

MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, April 9, 2015
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 Planning Commission can take action to approve the April 9, 2015 Agenda.

IV Approval of Minutes

At this time Planning Commission can take action to approve the March 5, 2015 meeting Minutes.

V Public Hearing

Zoning Amendment Z15-04

A Zoning Amendment has been drafted by the Planning Commission after performing a review of the P-D Peninsula District and preparing a Report of Findings for City Council. This amendment includes changes to Article 3 Districts, Dimensional Standards Uses Table and Zoning Map; Article 5: General Provisions, Article 6 Peninsula District, Article 12 Waterfront District and Article 21 Signs.

At this time the Chair shall open the hearing.
City Staff shall present the amendment
The hearing will be opened for public comments
The hearing will be closed

Zoning Amendment Z15-05

A Zoning Amendment has been drafted by the Planning Commission that provides for alternative methods for storm water retention that includes swales (both biofiltration and vegetated/rock), rain gardens, pervious pavement alternatives, rain barrels or cisterns and vegetated roof systems.

At this time the Chair shall open the hearing.
City Staff shall present the amendment
The hearing will be opened for public comments
The hearing will be closed

VI Public Comment on Agenda Related items

VII New Business

Zoning Amendment Z15-04

A Public Hearing was held earlier in response to Zoning Amendment Z15-04 that includes changes to Article 3 Districts, Dimensional Standards Uses Table and Zoning Map; Article 5: General Provisions, Article 6 Peninsula District, Article 12 Waterfront District and Article 21 Signs.

At this time the Planning Commission could make a recommendation to City Council to approve or deny proposed Zoning Amendment Z15-04.

Zoning Amendment Z15-05

A Public Hearing was held earlier in response to Zoning Amendment Z15-05 that provides for alternative methods for storm water retention that includes swales (both biofiltration and vegetated/rock), rain gardens, pervious pavement alternatives, rain barrels or cisterns and vegetated roof systems.

At this time the Planning Commission could make a recommendation to City Council to approve or deny proposed Zoning Amendment Z15-05.

VIII Old Business

IX Public Comments and Communications

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

X Correspondence

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

XI 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.

XII Members Discussion

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

XIII Adjournment

Memorandum



TO: Planning Commissioners

FROM: Denise Blakeslee
Planning & Zoning Administrator

DATE: April 1, 2015

RE: April 9, 2015 Meeting

Denise Blakeslee
Planning & Zoning
Administrator
70 Maple Street
Manistee, MI 49660
231.398.2805
dblakeslee@manisteemi.gov
www.manisteemi.gov

Commissioners, the Planning Commission will hold a meeting on Thursday, April 9, 2015. We have the following items on the agenda:

Zoning Amendment Z15-04 - This amendment includes changes to Article 3 Districts, Dimensional Standards Uses Table and Zoning Map; Article 5: General Provisions, Article 6 Peninsula District, Article 12 Waterfront District and Article 21 Signs.

Zoning Amendment Z15-05 - This amendment provides for alternative methods for storm water retention that includes swales (both biofiltration and vegetated/rock), rain gardens, pervious pavement alternatives, rain barrels or cisterns and vegetated roof systems.

When this amendment was reviewed by the City Engineer the definition was changed for porous pavement to pervious pavement. When we reviewed the amendment at the March meeting the definition was not changed in the various sections of the ordinance. Staff made the necessary changes for the public hearing.

After the public hearing was noticed Rob Carson, County Planner reviewed the proposed language and made a few suggestions that are included in your packets for consideration.

If you are unable to attend the meeting, please call me at 398.2805.

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

March 5, 2015

A meeting of the Manistee City Planning Commission was held on Thursday, March 5, 2015 at 7pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 pm by Chair Yoder

ROLL CALL

Members Present: Maureen Barry, Judd Brown, Bill Dean, Ray Fortier, Marlene McBride, Mark Wittlieff, Roger Yoder

Members Absent: None

Others: Ed Seng (200 River Street), Denise Blakeslee (Planning & Zoning Administrator) and others

APPROVAL OF AGENDA

Motion by Ray Fortier, seconded by Judd Brown that the agenda be approved as prepared.

With a Roll Call vote this motion passed 7 to 0.

Yes: Barry, Brown, Dean, Fortier, McBride, Wittlieff, Yoder
No: None

APPROVAL OF MINUTES

Motion by Maureen Barry, seconded by Marlene McBride that the minutes of the February 5, 2015 Planning Commission Meeting be approved as prepared.

With a Roll Call vote this motion passed 7 to 0.

Yes: Dean, Fortier, Barry, Brown, McBride, Wittlieff, Yoder
No: None

PUBLIC HEARING

None

PUBLIC COMMENT ON AGENDA RELATED ITEMS

None

NEW BUSINESS

Draft Zoning Amendment Language (P-D, Section 511, W-F Renaissance Zone Standards)

Staff has drafted language from the report of findings and includes changes to Article 3: Table 3-1 & 3-2; Section 511 Driveway and Curb Cuts; Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks; Article 6 P-D Peninsula District; deletes the Renaissance Zone Standards Article 12 Waterfront District and amends in the Waterfront District and amends Article 21: Signs Section 2107.

Staff gave a PowerPoint presentation that detailed the amendment.

Motion by Ray Fortier, seconded by Judd Brown that the Planning Commission directs staff to schedule a Public Hearing for the proposed Zoning Amendment that includes changes to Table 3-1 & 3-2; Section 511 Driveway and Curb Cuts; Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks; Article 6 P-D Peninsula District; deletes the Renaissance Zone Standards Article 12 Waterfront District and amends in the Waterfront District and amends Article 21: Signs Section 2107.

With a Roll Call vote this motion passed 7 to 0.

Yes: Wittlieff, Dean, Fortier, Barry, Brown, McBride, Yoder

No: None

Draft Zoning Amendment Language "Green Infrastructure"

Staff has drafted language that was reviewed by the City Engineer for alternative methods for storm water retention that includes swales (both biofiltration and vegetated or rock), rain gardens, pervious pavement alternatives, rain barrels or cisterns and vegetated roof systems.

Staff gave a PowerPoint presentation that detailed the amendment, discussion on a few issues resulted in minor corrections.

Motion by Maureen Barry, seconded by Ray Fortier that the Planning Commission directs staff to schedule a Public Hearing for the proposed Zoning Amendment that includes changes to Article 2 by adding definitions for pervious paving, rain gardens, swale biofiltration, swale vegetated or rock, vegetated roof; Section 503 Performance Standards, Item 3; Section 511 Driveway and Curb Cuts, Item D & F; Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks, Item E add new item F; Section 531 Landscaping and Screening Item A & F.

With a Roll Call vote this motion passed 7 to 0.

Yes: Barry, Brown, McBride, Wittlieff, Dean, Fortier, Yoder
No: None

OLD BUSINESS

None

PUBLIC COMMENTS AND COMMUNICATIONS

Ed Seng, 200 River Street – asked about zoning language for a shipping facility.

CORRESPONDENCE

None

STAFF/SUB-COMMITTEE REPORTS

Denise Blakeslee, Planning & Zoning Administrator –Staff does not have any items pending for the March 19, 2015 Worksession. Commissioners were asked if they had any items they wished to discuss, there being none; staff asked if the Commission wanted to cancel the worksession.

MOITON by Maureen Barry, seconded by Judd Brown that the March 19, 2015 Planning Commission Worksession be cancelled.

With a Roll Call vote this motion passed 7 to 0.

Yes: Fortier, Barry, Brown, McBride, Wittlieff, Dean, Yoder
No: None

MEMBERS DISCUSSION

Commissioner Barry noted that the April meeting was rescheduled to April 9th due to the holiday and asked if the worksession in April should be rescheduled from April 16th to April 23, 2015.

MOTION by Judd Brown, seconded by Bill Dean that the April Worksession be rescheduled to April 23, 2015.

With a Roll Call vote this motion passed 7 to 0.

Yes: Barry, Brown, Dean, Fortier, McBride, Wittlieff, Yoder

No: None

The Planning Commission Worksession in March has been CANCELLED.

The next regular meeting of the Planning Commission will be held on Thursday, April 9, 2015 (changed due to holiday).

ADJOURNMENT

Motion by Ray Fortier, seconded by Maureen Barry that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 7:40 pm

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary

Ordinance Z15-04

**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 3: Districts, Dimensional Standards Uses Table and Zoning Map
AMEND Table 3-1 City of Manistee Schedule of Regulations- P-D Peninsula District
AMEND Table 3-2 Uses Permitted by Right and Special Land Use Permit – PD Peninsula
District**

**Article 5: General Provisions
AMEND Section 511 Driveways and Curb Cuts, Item B
ADD new item G to Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks
AMEND Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks, Item I**

**Article 6: Peninsula District
AMEND Section 600 Purpose and Intent
AMEND Section 601 Uses Permitted by Right
AMEND Section 602 Uses Permitted by Special Land Use
DELETE Section 603 Uses Permitted by Special Land Use Permit,
Requires Frontage on a Key Street Segment
AMEND Section 604 Dimensional Standards
DELETE Section 605 Peninsula District Renaissance Zone Standards**

**Article 12: Waterfront District
DELETE Section 1205 Waterfront
Renaissance Zone Standards**

**Article 21: Signs
Table 2100-1 – Use Types and Sign Standards
AMEND Section 2107 Use Type 2, Commercial and Office**

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

1. That Article 3: Districts, Dimensional Standards Uses Table and Zoning Map; Table 3-1 City of Manistee Schedule of Regulations- P-D Peninsula District be AMENDED as follows:

District	Minimum Lot Dimensions		Maximum Lot Coverage	Minimum Yard Requirements (feet)			Maximum Density	Maximum Height	Minimum Floor Area Per Dwelling and Width
	Area (sq. ft.)	Width (feet)	(%) of gross lot area ^(h)	Front ^(o)	Side	Rear/Waterfront ^(f)	DU/Acre	Feet/stories (Principal Bld)	(Sq.Ft. & Ft)
P-D	6,000	60	60%	15	10	10/20	17	35/2½	550/20
Single Unit	6,000	60							
Duplex or Commercial	10,000	80							
Multi-Unit	10,000^(e)	80							

2. That Article 3: Districts, Dimensional Standards Uses Table and Zoning Map; Table 3-2 Uses Permitted by Right and Special Land Use Permit – PD Peninsula be AMENDED as follows:

USES	P-D Peninsula District	
Animal Grooming	<i>SLU</i>	ADD as a Special Use
Contractors Facility	<i>R</i>	ADD as a Use by Right
Eating & Drinking Establishment	<i>R</i> <i>SLU</i>	CHANGE from Special Use to Use by Right
Financial Institution	<i>SLU</i> <i>SLU*</i>	CHANGE from Special Use on Key Street to Special Use
Greenhouse & Nursery	<i>SLU</i>	ADD as Special Use
Mixed Use	<i>R</i> <i>SLU</i>	CHANGE from Special Use to Use by Right
Motel	<i>SLU*</i>	DELETE
Places of Public Assembly, Large	<i>SLU*</i>	DELETE
Theater	<i>SLU*</i>	DELETE
Warehouse Facility	<i>R</i>	ADD as a Use by Right

3. That Article 5: General Provisions; Section 511 Driveways and Curb Cuts, ADD G-C to Item B as follows:

B. In the **G-C**, R-1, R-2 and R-3 districts, driveway curb cuts shall be placed at least thirty (30) feet from an intersection.

4. That Article 5: General Provisions; Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks ADD new item G (RENUMBER LIST) as follows:

G. For all permitted uses and special uses in the P-D District the parking provisions of this section shall not apply, except hotels, marinas, and places of public assembly.

5. That Article 5: General Provisions; Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks; AMEND Item I as follows:

~~H.~~ I. Within the C-1, C-2, C-3 and **P-D** Districts, the Planning Commission may approve shared parking arrangements among various uses when it can be demonstrated that parking in sufficient quantities for all such uses as set forth in this Section shall be available at all times.

6. That Article 6: Peninsula District; AMEND Section 600 Purpose and Intent as follows:

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 District is intended to host a variety of land uses including, but not limited to, residential, commercial, entertainment, ~~and~~ recreational, service, **and mixed use**.

7. That Article 6: Peninsula District; Section 601 Uses Permitted by Right ADD the following uses by right (RENUMBER LIST) as follows:

D. Contractors Facility
F. Eating and Drinking Establishment
I. Mixed Use
Q. Warehouse Facility

8. That Article 6: Peninsula District, Section 602 Uses Permitted by Special Land Use ADD the following Special Uses (RENUMBER LIST) as follows:

D. Animal Grooming, subject to Section 1810
K. Financial Institution, Subject to Section 1838
L. Greenhouse & Nursery, Subject to Section 1844

9. That Article 6: Peninsula District, Section 602 Uses Permitted by Special Land Use DELETE the following Special Uses:

~~**Eating & Drinking Establishment**~~ (changed to a Use by Right)
~~**Mixed Use**~~ (changed to a Use by Right)

10. That Article 6: Peninsula District, DELETE Section 603 Uses Permitted by Special Land Use Permit, Requires Frontage on a Key Street Segment as follows:

~~SECTION 603 USES PERMITTED BY SPECIAL LAND USE PERMIT, REQUIRES FRONTAGE ON A KEY STREET SEGMENT~~

~~The following uses of buildings and land may be permitted within the Peninsula District, as special land uses if they front on a Key Street Segment subject to the provisions of Article 18, special land use approval.~~

- ~~A. Financial Institution, subject to Section 1838— (changed to Special Use)~~
- ~~B. Motel, subject to Section 1861~~
- ~~C. Places of Public Assembly, Large, subject to Section 1868~~
- ~~D. Theater, subject to Section 1885~~

Section 604 will be renumbered to Section 603

11. That Article 6: Peninsula District, Section 603~~4~~ Dimensional Standards, AMEND Items A and B as follows:

- ~~A. Parcel Area – No building or structure shall be established on any parcel less than six thousand (6,000) square feet in 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 all uses the minimum parcel width shall be sixty (60) feet. 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.**~~

12. That Article 6: Peninsula District, DELETE Section 605 Peninsula District Renaissance Zone Standards as follows:

~~SECTION 605 PENINSULA DISTRICT RENAISSANCE ZONE STANDARDS~~

- ~~A. Purpose.— It is the intent of this district to provide for development in certain parts of Manistee City, which have been designated by the Michigan Legislature as Renaissance Zones, pursuant to P.A. 376 of 1996 (being the Michigan Renaissance Zone Act, MCL 125.2681 et. seq.); to provide for alternative permit processing in cooperation with the 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 the 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 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 use by right and Special Use permits may be applied for on behalf of a client by the Alliance for Economic Success as a means to reduce paperwork, streamline the permit process for potential economic development in Manistee County.~~

The Renaissance Zone expired on December 31, 2014.

13. That Article 12: Waterfront District, DELETE Section 1205 Peninsula District Renaissance Zone Standards as follows:

~~SECTION 1204 — WATERFRONT RENAISSANCE ZONE STANDARDS~~

- ~~A. Purpose.— It is the intent of this district to provide for industrial development in certain parts of Manistee City, which have been designated by the Michigan Legislature as Renaissance Zones, pursuant to P.A. 376 of 1996 (being the Michigan Renaissance Zone Act, MCL 125.2681 et. seq.); to provide for alternative permit processing in cooperation with the Manistee County Economic Development Office; to provide for an accelerated schedule for special use permit review and action; to provide protection to Manistee Lake, its water quality, to protect its shoreline from erosion or instability, to minimize the disturbance of heavy metals which may be on the lake bottom; to recognize, encourage and maintain a higher proportion of industries in the central and southern portion of the lake near railroad and shipping access that does not adversely affect the area; to prioritize the use of certain lakefront property on Manistee Lake for industrial businesses which require the use of the lake and require being in the proximity of the lake, (conversely, it is the intent of this district to encourage the development of businesses which do not need proximity to Manistee Lake to be located in those other landward areas); while at the same time to be consistent with the provisions of Manistee City Master Plan, the Manistee Lake Management Plan of 1982, the Manistee County Land Use Plan and the Manistee County Economic Development Strategy.~~
- ~~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, etc) on land in the Renaissance Zone.~~
 - ~~2. The business enterprise will, as much as possible, result in new employment in Manistee County with a minimum commitment for new hires at a minimum wage of \$7.50 per hour.~~

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

The Renaissance Zone expired on December 31, 2014.

14. That Article 21 Signs: Table 2100-1 Use Types and Sign Standards, AMEND Section 2107 Use Type 2, Commercial and Office as follows:

TABLE 2100-1 USE TYPES AND SIGN STANDARDS					
Section 2107		Use Type 2, Commercial and Office			
Description		Uses of this type include retailing, various personal and professional services, accommodations and high-traffic retail and service facilities.			
Examples of Uses		<i>Animal Grooming, Auto Repair Facility, Car Wash, Cemetery, Convenience Store with or w/ out fuel pumps, Commercial Day Care, Eating and Drinking Establishments, Educational Facility, Financial Institutions, Galleries and Museums, Gasoline Stations, Greenhouses and Nurseries, Golf Course, Group Day Care, Hotels, Laundry and Dry Cleaner, Marinas, Medical and Dental Offices, Mini/Self-storage, Mortuaries, Motels, Nursing and Convalescent Home, Outdoor Sales Facility, Personal Service Establishments, Professional Offices, Professional Service Establishments, Parking Facility, Places of Public Assembly, Retail Businesses, Sports and Recreation Clubs, Studios for Performing and Graphic Arts, Theaters, Veterinary Clinics, Wholesale Facilities and similar uses in the judgment of the Zoning Administrator</i>			
Zoning Districts	Permitted Sign Types	Nº. Signs Permitted	Cumulative Sign Area	Lighting	Conditions
P-D , C-1, C-2, & C-3 not fronting on US-31	Window	n/a	Unlimited	Either	Window signs in the Historic District require approval from the Historic District Commission. Internally lit signs are prohibited in the Historic District
	Portable Sign "A Frame" Sign	1	8 Sq. Ft.	None	No Sign Permit required. One per storefront and only allowed during hours of operation.
	Wall, Ground, Projecting, Window, Marquee	n/a	1.5 x of principal building width per Section 2102,A,7 b	Either	Ground mount signs shall be limited to one per parcel. Projecting signs limited to one per storefront and no greater than sixteen (16) square feet in area. Internally lit signs are prohibited in the Manistee Historic Commercial District.
P-D & W-F Not fronting on US-31	Wall, Ground, Projecting, Window, Marquee	n/a	1.5 x of principal building width per Section 2102, A,7, b	Either	Projecting signs limited to one per storefront and no greater than sixteen (16) sq. ft. in area

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

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

Colleen Kenny, Mayor Dated

ATTEST:

Michelle Wright Dated
City Clerk/Deputy Treasurer

FOR PUBLIC HEARING 4/9/15

Ordinance Z15-05

**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 and Interpretation

ADD definition for pervious paving to Section 217 P

ADD definition for rain gardens to Section 219 R

ADD definition for swale biofiltration and swale, vegetated or rock to Section 220 S

ADDING definition for vegetated roof to Section 223 V

Article 5: General Provisions

AMEND Section 503 Performance Standards, Item 3

AMEND Section 511 Driveway and Curb Cuts, Item D and Item F

AMEND Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks, Item E

ADD Item F to Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks

AMEND Section 531 Landscaping and Screening, Item A and Item F

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

1. That Article 2: Definitions and Interpretation, Section 217 P ADD definition for pervious paving as follows:

PERVIOUS PAVING: Systems that allow water to pass freely through interstitial space ingrained throughout the paving matrix, thereby transforming traditionally impervious surfaces such as pervious concrete and asphalt; including interlocking pavers, reinforced gravel, porous concrete, porous asphalt and grass paving.

2. That Article 2: Definitions and Interpretation, Section 219 R ADD definition for rain gardens as follows:

RAIN GARDENS: Landscaped depressions that can be built to any size or shape. Also known as 'bio-retention cells', they are designed to allow water to settle and infiltrate into the soil and may outlet through an underdrain if required by the City Engineer.

3. That Article 2: Definitions and Interpretation, Section 220 S ADD definition for swale vegetated rock and swale biofiltration as follows:

SWALE BIOFILTRATION: *A shallow drainage way that employs landscaping to stabilize the soil while providing water quality treatment. Designed to remove silt and sediment-associated pollutants before discharging to storm sewers and to reduce volume if soils allow for infiltration.*

SWALE, VEGETATED OR ROCK: *A densely vegetated or rock lined drainage ways with low-pitched side slopes that detain, evaporate, and/or infiltrate the runoff associated with a storm event.*

4. That Article 2: Definitions and Interpretation, Section 223 V ADD definition for vegetated roof as follows:

VEGETATED ROOF: *The roof a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. May include roofs vegetated for food production.*

5. That Article 5: General Provisions, Section 503 Performance Standards AMEND Item 3 as follows:

3. No storm water runoff, which is a result of development site design, or other manmade features, shall be allowed ~~to collect~~ which results in water standing on the surface, unless the standing water is a part of a properly managed and maintained storm water retention system, sediment pond; or the standing water is in a naturally occurring wetland or water body. ***As an alternative, if in the opinion of the City's consulting engineer, the soils are of a type which will allow for efficient drainage, the use of drywells, infiltration trenches, swales, bio-retention or other best management practices for controlling urban runoff quality may be permitted. Methods used may include attached or detached accessory stormwater control features as follows:***
 - a. ***Swales: both biofiltration and vegetated/rock swales subject to engineering review.***
 - b. ***Rain Gardens may be permitted subject to engineering review.***
 - c. ***Rain Barrels or Cisterns are permitted in all districts and require a land use permit.***
 - 1) ***Underground cisterns or rain barrels are subject to engineering review and constructed in accordance with the State Building Code.***
 - 2) ***Aboveground rain barrel or cistern systems in excess of 250 gallons must conform to the setbacks for accessory buildings and structures and are subject to engineering review. These systems must be constructed in accordance with the State Building Code. These above ground rain barrels or cistern systems shall be enclosed to avoid attracting mosquitos or becoming a hazard.***
 - d. ***Vegetated roof systems may be permitted in accordance with the State Building Code.***

e. Other methods of onsite stormwater control may be submitted to the Zoning Administrator and, at their discretion, may be approved, approved subject to engineering review, approved subject to Planning Commission review, or denied.

6. That Article 5: General Provisions Section 511 Driveway and Curb Cuts, AMEND Item F as follows:

D. A driveway curb cut shall not be constructed ~~unto~~ ***into*** a city-owned street unless a driveway is also being constructed.

F. All driveways shall be paved with asphalt, ~~or~~ concrete, ***or pervious paving*** and connect to the public right-of-way.

7. That Article 5: General Provisions, Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks AMEND Item E and ADD Item F as follows:

E. Off-street parking areas for all uses requiring City approval shall be paved with concrete, ~~or~~ bituminous material ***or pervious paving*** with approved curbing and painted parking lines. ~~Parking areas with ten (10) or more spaces shall include designated pedestrian walkways through the parking lot in addition to landscaped planting islands and perimeter buffers in accordance with Section 531, in all instances where sufficient space is available.~~

F. Parking areas with ten (10) or more spaces shall include designated pedestrian walkways through the parking lot in addition to landscaped planting islands and perimeter buffers in accordance with [Section 531](#), in all instances where sufficient space is available. ***Landscape islands must meet the following size requirements:***

- 1. Landscape islands containing a tree shall be a minimum of 160 square feet and a minimum of nine (9) feet wide.***
- 2. Landscape islands containing a pedestrian pathway shall be a minimum of eleven (11) feet wide, with a pathway of a minimum width of five (5) feet and a minimum of three (3) feet of landscape area on both sides.***
- 3. If landscaped islands are not used for storm water infiltration, the islands must be raised and curbed.***

RENUMBER REST OF LIST

8. That Article 5: General Provisions, Section 531 Landscaping and Screening, AMEND Item A and Item F as follows:

A. A landscape plan required under the terms of this ordinance shall be prepared and submitted in conjunction with a site plan. Such landscape plan shall be prepared by a ***Registered Licensed*** Landscape Architect, professional engineer or by a qualified

landscape designer. Such landscape plan shall provide, to the greatest extent possible, for the preservation and protection of existing natural features on the site.

F. The area between the edge of the street pavement and property line, with the exception of paved driveways and parking areas permitted by this ordinance, shall be used exclusively for the planting and growing of trees, shrubs, lawns, **rain gardens** and other landscaping designed, planted and maintained to serve as a healthy and attractive amenity on the site.

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

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

Colleen Kenny, Mayor

Dated

ATTEST:

Michelle Wright Dated
City Clerk/Deputy Treasurer

For PUBLIC HEARING 4/19/15

From: Rob Carson [<mailto:rcarson@manisteecountymi.gov>]
Sent: Wednesday, March 25, 2015 4:23 PM
To: Denise Blakeslee
Subject:

Denise,

On the issue of the Zoning Ordinance Amendments that we spoke about earlier. I took a quick look at Article 5 in the City Zoning Ordinance and found that the purpose sections outline applicability to all structures/districts within the City. I think that the best way to approach the Stormwater Runoff requirements would be to directly address applicability within the Performance Standards Item 3. The first portion of the section which is composed of the original language to apply to every lot/structure, and to be honest, I think that you may want to add language which discusses direct stormwater discharge from one lot to another.

For Example, I think it could read:

"No stormwater runoff, which is the result of development site design, or other manmade features, shall be allowed to be directed to neighboring parcels, or shall be allowed to result in water standing on the surface, unless the standing water is a part of a properly managed and maintained stormwater retention system, sediment pond; or the standing water is in a naturally occurring wetland or water body. As an alternative, if in the opinion of the City's consulting engineer, the soils are of a type which will allow for efficient drainage, the use of drywells, infiltration trenches, swales, bio-retention or other best management practices for controlling urban runoff quality may be permitted. Single-family standalone residences are exempt from having to receive permitting and design approval for placement of rain gardens, bio-swales, rain barrels or other stormwater management practice, but all stormwater structures must meet applicable setbacks and other general standards. Methods used for stormwater management may include attached or detached accessory stormwater control features as follows:"

Talk with you soon.

Rob

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SWALE BIOFILTRATION: A shallow drainage way that employs landscaping to stabilize the soil while providing water quality treatment. Designed to remove silt and sediment-associated pollutants before discharging to storm sewers and to reduce volume if soils allow for infiltration.

SWALE, VEGETATED OR ROCK: A densely vegetated or rock lined drainage ways with low-pitched side slopes that detain, evaporate, and/or infiltrate the runoff associated with a storm event.

4. That Article 2: Definitions and Interpretation, Section 223 V ADD definition for vegetated roof as follows:

VEGETATED ROOF: The roof a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. May include roofs vegetated for food production.

5. That Article 5: General Provisions, Section 503 Performance Standards AMEND Item 3 as follows:

3. No storm water runoff, which is a result of development site design, or other manmade features, shall be allowed ~~to collect~~ which results ~~to be directed to neighboring parcels, or shall be allowed to result~~ in water standing on the surface, unless the standing water is a part of a properly managed and maintained storm water retention system, sediment pond; or the standing water is in a naturally occurring wetland or water body. ***As an alternative, if in the opinion of the City's consulting engineer, the soils are of a type which will allow for efficient drainage, the use of drywells, infiltration trenches, swales, bio-retention or other best management practices for controlling urban runoff quality may be permitted. Single-family standalone residences are exempt from having to receive permitting and design approval for placement of rain gardens, bio-swales, rain barrels or other stormwater management practice, but all stormwater structures must meet applicable setbacks and other general standards. Methods used may include attached or detached accessory stormwater control features as follows:***

- a. ***Swales: both biofiltration and vegetated/rock swales subject to engineering review.***
- b. ***Rain Gardens may be permitted subject to engineering review.***
- c. ***Rain Barrels or Cisterns are permitted in all districts and require a land use permit.***
 - 1) ***Underground cisterns or rain barrels are subject to engineering review and constructed in accordance with the State Building Code.***
 - 2) ***Aboveground rain barrel or cistern systems in excess of 250 gallons must conform to the setbacks for accessory buildings and structures and are subject to engineering review. These systems must be constructed in accordance with the State Building Code. These above ground rain barrels or cistern systems shall be fully enclosed to avoid attracting mosquitos or becoming a hazard.***