

MANISTEE CITY PLANNING COMMISSION

70 Maple Street, Manistee, Michigan 49660

Meeting of Thursday, March 2, 2000
7:00 p.m. - Council Chambers

AGENDA

- I Roll Call

- II Public Hearing
 - 1. Rich Robinson - Special Use Permit
 - 2. Lighthouse Landings LLC - Amendment to PUD

- III Citizen Questions, Concerns and Consideration

- IV Approval of Minutes from Last Meeting (2/3/00)

- V Unfinished Business
 - 1.

- VI New Business
 - 1. Rich Robinson - Special Use Permit
 - 2. Lighthouse Landings LLC - Amendment to PUD
 - 3.

- VII Other Communications

- VIII Work/Study Session
 - 1. Citizen Survey
 - 2. Master Plan Review
 - Section 4A - Zoning Ordinance
 - Section 4B - Capital Improvements Programming
 - Section 4C - By-Laws of the Planning commission
 - Section 4D - Other Recommendations
 - Section 4E - Plan Adoption and Use

- IX. Adjournment

cc: Planning Commission Members
City Council
R. Ben Bifoss, City Manager
Jon Rose, Community Development
County Planning Department
Jack Dinsen, Manistee Township Zoning Board
Don Alfred, Filer Charter Township Planning Commission
Manistee News Advocate
WMTE Radio
WXYQ Radio
Jeff Mikula, Abonmarche
Julie Beardslee, Assessor
Mark Niesen, Building Inspector

MEMORANDUM

TO: Planning Commission Members

FROM: Jon R. Rose 
Community Development

DATE: February 25, 2000

RE: Planning Commission Meeting, March 2, 2000

Our next Planning Commission Meeting will be Thursday, March 2, 2000 in the Council Chambers.

Items on the Agenda are:

1. Rich Robinson - Special Use Permit. Rich Robinson is asking for a Special Use Permit for a change of use to allow an Auto Glass Business at 719 Kosciusko Street. A copy of the application is enclosed.
2. Public Hearing - Lighthouse Landings LLC/Amendment to PUD. We have received a request from Lighthouse Landings LLC for a reduction in the five foot set-back for units #23, #24, #25, #26, #27, & #28 to not less than one foot. Correspondence has been received from the Department of Military & Veterans Affairs regarding the meeting of December 9, 1999. A copy of the application, site plan, conditions of existing Special Use Permit and correspondence is enclosed.
3. Citizen Survey's were mailed out February 12th. We will discuss the survey during the Work/Study Session of the meeting.
4. Enclosed are sections 4-A through 4-E. This will conclude the review of the Master Plan.

If you are unable to make the meeting please call Denise at 723-2558. See you there!!

JRR:djm

cc: City Council



Planning Commission

SPECIAL USE PERMIT APPLICATION

Rich Robinson
 Applicant
6575 Dewey
 Address
Fountain MI 49405
 City, State, Zip Code
 Phone Numbers (Work) 231 757 0497
 (Home) 231 757 0516

FOR OFFICE USE ONLY:

Case number _____
 Date Received 2.17.00
 Fee Received 250.00
 Receipt Number - _____
 Hearing Date 3.2.00
 Action Taken _____
 Expiration Date of Permit _____

FEE FOR SPECIAL USE PERMIT \$250.00

I. ACTION REQUESTED:

A Special Use Permit is hereby requested for the following purpose: Auto Glass Shop

II. PROPERTY INFORMATION:

A. Address of Property: 719 Kosciusko
 Tax Roll Parcel Code Number: 51-51-~~748~~ 748 716 09

B. List all deed restrictions - cite Liber & Page where found and attach: None

C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land. None

D. Zoning District: Transitional

E. Present use of the property: Vacant

F. Attach a Site Plan which meets the requirements of the Special Use Permit Ordinance (see attached).

G. Is a Property survey attached? Yes No.

H. Estimated completion date of construction (if applicable): _____

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

- A. State specifically the reason for this Special Use Permit request at this time Sale Pending
on approval
-
- B. Statement of support for the request. Please justify your request for a Special Use Permit below. The justification should address the following concerns: (Attach additional sheets if necessary)
1. The relationship of the Special Use Permit conditions (Article 86, Section 8610 and if applicable, Article 16) to the particular Special Use proposed. Do they pose any unusual problems for compliance?
 2. Relationship of the proposed use to the development plans of Manistee County and the City of Manistee.
 3. Impacts of the adjacent property and neighborhood. Indicate what impacts of the proposed use on the adjacent property are anticipated and what steps will be taken to mitigate any negative impacts. Consider the following:
 - a. Will the proposed use adversely affect the health, safety or enjoyment of property of persons residing or working in the neighborhood?
 - b. Will proposed use be detrimental to the public welfare or injurious to property in the neighborhood?

IV. INFORMATION REQUIRED IN APPLICATION:

- A. An Application for Special Use shall include:
1. A detailed Site Plan, as spelled out in Section 9406 of this ordinance, a copy of which is attached.
 2. A specific statement and supporting information regarding the required findings for the Special Use Permit, as stated in Section 8609 (as follows).
 - a. *Is the use reasonable and designed to protect the health, safety and welfare of the community,*
 - b. *Is the use consistent with the intent and purpose of the Land Use District,*
 - c. *Is the use compatible with adjacent land uses,*
 - d. *Is the use designed to insure that public services and facilities are capable of accommodating increased loads caused by the land use or activity, and*
 - e. *Does the use comply with all applicable regulations of this Ordinance.*
 - f. *Does the use comply with all specific standards found in the respective Land Use District, Section 1601 et. seq., and Section 101 et. seq. of this Ordinance.*

- 3. Proposed location of any open spaces, landscaping and buffering features such as greenbelts, fences, etc.

B. In Addition, the applicant may be required to furnish:

- 1. Elevations on all buildings, including accessory buildings.
- 2. An Environmental assessment.
- 3. Evidence of having received or having an agreement for concurrent approval for any other necessary permits required prior to a construction code permit.
- 4. Measures which will be undertaken to control soil erosion, shoreline protection, excessive noise, or adverse impacts of the development on the surrounding properties.

V. CERTIFICATION AND AFFIDAVIT:

The undersigned affirm(s) that he/she/they is/are the owner, leasee, owner's representative, contractor involved in the application; and that the information included in this application is correct. Further, if the request is approved, the applicant will comply with all of the requirements of the City of Manistee Zoning Ordinance and certifies that measures proposed to mitigate adverse impacts will be completed in a timely fashion.

Signature (s) of Applicant (s): 

Dated 2-16-00

By checking this box permission is given for Planning Commission Members to make a site inspection if necessary.

CITY OF MANISTEE

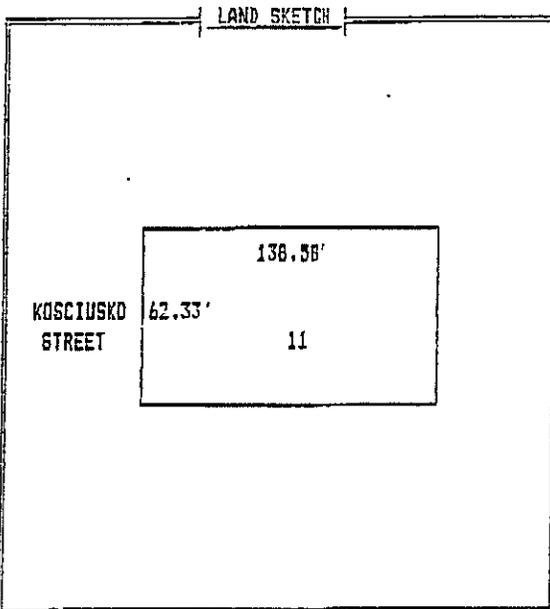
PARCEL NUMBER : 51 51 748 716 09
 COUNTY : Manistee 201
 SCHOOL DISTRICT: MANISTEE AREA PUBLIC SCHO 30
 PROPERTY LOCATION: NEIGHBORHOOD: OLD US-31
 KROLCZYK AND SKIERA, BUILDERS ZONED: TD
 1861 RED APPLE ROAD DBA:
 MANISTEE MI 49660
 MAILING ADDRESS(S):
 KROLCZYK AND SKIERA, BUILDERS
 1861 RED APPLE ROAD
 MANISTEE MI 49660

03 MAR 1999

GRANTEE		SALES INFORMATION					DATE	INSTR	LIBR	PAGE	SALE PRICE
							09/01/86	1	482	268	7,000
DESCRIPTION										DATE	AMOUNT
TRUE CASH VALUE											
YEAR	LAND	BUILDINGS	CODE	HMS	ASSESSMENT	EQUALIZED	TAXABLE				
1998	7,750	6,731	C	0	7,200	7,200	4,854				
1997	7,750	6,731	C	0	7,200	7,200	4,727				
1996	0	0	0	0	4,600	4,600	4,599				
1995	0	0	0	0	4,500	4,500	4,500				

EXAMINED BY: JB
 EXAMINE DATE: 02-10-97
 INTERVIEWED:
 PROPERTY CLASS: Commercial

Improved, Platted
 Level
 Curb, Electric, Gas, Paved Road, Sidewalk, Sanitary Sewer, Storm Sewer, Wat



LAND COMPUTATIONS				
SIZE	FACTOR	DESCRIPTION	RATE	VALUE
62	1.00	62x138	125	7,750

LAND IMPROVEMENTS Sf/Lf/Ea Rate DeprCost

DESCRIPTION:
 FREELAND LOT 11 BLOCK 10 P.ADDR: 719 KOSCIUSKO
 ST [(SALE(77) 130 1354 0199 (86) 70 1482 0266-268
 (97) 3662 0426

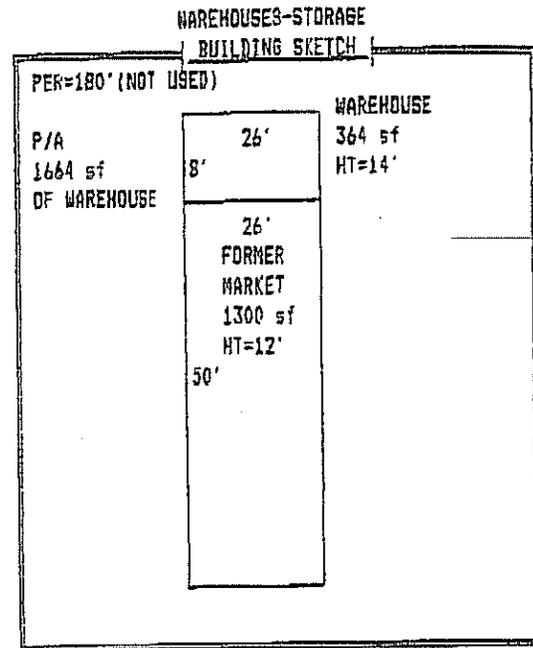
1999 FINAL VALUES:			
PROPERTY BASE VALUE :	7,750	TOTAL TRUE CASH VALUE:	14,481
NEIGHBORHOOD FACTOR:	1.00	CALCULATED ASSESSMENT:	7,200
TRUE CASH VALUE :	7,750	ASSESSMENT OVERRIDE:	
LAND IMPROVEMENT BASE:	0	CLASS FACTOR APPLIED:	1.00000
COST NEW MULTIPLIER:	NA	BDR ASSESSMENT:	
DEPRECIATION :	NA	STC/HTY ASSESSMENT:	
NEIGHBORHOOD ECF :	NA	FINAL ASSESSMENT:	7,200
NBHD LAND FACTOR :	NA	EQUALIZATION FACTOR:	1.00000
TRUE CASH VALUE :	0	STATE EQUALIZED VALUE:	7,200
BLDGS TOTAL TRUE CASH:	6,731	CAPPED VALUE:	4,931
TRANSFER:			
HOMESTEAD PERCENT:	0%	TOTAL TAXABLE VALUE:	4,931

PARCEL NUMBER: 51 51 748 716 09 NAME: KROLCZYK AND SKIERA, BUIL

IMPROVEMENTS:		Sf/L1/Ea	Rate	Cost
Calculator	Wood/steel studs 13.15; Low(D) .96(h) NA(p)	1664	12.62	21000
10. Heating	Space heaters, with fan or radian	-1664	.96	-1597
B.	Warehouses,,Storage .33; 1(Q) 1.000(a) NA(n)	-1664	.33	-549

ADJUSTMENTS or Enhancing/Detracting Influences
 BSMT N/P
 UPPER LEVEL N/P

- LEGEND: Rate Adjustment Modifiers
- (h) Story Height multiplier.
 - (p) Perimeter/Area Ratio multiplier.
 - (Q) Quality Column
 - (a) Architect multiplier.
 - (n) Number of Stories multiplier.



Building/Section : 1

Building Class : D	Condition : FAIR
Basement Wall Ht :	Checked On : JB
Number of Stories: 1	Checked By : 10 FEB 1997
Perimeter/Units :	Extended On : 10 FEB 1997
Ground Floor Area: 1,664	Extended By : MJ
Story/Bldg Height: 12 /	
Depreciation Used: 24%	NEIGHBORHOOD:
Year Built : 1910	OLD US-31 TRANS. COMM.
Year Remodeled :	Condition : Stable
Effective Age : 41	Class : C & D

ALL BUILDINGS	BASE COST	COST NEW	TRUE CASH
WAREHOUSES-STORAGE	18,854	18,854	6,731

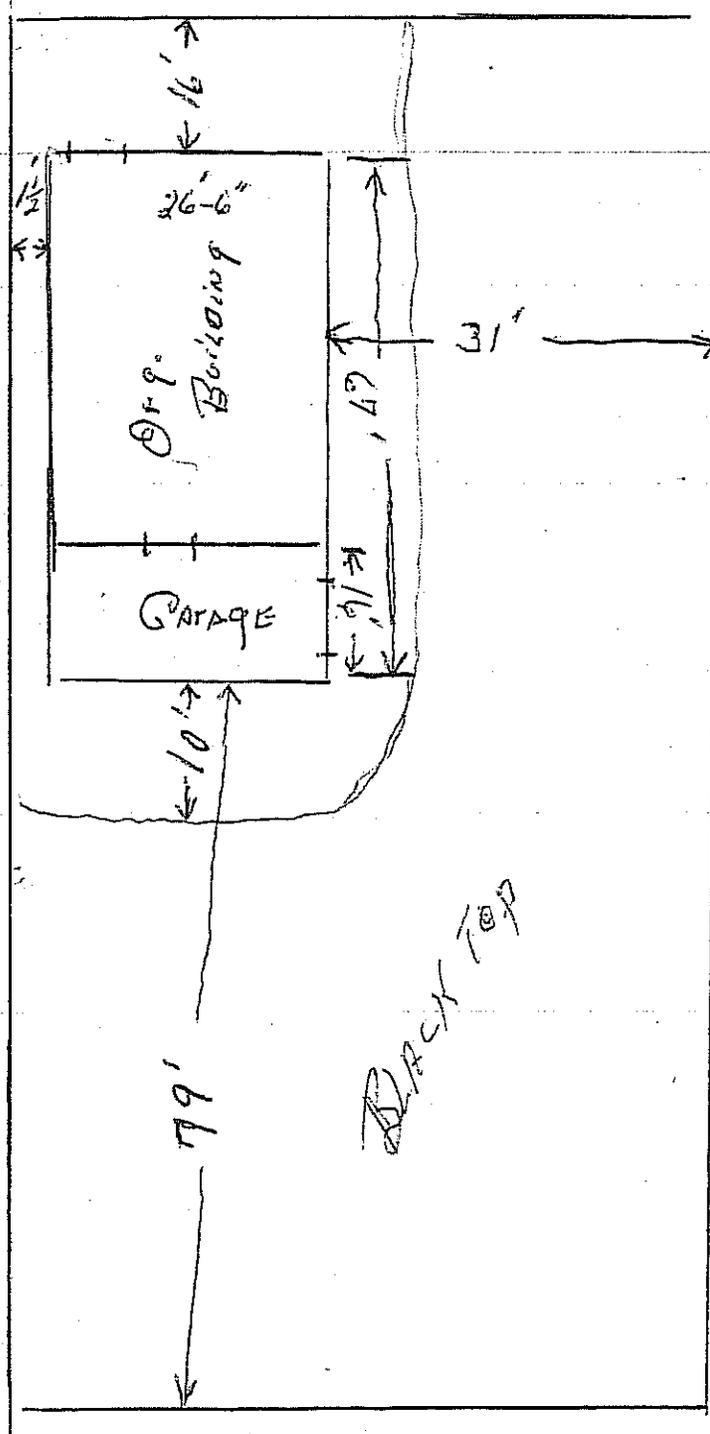
THIS BUILDING:	BASE COST	:	18,854
MULTIPLIER	: 1.000000	ESTIMATED COST NEW:	18,854
DEPRFUNCDRECON:	.330000	DEPRECIATED COST :	6,599
BUILDING ECF :	1.020000	TRUE CASH VALUE :	6,731

TOTAL BUILDING(S) TRUE CASH VALUE:	6,731
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PARCEL ID: 51 51 748 716 09

719 KOSCIUSKO ST.

60' M-AS.



SLOW M-AS

BACKYARD



SPECIAL USE PERMIT APPLICATION

Applicant: LIGHTHOUSE LANDINGS, LLC
Address: P.O. Box 825, MANISTEE MI 49660
Phone Numbers: (Work) 231-398-0111

FOR OFFICE USE ONLY:

Case number
Date Received: 2-11-00
Fee Received: 250.00
Receipt Number: 3770
Hearing Date: 3-2-00
Action Taken
Expiration Date of Permit

FEE FOR SPECIAL USE PERMIT \$250.00

I. ACTION REQUESTED:

A Special Use Permit is hereby requested for the following purpose: AMEND THE SITE PLAN TO REDUCE THE REQ'D SETBACK ON THE E/W LOT LINE ADJ. TO THE ARMORY FROM 5' TO NOT LESS THAN 1'9" NOT MORE THAN 2'

II. PROPERTY INFORMATION:

- A. Address of Property: 315-337 LIGHTHOUSE WAY S.
B. List all deed restrictions - cite Liber & Page where found and attach:
C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land.
D. Zoning District: PUD
E. Present use of the property: CONDO DEV.
F. Attach a Site Plan which meets the requirements of the Special Use Permit Ordinance (see attached).
G. Is a Property survey attached? [] Yes [X] No.
H. Estimated completion date of construction (if applicable):

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

- A. State specifically the reason for this Special Use Permit request at this time TO ELIMINATE THE ONGOING SETBACK ENVELOPMENT BY THE SUBJECT ADDRESS DECKS.
-
- B. Statement of support for the request. Please justify your request for a Special Use Permit below. The justification should address the following concerns: (Attach additional sheets if necessary)
1. The relationship of the Special Use Permit conditions (Article 86, Section 8610 and if applicable, Article 16) to the particular Special Use proposed. Do they pose any unusual problems for compliance? ONLY THE REDUCTION IN SIZE OF SEVERAL DECKS
 2. Relationship of the proposed use to the development plans of Manistee County and the City of Manistee.
 3. Impacts of the adjacent property and neighborhood. Indicate what impacts of the proposed use on the adjacent property are anticipated and what steps will be taken to mitigate any negative impacts. Consider the following:
 - a. Will the proposed use adversely affect the health, safety or enjoyment of property of persons residing or working in the neighborhood? NO
 - b. Will proposed use be detrimental to the public welfare or injurious to property in the neighborhood? NO

IV. INFORMATION REQUIRED IN APPLICATION:

- A. An Application for Special Use shall include:
1. A detailed Site Plan, as spelled out in Section 9406 of this ordinance, a copy of which is attached.
 2. A specific statement and supporting information regarding the required findings for the Special Use Permit, as stated in Section 8609 (as follows).
 - a. *Is the use reasonable and designed to protect the health, safety and welfare of the community,*
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 - c. *Is the use compatible with adjacent land uses,*
 - d. *Is the use designed to insure that public services and facilities are capable of accommodating increased loads caused by the land use or activity, and*
 - e. *Does the use comply with all applicable regulations of this Ordinance.*
 - f. *Does the use comply with all specific standards found in the respective Land Use District, Section 1601 et. seq., and Section 101 et. seq. of this Ordinance.*

3. Proposed location of any open spaces, landscaping and buffering features such as greenbelts, fences, etc.

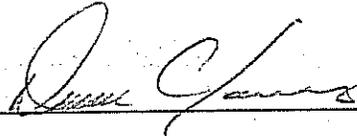
B. In Addition, the applicant may be required to furnish:

1. Elevations on all buildings, including accessory buildings.
2. An Environmental assessment.
3. Evidence of having received or having an agreement for concurrent approval for any other necessary permits required prior to a construction code permit.
4. Measures which will be undertaken to control soil erosion, shoreline protection, excessive noise, or adverse impacts of the development on the surrounding properties.

V. **CERTIFICATION AND AFFIDAVIT:**

The undersigned affirm(s) that he/she/they is/are the owner, leasee, owner's representative, contractor involved in the application; and that the information included in this application is correct. Further, if the request is approved, the applicant will comply with all of the requirements of the City of Manistee Zoning Ordinance and certifies that measures proposed to mitigate adverse impacts will be completed in a timely fashion.

Signature (s) of Applicant (s):



Dated 2.7.00

By checking this box permission is given for Planning Commission Members to make a site inspection if necessary.

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

AMENDMENT TO SPECIAL USE PERMIT

This SPECIAL USE PERMIT, herein after referred to as the permit, is granted pursuant to the authority granted in Article 86: Special uses, of the Manistee City Zoning Ordinance, effective May 1, 1990.

Name of Permit Holder: Lighthouse Landings LLC
Mailing Address: P.O. Box 825
Manistee, MI 49660
Telephone Number: 231.398-0111

Name of Property Owner: Lighthouse Landings LLC
Mailing Address: P.O. Box 825
Manistee, MI 49660
Telephone Number: 231.398-0111

Description of Property affected by Special Use Permit:

Tax Parcel Number: 51-51-311-275-03 & 51-51-362-723-01

Address of Property: Corner of First and Cherry Street

Legal Description of Property: PT OF GOVT LOT 4, COM NE COR OUT - LOT B LAKEVIEW HEIGHTS, TH E 33 FT, TH N 306 FT, TH W 33 FT, TH N 66 FT, TH W 400 FT, TH N 566 FT TO S LI FIRST ST, TH W 350.70 FT TO E LI CHERRY ST, TH S 728.81 FT, TH E 535.85 FT, TH S 46 DEG 7 MIN W 285.94 FT, TH ELY ALG N LI OUTLOT B 427.10 FT TO POB SEC 11 T 21 N R 17 W SE COR OF CHERRY AND FIRST STS. & LAKE VIEW HEIGHTS PT OUTLOT A COM 33 FT E OF NW CORS O DEG 1 MIN E 185 FT, S 89 DEG 30 MIN E 126.6 FT ON 4 DEG CURVE CHORD BEARING N 49 DEG 19 MIN E 155.34 FT, N 46 DEG 7 MIN E 118.42 FT WLY TO POB

Description of Special Use Granted, as Permitted in Article # 44, Section # 4403.E: Planned Unit Development
Amendment to Special Use Permit dated July 27, 1997

A new Site Plan, identified as Job No. 96183BAS Revised 7/8/99 is approved

A new Site Plan, identified as Job No. 99-985SIT Dated 8/23/99 is approved

PERMIT CONDITIONS AND REQUIREMENTS:

This permit is issued, subject to the following conditions and/or requirements as contained in Article 16, Section 1605:

- CONDITIONS**
1. **Building Plans and Elevations need to be approved by the Historic Overlay Committee. (2/96)**
 2. **A 15 foot set-back from interior streets is required. (2/96)**
 3. **Cement curbing on both sides of the entrance to the new road, with it continuing to approximately 60 feet short of First Street. (2/96)**
 4. **All Roadways and Water (Fire Hydrants) meet the requirements of the appropriate City Departments. (2/96)**
 5. **A fence shall be provided along the easternmost property line. (8/99)**
 6. **The required 10 foot set-back is reduced to 5 feet for units #23, #24, #25, #26, #27 and #28 and the existing decks will be removed to comply with this 5 foot set-back. The existing decks will be allowed to remain until November 4, 1999 to allow the developer opportunity to obtain evidence that he can acquire at least 10 feet of property from the adjoining property owner. (8/99)**
 7. **The triangle located in the driveway of units 43, 44, 45, 47 be removed as recommended by the Fire Department. (10/99)**
 8. **The project be contained within their property lines and no intrusion or damage to neighboring properties occur. (10/99)**

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF MILITARY & VETERANS AFFAIRS

2500 S. WASHINGTON AVENUE, LANSING, MI 48913-5101

MAJOR GENERAL E. GORDON STUMP

Director, and The Adjutant General

MITAG-CFO

January 4, 2000

City Planning Commission
P.O. Box 358
Manistee, MI 49660

Mr. Niesen

On December 9, 1999, the Military Board met and discussed Lighthouse Landings' proposal to purchase land from our department. At that time they passed a motion of denial for the sale of property to Lighthouse Landings. The denial notice to Mr. Jones is attached for your reference at future public hearings that may be scheduled.

Please contact me at (517) 483-5645 if you require further information.

FOR THE ADJUTANT GENERAL OF MICHIGAN:


TIBOR J. LANCZY
LTC, EN, MIARNG
Chief, Construction and
Facilities Management Office

Cf: Maj Gen Stump
Duane Jones

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF MILITARY & VETERANS AFFAIRS

2500 S. WASHINGTON AVENUE, LANSING, MI 48913-5101
MAJOR GENERAL E. GORDON STUMP
Director, and The Adjutant General

MITAG-CFO

February 4, 2000

Lighthouse Landings
Attn: Duane Jones, Manager
P.O. Box 845
First & Cherry Street
Manistee, MI 49660

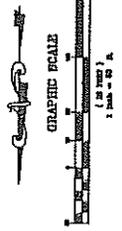
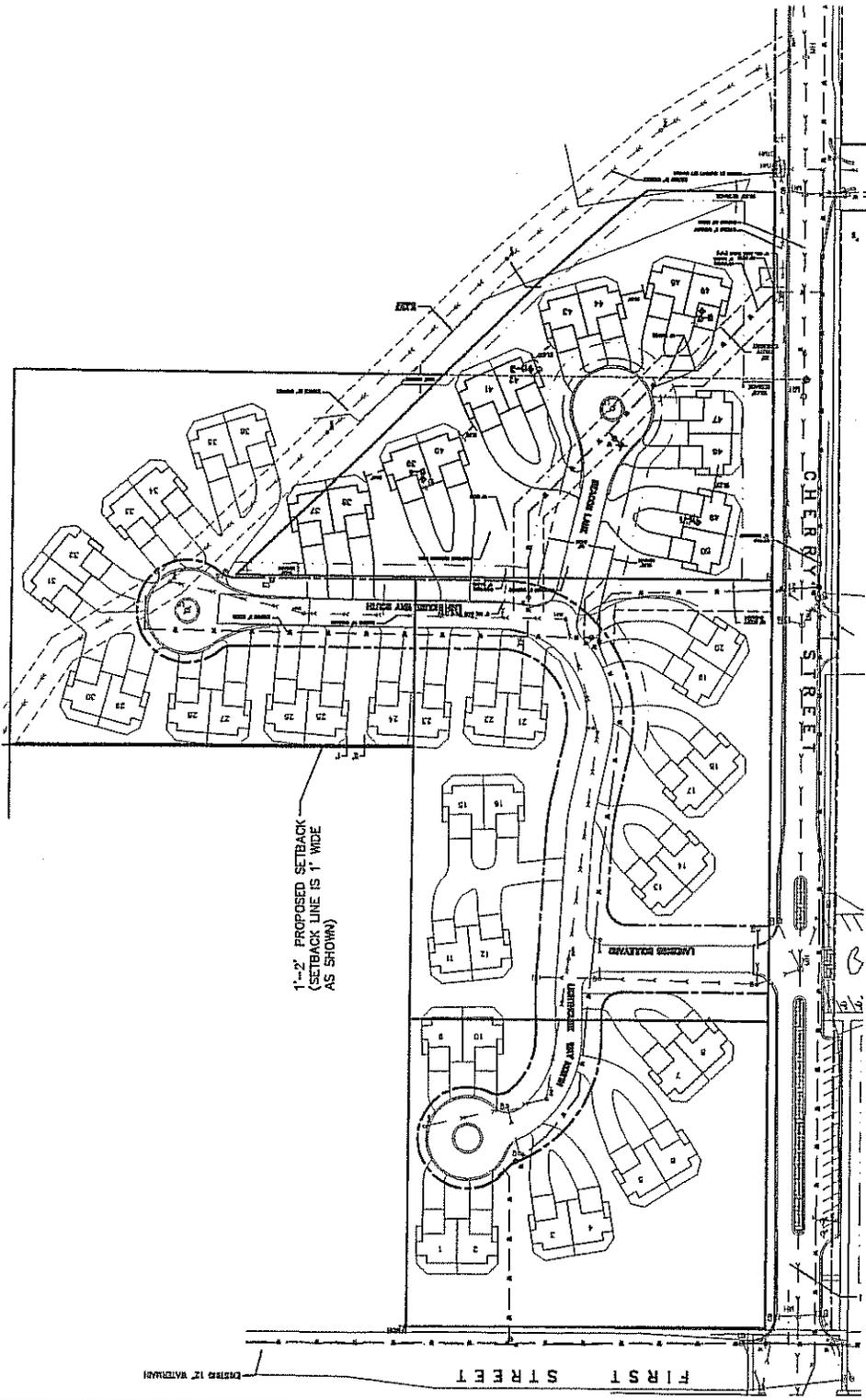
Dear Mr. Jones,

On December 9, 1999, the Military Board met and considered your request for purchase of the 10-foot parcel of land that would be required to eliminate your dispute with the City of Manistee's building codes. The Military Board has determined that this land can not be considered excess to our future needs and therefore should not be disposed of. **A motion was passed to deny your request to purchase the required 10-foot strip of land to bring your development into compliance with the local zoning ordinances.**

Our facilities office has contacted the City's building inspector to reiterate our support of the granting of your requested variance. A copy of this denial will be provided to Mr. Niesen indicating that a sale of property is not feasible at this time.

Although our department would like to assist in the resolution of your problem, your dispute is not with our department. It is with the City's zoning ordinances, your builder, and those landowners that have purchased your buildings which were not constructed in compliance with local laws.


TIBOR J. LANCZY
LTC, EN, MIARNG
Chief, Construction and
Facilities Management Office



LIGHTHOUSE LANDINGS
P.U.D. SITE PLAN

ABONMARCHÉ CONSULTANTS, INC.
ARCHITECTURE / ENGINEERING / CONSTRUCTION MANAGEMENT
LAND SURVEYING

February 1, 2008

ZONING ORDINANCE

Need For New Zoning:

Manistee zoning regulations date back to 1958 when zoning was just beginning to make it's way to the vast majority of our nation's municipalities. Many of the regulations included in the existing zoning ordinance, including the zoning district layout, are insufficient to deal to the problems faced by today's city government. Building concepts have changed greatly from those days. For example, in 1958, trailer homes were still considered and regulated as vehicles and condominiums were unheard of all together. Concepts such as special land uses, site plan review and planned unit development were barely understood much less available for implementation. In fact, when the Manistee Zoning Ordinance was first adopted, there were no provision in the state's zoning enabling legislation authorizing the creation of such modern zoning practices. Since 1978, however, Michigan's statutes have been amended to enable local jurisdictions to adopt such new practices, and it will be necessary for the City to adopt new zoning regulations to implement recommendations for a New Manistee.

Zoning and Planning.

The Land Use Plan component of the Manistee Development Plan offers many recommendations for converting planning areas into zoning areas. It is not recommended, however, that plans and zoning regulations be created and adopted at the same time; particularly if they are contemplated in the same document. Rather, the zoning ordinance is intended to be the administrative legal expression of a long-range, futuristic plan, and there are many important differences between a zoning map and the a land use plan map. For example, the "HDR" High Density Residential area on the Land Use Plan covers a very wide area which may require several zoning districts. Current land use realities also would not allow a direct expression of the south Manistee Lake shoreline in a zoning map.

The important distinction is that the zoning ordinance gives specifications and limitations for land uses on all parcels in the City. The Land Use Plan, on the other hand, is not limited to specific parcels and is intended to offer generalized visionary concepts of the future. In many cases, the direct imposition of Land Use Plan recommendations will cause unnecessary hardships or legal "nonconformance" if zoning districts are directly applied. This is not to say, however, that the Land Use Plan has no bearing on zoning. Quite to the contrary, zoning must be based upon a plan. Since zoning cannot be arbitrary or capricious, and since it is assumed that zoning has been enacted for the public good, zoning must be based upon a deliberate plan to achieve same.

Another important distinction between Zoning and Planning is that

they must be adopted under different state statutes in different ways. As outlined in the "Adoption and Use" section of this document, the Plan must have a public hearing with notice given not less than fifteen days before the hearing. In zoning, the Planning Commission holds a public hearing which is noticed in a different manner, then makes a recommendation to the City Council to adopt a new city ordinance. Despite these differences, however, there is great value to creating a plan such as the Manistee Development Plan, then following up immediately with a new zoning ordinance based on this plan. This is particularly so for Manistee where new zoning is so badly needed.

Zoning Ordinance Project.

In order to avoid this confusing link between the Land Use Plan and a zoning map, the City will not include a zoning ordinance and map as part of the Manistee Development Plan. Rather, a new ordinance will be developed and adopted after a consensus is reached on the future of the City.

However, the Planning Commission has already been working on a new ordinance in two important ways. First, a tentative framework for a new zoning ordinance has already been studied and is nearly completed. This ordinance includes definitions, general provisions, special uses, site plan reviews, administration and adoption, and other essential parts. Still remaining, however, is to create new district regulations and a map indicating which properties and areas of the City will be so zoned. This is the part of zoning which must be based upon a plan, and which requires intense effort on the part of the Planning Commission to ensure that these new regulations are fair and equitable.

The Planning Commission has also developed new zoning through the amendment process. In order to update existing zoning regulations in several important ways, the City has already adopted site plan review regulations, planned unit developments, historic "overlay" zoning, and other similar changes to take care of administrative problems. These regulations will also form important components of a new zoning ordinance for the City of Manistee.

It is recommended that soon after the adoption of the Manistee Development Plan, the Planning Commission should undertake a work effort to complete the efforts made to date on the zoning ordinance and map. This task could be accomplished by a series of working sessions, or, only if time permits, as agenda work items at regular meetings of the Planning Commission. The specific work which should be accomplished includes the following:

1. Compile a list of all existing zoning districts which are consistent with the recommendations of the Land Use Plan, including those which have been recently

adopted.

2. Begin searching for examples of district regulations used by other cities for those districts which are found lacking from the list compiled above.
3. To delineate zoning boundaries, obtain the following maps: an updated base map showing existing parcels, aerial photo tax maps, existing use map, existing zoning map, and the land use plan map in this document. Begin drawing out new district boundaries using property lines, street rights-of-way, and natural features. In doing so, it is best to steer a course between existing zoning, existing use and the land use plan. Great deviations from any one of these can cause serious problems later in the process, sometimes so much later that the courts must get involved to resolve the situation.
4. Compile all existing work, new regulations, and zoning map into one document and methodically review each section to ensure consistency and completeness. The Planning Commission and City Council must completely understand and support the ordinance, because they will be called upon many times in the future to explain and defend it.

The Planning Commission must retain professional assistance, particularly for this last work element. The ordinance must be complete and legally correct, and a planning consultant or attorney should be consulted for this purpose. However, the creation of a zoning ordinance cannot be done solely by the professional. In fact, most of the work discussed above can and should be done by the Planning Commission members with minimal outside influence. This experience will ensure that all commissioners understand the ordinance from the bottom up. Such an understanding will be essential to explain details of the proposed ordinance, even to the individual parcel, at the necessary public forums.

Upon completion of Section 4A-1, the revised zoning ordinance section will be submitted to the City of Manistee Council for approval and subsequent adoption.

CITY OF MANISTEE DEVELOPMENT PLAN
Planning Commission Meeting Schedule *
2/25/85

Meeting:	MDP Plan Element:
1st March 7 th	Planning Objectives (what will we accomplish?)
2nd March	General Land Use Suitability Map
1st April 4	Economic Assets Inventory
2nd April	1st Draft Land Use, Comm. Fac., and Trans. Plan Maps
1st May 2	1st Draft Development Goals and Proposals
2nd May	Facility Needs Analysis
1st June 6	Fiscal Impact Analysis
2nd June	1st Draft Admin. and Budget. Goals and Proposals
1st July	Inform. and Goal Setting Meetings
2nd July	Recommendations from City Council and Officials
1st August 1	Final Draft Land Use, Com. Fac., and Trans. Plan Map
2nd August	Final Draft Development Goals and Proposals & Analysis
1st September 5	Final Draft Admin. and Budgetary Goals & Proposals
2nd September	Presentation of Plan to City Council for Review
1st October 3	Council Adoption and Plan. Comm. 1st Draft Districts
2nd October	Plan. Comm. Adoption of Plan/Council Meet on Zoning
1st November 7	Final Draft Zoning Ordinance Review
2nd November	Public Hearings on Proposed Zoning Ordinance
1st December 5	Transmittal of Zoning Ordinance to City Council
2nd December	Approval and Adoption of Zoning Ord. by Council

Planning Elements	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH
ACTIVATION													
Data Collection:													
City Altitudes Surv.	C												
City Serv. and Facilities	CCCCCCCC												
Economic & Fiscal Data	CCCCCCCC												
Land Use Survey	C												
Other Plans & Maps	CCCCCCCC												
Population Data	C												
Problems & Opportunities	CC												
Zoning Map	C												
Data Reduction:													
Community Facilities Map	GF												
Transportation Map	GF												
Landforms Map	GF												
Soils Map	GF												
Vacant Use Inventory	GF												
Economic Assets Invent.	AAAAAGGGG												
Planning Objectives	AWW												
Gen. Land Use Suitability	A:AAAAAGGGG												
PLAN FORMULATION													
Graphic Layouts:													
Land Use Plan Map		GGGGGGGG				GGGG							
Community Fac. Plan Map		GGGG				GGGG							
Circ. & Trans. Plan Map		GGGG				GGGG							
Descriptive Proposals:													
Land Use Densities & Uses		AAAAAAAAAGWW				AGWW							
Facility Size & Staffing		AAAAAGWW				AGWW							
Street & Trans Needs		AAAAAGWW				AGWW							
Development Goals & Prop.	AAAAA	AAAAAGWW				AGWW							
Admin. Goals & Proposals			AAAAA	AAAAAGWW		AGWW							
Budget Goals & Proposals			AAAAA	AAAAAGWW		AGWW							
PLAN ANALYSIS AND CORRECTION													
Projections:													
Acresages		AAAAAAAA				AAAA							
Densities		AAAA				AAAA							
Population		AAAA				AAAA							
Facility Needs Analysis		AAAA	AAAAAGWW			AGWW							
Fiscal Impact Analysis			AAAAAGWW			AGWW							
Review and Revise													
Inform./Public Meetings					(P/C/O)								
Goal Setting Sessions					(P/C/O)								
City Council Plan Recos.					(C)								
City Staff Plan Recos.					(O)								
PLAN ADOPTION													
Land Use Plan								(C)	(C)	(C)			
Community Development Plan								(C)	(C)	(C)			
Transportation Plan								(C)	(C)	(C)			
Downtown Development Plan								(C)	(C)	(C)			
City Policies Plan								(C)	(C)	(C)			
Other Plans and Proposals:								(C)	(C)	(C)			
Zoning Ordinances:													
Definitions	W							(C/O)	(W)	(P)	(C)	(C)	
General Provisions	W							(C/O)	(W)	(P)	(C)	(C)	
Zoning Districts (w/Map):								(C/O)	(W)	(P)	(C)	(C)	
Protective/Conservation							GGGG	(W)	(W)	(W)	(W)	(W)	(C/O)
Residential							GGGG	(W)	(W)	(W)	(W)	(W)	(C/O)
Commercial							GGGG	(W)	(W)	(W)	(W)	(W)	(C/O)
Industrial							GGGG	(W)	(W)	(W)	(W)	(W)	(C/O)
Planned Development							GGGG	(W)	(W)	(W)	(W)	(W)	(C/O)
Parking & Loading	W							(C/O)	(W)	(P)	(C)	(C)	
Special Uses	W							(C/O)	(W)	(P)	(C)	(C)	
Site Plan Review	W							(C/O)	(W)	(P)	(C)	(C)	
Administrative, Etc.	W							(C/O)	(W)	(P)	(C)	(C)	

! = Draft or map completion [] = See (PLAN) TO
P=Public C=City Council O=City Officials
W=Adoption by Planning Commission
CCCC = Collection of data
AAAA = Analysis and evaluation
GGGG = Graphics and map drafting
WWWW = Writing text and reproducing product

CAPITAL IMPROVEMENTS PROGRAMMING

What is a Capital Improvements Program?

A capital improvements program (CIP) is a system of budgeting public expenditures for significant city facilities. It is particularly useful for large nonrecurring expenditures which can help stimulate development in the city.

By employing a CIP, the city can place all of its most important future needs into a systematic "shopping list" and determine from which sources funds for each project can and should be drawn. However, the value of CIP does not end with identifying and funding projects. It can also provide a means of prioritizing and coordinating these improvements with city development. To accomplish this, there must be direct and continual input from the City of Manistee Planning Commission. With their unique role in determining long range development goals and trends for the city, this link to the city budgeting process is essential to help ensure that capital expenditures are aligned with the city's future.

Who is responsible for the CIP?

Under Act 285 of the Michigan Public Acts of 1931, also known as the Planning Commission Act of 1931, the responsibility for creating and running a CIP falls entirely on the City Planning Commission. The following excerpt is taken from Section 9 of the Planning Commission Act and it generally describes what must be accomplished by a CIP.

"For the purpose of furthering the desirable future development of the municipality under the master plan the city planning commission, after the commission shall have adopted a master plan, shall prepare coordinated and comprehensive programs of public structures and improvements." (C.L. '48, SS 125.39.)

Since the Manistee Development Plan represents the first truly comprehensive development plan for the city, the Manistee Planning Commission has not been actively involved in capital improvements programming as required by statute. It is clear, however, that one of the first projects to be implemented after the adoption of this plan must be a capital improvements plan which includes all the basic elements described in this portion of the Manistee Development Plan.

What Should Manistee Adopt for Such a Program?

Statutory Requirements:

The Planning Commission Act provides some insight into what is

required for a CIP.

"The commission shall annually prepare such a program for the ensuing six years, which program shall show these public structures and improvements, in the general order of their priority, which in the commission's judgement will be needed or desirable and can be undertaken within the six year period. The above comprehensive coordinated programs shall be based upon the requirements of the community for all types of public improvements, and, to that end, each agency or department of such municipality concerned with such improvements shall upon request furnish the commission with lists, plans and estimates of time and cost of public structures and improvements within the purview of such department." (C.L. '48, SS 125.39.)

As suggested in the Act, the budget must be prepared and adjusted annually and run for a six year period. The program must list projects for public structures and improvements and rank them in general order of their priority. Given the political nature of city government, the capital needs of cities such as Manistee, and the marginal revenues under which most local governments are forced to operate, this is no small task. Indeed it is often the case that political influences overshadow practical ones, and what was intended as a direct line of implementing the future plan of the city, becomes a squabble over jurisdiction and philosophical positions.

Nevertheless, there is value to the CIP process beyond the city's obligation under the Planning Commission Act. The following is a list of possible advantages as adapted from a Planners Advisory Service report on CIP: (ASPO, 1961)

- (1) Coordination of improvements with the Development Plan.
- (2) Fewer fluctuations in City tax rates and personnel changes.
- (3) More time to plan projects in advance of need.
- (4) Allow citizenry to see the long-range view of current proposals.
- (5) Coordination of projects with contiguous communities and agencies.
- (6) Allows for more orderly democratic deliberation on capital projects.
- (7) Allows for better programming of grant requests from city staff.

Obviously, a CIP which is approached properly, and administered

diligently, could avoid political pitfalls involved in CIP and net many benefits for the City of Manistee. This section of the Manistee Development Plan will outline a process through which the city can achieve these results.

Initial Program Outline:

The following outline is a recommended framework for accomplishing a CIP for the City of Manistee.

A. Financial Analysis. The CIP must include a yearly analysis on the financial status of the city. This is best accomplished by a report specifically designed for CIP formulation from the chief financial officer. Such a report must include projections of revenue and expenditures for the next six years. This report, and any associated charting of accounts, must be detailed enough to allow for the itemization of various capital projects and to allow for recommendations in changing or adding new revenue sources such as grants, tax increment financing, special assessment districts and so on. Financial forecasting in the report should use as much information as possible from the Manistee Development Plan in order to ensure consistency. Finally, the report should document the existing fiscal policies of the city discussing any fiscal guidelines adopted by the City Council concerning capital improvements.

B. Project Identification:

1. Identify Departments. Each department of the City of Manistee with jurisdiction over the expenditure of public dollars for public improvements must be identified and brought into the process in a systematic manner. The system should ensure that department heads are responsible for developing their own lists, priorities, and schedules. This work will serve as the preliminary basis for formulating priorities.

2. Identify Other Interests. Other agencies or groups with interests in capital improvements should be listed and contacted for possible projects. This would include the Downtown Development Authority, the Parks and Recreation Commission, the Housing Commission, Manistee County Planning Commission, neighborhood groups, etc.

3. Identify Projects. Once all appropriate organizations have been listed and contacted for projects, a single preliminary list of projects should be developed along with schedules, approximate costs and departmental priorities.

C. Project Prioritization. Project prioritization is the most critical part of the CIP process, and yet there is still no

single "best method" for accomplishing this task (So, 1979). Systems range from simple decisions of "in or out" of plan compliance to sophisticated point allocation systems which calculate a score for each of capital projects. Since reliance on point allocation systems alone can produce politically difficult recommendations and requires a fair amount of staff time, the Manistee Development Plan is recommending that the future CIP be a two-step process of (1) evaluation with broad planning elements and (2) political judgement and decision-making through committee recommendations.

1. Formulate Simple "Checklist". The Planning Commission should create a "check list" of the most important aspects of this planning document to which proposed capital projects can be compared for compliance. The proposed policies plan is a good source for such a check list. Physical plan layouts and proposals such as the realignment of US-31 or any of the several special planning areas are examples of check list attributes. With this checklist, a simple scoring could be generated for each proposed CIP project, and this score should accompany the rest of the information to be forwarded to the CIP committee for discussion. The checklist must be reviewed each year to ensure that the current planning elements and policies are being adequately addressed.

2. Approval by CIP Committee. A Capital Improvements Program Committee, as described later in this section, should be established to serve as the forum to provide political temperance and political decision-making to the capital improvements program. With the plan compliance checklist providing more objective input for the CIP Committee, the committee membership itself should provide the debate necessary to bring about the political side of establishing project priorities.

D. Project Budgeting. If the CIP is to effectively be implemented, it must be realistic enough to allow it's use in the city's budgeting process. This will not be accomplished unless the projects tentatively scheduled, and dollars which must be allocated, are budgeted in a manner which will allow easy insertion into the city budget.

E. Consolidate and Adopt Program

1. Prepare Program. Once staff has prepared the budgeting report for the six year CIP project list, the CIP Committee should review the entire program to be sure that all projects have been included, and to ensure that projects are added or deleted as may be necessary from budget surpluses or shortfalls.

2. CIP Adoption. Since the CIP will be adopted by the

Planning Commission as an annually updated part of the Manistee Development Plan, the Planning Commission must hold at least one public hearing on the proposed CIP. This hearing, as well as subsequent plan adoption, must be conducted as provided in the Planning Commission Act of 1931.

F. Continuing Program. The CIP process must be a yearly programmed effort of the Planning Commission, and many of the parts of this CIP outline will not be necessary for each year of the program. In particular, establishing the CIP committee and developing the list of players for the project list would not be necessary. There should, however, be a continual effort to ensure that any new departments, agencies or organizations with capital project interests are fairly represented.

What Steps Must be Taken to Accomplish Such a Program?

The outline above suggests an approach to create a CIP for the City of Manistee. To create this program, there are several important steps which must be taken by the City. This section describes what these steps are.

Additional Staff or Professional Assistance. Since the City of Manistee Planning Commission will be preparing a CIP on a yearly basis, there will be need for specific personnel to accomplish many of the recommended elements of this program. The City must consider planning assistance for the Planning Commission to accomplish this, either in the form of staff personnel, professional consulting or both. Probably the best approach is to hire a consultant to assist in bringing about the first year or two of a CIP, then to phase in staff assistance as personnel becomes available.

Understanding the Budget Process. The city's budgeting process must be analyzed and well understood by the Planning Commission as a starting point to Manistee's CIP effort. With it's role in other components of the Manistee Development Plan, the Planning Commission will be in a good position to coordinate the listing and scheduling of significant capital projects. However, unless this activity is done with a complete understanding of the city's budget process, it is far less likely that this work will be implemented in a manner consistent with the usual format for city expenditures.

Obtain Support of City Hall. The City Council and City Manager must be brought into the process at the earliest possible time to ensure the necessary liaison with city hall, administratively and legislatively. As the person responsible for all city departments function, the City Manager must make positive efforts to ensure that all department heads are brought into the process, including special emphasis on the role of the chief financial

officer. In Manistee, this process will be something new and special actions must be taken in the first year, such as official executive statements and follow-up memorandum. There is also likely to be opportunity at this early stage to generate political advantages by making news releases and recommending various groups in the community to be included in the CIP process.

Form Capital Improvements Program Committee. As seen throughout the above proposed CIP process, a key element will be the formation of a CIP Committee. This should be a standing committee responsible for formulating and recommending a CIP for the annual adoption of the Planning Commission as a whole. The CIP committee should include two members of the Planning Commission, the City Manager, one member of the City Council's finance committee (preferably the Chief financial officer), the City Economic Development Officer, the City Engineer and appropriate personnel to function as planning staff. One of the two Planning Commissioners should chair the committee.

Introductory Meeting. After the City Manager has established the necessary contact to city departments, it is recommended that an introductory meeting be conducted by the Planning Commission with the City Manager in attendance. The purpose of the meeting would be to further explain the process, and to take comments aimed at fine-tuning the process prior to implementation.

Standardized Procedures. The Capital Improvements Program will require the development of many forms and procedures. It would be especially useful to bring the City's computer resources into the process, especially to the extent that existing budgeting is performed on computer. Other highly desirable computer applications in CIP may include spreadsheets and data base managers or record processors. Standard forms and procedures must be developed as the process evolves, and there are many examples available from other communities currently involved in CIP. It is recommended that the Planning Commission investigate the use of the following types of forms as their CIP process develops:

Project Request Form: This form should include all information necessary to help prioritize, schedule and pay for suggested capital improvements. It should be designed to standardize whatever system of record-keeping is devised including department numbers, project types, particular funding sources and so on.

Project Status Form: This form is necessary to help track the progress of previously adopted capital projects and may be necessary to reduce confusion associated with yearly project request forms.

Capital Improvements Inventory Form: If the Manistee CIP includes a running inventory of capital improvements, particularly where capital facilities may require upgrading,

there may be a need for an inventory form to help track the existence, use and condition of capital facilities.

Plan Compliance Checklist: As suggested in the program outline above, there will be need for a "checklist" form for staff use. This form should be set up to indicate the policy or plan recommendation which is subject to compliance as well as one or more columns to indicate the degree of compliance. Such a form should be flexible enough to be amended with changes in the Manistee Development Plan planning process.

CIP Budget Schedule. There will be need for a consistent expression of the budget schedule for the final CIP. This schedule must be designed to be easily translated into the City's budget process. It must include at a minimum a statement of project type, the amount of expenditure, and the intended revenue sources for each of six years in the CIP.

Develop CIP Report. The Planning Commission will be responsible to provide a CIP report on a yearly basis. The CIP report should become, along with data collected and examples of the forms used, the replacement for this section of the Manistee Development Plan. The report itself, however, should be a brief summary of the process and present the CIP budget schedule as adopted. This report should be copied and made available for the City Council, the City Manager's office, as well as the public at large. It is recommended that the report include the following basic elements: (1) the CIP Budget Schedule, (2) a general description of the methodology used to develop the program, (3) more detail on the types of projects proposed, and (4) the method by which priorities were developed, including project point accrual and minutes of meetings at which priority ratings were given.

Concurrence by City Council. Final implementation of the CIP rests entirely with the City Council through their power to appropriate public funds. For this reason, the City Council should be well informed of the projects and priorities to be included on the CIP. Though the Planning Commission develops and actually adopts the CIP, the final result will rest on the use of the program in the City's budget development and capital improvements appropriations.

Maintaining Consistency. It is very likely that as the process develops, few projects will proceed as programmed. However, as the process takes shape and members of the Planning Commission, City staff and City Council begin to look for the upcoming CIP results in their various roles as facility providers, there should be noticeable changes. It is therefore very important for the Planning Commission to establish this process quickly, thoroughly and with consistency. In time, expectations will be created, and the CIP process will be a natural part of the growth and development of the New Manistee.

The proposed capital improvement plan is not complete at this time.

Currently the city of Manistee Planning Commission is coordinating this section with the office of the City Manager to maximize planned capital improvements now under consideration with those recommendations for future capital improvements

Upon completion of this section, the recommendations will be submitted to the City of Manistee Council for approval and subsequent adoption.

C. BYLAWS OF THE PLANNING COMMISSION

The following rules of procedure are hereby adopted by the Planning Commission to facilitate the performance of its duties as outlined in Act 285 of the Michigan Public Acts of 1931.

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 Chairperson, Vice-Chairperson, and Secretary. All officers are eligible for re-election.

1.2: Tenure. The Chairperson, Vice-Chairperson, and Secretary shall take office immediately following their selection and shall hold office for a term of one (1) year or until their successors are selected and assume office.

1.3: Duties. The Chairperson shall preside at all meetings, appoint committees, and perform such other duties as may be ordered by the Planning Commission. The Vice-Chairperson shall act in the capacity of Chairperson in his/her absence and in the event the office of Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the unexpired term and the Planning Commission shall select a successor to the office of Vice-Chairman for the unexpired term. The Secretary shall execute documents in the name of the Planning Commission, perform the duties hereinafter listed and shall perform such other duties as the Planning Commission may determine.

SECTION 2.0 DUTIES OF THE SECRETARY

2.1: Minutes. The Secretary shall be responsible for the minutes of each meeting and shall have them spread in suitable volumes. Copies of minutes shall be distributed to each member prior to the next meeting.

2.2: Communications, Petitions, Etc. All communications, petitions, and reports shall be addressed to the Planning Commission and delivered or mailed to the Secretary.

SECTION 3.0 MEETINGS

3.1: Regular Meetings. Meetings of the Planning Commission will be held the first Thursday of every month at 7:15 pm. Depending on the agenda, the Planning Commission shall meet in either the Council Chamber of City Hall or in the Planning Commission work room. When the regular meeting day falls on a legal holiday, the Planning Commission shall select a suitable alternate day in the

same month.

3.2: Attendance. If any member of the Planning Commission is absent for three (3) consecutive unexcused regularly scheduled meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the City Council to remove any member for non-performance of duty. The Secretary shall keep attendance records.

3.2a: Attendance. If a member knows that he/she will be unable to attend a regular or special meeting/hearing, he/she shall so inform the secretary, so that if a quorum will not be present, that meeting can be cancelled and rescheduled.

3.3: Special Meetings. Special meetings shall be called at the request of the Chairperson or any three (3) members of the Planning Commission. Notice of special meetings shall be given by the Secretary to the members of the Planning Commission at least forty-eight (48) hours prior to such meeting and shall state the purpose and time of the meeting.

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

3.5: Quorum. Five (5) members shall constitute a quorum for the transaction of business and the taking of official action for all matters before the Commission, except adoption of a Comprehensive Plan, or any part of a Comprehensive Plan. The affirmative vote of six (6) members shall be necessary for the adoption of a Comprehensive plan, or any part of, or amendment to the Comprehensive Plan. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day.

3.6: Order of Business; Agenda. The Secretary shall prepare an agenda for each meeting and the order of business therein shall be as follows:

3.6.1: a) Roll Call.

3.6.2: b) Matters Pertaining to General Citizenry. Matters pertaining to the general citizenry and citizens present at the meeting will be heard in the following order.

1. Advertised Public Hearings. The Chairperson will declare such a public hearing open and state its purpose. The petitioner, or proponent of the action advertised, will be heard first.

2. Invited Citizens. Citizens requested by the Planning Commission to attend the meeting for discussion of a local problem, or presentation of further information on an issue previously considered.

3. Communications. Communications; the writers of which, or their representatives, who are present in the audience and wish to give additional information, or to explain written statements.

4. Other Requests. Citizens seeking information, or desiring to present matters for the agenda of the next meeting.

3.6.3: c) Business Session. Business session when formal decisions are made by the Commission.

1. Approval of Minutes.
2. Unfinished Business.
3. Consideration of Matters Heard Under b) Above.
4. Other Communications.
5. Reports.
6. New Business.

3.6.4: d) Work/Study Session. A work session when no formal decisions are made by the Commission.

3.6.5: e) Adjournment.

3.7: Motions. Motions shall be restated by the Chair before a vote is taken. The name of the maker and supporter of a motion shall be recorded.

3.8: Voting. Voting shall be by voice and shall be recorded by yeas and nays. Roll call votes will be recorded only upon request by a member of the Commission. 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 the hearing has been concluded.

3.10: Parliamentary Procedure. Parliamentary procedure in Commission meetings shall be governed by Robert's Rules of Orders.

SECTION 4.0 HEARINGS

4.1: Comprehensive Plan and Zoning Hearings. Before the adoption of any part of the Comprehensive Plan, or any amendment to the Comprehensive Plan, or recommending approval of an amendment to the Zoning Ordinance to the City Council, 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 fifteen (15) days prior to such hearing, by one (1)

publication in a newspaper of general circulation and by registered mail to each public utility company and each railroad company owning or operating any public utility or railroad within the geographical sections or divisions of the municipality affected. Special notice will be given by mail to interested parties including owners of property within three hundred (300) feet of the boundaries of any premises considered for rezoning.

4.2: Special Hearings. Notice of special hearings for the purpose 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 possible and to persons or group representatives most interested.

4.3: 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 5.0 MATTERS TO BE CONSIDERED BY THE PLANNING COMMISSION

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

- 5.1: a) Petitions and staff proposals for changes in the Zoning Ordinance.
- 5.2: b) All preliminary plans and reports for the physical development of the City, including, but not limited to, the following: the general location, character and extent of streets, viaducts, bridges, parks and openspaces; the general location of public buildings and other public property; and the general location and of public utilities and terminals.
- 5.3: c) The removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any public way, grounds, open spaces, buildings or properties.
- 5.4: d) The general character, extent and layout of planning for the redevelopment of blighted districts and slum areas.
- 5.5: e) Land subdivision plats.
- 5.6: f) All planning reports and plans before publication.
- 5.7: g) Capital Improvements Program for the City.
- 5.8: h) Planning department's budget requirements for the fiscal year and request for appropriation.

5.9: i) Selection of consultants and determination of basis for compensation and selection of Planning Director.

5.10: j) Such other matter as the Planning Director shall find it advisable or essential to receive consideration by the Planning Commission.

SECTION 6.0 AMENDMENTS

These rules may be amended at any regular or special meeting of the Planning Commission by a two-thirds (2/3) vote of the members present.

OTHER RECOMMENDATIONS

Codify Existing Ordinances:

The City of Manistee, like many long established communities, has not been able to keep all ordinances and city codes up to date and organized for easy access by citizens and public officials. A diverse history of adopted ordinances, which are stored in equally diverse office spaces in City Hall, is the principal reason for this disarray. Therefore, it is strongly recommended that a special effort be made by the City to collect all ordinances, along with the associated resolutions of adoption, to make a complete collection of laws and codes as they exist today. This collection should also be codified into a single record-keeping system designed to hold all city ordinances, including zoning. Such systems are available commercially, or they can be accomplished by clerical staff with a penchant for organization and a good word-processor. The system must be able to accommodate continual updates both within specific ordinances as in the case of amendments, and within the system itself as would be necessary when new ordinances are adopted.

Planning Commission Library:

In addition to codifying ordinances, the Manistee Planning Commission should make a special location within a designated space in City Hall to organize a Planning Commission Library. This library should include the minutes of the Planning Commission, codified ordinances, the Manistee Development Plan and related materials, all supplementary zoning materials, and other references and resources including planning documents from other jurisdictions, copies of planning publications, etc.

Intergovernmental Planning Communications:

The Manistee Planning Commission should initiate annual or quarterly meetings with various planning agencies in the Manistee area. Such meetings should include members and staff of Planning Commissions from neighboring Townships, the Manistee County Planning Commission or any other interested planning agencies. These meetings should be organized around specific topics of interest to the area with special emphasis on practical solutions to planning problems rather than political posturing. In this way, all participating planning agencies can maintain a direct line of communication related directly to the performance of their unique civic duty: that being the municipal organization which by design must view problems and issues with a rational, region-wide perspective.

Planning Assistance.

Throughout this document, mention has been made of planning assistance for the Manistee Planning Commission. To date, only the dedication of a few select Planning Commissioners has maintained the stability and consistency necessary to conduct the business of the Planning Commission. However, reliance on the Planning Commission itself for staffing is not sufficient. Even in the creation of this Manistee Development Plan, turn-over of Planning Commission membership and city staff caused great breaches in the momentum necessary to conduct planning activities properly. The City of Manistee must investigate ways to bring professional planning staff into the Planning Commission.

Professional consulting works well for large projects such as zoning updates or developing a comprehensive plan. But there is still a considerable need for basic office work for such planning functions as site plan review, rezoning and special use requests, capital improvements programming, and the collection and distribution of data to monitor the progress of all planning elements.

A single full-time position of City Planner would be the best staffing for a City the size of Manistee. However, applying a formula proposed for calculating a reasonable planning budget for mature urban townships, (Hoteling, 1980), the City of Manistee should consider budgeting \$2.00 per capita, plus \$2.00 per acre, plus \$2.00 per \$10,000 SEV towards the City's planning effort. Given these criteria, the City should be devoting approximately \$18,000 per year towards planning, and such a salary probably would not support a full-time professional. It is expected, though, that with growth in the city's population and as SEV expands, perhaps they could justify such a position in the future.

If possible, the City should consider a part-time position, perhaps on a shared-time basis with one or more adjacent communities. Such a position, along with periodic professional planning consultation, may provide the best alternative to hiring full-time staff.

No matter which method the City chooses, it is extremely important to provide such a role. In the coming years, as parts of this plan become reality, there will be a great need for a lead role in performing all recommended planning functions. And, a staff planner, in position at the right time, may become one of the City's best leads to usher in a New Manistee.

PLAN ADOPTION AND USE

Adoption of Manistee Development Plan:

Statutory Authority. Section 6 of Act 285, of the Michigan Public Acts of 1931, states, "The [Planning] Commission shall make and adopt a master plan for the physical development of the municipality..." (C.L. '48, SS 125.36; emphasis added). Later, in Section 8 of the Act, it states that:

"The [Planning] Commission may adopt the plan as a whole by a single resolution or may by successive resolutions adopt successive parts of the plan, said parts corresponding with major geographic sections or divisions of the municipality or with functional subdivisions of the subject matter of the plan, and may adopt any amendment or extension thereof or addition thereto... The adoption of the plan or of any such part or amendment or extension or addition shall be by resolution of the commission carried by the affirmative votes of not less than six (6) members of the commission." (C.L. '48, SS 125.38; emphasis added)

It is clear that the Planning Commission has the authority to adopt this plan, and must do so with at least six Planning Commissioners favoring it's contents.

Public Hearing. Also found in Section 8 of the Planning Commission Act, is the requirement that at least one public hearing be held on the plan or any of it's parts. The notification procedure requires:

- (1) That notice of the time and place of the public hearing be given not less than fifteen (15) days prior to the hearing;
- (2) That the notice be published at least one (1) time in a newspaper of general circulation in the municipality; and
- (3) That notice be sent by registered mail to any public utility company and railroad company owning facilities within those areas covered by the plan.

While it is usually the case that public involvement has been obtained throughout the planning process, in which case one hearing is sufficient for plan adoption, it is highly advisable that the publication requirements be exceeded to include all papers of general circulation in the area. A wide public viewing of the Manistee Development Plan prior to adoption will lead to fewer persons who have made significant development decisions contrary to the plans recommendations.

RESOLUTION TO ADOPT THE
1986 MANISTEE DEVELOPMENT PLAN

WHEREAS, the Planning Commission of the City of Manistee had acted to undertake a project to make and adopt a basic plan for the development of the City of Manistee under the authority of Act 285, of the Michigan Public Acts of 1931, as amended, and

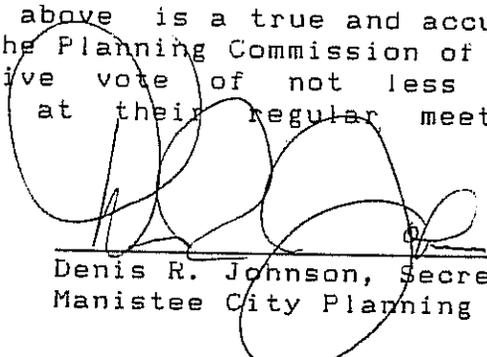
WHEREAS, the Planning Commission, with the assistance of professional architects, planners and engineers, has written the Manistee Development Plan, a comprehensive development which includes all written material, graphs, charts, maps and other data, in support of a land use plan, a community facilities plan, a transportation plan, a policies plan, a downtown development plan, and schematic development plans for six special areas of the City, and

WHEREAS, the Planning Commission has advertised, and caused notices to be published as required in Act 285, of the Michigan Public Acts of 1931, as amended, for a public hearing on the Manistee Development Plan in it's entirety; and, have in fact, held the public hearing at 7:15 pm, Thursday, April 14, 1988, and

WHEREAS, the Planning Commission held additional meetings on Thursday, May 5, 1988; and Thursday, June 2, 1988 for the purpose of making final determinations concerning the Manistee Development Plan in a manner consistent with the Open Meetings Act.

THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Manistee, hereby acts to adopt the 1986 Manistee Development Plan as the comprehensive planning document for the City of Manistee; to repeal any and all former comprehensive planning documents adopted in whole or in part by any other agencies of the City of Manistee; and to recommend that the City Council of the City of Manistee concur with and to endorse the same.

I hereby certify that the above is a true and accurate copy of the resolution adopted by the Planning Commission of the City of Manistee by the affirmative vote of not less than six (6) Planning Commission members at their regular meeting held on June 2, 1988.



Denis R. Johnson, Secretary
Manistee City Planning Commission

Amendments: HOW TO USE THIS MANUAL.

Section Replacements. The Manistee Development Plan is a dynamic working document. With its three-ring notebook format, it was designed specifically to accommodate continual review and update. Though the layout at first appears complex, it is really quite simple. There are currently five major sections of the document covering an introduction, basic study reports, the plan (a collection of many plans), implementation and an appendices including bibliographic and technical references. Each of these sections are numbered 1 through 5, forming the first reference to the index tabs along the right edge. Each of these five sections are divided into subsections labeled with a letter designation.

All subsections in the Manistee Development Plan constitute a separate unit and, as is apparent from a review of the Table of Contents, pages are numbered only within subsection. This was done to facilitate an amendment process. Any subsection can be easily removed, revised, and replaced without disturbing pagination in the remainder of the document.

One problem with a flexible document such as the Manistee Development Plan is keeping up on the current amendments. It can be difficult to catch up if all documents have not been consistently updated with revised sections. To help with this difficulty, each page includes a "draft date" in the upper right corner. The Secretary of the Planning Commission should maintain a record of all changes and the Commission as a whole should conduct yearly notebook examinations to check all section dates are current.

Statutory Requirements. The ease with which the document can be amended, however, in no way releases the Planning Commission from meeting their statutory obligations under the Planning Act. The Act clearly requires that the amending of the City Plan be accomplished in the same manner set forth for original plan adoption. Therefore, all steps taken to adopt this document must be repeated, and a new resolution covering the specific sections subject to revision must be adopted.