

MANISTEE CITY PLANNING COMMISSION
Meeting of Thursday, September 6, 2012
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 September 6, 2012 Agenda.

IV Approval of Minutes

At this time Planning Commission can take action to approve the August 2, 2012 meeting Minutes.

V Public Hearing

Z12-06 – Proposed Zoning Amendment Section 1813 Bed and Breakfast, Item B.1.h

The City of Manistee Planning Commission has reviewed Section 1813 Bed and Breakfast, Item B.1.h which establishes the number of sleeping rooms by Zoning District. The Commission has determined that this section should be deleted from the ordinance.

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

Z12-07 – Proposed Zoning Amendment Article 2 Definitions (add definition for Outdoor Playset and Porch) Amend Section 502 Spatial and Physical Requirements Item D.

The City of Manistee Planning Commission has drafted language that defines Outdoor Playset and Porch that would be added to Article 2 Definitions; and drafted language that would amend Section 502 Spatial and Physical Requirements, Item D.

At this time the Chair shall open the hearing.

City Staff shall present the proposed amendment
The hearing will be opened for public comments
The hearing will be closed

Z12-08 – Proposed Zoning Amendment to carry over the Peninsula District standards to sections of Article 5 General Provisions, Article 18 Standards and Requirements for Special Uses and Article 21 Signs

When the Peninsula District was established the new district standards were not applied to uses in sections of Article 5 General Provisions, Article 18 Standards and Requirements for Special Uses and Article 21 Signs.

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

VI Public Comment on Agenda Related items

VII New Business

Z12-06 – Proposed Zoning Amendment Section 1813 Bed and Breakfast, Item B.1.h

A public hearing was held earlier for a proposed Zoning Amendment to Section 1813 Bed and Breakfast, Item B.1.h. of the Zoning Ordinance.

At this time the Planning Commission could take action to recommend to City Council the adoption of the Proposed Zoning Amendment Z12-06.

Z12-07 – Proposed Zoning Amendment Article 2 Definitions (add a definition for Outdoor Playset and Porch) Amend Section 502 Spatial and Physical Requirements Item D.

A public hearing was held earlier for a proposed Zoning Amendment to add a definition for Outdoor Playset and Porch to Article 2 Definitions and amend Section 502 Spatial and Physical Requirements Item D.

At this time the Planning Commission could take action to recommend to City Council the adoption of the Proposed Zoning Amendment Z12-07.

Z12-08 – Proposed Zoning Amendment to carry over the Peninsula District standards to sections of Article 5 General Provisions, Article 18 Standards and Requirements for Special Uses and Article 21 Signs

A public hearing was held earlier for a proposed Zoning Amendment to apply the Peninsula District standards to uses in sections of Article 5 General Provisions, Article 18 Standards and Requirements for Special Uses and Article 21 Signs.

At this time the Planning Commission could take action to recommend to City Council the adoption of the Proposed Zoning Amendment Z12-08.

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

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

DRAFT

MEETING MINUTES

August 2, 2012

A meeting of the Manistee City Planning Commission was held on Thursday, August 2, 2012 at 7pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 8:00 pm by Chair Yoder

Roll Call:

Members Present: Linda Albee, Maureen Barry, David Crockett, Bill Dean, Ray Fortier, Marlene McBride, Mark Wittlief, Roger Yoder

Members Absent: Eric Gustad (excused)

Others: Jon R. Rose (Community Development Director), Denise Blakeslee (Planning & Zoning) and others

APPROVAL OF AGENDA

Motion by Ray Fortier, seconded by Mark Wittlief that the agenda be approved as prepared.

With a Roll Call vote this motion passed 8 to 0.

Yes: Albee, Barry, Crockett, Dean, Fortier, McBride, Wittlief, Yoder

No: None

APPROVAL OF MINUTES

Motion by Bill Dean, seconded by Maureen Barry that the minutes of the July 12, 2012 Planning Commission Meeting be approved as prepared.

With a Roll Call vote this motion passed 8 to 0.

Yes: Dean, Fortier, Albee, Barry, Crockett, McBride, Wittlief, Yoder

No: None

PUBLIC HEARING

None

PUBLIC COMMENT ON AGENDA RELATED ITEMS

None

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NEW BUSINESS

PC-2012-05 Harbor Village at Manistee Beach – a nonprofit corporation/Manistee Village Properties, LLC – Parcel Split and Combination

On April 7, 2011 the Planning Commission approved a parcel split that removed the former sales office at Harbor Village creating a new parcel #51-202-335-00. A request has been received from Harbor Village at Manistee Beach – a nonprofit corporation for a Parcel Split and Combination that would remove parcel A as shown on the survey submitted with the application and combine it with parcel 51-202-335-00 owned by Manistee Village Properties, LLC.

The applicants were unable to attend the meeting and sent a letter to the Commission (attached). Jon Rose reviewed the request with the Commission and discussion followed.

MOTION by Ray Fortier, seconded by Marlene McBride that the Planning Commission approves and makes a recommendation to City Council to split parcel A as shown on the survey prepared by Abonmarche Job No. 11-0713 from parcel 51-202-300-00 and combine it with parcel 51-202-335-00.

With a Roll Call vote this motion passed 8 to 0.

- Yes: McBride, Wittlief, Dean, Fortier, Albee, Barry, Crockett, Yoder
- No: None

OLD BUSINESS

None

PUBLIC COMMENTS AND COMMUNICATIONS

None

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CORRESPONDENCE

Commissioners were given information on a Placemaking and Historic Preservation Workshop.

STAFF/SUB-COMMITTEE REPORTS

Denise Blakeslee, Planning & Zoning – The Public Hearing for the two Zoning Amendments has been noticed.

MEMBERS DISCUSSION

Commissioner McBride – spoke of concerns expressed by a Charter Boat Fisherman and how there needs to be more things for visitors to do, or a better way to inform people about things to do.

Commissioner Wittlief – asked about the status of the Tuscan Grill and Tax Abatements.

Commissioner Albee – reminded everyone to vote in the Primary Election.

Commissioner Crocket – asked about the status of the First Street Beach House Project and the need to get information out to visitors in our community.

Jon Rose, Community Development Director – said that we were waiting on Grant Funds to advertise for bids on the Beach House and Fish Cleaning Station

There is not a Worksession scheduled for August

The next regular meeting of the Planning Commission will be held on Thursday, September 6, 2012.

ADJOURNMENT

Motion by Ray Fortier, seconded by Mark Wittlief that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 7:37 pm

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary

DRAFT

August 2, 2012

**RE: Manistee Village Properties, LLC
100 Marina Drive at Harbor Village, Manistee, Michigan
Parcel split and combination ordinance**

Dear Planning Commissioner's,

On July 20, 2011 Manistee Village Properties, LLC closed on the old Harbor Village information and sales center at 100 Marina Drive. Prior to this closing the City of Manistee had approved a partial split on this property.

After the closing, we along with the Master Association for Harbor Village decided that a small piece of property owned by the Master Association which included a flagpole and which has historically been considered part of the sales center should be conveyed to our LLC.

We received Board approval from the Harbor Village Master Association to transfer ownership from the Master to Manistee Village Properties, LLC on April 21, 2012.

We are now requesting that the Planning Commission approve this transfer under your parcel split and combination ordinance.

Thank you for your consideration.



**Shirley and Ralph "Nick" Baker
Manistee Village Properties, LLC
298 Lakeshore Drive N
Manistee, Michigan 49660**

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

DRAFT

To Amend the Manistee City Zoning Ordinance

**Article 18 – Standards and Requirements for Special Uses
DELETE Section 1813 Bed and Breakfast, Item B.h.**

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

1. That **Article 18 Standards and Requirements for Special Uses, Section 1813 Bed and Breakfast**, be amended by **DELETING Item B.1.h.** and renumber remainder of Section as follows:

SECTION 1813 BED AND BREAKFAST

A. Definition. An owner-occupied residential building wherein up to six (6) rooms or suites are offered, for compensation, as overnight lodging for transient guests and which may provide one or more meals per day for overnight guests only.

B. Regulations and Conditions. The applicant shall provide documentation acceptable to the Planning Commission that the proposed use shall meet the following standards:

1. Basic Standards. It is the intent to establish reasonable standards for Bed and Breakfast establishments to assure that:
 - a. The property is suitable for transient lodging facilities. In this connection, a Bed and Breakfast establishment shall meet the requirements of the City of Manistee Rental Property Code (Section 1428 of the City of Manistee Codified Ordinances) and shall be subject to periodic inspections as provided in said code.
 - b. The use is not incompatible with other allowed uses in the vicinity.
 - c. The impact of the establishment is no greater than that of a private home with houseguests.
 - d. A bed and breakfast shall maintain a smoke detector in proper working order in every sleeping room and a fire extinguisher in proper working order on every floor in the immediate vicinity of the sleeping rooms.
 - e. All signs shall be in accordance with **Article 21** of this Zoning Ordinance.
 - f. All parking shall be in accordance with **Section 514** of this Zoning Ordinance.
 - g. Landscaping and Buffering shall be provided in accordance with **Section 531** of this Zoning Ordinance.

~~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: _____ 4 sleeping rooms~~

DRAFT

**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
Section O – Add Definition for OUTDOOR PLAYSET
Section P – Add Definition for PORCH**

**Article 5 – General Provisions
Amend Section 502 Uses Spatial and Physical Requirements Item D.**

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

1. That **Article 2 Definitions and Interpretation, Section O**, be amended by **ADDING a Definition for OUTDOOR PLAYSET** as follows:

OUTDOOR PLAYSET: A structure erected outside for children to play on and around less than eighteen (18) feet in height. Typical components of an outdoor playset include but are not limited to:

- A. **Towers.** In a playset, a tower is a vertical structure with one or more decks placed at various levels. A deck is essentially a horizontal play surface contained within or attached to a tower.
- B. **Bridges.** Towers may be connected to one another via fixed bridges or chain bridges for children to walk across.
- C. **Ladders.** Rope ladders and fixed ladders are common accessories for playsets.
- D. **Sandboxes.** A sandbox often accompanies an outdoor playset.
- E. **Slides.** Slides may be covered or uncovered.
- F. **Swings.** Swings are usually mounted on a free-standing swingset.
- G. **Monkey bars.** Towers may be connected by monkey bars as well as bridges.

2. That **Article 2 Definitions and Interpretation, Section P**, be amended by **ADDING a Definition for PORCH** as follows:

PORCH: Open air roofed structure attached to the exterior of a building forming a covered entrance to the building.

3. That **Article 5 General Provisions, Section 502 Uses, Spatial and Physical Requirements, Item D** be **AMENDED** as follows:

- D. Required spatial relationships and physical requirements of this ordinance shall apply uniformly within each respective zoning district to all uses, structures, buildings and parcels except that the following may be

located *as follows* anywhere on a parcel:

~~1. Those parts of a building which are unroofed porches and decks, including steps, which do not exceed seventy (70) square feet in area, handicapped ramps, terraces, patios and awnings and nonpermanent canopies, but built no closer than three (3) feet from the property line. All roofed porches and decks and those unroofed porches and decks, including steps, which are larger than seventy (70) square feet, will be considered part of the structure and the building area and will be governed by the yard requirements of the Zoning District in which the parcel is located. Provided, however, that on parcels with steep slopes exterior steps may be located within a required yard when the Zoning Administrator finds that such location is necessary for the practical use of the property.~~

1. Within the front yard setback:

- a. Those parts of a building which are decks, including steps, handicapped ramps, terraces, patios and awnings but built no closer than three (3) feet from the property line, subject to the provisions of Section 513 pertaining to clear vision areas.*
- b. Porches built no closer than three (3) feet from the property line, subject to the provisions of Section 513 pertaining to clear vision areas. Provided that they cannot be enclosed into living area, permanently screened (creating a screened porch) or glassed (creating a sunroom), the use of screen curtains is permissible.*
- c. On parcels with steep slopes exterior steps may be located within a required yard when the Zoning Administrator finds that such location is necessary for the practical use of the property.*

2. Within the side or rear yard setback:

- a. handicapped ramps, terraces, and patios but built no closer than three (3) feet from the property line*
- b. On parcels with steep slopes exterior steps may be located within a required yard when the Zoning Administrator finds that such location is necessary for the practical use of the property.*
- c. Outdoor playsets less than 18 feet in height but built no closer than three (3) feet from the property line and will not require a Land Use Permit.*

3. Anywhere on a parcel and does not require a Land Use Permit:

- a. Flag poles;*
- b. Hydrants;*
- c. Arbors, trellises, trees, plants, shrubs, subject to the provisions of Section 513 pertaining to clear vision areas;*
- d. Sidewalks ~~private driveways~~ and walkways.*

4. 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.

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

Colleen Kenny, Mayor

Dated

ATTEST:

Michelle Wright
City Clerk/Deputy Treasurer

Dated

DRAFT

**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

ADD P-D to Section 505 Water Protection, Item B

ADD P-D to Section 511 Driveways and Curb Cuts, Item A

ADD P-D to Section 515 Accessory Buildings and Structures, Item G.3.a

Article 18: Standards and Requirements for Special Uses

ADD P-D to Section 1807 Adaptive Reuse, Item C.2

ADD P-D to Section 1861 Motel, Item B.10

Article 21 – Signs

ADD – P-D to Section 2102.A.7.a

ADD – P-D to Section 2102.A.7.b

ADD – P-D to Section 2102.A.7.c

ADD – P-D to Section 2103.H

ADD – P-D to Section 2106 Use Type 1, Low Intensity and Residential

ADD – P-D to Section 2007 Use Type 2, Commercial and Office

ADD – P-D to Section 2018 Use Type 3, Industrial

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

1. That **Article 5: General Provisions** be amended by **ADDING P-D to Section 505 Water Protection, Item B** as follows:

District	P-D	GC	R-1	R-2	R-3	R-4	C-2	C-3	W-F	L-I	G-I
Waterfront Yard (feet)	20	100	100	20	20	20	20	20	20	n/a	50

Provided, that these increased setback standards shall not apply to walkways, boat docks, boat slips, boat houses and boat launches. The increased setback areas shall be designed to provide additional protection for the water bodies.

2. That **Article 5: General Provisions** be amended by **ADDING P-D to Section 511 Driveways and Curb Cuts, Item A** as follows:
 - A. In the **P-D**, R-4, C-1, C-2, W-F, L-I and G-I Districts, driveway entrances and exits to a property shall comply with the following standards unless superseded by State or Federal statute or rule.
3. That **Article 5: General Provisions** be amended by **ADDING P-D to Section 515 Accessory Buildings and Structures, Item G.3.a** as follows:
 3. Height – Accessory wind energy conversion systems shall be measured from the finished median grade elevation of the site as follows:
 - a. Accessory wind energy conversion systems in the **P-D**, G-C, R-1, R-2, R-3, R-4, and W-F District shall not be constructed to a height higher than thirty five (35) feet.
4. That **18: Standards and Requirements for Special Uses** be amended by **ADDING P-D to Section 1807 Adaptive Reuse, Item C.2** as follows:
 2. The Adaptive Reuse of a building in the **P-D**, R-1, R-2, R-3, W-F, C-1, C-2, Districts shall meet the following standards...
5. That **18: Standards and Requirements for Special Uses** be amended by **ADDING P-D to Section 1861 Motel, Item B.10** as follows:
 10. Within the **P-D and** W-F district, a Motel shall front on and be accessed primarily from a key street segment, as defined herein.
6. That **Article 21 – Signs** be amended by **ADDING P-D to Section 2102.A.7.a** as follows:
 - a. For Use Type 2, as provided in Section 2107, in the **P-D**, C-1, C-2, C-3 and W-F districts when fronting US-31, wall, projecting, window, marquee, and/or electronic signs shall be permitted and the maximum cumulative sign area permitted expressed in square feet shall be not more than 1.5 times the principal building width, measured from corner to corner, facing the public right-of-way or 50 square feet for each storefront, whichever is greater.
7. That **Article 21 – Signs** be amended by **ADDING P-D to Section 2102.A.7.b** as follows:
 - b. For Use Type 2, as provided in Section 2107, in the **P-D**, C-1, C-2, C-3 and WF districts that do not front US-31, wall, ground, projecting, window and marquee signs shall be permitted and the maximum cumulative sign area permitted expressed in square feet shall not be more than 1.5 times the principal building width, measured from corner to corner, facing the public right-of-way, or fifty (50) square feet for each storefront, whichever is greater.
8. That **Article 21 – Signs** be amended by **ADDING P-D to Section 2102.A.7.c** as follows:
 - c. For Use Type 2, as provided in Section 2107, in the **P-D**, C-2, C-3 and WF districts with water

frontage, wall, ground, projecting, window and marquee signs shall be permitted on the water front side and the maximum cumulative sign area permitted expressed in square feet shall not be more than .75 times the principal building width, measured from corner to corner, facing the public right-of-way, or twenty-five (25) square feet, for each storefront whichever is greater.

9. That **Article 21 – Signs** be amended by **ADDING P-D to Section 2103.H** as follows:

H. For sale and for rent and future development site signs on real property, provided such signs do not exceed six (6) square feet in the R-1, R-2, R-3, R-4, and C-2 districts or sixteen (16) square feet in the **P-D**, C-1, C-3, W-F, L-I or G-I districts. Future development Site Signs are only permitted after zoning approval is in place.

10. That **Article 21 – Signs** be amended by **ADDING P-D to Section 2106 Use Type 1, Low Intensity and Residential** as follows:

Zoning Districts	Permitted Sign Types	Nº. Signs Permitted	Cumulative Sign Area	Lighting	Conditions
P-D , C-3 & W-F	Wall, Ground, Projecting*	1	16 Sq. Ft.	External	A multiple unit project or complex shall be permitted one, externally lit 16 square foot sign

11. That **Article 21 – Signs** be amended by **ADDING P-D to Section 2007 Use Type 2, Commercial and Office** as follows:

Zoning Districts	Permitted Sign Types	Nº. Signs Permitted	Cumulative Sign Area	Lighting	Conditions
P-D , R-2, C-1, C-2 C-3, & W-F when fronting on US-31	Ground, Pole	1	80 Sq. Ft.	Either	
	Window	n/a	Unlimited	Either	No Sign Permit required
	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, Projecting Marquee, Electronic Signs	n/a	1.5 x of principal building width per Section 2102, A,7,a	Either	Projecting signs limited to one per storefront and no greater than forty eight (48) square feet in area.
P-D , C-2, C-3 & W-F Waterfront side	Wall, Ground, Projecting Window, Marquee	n/a	.75 x of principal building width per Section 2102,A,7,c	External	Projecting signs limited to one per storefront and no greater than sixteen (16) square feet in area. One ground mount sign will be permitted on the waterfront no greater than sixteen (16) square feet in area. Lighting of ground mounts signs on the riverwalk shall be prohibited.

