemical solvents, ignitable or oil-based paints, varnishes, shellac, washing on bare ground; some very small businesses)
24. Golf courses [7922 and 7997] vehicle maintenance and chemical storage areas; tanks for mixing chemicals; power washing; nitrate contamination due to over fertilizing; pesticide and herbicide infiltration
25. Medical and Dental Laboratories [807] (unused chemicals, solvents, reagents, and hazardous wastes; small labs on septic systems are a concern; should not pour chemicals down the drain)
26. Research, Development and Testing Services [873] (unused chemicals, solvents, reagents, and hazardous wastes; small labs on septic systems are a concern; should not pour chemicals down the drain)
27. Home occupations which are auto repair, furniture refinishing, and pesticide applicators.
28. Municipal and state garages for highway and public works departments (vehicle maintenance and chemical storage areas; underground storage tanks; de-icing salts, including storage and application)

7605. Sector C Land Use Prohibitions

The underlying zoning district not withstanding, no person shall use land within sector A, B or C for any land use except as provided for here. The list of permitted and special uses allowed in the land use district underlying this overlay district shall remain unchanged in Sector C of this overlay district,

except as follows. All uses listed in section 7605.C of this Ordinance shall be prohibited uses or special uses, not withstanding the provisions of the underlying zoning district.

A. The uses listed in section 7605.C of this Ordinance shall be prohibited except when one of the two following conditions exist:
   1. The use is a facility which use or generates hazardous substances:
      a. in quantities less than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) per month or ninety five (95) liters (approximately twenty five (25) gallons) per month, whichever is less, or
      b. stores less than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) or ninety five (95) liters (approximately twenty five (25) gallons), whichever is less,

      or
   2. The business and facilities use, store or generate hazardous substances
      a. above the amounts established in section 7605.A.1, and
      b. has an approved permit by a county, state or federal agency with authority to issue such permit for the use of the hazardous substances.

B. If the proposed uses listed in section 7605.C of this Ordinance are not prohibited pursuant to section 7605.A of this Ordinance, then it shall be considered a special use pursuant to Section ? <u>et. seq.</u> of this Ordinance.

C. Affected Land Uses:
   1. Oil and Gas drilling [13]
   2. Chemicals and Allied Products [28]
   3. Petroleum and Coal Products [29]
   4. Metal Services, nec [347]
   5. Electronic and other equipment [36]
   6. Scrap and Waste Materials [5093]
   7. Automotive Dealers & Service Stations [55] EXCEPT:
      a. gasoline service stations [554]
   8. Laundry, Cleaning & Garment Services [721]
   9. Auto Repair, Services and Parking [75]
   10. Other types of facilities that use, store or manufacture hazardous substances

7606. Conflicting Federal or State Regulations

The regulations of this Overlay Zone are not intended to conflict with any law or administrative regulation, on groundwater protection, of the United States, the State of Michigan or any agencies thereof.

7607. Nonconforming Land Uses in this Overlay Zone

If a land use exists within this Overlay Zone on the date this section takes effect which is not permitted within the respective sector of this Overlay Zone then;

A. Such nonconforming use of land shall not be moved in whole or in part to any other portion of such land, added to, extended, reconstructed, structurally altered or expanded during its life, Section ? [article on nonconformities] not withstanding.

B. Nothing herein shall prevent the completion of structures for a land use which shall have been diligently prosecuted prior to the passage of this section.

C. Nothing herein shall prevent the normal repair, reinforcement, rehabilitation of a structure.

Section 6. That the City of Manistee Zoning Ordinance of May 1, 1990, as amended, (Title XV, Chapter 150 of the Manistee City Code of Ordinances) is hereby amended by adding to Section 8402 a subsection 8402.B.7. (the section which lists the information required with a zoning permit application), as follows, to wit;

7. A copy of any other necessary permits required prior to a Construction Code Permit or a copy of a written agreement for, or written intent for concurrent approval for those permits.

Section 7. That the City of Manistee Zoning Ordinance of May 1, 1990, as amended, (Title XV, Chapter 150 of the Manistee City Code of Ordinances) is hereby amended to add to Section 9404 a subsection 9404.H. (section listing the basic data required in all site plans), as follows, to wit;

H. Show any changes or modifications required for any applicable regulatory agencies' approvals. (Site plan or design plan changes required after the Commission issues a Special Use Permit shall also be changed in accordance with procedures established in this Ordinance for minor adjustments or amendments to Special Use Permits.)

Section 8. That the City of Manistee Zoning Ordinance of May 1, 1990, as amended, (Title XV, Chapter 150 of the Manistee City Code of Ordinances) is hereby amended to a new Section after Section 9406 (so it is 9406½) (in the article on site plans, following the listing of what is required in a site plan, to list additional material shown on a site plan for groundwater protection), as follows, to wit;

9407. Required data for a site plan involving special groundwater protection provisions.

A. Applicability of this additional site plan content for groundwater protection: Facilities (except fuel stored in a fuel tank which is part of a motor vehicle for purposes of use by that vehicle's motor) which:

1. use or generate hazardous substances in quantities greater than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) per month or ninety five (95) liters (approximately twenty five (25) gallons) per month, whichever is less, or
2. stores greater than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) or ninety five (95) liters (approximately twenty five (25) gallons), whichever is less

shall be subject to site plan review requirements.

B. In addition to all the data required for a Basic Site Plan, set forth in Section ?, Medium Site Plan set forth in Section ?, or a Detailed Site Plan set forth in Section ?, whichever is applicable; the following shall also be shown in the site plan:

1. Location and size of interior and exterior areas and structures to be used for storage, use, loading/unloading, recycling, or disposal of hazardous substances.
2. Location of all underground and above ground storage tanks for such uses as fuel storage, waste oil holding tanks, chemical storage, hazardous waste storage, collection of contaminated stormwater or wash water, and all similar uses.
3. Location of exterior and interior drains, on-site sewage systems, dry wells; catch basins; retention/detention areas; sumps and other facilities designed to collect, store or transport stormwater or wastewater. The point of discharge for all drains and pipes shall be specified on the site plan.

4. Location of all water wells on the site and within 150 feet surrounding the parcel's property boundaries.
5. Delineation of areas on the parcel which are known or suspected to be contaminated (including but not limited to PA 307 of 1982, as amended, (being Michigan Environmental Response Act, MCL 299.601 et. seq.); or administrative rules and standards promulgated thereunder), together with a report on the status of site cleanup.
6. Submission of the "Hazardous Substances Reporting Form for Site Plan Review".
7. Submission of the "State/County Environmental Permits Checklist".
8. If the area covered by the site plan includes territory within a Wellhead Protection Overlay Zone submit a site plan review report prepared by a Manistee County Groundwater Staff Review Group (c/o Manistee County Planning Department). The site plan review report shall be a written document reporting on a county review of the same site plan prepared for this section. If the area covered by the site plan does not include territory within a Wellhead Protection Overlay Zone a site plan review report prepared by the Manistee County Groundwater Staff Review Group may be submitted at the option of the applicant or may be required at the option of the Commission or administrator, which ever is applicable.

Section 9. That the City of Manistee Zoning Ordinance of May 1, 1990, as amended, (Title XV, Chapter 150 of the Manistee City Code of Ordinances) is hereby amended to change and add new wording to Section 9410 (conditions of site plan approval), as follows, to wit;

9410. Conditions of Site Plan Approval

A. A site plan can be approved with conditions necessary to comply fully with the intent of this Ordinance. All conditions shall be shown on the approved site plan and/or shall be in writing.

B. Reasonable conditions may include conditions necessary to:

1. insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity,

2. protect the natural environment and conserve natural resources and energy,
3. insure compatibility with adjacent uses of land, and
4. promote the use of land in a socially and economically desirable manner.

C. Conditions imposed shall meet all of the following requirements:

1. Be designed to protect natural resources, the health, safety, and welfare and the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
2. Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
3. Be necessary to meet the intent and purpose of the zoning ordinance, be related to the standards established in the ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

Section 10. RECODIFICATION: That the City of Manistee Zoning Ordinance of May 1, 1990, as amended, (Title XV, Chapter 150 of the Manistee City Code of Ordinances) is hereby amended to recodify the numbering of articles and sections to conform to a standard or model codification scheme established by the Manistee County Planning Department where articles are numbered within groups of ten to associate together similar articles on similar topics, and sections are numbered sequentially with the first two digits being the article number and the next two digits being the sequential section number.

Section 11. CONFLICTING ORDINANCES: All other ordinances and parts of ordinances, or amendments thereto, of Manistee City in conflict with the provisions of this ordinance are hereby repealed.

Section 12. EFFECTIVE DATE: This Ordinance shall take effect on _____, upon publication in the Manistee News Advocate.

[C:\WP\TOWNS\GWZONE.CTY]

Section 5. That the City of Manistee Zoning Ordinance of May 1, 1990, amended, (Title XV, Chapter 150 of Manistee City Code of Ordinances) is hereby amended by adding a new Article 76, as follows, to wit:

ARTICLE 76: WELLHEAD PROTECTION OVERLAY DISTRICT

7601. Area Affected

Every parcel of land which lies in whole or in part within Wellhead Protection Overlay Zone as depicted on the Official Zoning Map around public Type I water wells is subject to the regulations of this Overlay Zone to the extent the parcel lies within this Overlay Zone. The regulations of this Overlay Zone are in addition to any regulations in the underlying Land Use Districts, however these regulations supercede all conflicting regulations of the underlying Land Use District to the extent of such conflict but no further.

7602. Wellhead Protection Zones

As shown on the Official Zoning Map, there shall be three concentric sectors within this Overlay Zone:

A. Sector A shall be an area around the water well intended to be protected by this Overlay Zone which lies entirly within the territory of Filer Charter Township, and is not included on the City of Manistee Zoning Map.

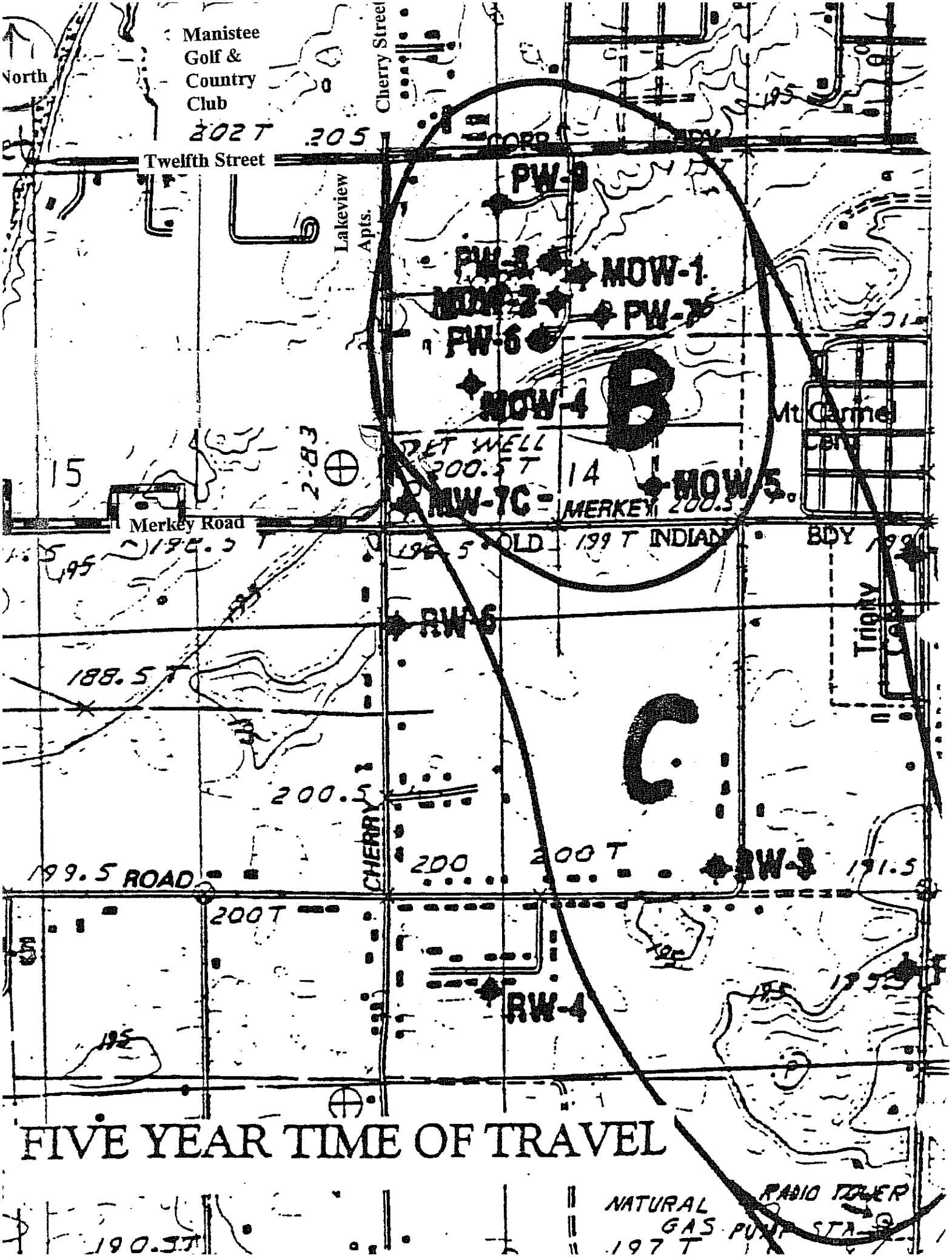
B. Sector B shall be the next largest area around the water well, as shown on the Official Zoning Map, intended generally to include, at a minimum, an area necessary for a one year zone of protection for the well.

C. Sector C shall be the remainder of this Overlay Zone outside of Sectors A and B, as shown on the Official Zoning Map, intended generally to include, at a minimum, a ten year zone of protection for the well. This Sector lies entirly within the territory of Filer Charter Township, and is not included on the City of Manistee Zoning Map.

7603. Sector A Land Use Prohibitions

The underlying zoning district not withstanding, no person shall use land within sector A for any land use which involves any of the following:

A. Any use listed in Section 7604 of this Ordinance
B. Any use listed in Section 7605 of this Ordinance
C. Any other land use except:
   1. A water well pump station.
   2. A water tower.
   3. Open space area, planted to grass, garden, or other ground cover.



FIVE YEAR TIME OF TRAVEL

PUBLIC NOTICE

The Manistee City Planning Commission will hold a public hearing at 7:00 p.m. on Wednesday, December 4, 1996 in the Council Chambers at City Hall 70 Maple Street, Manistee, MI 49660 to consider amending the City of Manistee Zoning Ordinance.

The purpose of the hearing is to consider amending the Zoning Ordinance to provide for general groundwater protection throughout the City and specific groundwater protection in the areas of municipal wells.

Copies of the proposed Ordinance Amendment are available at Manistee County Public Library, 95 Maple Street, Manistee, Michigan and at Manistee City Hall 70 Maple Street.

Interested parties are welcome to attend the hearing, or can comment in writing to: Code Administrator, City of Manistee, 70 Maple Street, Manistee, MI 49660.

This notice was posted by Jon R. Rose, Code Administrator, to comply with Sections 4 & 5 of the Michigan Open Meetings Act (P.A. 267 of 1976) at 12:00 noon., Tuesday, November 26, 1996 on the bulletin board at the south entrance to City Hall.

Signed: _____
Jon R. Rose, Code Administrator

City of Manistee

616-723-2558
FAX 616-723-1546

70 Maple Street • P.O. Box 358 • Manistee, Michigan 49660

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Copies of the proposed Ordinance Amendment are available at Manistee County Public Library, 95 Maple Street, Manistee, Michigan and at Manistee City Hall 70 Maple Street.

Interested parties are welcome to attend the hearing, or can comment in writing to: Code Administrator, City of Manistee, 70 Maple Street, Manistee, MI 49660.

Run: Box Ad Classified

SITE PLAN REVIEW

NAME: Ambar, Inc.
1501 Main Street
Manistee, MI 49660

PROPOSED USE: Industrial

ZONING DISTRICT: I-2

PARCEL CODE: 51-51-712-475-04

USE IS: X Permitted
❒ Special
❒ Not Permitted

BULK REGULATIONS

	REQUIRED BY ZONING	PROPOSED IN PLAN	COMPLIANCE YES	COMPLIANCE NO
PARCEL SIZE:	1,200 feet	>1,200 feet	X	❒
STREET FRONTAGE:	120 feet	1,000 feet	X	❒
SETBACKS				
FRONT YARD	45 feet	>300 feet	X	❒
SIDE YARD	10 feet	65 feet	X	❒
REAR YARD	45 feet	65 feet	X	❒
WATERFRONT	50 feet	65 feet	X	❒
HEIGHT:	30 feet	>30 feet	❒	X
PARKING:	n/a		❒	❒
BUILDING AREA:	n/a		❒	❒

SPECIAL DISTRICTS

	APPLIES? YES	APPLIES? NO	APPROVED? YES	APPROVED? NO
HISTORIC OVERLAY:	❒	X	❒	❒
HIGH RISK EROSION:	❒	X	❒	❒
FLOOD PLAIN:	X (zone X)	❒	X	❒
SOIL EROSION:	X	❒	X	❒

OTHER:

REVIEWED BY: Jon R Rose DATE: December 3, 1996