

**CITY OF MANISTEE PLANNING COMMISSION**

**WORKSESSION AGENDA**

**Thursday, January 21, 2010 7:00 p.m.  
Council Chambers, City Hall  
70 Maple Street, Manistee, Michigan**

**I Call to Order.**

**II Worksession Items:**

1. Ordinance Amendments
2. Sub-Committees
3. Misc.

**III Adjourn.**

All Planning Commission Meetings and Worksessions are open to the Public.

Worksessions are scheduled to allow the Planning Commission the opportunity to discuss in a less formal manner than a regular meeting. No motions or decisions can be made during a worksession.



PLANNING AND ZONING  
COMMUNITY DEVELOPMENT  
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## MEMORANDUM

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TO: Planning Commissioners  
FROM: Denise Blakeslee  
DATE: January 12, 2010  
RE: January 21, 2010 Worksession

Commissioners, our next Worksession has been scheduled for 7:00 p.m. on Thursday, January 21, 2010.

A copy of the Agenda is attached. If you are unable to attend please call me at 398-2805.

: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  
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**

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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. Density	R-2 Med. Density	R-3 Hi. Density	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

And make appropriate edits to indexes, tables and chart provisions as necessary

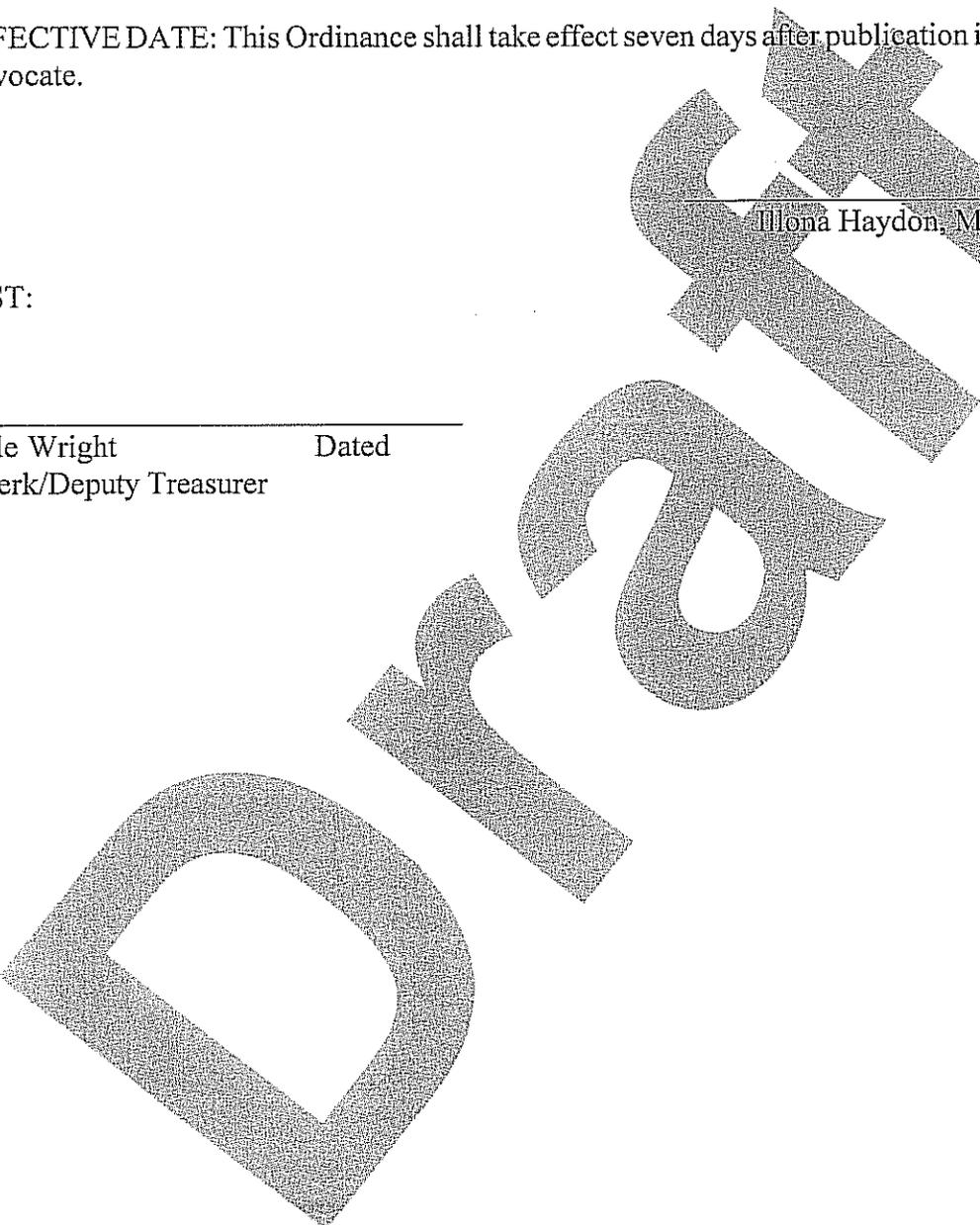
11. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.

12. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

\_\_\_\_\_ Dated  
Ilona Haydon, Mayor

ATTEST:

\_\_\_\_\_ Dated  
Michelle Wright  
City Clerk/Deputy Treasurer



**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: 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**

**Article 18: Special Uses**

**Section 1813 Bed and Breakfast**

**Item B.h Regulations and Conditions**

**ADD C-2 to 6 sleeping rooms**

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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

And make appropriate edits to indexes, tables and chart provisions as necessary

4. That Article 18: Special Uses Section 1813 Bed and Breakfast Item B.h Regulations and Conditions be amended as follows:
- h. The number of sleeping rooms rented to transient guests within a Bed and Breakfast Establishment shall not exceed the following standards:
- |                                |                  |
|--------------------------------|------------------|
| Within the R-1 District:       | 4 sleeping rooms |
| Within the R-2, R-3 Districts: | 5 sleeping rooms |
| Within the C-2, C-3 Districts: | 6 sleeping rooms |
5. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.
6. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

Ilona Hayden, Mayor

Dated

ATTEST:

Michelle Wright  
City Clerk/Deputy Treasure

Dated

**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 2: Definitions**

**Section 204 C**

**ADD DEFINITION of Common Elements  
ADD DEFINITION of Condominium Unit  
ADD DEFINITION of Condominium Act  
ADD DEFINITION of Condominium Conversion  
ADD DEFINITION of Condominium Conversion Plan  
AMEND DEFINITION of Condominium**

**Section 208 G**

**ADD DEFINITION of General Common Elements**

**Section 213 L**

**ADD DEFINITION of Limited Common Elements**

**Section 220 S**

**ADD DEFINITION of Site Condominium  
ADD DEFINITION of Site Condominium Unit**

**Article 4: Nonconformities**

**Section 401 Regulations**

**ADD Item B**

**Article 5: General Provisions**

**Section 514 Vehicular Parking Space, Access and Lighting**

**AMEND Item F**

**ADD Section 533 Condominiums**

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

1. That Article 2: Definitions, Section 204 C be amended by ADDING the following:

**COMMON ELEMENTS:** The portions of the condominium project other than the condominium units.

CONDOMINIUM UNIT: A condominium unit established in compliance with the Condominium Act which consists of a volume of surface or subsurface vacant air space, designed and intended for separate ownership and use as described in the condominium master deed.

CONDOMINIUM ACT: The Michigan Condominium Act, Act 59 of the Public Acts of Michigan of 1978, as amended, or successor legislation.

CONDOMINIUM CONVERSION: A condominium project involving one or more pre-existing buildings and proposed to contain two or more condominium units some or all of which were under single ownership before the filing of a notice to taking reservations under Section 71 of the Condominium Act.

CONDOMINIUM CONVERSION PLAN: The plans, drawings and information prepared for a condominium project as required by Section 66 of the Condominium Act and as required by this ordinance for review and approval of the condominium project.

2. That Article 2: Definitions, Section 204 C CONDOMINIUM be amended as follows:

CONDOMINIUM: A building, or group of buildings, or parcel of land, in which dwelling units, offices, or floor area, **or land area** are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

3. That Article 2: Definitions, Section 208 G be amended by ADDING the following:

GENERAL COMMON ELEMENTS: Components of the grounds, building, or development collectively owned and available for use by all of the co-owners as defined within the master deed.

4. That Article 2: Definitions, Section 213 L be amended by ADDING the following:

LIMITED COMMON ELEMENTS: A portion of the common elements reserved in the master deed for the exclusive use of less than all of the co-owners.

5. That Article 2: Definitions, Section 220S be amended by ADDING the following:

SITE CONDOMINIUM: A development in compliance with the Condominium Act containing or designed to contain structures or other improvements and in which each co-owner owns exclusive rights to an area of land or which a structure or structures may be constructed as a site condominium unit.

SITE CONDOMINIUM UNIT: A specific area of land, described in a master deed and established in compliance with the Condominium Act, which is under private ownership and is part of a larger development connected by other site condominium units, limited common elements, and general common elements.

6. That Article 4: Nonconformities be amended by ADDING to Section 401 Regulations, Item B as follows:

B. Condominium Project. A nonconforming developed or undeveloped parcel shall not be converted to a condominium, except in conformance with this Ordinance.

7. That Article 5: General Provisions, Section 514 Vehicular Parking Space, Access and Lighting, Item F be amended as follows:

F. For all permitted uses and special uses in the C-3 District, except hotels and motels, **and residential use condominium conversions**, the parking provisions of this Section shall not apply.

8. That Article 5: General Provisions be amended by ADDING Section 533 Condominiums as follows:

#### SECTION 533 CONDOMINIUMS

A. Purpose. This section further regulates condominiums, whether for residential use or non-residential use.

B. Site Condominium development as defined herein shall be regulated per the standards set fourth in the Subdivision Control Ordinance and the Condominium Act. A condominium unit which is, or which is proposed to be a parcel as defined herein, shall meet the requirements of this ordinance pertaining to lot or parcel area, width, and the required yards.

C. Section 523 A and B shall apply to parcel divisions resulting from condominium development projects.

D. Submittal of a Condominium Plan. A condominium plan shall be submitted for review and approval in accordance with the site plan review and approval process of Section 2200-2209. Such plan shall include the documents and information required by Section 66 of the Condominium Act, and the following information to the extent not included in such Act:

1. The information required for a detailed site plan review under Article 22 of this Ordinance.
2. A narrative describing the overall objectives of the condominium development.
3. Existing building footprint for Condominium Conversion.
4. Area and volume of each proposed condominium unit, including area of living areas.
5. Common elements (including general and limited).
6. Location and dimensions of each building, lot, and total development.

7. The condominium plan shall depict a building envelope around each building so as to demonstrate compliance with the minimum lot area requirement, the minimum lot width requirement, and the minimum building setback requirements of the district in which the condominium is located.
  8. Approval or tentative approval of the proposed design and location of the entrance to the condominium from the City Engineer and/or Michigan Department of Transportation, if applicable.
  9. The use and occupancy restrictions and maintenance provisions for all general and limited common elements that will be included in the master deed.
  10. Such other information as the Planning Commission may reasonably request in their review of the proposed condominium development. Unless requested by the Planning Commission, the proposed master deed and condominium bylaws need not necessarily be submitted with the application.
- E. Standards for Approval. To receive approval, a condominium development plan shall satisfy the following requirements.
1. The plan shall satisfy the standards and requirements for detailed site plan approval pursuant to Article 22 of this Ordinance.
  2. The proposed common elements and maintenance provisions, use and occupancy restrictions, utility systems and streets, project layout and design, or other aspects of the proposed project, shall comply with the Condominium Act and other applicable laws, ordinances or regulations.
  3. Unless modified pursuant to Section 1870 hereof, the condominium development shall comply with all applicable provisions of this Ordinance, including without limitation, density, minimum living area of units, lot coverage, building height, lot area, lot width and yard size requirements with respect to each of the buildings in which the condominium conversion is located.
  4. If a condominium development is proposed to have public streets, the streets shall be paved and developed to the minimum design, construction, inspection, approval, and maintenance requirements for platted public streets as required by the City of Manistee.
  5. The City may require the condominium development to include pedestrian sidewalks at specific locations; street lighting at intersections or otherwise within the street rights-of-way; and greenbelts or other landscaping in order to obscure the view of other types of land uses that may be near or adjacent to the condominium, such as commercial or industrial uses, highways, railroads and the like.
  6. The condominium development shall be connected to public water and public sanitary sewer facilities.

- F. Compliance with City Ordinances: Condominium development shall meet the standards of the applicable zoning district, as well as all other standards in the City of Manistee Zoning Ordinance, and other applicable Local, State or Federal Laws.
- G. Expandable or Convertible Condominium Conversions. Approval of a final condominium conversion plan shall not constitute approval of expandable or convertible portions of a condominium conversion project unless the expandable or convertible areas are specifically reviewed and approved by the Planning Commission in compliance with the procedures, standards and requirements of this section.
- H. Review of Condominium Master Deed and Bylaws. An approved condominium plan shall be incorporated by reference in the master deed for the condominium. The Master Deed shall be subject to the approval of the City Attorney, consistent with this section and any conditions of approval of the condominium. A copy of the master deed as recorded with the County Register of Deeds shall be provided to the City.

And make appropriate edits to indexes, tables and chart provisions as necessary

- 9. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.
- 10. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

\_\_\_\_\_  
Illona Haydon, Mayor Dated

ATTEST:

\_\_\_\_\_  
Michelle Wright Dated  
City Clerk/Deputy Treasurer

**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**

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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 who shall reserve the right to forward it to the Planning Commission for approval. 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 o 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.~~

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 who shall reserve the right to forward it to the Planning Commission for approval. A medium site plan shall include six (6) copies of all required information including any documents rendered in color and a digital PDF of the Site Plan shall be forwarded to the Planning and Zoning Department. 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)~~ fifteen (15) copies of all required information and ~~twenty-five (25)~~ copies of including any documents rendered in color and a digital PDF of the Site Plan shall be forwarded to the Planning and Zoning Department. . 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 who shall reserve the right to forward it to the Planning Commission for approval 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 or 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.** The entity that approved the original plan 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 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 or additions to primary structures less than seven hundred (700) one thousand (1,000) square feet in area to a Detailed Site Plan can be approved by the Zoning Administrator who shall reserve the right to forward it to the Site Plan Review Committee who shall reserve the right to forward it to the Planning Commission for approval.
- D. Major Changes to a Basic Site Plan or Medium Site Plan. Major changes to a Basic Site Plan or Medium 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, increase in the gross floor area or heights of buildings, a reduction in open space and similar major changes will result in a new application.
- E. Major changes or Amendments to a Detailed Site Plan. Major changes or Amendments to a Detailed 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, increase in the gross floor area or heights of buildings, a reduction in open space and similar major changes, shall require approval of the Planning Commission, in the same manner as the original application was submitted, reviewed, and approved.

And make appropriate edits to indexes, tables and chart provisions as necessary

10. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.
11. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

\_\_\_\_\_  
Illona Haydon, Mayor Dated

ATTEST:

\_\_\_\_\_  
Michelle Wright Dated  
City Clerk/Deputy Treasurer

## ARTICLE TWELVE W-F -- WATERFRONT DISTRICT

### SECTION 1200 PURPOSE AND INTENT

It is the intent of this District to establish a mixed-use district incorporating a variety of recreational, residential, business or service uses on or near the Waterfront. This district is intended to encourage and promote sustainable, environmentally and aesthetically compatible developments that use or compliment the shoreline while promoting expanded use of the shoreline by the public. The W-F District is intended to host a variety of land uses including, but not limited to, residential, commercial, entertainment and recreational, service and industrial uses. [Annotation: The Language "Waterfront" was added, while the Language "Manistee Lake shoreline" was deleted by amendment 08-05, effective 2/29/08]

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PERMITTED USES
◆ Accessory building with footprint less than or equal to the footprint of the principal structure
◆ Accessory use to uses permitted by right.
◆ Duplex
◆ Dwelling, Single unit
◆ Gallery or Museum
◆ Home Occupation, Minor subject to Section 1847, B, 1
◆ Outdoor Recreation, Park
◆ Personal Service Establishment
◆ Places of Public Assembly, Small
◆ Professional Office
◆ Professional Service Establishment
◆ Retail Business
◆ Shipping Facility
◆ Subdivision, and condominium subdivision consisting of permitted uses, clustered or traditional subject to the Subdivision Control Ordinance.
◆ Uses similar to uses permitted by right, subject to Section 530.

SPECIAL USES
◆ Accessory building with footprint greater than the footprint of the principal structure
◆ Accessory uses to a permitted special use

SPECIAL USES (CONT'D)
◆ Adaptive Reuse
◆ <del>Assembly Operation</del>
◆ Bed & Breakfast
◆ Communication Tower
◆ Convenience Store, w/o fuel pumps
◆ Day Care, Commercial and Group
◆ Dwelling - Multiple unit
◆ Eating and Drinking Establishment
◆ Home Based Business
◆ Home Occupation, Major
◆ Hotels
◆ Marina
◆ Mixed-Use Development
◆ Parking Facility, Public
◆ Planned Unit Development
◆ Studio for performing and graphic arts
◆ Uses similar to permitted special use
◆ <del>Warehouse, Public</del>
<b>*Special Use Requires Key Street Frontage</b>
◆ Financial Institution *
◆ Motels *
◆ Places of Public Assembly, Large *
◆ Sports and Recreation Club *
◆ Theater *

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Comment [JR1]: Duplex changed to special use from other amendment

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Comment [JR2]: Key street not required

Comment [JR3]: Need to provide for convention center - hotel or iron works

Comment [JR4]: Is this a potential ironworks? Key street not required without alcohol

**ADDITIONAL STANDARDS**

- ◆ Site Plan requirements subject to Section 2203
- ◆ Vehicular Parking Space, Access and Lighting requirements subject to Section 514.
- ◆ Landscaping requirements subject to Section 531
- ◆ Signage requirements subject to Article 21
- ◆ Outdoor Lighting requirements, subject to Section 525
- ◆ U.S. 31 Corridor Overlay District requirements, subject to Article 19

**DISTRICT REGULATIONS <sup>(b)</sup>**

<b>Minimum Lot Area:</b>		<b>Minimum Lot Width:</b>	
Single Unit	6,000 sq. ft.		60 ft.
Duplex, or Commercial Use	10,000 sq. ft.		80 ft.
Multiple Unit <sup>(a)</sup>	10,000 sq. ft. min.		80 ft.
<b>Maximum Dwelling Units/Acre</b>	17	<b>Max. Building Height</b>	2½ stories, or 35'
<b>Minimum Building Setbacks</b>		<b>Maximum Lot Coverage</b>	60%
Front <sup>(c)</sup>	15 ft.	<b>Minimum Living Area</b>	500 sq. ft.
Side	10 ft. (each side)	<b>Minimum Dwelling Width</b>	20 ft.
Rear <sup>(d)</sup>	10 ft.	<b>Accessory Building Minimum Setbacks:</b>	
Waterfront	20 ft. <sup>(e)</sup>	Side	3 ft.
		Rear	3 ft. <sup>(d)</sup>

Comment [JRS]: If we want to encourage new-urbanist, close-to-the-sidewalk construction, this is the place to do it. We might want a maximum front yard setback.

<sup>(a)</sup> For multiple unit buildings, a minimum of 10,000 square feet shall be provided for the first two units, plus 2,000 square feet for each additional dwelling unit up to twenty (20), plus 2,500 square feet for each additional dwelling unit in excess of 20.

<sup>(b)</sup> Except as may be permitted pursuant to Section 1870, Planned Unit Development.

<sup>(c)</sup> Subject to Section 502, G

<sup>(d)</sup> Provided that garages fronting on platted alleys shall be set back the greater of 3 feet from the rear property line or 20 feet from property line on the opposite side of the alley.

<sup>(e)</sup> Provided that this standard shall not apply to walkways, boat docks, boat slips, boat houses and boat launches.

**SECTION 1201 USES PERMITTED BY RIGHT**

The following uses of buildings and land shall be permitted within the W-F District subject to the provisions of Article 22, Site Plan.

- A. Accessory building with footprint less than or equal to the footprint of the principal structure
- B. Accessory use to uses permitted by right, subject to Section 516

- C. Duplex
- D. Dwelling, single unit
- E. Gallery or Museum
- F. Home Occupation, Minor, subject to Section 1847, B, 1
- G. Outdoor Recreation, Park
- H. Personal Service Establishment
- I. Places of Public Assembly, Small
- J. Professional Office
- K. Professional Service Establishment
- L. Retail Business
- ~~M. Shipping Facility~~
- A. Subdivision, and condominium subdivision consisting of permitted uses, clustered or traditional subject to the Subdivision Control Ordinance
- N. Uses similar to uses permitted by right

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**SECTION 1202 USES PERMITTED BY SPECIAL LAND USE PERMIT**

The following uses of buildings and land may be permitted within the W-F District, as special land uses subject to the provisions of Article 18, special land use approval.

- A. Accessory building with footprint greater than the footprint of the principal structure, subject to Section 1804
- B. Accessory uses to a permitted special use, subject to Section 1805
- C. Adaptive reuse, subject to Section 1807
- ~~D. Assembly Operation, subject to Section 1873~~
- E. Communication Tower, subject to Section 1819
- F. Convenience Store, without fuel pumps, subject to Section 1823
- G. Day Care, Commercial, subject to Section 1825
- H. Day Care, Group, subject to Section 1826
- I. Dwelling, multiple unit, subject to Section 1832
- J. Eating and Drinking Establishment, subject to Section 1835
- K. Financial Institution, subject to Section 1838
- L. Home Based Business, subject to Section 1846

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Comment [JR6]: Maybe not

Comment [JR7]: Key street not required

- M. Home Occupation, Major, subject to Section 1847
- N. Hotel, subject to Section 1849
- O. Marina, subject to Section 1852
- P. Mixed-Use Development, subject to Section 1858
- Q. Motel, subject to Section 1861
- R. Parking Facility, Public, subject to Section 1865
- S. Places of Public Assembly, Large, subject to Section 1868
- T. Planned Unit Development, subject to Section 1870
- U. Sports and Recreation Club, subject to Section 1880
- V. Studio for performing and graphic arts, subject to Section 1882
- W. Theater, subject to Section 1885
- X. Uses similar to permitted special use, subject to Section 1886
- ~~Y. Warehouse, Public, subject to Section 1889~~

Comment [JR8]: Key street only required for alcohol

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### SECTION 1203 DIMENSIONAL STANDARDS

Within the W-F District, the following dimensional standards shall apply:

- A. Parcel Area - No single family dwelling building or structure shall be established on any parcel less than six thousand (6,000) square feet in area. No duplex, multiple unit or commercial structure shall be established on any parcel less than ten thousand (10,000) square feet in area. Provided that for multiple unit buildings, in addition to ten thousand (10,000) square feet in minimum parcel area for the first two units, two thousand (2,000) square feet of parcel area shall be provided for each dwelling unit up to twenty (20) and two thousand five hundred (2,500) square feet of parcel area shall be provided for each additional dwelling unit in excess of twenty (20).
- B. Parcel Width - For a single family detached dwelling, the minimum parcel width shall be sixty (60) feet and for all other uses the minimum parcel width shall be eighty (80) feet.
- C. Yard and Setback Requirements - The following requirements shall apply to every parcel, building or structure.
  - 1. Front Yard: The minimum setback shall not be less than fifteen (15) feet from front property line. In established neighborhoods, where a majority of the buildings do not meet the required front yard setback, the Administrator may establish an alternate setback, pursuant to Section 502, G.
  - 2. Side Yards: The minimum width of either yard shall not be less than ten (10) feet. For accessory buildings, the minimum rear yard and side yard setback shall be three (3) feet;

- 3. Rear Yard: The minimum setback shall not be less than ten (10) feet. For accessory buildings, the minimum rear yard and side yard setbacks shall be three (3) feet, excepting garages which front on a platted alley. Such garages shall be set back a minimum of twenty (20) feet from the property line on the opposite side of the alley, to provide a minimal turning radius for vehicles, but at no time shall the structure be closer than three (3) feet to the rear property line. The side yard for such garage shall be the same as for other accessory structures, as outlined above.
- 4. Waterfront Yards: The minimum setback from the ordinary high watermark of Manistee Lake shall be twenty (20) feet. Provided that this provision shall not apply to walkways, boat docks, boat slips, boat houses and boat launches.

[Annotation: Section 1203.C.4 changed by amendment 07-07, effective 5/29/07]

- D. Dwelling Width: No dwelling shall be constructed in the W-F District which is less than twenty (20) feet wide.
- E. Living Area: No dwelling unit shall be constructed in the W-F District which has less than five hundred (500) square feet of living area.
- F. Lot Coverage: Not more than sixty percent (60%) of the parcel area shall be covered by buildings.
- G. Height: The maximum height of principal buildings in the W-F District shall be the lesser of thirty-five (35) feet or two and one-half (2½) stories. The maximum height of accessory buildings shall be eighteen (18) feet with side walls not to exceed twelve (12) feet in height.

**SECTION 1204 WATERFRONT RENAISSANCE ZONE STANDARDS ??**

- A. Purpose. It is the intent of this district to provide for redevelopment and job creation in certain parts of Manistee City, which have been designated by the Michigan Legislature as Renaissance Zones, pursuant to P.A. 376 of 1996 (being the Michigan Renaissance Zone Act, MCL 125.2681 *et. seq.*); to provide for alternative permit processing in cooperation with the Manistee County Alliance for Economic Success; to provide for an accelerated schedule for special use permit review and action; to provide protection to Manistee Waterways, their water quality, to protect shoreline from erosion or instability, to minimize the disturbance of heavy metals which may be on the lake bottom; to recognize, encourage the development and/or redevelopment of certain waterfront properties while at the same time to be consistent with the provisions of Manistee City Master Plan, the Manistee Lake Management Plan of 1982, the Manistee County Land Use Plan and the Manistee County Economic Development Strategy.
- B. Renaissance Zone Conditions. Any permitted or special uses in this district shall meet the following conditions to be able to apply for a zoning permit under this ordinance:
  - 1. The entrepreneur will make a minimum investment in improvements (building, equipment, etcetera) on land in the Renaissance Zone.
  - 2. The business enterprise will, as much as possible, result in new employment in Manistee

Deleted: industrial development

Deleted: Economic Development Office

Deleted: Lake

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Deleted: and maintain a higher proportion of industries in the central and southern portion of the lake near railroad and shipping access that does not adversely affect the area; to prioritize the use of certain lakefront property on Manistee Lake for industrial businesses which require the use of the lake and require being in the proximity of the lake, (conversely, it is the intent of this district to encourage the development of businesses which do not need proximity to Manistee Lake to be located in those other landward areas);

County with a minimum commitment for new hires at a minimum wage of \$7.50 per hour.

- C. Streamlined Permit Review. Because one of the primary purposes of this district is to accommodate industrial economic development through Michigan's Renaissance Zone program both permitted use and Special Use permits may be applied for on behalf of a client by the Manistee County Alliance for Economic Success as a means to reduce paperwork, streamline the permit process for potential economic development in Manistee County.

**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**

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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 who shall reserve the right to forward it to the Planning Commission for approval. 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 o 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.~~

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

Deleted:

to the Site Plan Review Committee for approval. Medium Site Plans for new construction shall be reviewed by the Site Plan Review Committee who shall reserve the right to forward it to the Planning Commission for approval. A medium site plan shall include six (6) copies of all required information including 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: (Would you want a digital pdf of any of the submittal material?)

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) ~~fifteen~~

Deleted:

~~(15) copies of all required information and twenty five (25) copies of including 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...(Again, would you also want to require a digital copy (pdf?) of the site plan or renderings?~~

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. (What about potentially forwarding it to the PC. Should that language be copied here as well?)~~

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 DETAILED THE SITE PLAN I would keep it "the" or say "A" site plan since this refers to all three types of Site Plans.**

No changes shall be made to an approved site plan prior to or 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.~~

Deleted:

- B. Minor changes to a Medium Site Plan. The entity that approved the original plan 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 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 or additions to primary structures less than seven hundred (700) one thousand (1,000) square feet in area to a Detailed Site Plan can be approved by the Zoning Administrator who shall reserve the right to forward it to the Site Plan Review Committee who shall reserve the right to forward it to the Planning Commission for approval.
- D. Major Changes to a Basic Site Plan or Medium Site Plan. Major changes to a Basic Site Plan or Medium 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, increase in the gross floor area or heights of buildings, a reduction in open space and similar major changes will result in a new application.
- E. Major changes or Amendments to a Detailed Site Plan. Major changes or Amendments to a Detailed 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, increase in the gross floor area or heights of buildings, a reduction in open space and similar major changes, shall require approval of the Planning Commission, in the same manner as the original application was submitted, reviewed, and approved.

And make appropriate edits to indexes, tables and chart provisions as necessary

- 10. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.
- 11. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

\_\_\_\_\_  
Ilhona Haydon, Mayor                      Dated

ATTEST:

\_\_\_\_\_  
Michelle Wright                      Dated  
City Clerk/Deputy Treasurer

Deleted:

**Denise Blakeslee**

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**From:** Wells, Lynee [Wells@williams-works.com]  
**Sent:** Tuesday, January 19, 2010 11:18 AM  
**To:** Denise Blakeslee; Jon Rose  
**Cc:** Kilpatrick, Jay  
**Subject:** Duplexes

I read over the amendments for duplexes and have no changes.

Thanks for having us review this.

Lynee

Lynee L. Wells, AICP

Community Planner and Project Manager

Williams & Works

549 Ottawa Avenue, NW

Grand Rapids, MI 49503

tel. (616) 224-1500

fax. (616) 224-1501

cell. (616) 648-3534

[wells@williams-works.com](mailto:wells@williams-works.com)

[www.williams-works.com](http://www.williams-works.com)

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**From:** Denise Blakeslee [mailto:dblakeslee@ci.manistee.mi.us]  
**Sent:** Wednesday, January 13, 2010 12:52 PM  
**To:** Kilpatrick, Jay  
**Cc:** Jon Rose  
**Subject:** Ordinance Amendments

**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**

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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 who shall reserve the right to forward it to the Planning Commission for approval. 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 o 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.~~

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 who shall reserve the right to forward it to the Planning Commission for approval. A medium site plan shall include six (6) copies of all required information including 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: (Would you want a digital pdf of any of the submittal material?)

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)~~ **fifteen**

~~(15)~~ copies of all required information ~~and twenty five (25) copies of~~ including 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...(Again, would you also want to require a digital copy (pdf?) of the site plan or renderings?)

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. (What about potentially forwarding it to the PC. Should that language be copied here as well?)~~

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 DETAILED THE SITE PLAN I would keep it "the" or say "A" site plan since this refers to all three types of Site Plans.**

No changes shall be made to an approved site plan prior to or 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. The entity that approved the original plan 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 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 or additions to primary structures less than seven hundred (700) one thousand (1,000) square feet in area to a Detailed Site Plan can be approved by the Zoning Administrator who shall reserve the right to forward it to the Site Plan Review Committee who shall reserve the right to forward it to the Planning Commission for approval.

D. Major Changes to a Basic Site Plan or Medium Site Plan. Major changes to a Basic Site Plan or Medium 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, increase in the gross floor area or heights of buildings, a reduction in open space and similar major changes will result in a new application.

E. Major changes or Amendments to a Detailed Site Plan. Major changes or Amendments to a Detailed 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, increase in the gross floor area or heights of buildings, a reduction in open space and similar major changes, shall require approval of the Planning Commission, in the same manner as the original application was submitted, reviewed, and approved.

And make appropriate edits to indexes, tables and chart provisions as necessary

10. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.

11. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

Ilona Haydon, Mayor Dated

ATTEST:

Michelle Wright Dated  
City Clerk/Deputy Treasurer

**Denise Blakeslee**

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**From:** Wells, Lynee [Wells@williams-works.com]  
**Sent:** Tuesday, January 19, 2010 10:47 AM  
**To:** Denise Blakeslee; Jon Rose  
**Cc:** Kilpatrick, Jay  
**Subject:** RE: Ordinance Amendments  
**Attachments:** ordinance for council add med density stie plan review level 1 2.rtf

Denise and Jon,

Here are my comments on the first set of amendments regarding the Medium Site Plan. I had a couple of minor changes to consider in red.

I'll send the other two amendments as I finish the reviews.

Thanks,

Lynee

Lynee L. Wells, AICP

Community Planner and Project Manager

Williams & Works

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Grand Rapids, MI 49503

tel. (616) 224-1500

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[wells@williams-works.com](mailto:wells@williams-works.com)

**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: C-2 Neighborhood Commercial District (I don't think the R-2 needed to be there?)**

Deleted: R-2

**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**

**Article 18: Special Uses  
Section 1813 Bed and Breakfast  
Item B.h Regulations and Conditions  
ADD C-2 to 6 sleeping rooms**

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. Densy	R-2 Med. Densy	R-3 Hi. Densy	R-4 Mfg. Hsng	W-F Water- front	C-1 Reg'l Com.	C-2 Neigh. Bus.	C-3 Central Bus.	L-I Light Industrial	G-I Gen'l Industrial
Bed & Breakfast	SLU	SLU	SLU		SLU		<del>SLU</del>	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**

And make appropriate edits to indexes, tables and chart provisions as necessary

- 4. That Article 18: Special Uses Section 1813 Bed and Breakfast Item B.h Regulations and Conditions be amended as follows:
  - h. The number of sleeping rooms rented to transient guests within a Bed and Breakfast Establishment shall not exceed the following standards:
 

Within the R-1 <del>District</del> :	4 sleeping rooms
Within the R-2, R-3 <del>Districts</del> :	5 sleeping rooms
Within the <del>C-2</del> C-3 Districts:	6 sleeping rooms
  
- 5. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.
  
- 6. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

\_\_\_\_\_  
Iliona Hayden, Mayor    Dated

ATTEST:

\_\_\_\_\_  
Michelle Wright    Dated  
City Clerk/Deputy Treasure

**Denise Blakeslee**

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**From:** Wells, Lynee [Wells@williams-works.com]  
**Sent:** Tuesday, January 19, 2010 11:12 AM  
**To:** Denise Blakeslee; Jon Rose  
**Cc:** Kilpatrick, Jay  
**Subject:** RE: Ordinance Amendments  
**Attachments:** ordinance for council BB C-2 WF.rtf

Here are the comments on the B&B amendments. There is just one minor change in red.

-Lynee

Lynee L. Wells, AICP

Community Planner and Project Manager

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**From:** Denise Blakeslee [mailto:[dblakeslee@ci.manistee.mi.us](mailto:dblakeslee@ci.manistee.mi.us)]  
**Sent:** Wednesday, January 13, 2010 12:52 PM  
**To:** Kilpatrick, Jay  
**Cc:** Jon Rose  
**Subject:** Ordinance Amendments

Jay-