

MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, October 8, 2009

7:00 p.m. - Council Chambers, City Hall, 70 Maple Street,
Manistee, Michigan

AGENDA

I Call to Order

II Roll Call

III Approval of Agenda

At this time the Planing Commission can take action to approve the October 8, 2009 Agenda.

IV Approval of Minutes

At this time Planning Commission can take action to approve the September 3, 2009 meeting Minutes.

V Public Hearing

None

VI New Business

Proposed Zoning Amendments

The Staff has been working on proposed Zoning Amendments for the Planning Commissions review. The Commission will discuss changes that were made to the Amendments after the September Workession.

VII Old Business

None

VIII Public Comments and Communications

At this time the Chair will ask if there are any public comments.

IX Correspondence

At this time the Chair will ask if any correspondence has been received to be read into the record.

X Staff/Sub-Committee Reports

At this time the Chair will ask Staff for their report.

At this time the Chair will ask if any of the Sub-Committees have anything to report.

XI Members Discussion

At this time the Chair will ask members of the Planning Commission if they have any items they want to discuss.

XII Adjournment



PLANNING AND ZONING
COMMUNITY DEVELOPMENT
231.398.2805
FAX 231.723-1546
www.ci.manistee.mi.us

MEMORANDUM

TO: Planning Commissioners
FROM: Denise Blakeslee 
DATE: August 29, 2009
RE: October 8, 2009 Planning Commission Meeting

Commissioners, reminder the Planning Commission meeting has been changed to Thursday, October 8, 2009 because Jon and I will be at the M.A.P. Conference.

We will continue our discussing proposed Zoning Amendments. I drafted amendments for your review.

The amendment for Site Plan Review was not finished when the packets were mailed. I will work on them next week and will have drafts for the meeting.

If you are unable to make the meeting please call me at 398-2805. See you Thursday!!

:djb

**AN ORDINANCE TO AMEND IN PART
AN ORDINANCE ENTITLED “MANISTEE CITY ZONING ORDINANCE”
WHICH WAS ADOPTED FEBRUARY 21, 2006,**

To Amend the Manistee City Zoning Ordinance

**Article 7: Districts, Dimensional Standards
Uses Table and Zoning Map**

**Table 7-2 Uses Permitted by Right and Special Land Use Permit
ADD Bed & Breakfast as Special Land Use
in the C-2 Neighborhood Commercial District**

**Article 14: R-2 C-2 Neighborhood Commercial District
Section 1400 Purpose and Intent**

ADD Bed & Breakfast to Special Uses

**Section 1402 Uses Permitted by Special Land Use Permit
ADD Item F Bed and Breakfast
and renumber remainder of list**

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

1. That Article 7: Districts, Dimensional Standards, Uses Table and Zoning Map Table 7-2 Uses Permitted by Right and Special Land Use Permit be amended by adding Bed & Breakfast to SLU - Use permitted as Special Land Use in the C-2 Neighborhood Commercial District as follows:

Uses	R-1 Low. Densty	R-2 Med. Densty	R-3 Hi. Densty	R-4 Mfg. Hsng	W-F Water- front	C-1 Reg'l Com.	C-2 Neigh. Bus.	C-3 Central Bus.	L-1 Light Industrial	G-1 Gen'l Industrial
Bed & Breakfast	SLU	SLU	SLU		SLU		SLU	SLU		

2. That Article 1400: C-2 Neighborhood Commercial District Section 1400 Purpose and Intent be amended by adding Bed & Breakfast to Special Uses.
3. That Article 1400: C-2 Neighborhood Commercial District Section 1400 Uses Permitted by Special Land Use Permit be amended by adding Item F Bed & Breakfast and renumber remainder of list.

F. Bed & Breakfast, subject to Section 1813

**AN ORDINANCE TO AMEND IN PART
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To Amend the Manistee City Zoning Ordinance

**Article 7: Districts, Dimensional Standards
Uses Table and Zoning Map**

**Table 7-2 Uses Permitted by Right and Special Land Use Permit
CHANGE Duplex from R - Use by Right to
SLU - Use Permitted as Special Land Use
in the R-2, R-3 and WF Districts**

**Article 9: R-2 Medium Density Residential
Section 900 Purpose and Intent**

CHANGE Duplex from Permitted Uses to Special Uses

Section 901 Uses Permitted by Right

DELETE Item C

Section 902 Uses Permitted by Special Land Use Permit

ADD Item H

Article 10: R-3 High Density Residential

Section 1000 Purpose and Intent

CHANGE Duplex from Permitted Uses to Special Uses

Section 1001 Uses Permitted by Right

DELETE Item D

Section 902 Uses Permitted by Special Land Use Permit

ADD Item J

Article 12: WF-Waterfront District

Section 1200 Purpose and Intent

CHANGE Duplex from Permitted Uses to Special Uses

Section 1201 Uses Permitted by Right

DELETE Item C

Section 1202 Uses Permitted by Special Land Use Permit

ADD Item I

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

1. That Article 7: Districts, Dimensional Standards, Uses Table and Zoning Map Table 7-2 Uses Permitted by Right and Special Land Use Permit be amended by changing Duplex from R- Use by Right to SLU -

Use permitted as Special Land Use in the R-2, R-3 and WF Districts as follows:

Uses	R-1 Low. Densty	R-2 Med. Densty	R-3 Hi. Densty	R-4 Mfg. Hsng	W-F Water- front	C-1 Reg'l Com.	C-2 Neigh. Bus.	C-3 Central Bus.	L-1 Light Industrial	G-1 Gen'l Industrial
Duplex	SLU	R-SLU	R-SLU	SLU	R-SLU		SLU	SLU		

2. That Article 9: R-2 Medium Density Residential Section 900 Purpose and Intent be amended by changing Duplex from Permitted Uses to Special Uses.
3. That Article 9: R-2 Medium Density Residential Section 901 Uses Permitted by Right be amended by deleting Item C. Duplex and renumbering remainder of list:

C. Duplex

4. That Article 9: R-2 Medium Density Residential Section 902 Uses Permitted by Special Land Use Permit be amended by adding Item H Duplex and renumber remainder of list:

H. Duplex, subject to Section 1829

5. That Article 10: R-3 High Density Residential Section 1000 Purpose and Intent be amended by changing Duplex from Permitted Uses to Special Uses.
6. That Article 10: R-3 High Density Residential Section 1001 Uses Permitted by Right be amended by deleting Item D. Duplex and renumbering remainder of list:

D. Duplex

7. That Article 10: R-3 High Density Residential Section 1002 Uses Permitted by Special Land Use Permit be amended by adding Item J Duplex and renumber remainder of list:

J. Duplex, subject to Section 1829

8. That Article 12: WF - Waterfront District Section 1200 Purpose and Intent be amended by changing Duplex from Permitted Uses to Special Uses.
9. That Article 12: Waterfront District Section 1201 Uses Permitted by Right be amended by deleting Item C. Duplex and renumbering remainder of list:

C. Duplex

10. That Article 12: Waterfront District Section 1202 Uses Permitted by Special Land Use Permit be amended by adding Item I Duplex and renumber remainder of list:

I. Duplex, subject to Section 1829

**AN ORDINANCE TO AMEND IN PART
AN ORDINANCE ENTITLED “MANISTEE CITY ZONING ORDINANCE”
WHICH WAS ADOPTED FEBRUARY 21, 2006,**

To Amend the Manistee City Zoning Ordinance

**Article 5 General Provisions
Section 515 Accessory Buildings and Structures
Item G.6**

**Article 22: Site Plan Review
Section 2201 Scope
ADD Item B Medium Site Plan
AMEND Item C Detailed Site Plan**

**Section 2201 Scope
AMEND Item A Basic Site Plan
ADD Item B Medium Site Plan
AMEND Item C Detailed Site Plan**

**AMEND Section 2203 Application Procedure
AMEND Item C Basic Site Plan
ADD Item D Medium Site Plan, renumber list
AMEND Item E Detailed Site Plan**

**Section 2204 Action on Application and Site Plans
AMEND Item A to include Medium Site Plan
AMEND Item change from “shall” to “may”**

**Section 2208 Amendment to the Site Plan
AMEND to include Medium Site Plan**

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

1. That Article 5: General Provisions, Section 515 Accessory Buildings and Structures Item G.6 be amended as follows:
 6. A ~~detailed~~ medium site plan shall be required and reviewed by the Site Plan Review Committee ~~Planning Commission~~ per **Section 2201.B**

2. That Article 22 Site Plan Review, Section 2201 Scope be amended as follows:

- A. ~~Basic Site Plans shall be required for new dwellings, additions to dwellings and the construction of accessory structures for or construction of accessory structures, the site plan shall be subject to Zoning Administrator review.~~ new single family dwellings; accessory structures and additions to existing single family dwellings; and accessory structures and additions to multiple unit dwellings which do not result in an increase in the number of units. Site plans shall comply with **Section 2203.C.**
- B. Medium Site Plans shall be required for all uses other than those that may submit a basic site plan or require a detailed site plan. Additions and alterations to existing structures will be reviewed by the Zoning Administrator who shall reserve the right to forward it to the Site Plan Review Committee for approval. Medium Site Plans for new construction shall be reviewed by the Site Plan Review Committee. Site plans shall comply with **Section 2203 D.**
- C. ~~Detailed Site Plans shall be required for any permitted use (with the exception of new dwellings, upper story dwellings (as accessory use, addition to a dwelling or construction of an accessory structure) or special use, the site plan shall be subject to Planning Commission review. Detailed site plans shall comply with Section 2203D and shall be designed and prepared by a registered professional architect, landscape architect, engineer, land surveyor or planner.~~ all special uses. The site plan shall be subject to Planning Commission review. Detailed site plans shall comply with **Section 2203E** and shall be prepared by an Engineer, Architect, Landscape Architect or Surveyor licensed to work in Michigan.

3. That Article 22: Site Plan Review, Section 2203 Application Procedure be amended as follows:

Request for site plan review shall be made by filing with the Zoning Administrator the required filing fee and escrow, the application form and either a basic, medium or detailed site plan, together with any special studies required. The Zoning Administrator may waive any site plan submittal requirement upon a finding that the required information is not applicable to the site...

4. That Article 22: Site Plan Review, Section 2203 Application Procedure be amended by amending Item C as follows:

C. ~~Basic Site Plan. A basic site plan shall be required for applications involving new single family dwellings, additions to existing single - or multiple unit dwellings and for any new accessory building for any principal use.~~ new single family dwellings, additions to existing single family dwellings and for accessory structures for single or multiple unit dwellings. A basic site plan shall be subject to review only by the Zoning Administrator...

5. That Article 22: Site Plan Review, Section 2203 Application Procedure be amended by adding Item D as follows:

D. ~~Medium Site Plan. A medium site plan shall be required for all uses other than those that may submit a basic site plan or require a detailed site plan. Additions and alterations to existing structures will be reviewed by the Zoning Administrator who shall reserve the right to forward it to the Site Plan Review Committee for approval. Medium Site Plans for new construction shall be~~

reviewed by the Site Plan Review Committee. A medium site plan shall include six (6) copies of all required information and six (6) copies of any documents rendered in color. Unless specifically waived by the Zoning Administrator the site plan shall be prepared by an Engineer, Architect, Landscape Architect or Surveyor licensed to work in Michigan and shall include and illustrate at a minimum the following information:

1. A scale drawing of the site and proposed development thereon, including the date, name, address and professional seal of the preparer. In no instance shall the scale of the drawing be greater than one inch equals 20 feet nor less than one inch equals 200 feet. One copy shall be submitted in a photo-reduced form on 17" x 11" paper.
2. The scale of the drawing and north arrow.
3. A vicinity map illustrating the property in relation to the surrounding street system.
4. Topography of the site and its relationship to adjoining land illustrated at 2-foot contours and including an area extending 100 feet from the parcel boundary.
5. Existing man-made features, including buildings, fences, landscaping, parking, screening and the locations, heights and footprint of each.
6. Illustration of all proposed improvements and buildings, fences, landscaping, parking and screening, including location, height, footprint of each.
7. Setback lines and their dimensions.
8. Percentage of land covered by buildings and impervious surfaces and that reserved for open space.
9. Dwelling unit density where pertinent; including a density schedule demonstrating number of each dwelling type, if applicable.
10. Project phasing, if applicable.
11. Location of public and private rights-of-way and easements contiguous to and within the proposed development which are planned to be continued, created, relocated or abandoned, including grades and types of construction of those upon the site.
12. Curb-cuts, driving lanes, parking and loading areas, including the number of parking spaces and parking calculations; vehicular circulation patterns and features, location and size of all parking spaces and the identification of service lanes and parking.
13. Curb-cuts and driveways on adjacent properties.
14. Location and type of drainage, sanitary sewers, storm sewers and other facilities, including surface and subsurface drainage for all impermeable surfaces on the site and all drainage calculations.
15. Existing and proposed water main, sanitary and storm sewer, natural gas, electric, telephone, cable television and other utilities, the proposed location of connections to existing utilities and any proposed extensions thereof.
16. Proposed changes to the topography of the site illustrated at no greater than two (2) foot contours.
17. Soil erosion and sediment control measures which shall include preventative soil erosion devices or measures, both during and after any site work related to the development.
18. Detail on proposed signage including an illustration of all proposed signs, their surface area, height and nature of illumination, in accordance with **Article 21**.
19. A lighting plan in conformance with **Section 525**.
20. A written and illustrated landscape plan prepared in accord with **Section 531** of this Zoning Ordinance.
21. If the parcel is a result of a parcel division undertaken after the adoption of this Ordinance, the site plan shall illustrate all structures and buildings, drawn to scale located on the previously undivided property.

22. Any additional material information necessary to consider the impact of the project upon adjacent properties and the general public as may be requested by the Zoning Administrator or the Planning Commission.
23. Any required approvals, permits, changes or modifications required by any applicable regulatory agency.
24. Special Groundwater Protection. Site Plans for facilities which use or generate hazardous substances in quantities greater than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) per month or ninety five (95) liters (approximately twenty five (25) gallons) per month, whichever is less; or store greater than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) or ninety five (95) liters (approximately twenty five (25) gallons), whichever is less; shall be subject to the following additional site plan submittal requirements:
 - a. Location and size of interior and exterior areas and structures to be used for storage, use, loading/unloading, recycling, or disposal of hazardous substances.
 - b. Location of all underground and aboveground storage tanks for such uses as fuel storage, waste oil holding tanks, chemical storage, hazardous waste storage, collection of contaminated stormwater or wash water, and all similar uses.
 - c. Location of exterior and interior drains, on-site sewage systems, dry wells, catch basins, retention/detention areas, sumps and other facilities designed to collect, store or transport stormwater or wastewater. The point of discharge for all drains and pipes shall be specified on the site plan.
 - d. Location of all water wells on the site and within one hundred fifty (150) feet surrounding the parcel's property boundaries.
 - e. Delineation of areas on the parcel which are known or suspected to be contaminated, together with a report on the status of site cleanup.
 - f. Submission of the "Hazardous Substances Reporting Form for Site Plan Review."
 - g. Submission of the "State/County Environmental Permits Checklist."
 - h. If the area covered by the site plan includes territory within a Wellhead Protection Overlay Zone, submit a site plan review report prepared by a Manistee County Groundwater Staff Review Group (c/o Manistee County Planning Department). The site plan review report shall be a written document reporting on a county review of the same site plan prepared for this section. If the area covered by the site plan does not include territory within a Wellhead Protection Overlay Zone, a site plan review report prepared by the Manistee County Groundwater Staff Review Group may be submitted at the option of the applicant or may be required at the option of the Planning Commission or Zoning Administrator.

6. That Article 22: Site Plan Review, Section 2203 Application Procedure be amended by amending Item E as follows:

E. Detailed Site Plan. A detailed site plan shall be required for all Special Uses. ~~all uses other than those that may submit a basic site plan.~~ Detailed site plan shall include twelve (12) copies of all required information and ~~twenty-five (25)~~ fifteen (15) copies of any documents rendered in color. ~~It~~ Unless specifically waived by the Zoning Administrator the site plan shall be prepared by an Engineer, Architect, Landscape Architect or Surveyor licensed to work in Michigan and shall include and illustrate at a minimum the following information...

7. That Article 22: Site Plan Review Section 2204 Action on Application and Site Plans Item A be amended as follows:

- A. Upon receipt of a submitted application and site plan, the Zoning Administrator shall review the plan to determine its completeness. If the submittal is incomplete, the Zoning Administrator shall provide the applicant with a list of items needed to make the submittal complete.
 - 1. If a basic site plan is found to be complete, the Zoning Administrator shall review the site plan in accordance with **Section 2205** and approve or deny the application accordingly.
 - 2. If a medium site plan is found to be complete, the Zoning Administrator or Site Plan Review Committee shall review the site plan in accordance with **Section 2205** and approve or deny the application accordingly.
- 8. That Article 22: Site Plan Review, Section 2204 Action on Application and Site Plans, Item F be amended as follows:
 - F. A site plan approved or conditionally approved by the Planning Commission which includes a landscape plan submitted under **Section 531**, shall may require a performance guarantee pursuant to subparagraph G hereof this Section.
- 9. That Article 22: Site Plan Review, Section 2208 Amendment to the Site Plan be amended as follows:

SECTION 2208 AMENDMENT TO THE SITE PLAN

No changes shall be made to an approved site plan prior to during construction except upon application to the Zoning Administrator according to the following procedures:

- ~~A. The Zoning Administrator may approve minor changes to an approved site plan involving slight changes in the location of buildings and structures, adjustment of utilities, walkways, traffic ways, parking areas, and similar minor changes.~~
- ~~B. Major changes or amendments to an approved site plan involving change in the number and location of accesses to public streets and alleys, a reduction in the number of parking spaces, a major relocation of a building, increases in the gross floor area or heights of buildings, a reduction in open space, and similar major changes, shall require the approval of the Planning Commission, in the same manner as the original application was submitted, reviewed, and approved.~~
- A. Minor changes to a Basic Site Plan. The Zoning Administrator may approve minor changes to a basic site plan involving changes in the location of buildings and structures, adjustment of utilities, walkways traffic ways, and parking areas.
- B. Minor changes to a Medium Site Plan approved by the Zoning Administrator. The Zoning Administrator may approve minor changes involving changes in the location of buildings and structures, adjustment of utilities, walkways traffic ways, and parking areas to a medium site plan.
- C. Minor changes to a Medium Site Plan approved by the Site Plan Review Committee. The Site Plan Review Committee may approve minor changes involving changes in the location of buildings and structures, adjustment of utilities, walkways traffic ways, and parking areas to a medium site plan.
- D. Minor Changes to a Detailed Site Plan. Minor changes involving changes in the location of buildings and structures, adjustment of utilities, walkways traffic ways, and parking areas and the construction of accessory buildings less than one thousand (1,000) square feet in area to a Detailed

