

# MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, January 5, 2006  
7:00 p.m. - Council Chambers, City Hall, 70 Maple Street,  
Manistee, Michigan

## AGENDA

- I Roll Call
- II Public Hearing
  - 1.
  - 2.
- III Approval of Minutes
  - Planning Commission Meeting (12/1/05)
- IV New Business
  - 1. Committee Appointments
  - 2. By-Law Review
  - 3.
  - 4.
- V Unfinished Business
  - 1.
- VI Other Communications
  - 1.
  - 2.
- VII Citizen Questions, Concerns and Consideration  
(Public Comment Procedures on the Reverse Side)
- VIII Work/Study Session
  - 1.
  - 2.
- IX. Adjournment

## Public Comment Procedures

The City of Manistee Planning Commission welcomes public comment in support of its decision-making process. To assure an orderly, fair and balanced process, the Planning Commission asks that participants at all public hearings and during the Public Comment portion of the meeting observe the following rule of procedure:

1. The Chairperson will recognize each speaker. When a speaker has the floor, he/she is not to be interrupted unless time has expired. Persons speaking without being recognized shall be out of order.
2. Each speaker shall state their name and address for the record and may present written comments for the record.
3. Speakers shall address all comments and questions to the Planning Commission.
4. Unless waived by the Planning Commission for a specific meeting or a specific speaker, public comment shall be limited to five (5) minutes per speaker, one time only. If a group of people wish to be heard on one subject, a spokesperson may be designated who may request that more than five (5) minutes be permitted for the collective comments of the group as presented by that speaker.
5. The Chairperson may request that repetitive comments be limited or abbreviated in the interest of saving time and allowing others to speak.
6. The Chairperson may establish additional rules of procedure for particular hearings as he/she determines appropriate.
7. Normal civil discourse and decorum is expected at all times. Applause, shouting, outbursts, demonstrations, name-calling or other provocative speech or behavior is not helpful to the decision-making process and may result in removal from the hearing or an adjournment.

Thank you for your interest in the work of the City of Manistee Planning Commission and for your cooperation with these rules of procedure.



PLANNING AND ZONING  
COMMUNITY DEVELOPMENT  
231.398.2805  
FAX 231.723-1546

## MEMORANDUM

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TO: Planning Commissioners

FROM: Denise Blakeslee 

DATE: December 22, 2005

We have not received any requests for the January Agenda, but have two housekeeping items on the agenda. These two items are Committee Appointments and By Law Review. Members received copies of the Planning Commission By-Laws to review for the January Meeting earlier this month, please bring your copies with you.

I will be out of the office between Christmas and New Years and in the event that an item were received for the January Agenda we will amend the agenda. Hope that everyone has a safe and happy holiday!

If you have any questions, please call me at 398-2805.

:djb

**MANISTEE CITY PLANNING COMMISSION  
COMMITTEE APPOINTMENTS 2006**

COMMITTEE	2006 APPOINTEES
<p><b>HISTORIC OVERLAY/SITE PLAN REVIEW COMMITTEE</b> - <i>5 member committee including DDA Representative and Museum Representative to oversee building modifications in the Historic Overlay District (Downtown) - Site Plan Review Committee assists the Zoning Administrator with Site Plan Reviews.</i></p>	<p>Tamara Buswinka Tony Slawinski Roger Yoder Sara Bizon - Alternate</p>
<p><b>JOINT CITY ORDINANCE REVIEW COMMITTEE</b> - <i>Members of the Executive Committee of the Planning Commission who review Ordinance Amendments with members of the City Council.</i></p>	<p>Executive Committee: Maureen Barry Ray Fortier Roger Yoder</p>
<p><b>MASTER PLAN REVIEW COMMITTEE</b> <i>Members of this committee will be responsible to keep current with new trends/changes that are going on in the community that could impact the Master Plan. An example would be the "Hotel Chippewa Fire". The vacant property created by this fire would not necessary require a change in the plan, but should be noted for review during the annual review that will be done during the first meeting in January. This Committee will meet as they feel it is necessary.</i></p>	<p>Maureen Barry Sara Bizon Tamara Buswinka</p>
<p><b>ORDINANCE RE-WRITE COMMITTEE</b> <i>Members of this committee will assist in reviewing the Zoning Ordinance for areas that need to be changed and/or updated. The committee will also review copies of the variance requests that the Zoning Board of Appeals has voted on over the past several years for needed changes to the ordinance.</i></p>	<p>Ray Fortier Tony Slawinski Mark Wittlief Roger Yoder</p>
<p><b>SUBDIVISION COMMITTEE</b> <i>This committee is required under section 1242.03 of the Code of Ordinances.</i></p>	<p>Tamara Buswinka Christa Johnson-Ross Roger Yoder</p>
<p><b>ZONING BOARD OF APPEALS</b> <i>One member of the Planning Commission also serves on the Zoning Board of Appeals</i></p>	<p>Ray Fortier</p>



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## MEMORANDUM

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TO: Planning Commissioners

FROM: Denise Blakeslee 

DATE: December 7, 2005

We will reviewing our By-Laws at the January Meeting and I have enclosed a copy so that you have time to review them before the holidays. Jay Kilpatrick had sent a draft of By-Laws last year that I have enclosed also. The By-Laws from Jay do not include language for absences. This has been an issue with other boards within the City and will have to be included in our By-Laws.

Chairman Yoder will be making Committee appointments at the January Meeting. Enclosed is a list of 2005 Committee Appointments for your review. If you would like to serve on a committee or be removed from a committee please call the office so that I can forward that information to Chairman Yoder. Please note that the Non-Motorized Transportation Committee is now appointed by City Council and has be removed from our 2006 list.

I will be off the week between Christmas and New Years and will be mailing your January Meeting Packets on December 22, 2005. In the event that an item comes in during my absence I will send an amended agenda and related information to you on Tuesday, January 3, 2006.

If you have any questions, please call me at 398-2805.

:djb

CITY OF MANISTEE  
PLANNING COMMISSION  
BY-LAWS AND RULES OF PROCEDURES

1. AUTHORITY

These By-laws and Rules of Procedures are adopted by the Planning Commission of the City of Manistee, County of Manistee, (hereinafter referred to as the Commission) pursuant to Public Act 207 of 1921, as amended, the City and Village Zoning Act; the City of Manistee Zoning Ordinance, and the Public Act 267 of 1976, as amended, the Open Meetings Act.

2. OFFICERS

2.1 Selection. At the December meeting, the Planning Commission shall elect a chairperson, vice-chairperson and secretary who shall serve for the next twelve (12) months and who shall be eligible for re-election. Vacancies in an office of the Commission shall be filled at the next regular meeting of the Commission. The membership shall elect one of its members to fill the vacancy until the next annual election.

2.2 Duties The chairperson shall preside at all meetings and shall conduct all meetings in accordance with the rules provided herein.

The vice-chairperson shall act in the capacity of the chairperson in the absence of the chairperson or in the event of a vacancy in the office of chairperson; in which case, the Commission shall select a successor to the office of vice-chairperson at the earliest practicable time.

The Secretary, or a Recording Secretary appointed by the Commission, shall be responsible for the preparation of minutes, keeping of pertinent public records, delivering communications, pertinent, reports, and related items of business of the Commission, issuing notices of public hearings and performing related administrative duties to assure efficient and informed Commission operations. In the event the Secretary is absent, the Chairperson or acting chairperson shall appoint a temporary secretary for such meeting.

2.3 Tenure The officers shall take office immediately following their election. They shall hold their office for a term of one year, or until their successors are elected and assume office.

### 3. MEETINGS

3.1 Meeting Notice. Notice of all meetings shall be posted at the City Hall on a date established by the Commission. The notice shall include the date, time and place of the meeting. Any changes in the date or time of the regular meetings shall be posted and noticed in the same manner as originally established. When a regular meeting date falls on or near a legal holiday, the Commission shall select suitable alternate dates in the same month, in accordance with the Open Meeting Act.

3.2 Special Meetings. A special meeting may be called by two members of the Planning Commission upon written request to the Secretary or by the Chairperson. The business which the Planning Commission may perform shall be conducted at a public meeting of the Planning Commission held in compliance with the Open Meeting Act. Public Notice of the time, date, and place of the special meeting shall be given in a manner as required by the Open Meeting Act, and the Secretary or Recording Secretary shall send written notice of a special meeting to commission members not less than 48 hours in advance of the meeting.

3.3 Quorum. In order for the Commission to conduct business or take any official actions, a quorum consisting of at least five of the nine members of the Commission shall be present. When a quorum is not present, no official action, except for the closing of the meeting may take place. The members of the Commission may discuss matters of interest, but shall take no action until the next regular or special meeting. All public hearings without a quorum shall be scheduled for the next regular or special meeting and no additional public notice is required provided the date, time and place is announced at the meeting.

3.4 Public Hearings. Hearings shall be scheduled and due notice given in accordance with the provisions of the Acts and Ordinance cited in Section 1. Public hearings conducted by the Planning Commission shall be run in an orderly and timely fashion. This shall be accomplished by the following procedure.

1. The Chairperson of the Planning Commission shall announce that a public hearing will be conducted on a request.
2. The Chairperson shall read the public hearing announcement as published in the newspaper and give a brief description of the hearing subject and the public notice procedure.
3. The Chairperson shall announce the following hearing rules
  - a. The Chairperson will recognize each speaker. When a speaker has the floor, he/she is not to be interrupted unless time has expired. Persons speaking without being recognized shall be out of order.
  - b. Each speaker shall state their name and address for the record and may present written comments for the record.
  - c. Speakers shall address all comments and questions to the Planning Commission and comments will be limited to the subject matter of the Public Hearing.
  - d. Unless waived by the Planning Commission for a specific meeting or a specific speaker, public comment shall be limited to five (5) minutes per speaker, one time only. If a group of people wish to be heard on one subject, a spokesperson may be designated who may request that more than five (5) minutes be permitted for the collective comments of the group as presented by that speaker.
  - e. The Chairperson may require that repetitive comments be limited or abbreviated in the interest of saving time and allowing others to speak. Everyone shall have an opportunity to speak before someone is allowed to speak a second time.
  - f. The Chairperson may establish additional rules of procedure for particular hearings as he/she determines appropriate.
  - g. Normal civil discourse and decorum is expected at all times. Applause, shouting, outbursts, demonstrations, name-calling or other provocative speech or behavior may result in removal from the hearing or an adjournment.
4. Once all public comments have been stated, the Chairperson shall close the hearing. Any voting member of the Planning Commission may initiate a motion to close the hearing.
5. Public Hearings shall be carried out pursuant to the following format:
  - a. The Chairperson shall open the hearing
  - b. The Applicant shall present any comments and explanation of the case.
  - c. The City staff and any consultants serving the City shall present their reports.
  - d. The hearing will be opened for public comment

- e. The public comment period will be closed.
- f. Deliberation and discussion by the Planning Commission
- g. Disposition of the case by the Planning Commission.

3.5 Motions. Motions shall be restated by the Chairperson before a vote is taken. The name of the maker and supporters of the motions shall be recorded.

3.6 Voting. An affirmative vote of the majority of the Commission shall be required for the approval of any requested action or motion placed before the Commission. Voting shall ordinarily be by voice vote; provided however that a roll call vote shall be required if requested by any Commission member or directed by the Chairperson. All members of the Commission including the Chairperson shall vote on all matters, but the Chairperson shall vote last. Any members may be excused from voting only if that person has a bonafide conflict of interest as recognized by the majority of the remaining members of the Commission. Any members abstaining from a vote shall not participate on the discussion of that item.

3.7 Order of Business A written agenda for all regular meetings shall be prepared as followed. The order of business shall be:

- Call to Order.
- Roll Call.
- Approval of Agenda.
- Approval of Minutes.
- Public Hearings.
- Old Business.
- New Business.
- Public Comments and Communications concerning items not on the agenda.
- Correspondence.
- Staff reports
- Members discussion
- Adjournment

A written agenda for special meeting shall be prepared and followed, however the form as enumerated above shall not be necessary.

3.8 Rules of Order. All meetings of the Commission shall be conducted in accordance with generally accepted parliamentary procedure, as governed by *Modern Parliamentary Procedures*.

3.9 Agenda Items. For an item to be considered at a regular Planning Commission meeting, it must be submitted to the City Community Development Department no later than the established policy of the City prior to the next scheduled Planning Commission meeting.

## 6. MINUTES

4.1 Preparation. Commission minutes shall be prepared by the Secretary or Recording Secretary of the Commission. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and recording votes; complete statement of the conditions or recommendations made on any action; and recording of attendance. All communications, action and resolutions shall be attached to the minutes.

## 7. OPEN MEETINGS AND FREEDOM OF INFORMATION PROVISIONS

5.1 All meetings of the Commission shall be open to the public and held in a place available to the general public.

5.2 All Deliberations and decision of the Commission shall be made at a meeting open to the public.

5.3 A person shall be permitted to address a hearing of the Commission under the rules established in subsection 3.4, and to address the Commission concerning non-hearing matters at the time designated for such comments.

5.4 A person shall not be excluded from a meeting of the Commission except for breach of the peace, committed at the meeting.

5.5 All records, files, publications, correspondences, and other materials are available to the public for reading, copying, and other purposes as governed by the Freedom of Information Act.

8. AMENDMENTS

These rules may be amended by the Commission by a concurring vote to subsection 3.6, during any regular meeting, provided that all members have received an advanced copy of the proposed amendments at least three (3) days prior to the meeting at which such amendments are to be conducted.

THESE BY-LAWS AND RULES OF PROCEDURES ARE ADOPTED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_\_

CITY OF MANISTEE PLANNING COMMISSION

# 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. Sign all Legal Documents authorized by the Planning Commission,
  - D. Periodically meet with Planning Department Staff,
  - E. Appoint an acting Secretary for a meeting at which the Secretary is absent, and
  - F. Perform such other duties as may be ordered or authorized by the Planning Commission.
- [Annotation: Section 2.1.C was added by amendment on November 4, 1999]

#### 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 or his or her designee 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. Prepare an agenda for each meeting,
- E. Be responsible for all communications, petitions and reports addressed to the Planning Commission,
- F. 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

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

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

[Annotation: Section 2.3 was amended November 4, 1999, by adding "or his or her designee" to 2.3 and adding 2.3.D]

### 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 has unapproved absences 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.

[Annotation: Section 3.2 was amended on January 3, 2002]

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 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.

[Annotation: Section 3.3 was amended on November 4, 1999]

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

3.7 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.

3.8 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.

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

3.10 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.

[Annotation: Section 3.0 Meetings was amended on November 4, 1999. The amendment included deleting 3.6 Order of Business]

#### 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. and anything else directed to the Executive Committee by the Planning Commission.  
[Annotation: Section 4.1.A was amended on November 4, 1999]
- B. The Executive Committee has limited power to act only on housekeeping matters, budget, office policy, overseeing contracts 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.  
[Annotation: Section 4.1B was amended on November 4, 1999]

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: Historic Overlay/Site Plan Review Committee, Joint City Ordinance Review Committee, Master Plan Review Committee and Zoning Board of Appeals.

[Annotation: Section 4.2 was amended on January 4, 2001, amendment included deletion of Manistee County Plat Review Board and DDA Liaison.]

[Annotation: Section 4.2 was amended on January 2, 2003 amendment to add Master Plan Review Committee to the list of Committees]

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. The Planning Commission may consider removal of the individual from the committee.  
[Annotation: Section 5.2.D was amended on November 4, 1999]
- 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 of expenses to represent the City at planning related meetings, seminars and workshops must be approved by the Planning Commission, provided budgeted funds are available and if those members bill the Commission for the same.

[Annotation: Section 6.2 was amended on January 3, 2002]

#### 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.

7.4 Speaking at Meetings. Unless waived by the Commission for a specific meeting, any public comment shall be limited to five (5) minutes per speaker, one time only. If a group of people wish to be heard on one subject, a spokesperson may be appointed who may request that the Chairman approve more than the normal five (5) minutes. If necessary, a maximum of five (5) minutes will be allowed for the group to caucus to choose their spokesperson and develop their comments.

[Annotation: Section 7.4 was added on January 3, 2002]

#### 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.  
[Annotation: Section 8.1.H was amended on November 4, 1999]
- 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 Parcel Split and Combination Review Policy:

[Annotation: "Lot" was changed to "Parcel" by amendment on January 4, 2001]

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

**Basic Site Plans:** shall only be subject to review by the zoning administrator.  
[Annotation: "City Code Administrator" was changed to "Zoning Administrator" by amendment on November 4, 1999]

**Medium Site Plans:** subject to review by the zoning administrator, with the option to refer the plan to the planning commission or site plan review committee.  
[Annotation: Previous language for Medium Site Plans was deleted and new language was adopted by amendment on January 3, 2002]  
[Annotation: language for Medium Site Plan was changed by amendment on January 2, 2003 to be gender neutral]

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

10.2 The Zoning Administrator shall report monthly on all site plans administratively reviewed.  
[Annotation: Section 10.2 was added by amendment on November 4, 1999]

10.3 Plans for Parcel 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 parcel split or combination shall be forwarded by the Zoning Administrator to the Site Plan Review Committee or the Planning Commission, for review. The plan shall be reviewed 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.

If reviewed by the Site Plan Review Committee the Committee is authorized to either:

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

As provided in Section 1242.f.2 of the Manistee City Code of Ordinances, recommendations of the Site Plan Review Committee and/or of the Planning Commission can be made with or without a public hearing.

[Annotation: Section 10.3 added by amendment on December 9, 1993]

[Annotation: "City Code Administrator" was changed to "Zoning Administrator" by amendment on November 4, 1999]

[Annotation: Section 10.3 was changed by amendment on January 4, 2001, included in change was deleting "Lot" and replacing with "Parcel", adding Planning Commission, and updating Section number of Manistee City Code of Ordinance.]

### Section 11.0 Staff assigned to Planning Commission:

[Annotation: Section 11.0 was changed by amendment on November 4, 1999]

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

[Annotation: Section 11.1 was changed by amendment on November 4, 1999]

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 City. His work shall be carried on with the widest degree of professional responsibility under the direction of the City Manager. The Planning Director shall:

[Annotation: Section 11.3 was changed by amendment on November 4, 1999]

- A. Supervise and review the work of professional, technical and nontechnical employees.  
[Annotation: Section 11.3.A was changed by amendment on November 4, 1999]
- 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, and Planning Department, at planning conferences, interdepartmental meetings, and to the public and press.

[Annotation: Section 11.3.G was changed by amendment on November 4, 1999]

- 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 City  
[Annotation: Section 11.3.1 was changed by amendment on November 4, 1999]

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  
Amended by Manistee City Planning Commission - 11/4/99  
Amended by Manistee City Planning Commission - 1/4/01  
Amended by Manistee City Planning Commission - 1/3/02  
Amended by Manistee City Planning Commission - 1/2/03

**MANISTEE CITY PLANNING COMMISSION  
COMMITTEE APPOINTMENTS 2005**

COMMITTEE	2005 APPOINTEES
<p><b>HISTORIC OVERLAY/SITE PLAN REVIEW COMMITTEE</b> - <i>5 member committee including DDA Representative and Museum Representative to oversee building modifications in the Historic Overlay District (Downtown) - Site Plan Review Committee assists the Zoning Administrator with Site Plan Reviews.</i></p>	<p>Tamara Buswinka Tony Slawinski Roger Yoder Sara Schrader - Alternate</p>
<p><b>JOINT CITY ORDINANCE REVIEW COMMITTEE</b> - <i>Members of the Executive Committee of the Planning Commission who review Ordinance Amendments with members of the City Council.</i></p>	<p>Executive Committee: Ray Fortier Mark Wittlief Roger Yoder</p>
<p><b>MASTER PLAN REVIEW COMMITTEE</b> <i>Members of this committee will be responsible to keep current with new trends/changes that are going on in the community that could impact the Master Plan. An example would be the "Hotel Chippewa Fire". The vacant property created by this fire would not necessary require a change in the plan, but should be noted for review during the annual review that will be done during the first meeting in January. This Committee will meet as they feel it is necessary.</i></p>	<p>Maureen Barry Greg Ferguson Sara Schrader Tony Slawinski</p>
<p><b>NON-MOTORIZED TRANSPORTATION COMMITTEE</b> - <i>Citizen Committee formed to develop recommendations for non-motorized transportation routes through the City of Manistee</i></p>	<p>Maureen Barry Tamara Buswinka Christa Johnson-Ross</p>
<p><b>ORDINANCE RE-WRITE COMMITTEE</b> <i>Members of this committee will assist in reviewing the Zoning Ordinance for areas that need to be changed and/or updated. They will also consider changes to the ordinance i.e. tattoo parlors, view corridors, non-conforming uses (set-backs). The committee will also review copies of the variance requests that the Zoning Board of Appeals has voted on over the past several years for needed changes to the ordinance.</i></p>	<p>Ray Fortier Mark Wittlief Roger Yoder</p>
<p><b>SUBDIVISION COMMITTEE</b> <i>This committee is required under section 1242.03 of the Code of Ordinances.</i></p>	<p>Tamara Buswinka Greg Ferguson Roger Yoder</p>
<p><b>ZONING BOARD OF APPEALS</b> <i>One member of the Planning Commission also serves on the Zoning Board of Appeals</i></p>	<p>Ray Fortier</p>

**MANISTEE CITY PLANNING COMMISSION  
COMMITTEE APPOINTMENTS 2006**

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