

MANISTEE CITY PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

JANUARY 8, 1998

A Meeting of the Manistee City Planning Commission was held on Thursday, January 8, 1998 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

MEMBERS PRESENT: Mike Fatke, Ray Fortier, Cyndy Fuller, Kristie Harless, John Lakos, Roger Yoder

MEMBER LATE: John Serocki

MEMBERS ABSENT: Tony Slawinski

OTHERS PRESENT: Jon Rose (Community Development Officer), Denise Mikula (City Staff), John Dalke, T.T. Collins and others.

Meeting was opened at 7:00 p.m. by Chair R. Yoder.

PUBLIC HEARING:

No Public Hearing on the Agenda

SITE PLAN REVIEWS:

John Dalke - Lot Split and Combination

John Dalke owned both the house at 904 Ramsdell Street and the house at 908 Ramsdell Street. When Mr. Dalke sold the house at 904 Ramsdell Street to Mark Melchert an encroachment problem was discovered. Mr. Dalke is requesting a lot split and combination so the lot line will be 7 feet 6 inches from the building at 904 Ramsdell Street and 3 feet 6 inches from the garage at 908 Ramsdell Street. A variance from the Zoning Board of Appeals will be necessary for the lot split.

MOTION by Lakos supported by Fortier that John Dalke's request for a lot split and combination be approved pending a variance from the Zoning Board of Appeals. Motion passed unanimously.

CITIZEN QUESTIONS AND CONCERNS:

T.T. Collins expressed his concerns for getting wireless cable in to the City. Mr. Collins asked questions about the proposed ordinance on communication towers. Jon Rose responded to Mr. Collins questions.

MINUTES:

MOTION by Harless, supported by Lakos, that minutes of the December 3, 1997 meeting be approved. Motion approved unanimously.

NEW BUSINESS:

No new business.

UNFINISHED BUSINESS:

Telecommunication Towers

Mr. Rose has drafted language to add Telecommunication Towers as a Special Use in the City of Manistee Zoning Ordinance. This language was distributed to the members of the Planning Commission for their review prior to the meeting.

Mr. Rose explained that we would encourage "piggy backing" adding new antennas to existing towers and structures. Rose detailed when the 14 foot accessory structure and 30 foot primary structure height limitations currently in the ordinance would be applied. The use of communications towers is excluded in all Residential Districts and a 500 foot set-back from Lake Michigan has been placed in the ordinance.

Fuller asked questions regarding penalties and fees for removal. After discussion it was decided that Article 98 Amendment Validity Penalties would be discussed further at a future worksession.

MOTION by Lakos supported by Fatke that Planning Commission recommends to City Council that the draft ordinance for adding a section on Communication Towers to the City of Manistee Zoning Ordinance be adopted, with the City Attorney reviewing Section 1615.B.26 for enforcement and his recommendations. Motion passed unanimously.

Harless brought in an article on communication towers that are placed in church steeples. Copies were made and distributed to members.

OTHER COMMUNICATIONS:

City Update

Rose gave an update on the following projects. The sewer separation project on Tenth Street is complete except for spring cleanup in the area. The Corps of Engineers will be dredging the chanal next summer. Lighthouse Brewing Company has connected new water and sewer services. Abonmarche has been approved by Council to do the engineering of Renaissance Park. Interviews have been held for a new Police Chief. The City no longer owns any part of Blacker Airport. A request from NPI has been received for placing an antenna on the City's North water tower.

Chairman Yoder received a letter from Bauman, Bernier, & Shindler that included an article on Oil & Gas. Copies were made and distributed to all members.

REPORTS:

D.D.A.:

Cyndy Fuller reported on the January 7, 1998 D.D.A. Meeting. The D.D.A. Recruitment Sub-Committee is trying to recruit new businesses in the downtown. They have discussed the possibility of using D.D.A. loans for interior renovations to meet the needs of new business's. Members of the D.D.A. voted to support the request by Lighthouse Brewing Company for a tax abatement.

Zoning Board of Appeals

The Zoning Board of Appeals will hold a meeting on January 12, 1998 to hear two requests.

Historic Overlay Review Committee

No meeting.

Joint City Review/Ordinance Committee

No meeting.

WORKSESSION:

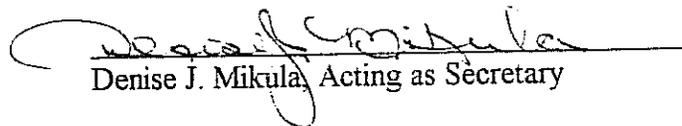
The next worksession will be held on January 22, 1998. Yoder, Harless, Fuller, Rose and Mikula will be attending a seminar on January 16, 1997 regarding the Master Plan. This will help begin discussion of the Master Plan.

ADJOURNMENT:

MOTION by Fortier, supported by Serocki that the meeting be adjourned. Motion passed unanimously.

The meeting adjourned at 7:45 p.m.

MANISTEE PLANNING COMMISSION


Denise J. Mikula Acting as Secretary

ORDINANCE 98- _____

AN ORDINANCE TO AMEND IN PART AN
ORDINANCE ENTITLED "MANISTEE CITY ZONING
ORDINANCE" WHICH WAS ADOPTED MAY 1, 1990, AS AMENDED;
TO ADD A DEFINITION OF COMMUNICATION TOWER;
TO ADD COMMUNICATION TOWERS AS A SPECIAL USE IN
MULTIPLE USE, COMMERCIAL AND INDUSTRIAL DISTRICTS;
TO ADD SPECIAL USE STANDARDS FOR COMMUNICATION TOWERS.

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

Section 1. That the City of Manistee Zoning Ordinance of May 1, 1990, as amended, (Title XV, Chapter 150 of the Manistee Code of Ordinances is hereby amended to add a definition to Section 503 (the section of the zoning ordinance where words are defined), as follows, to wit:

COMMUNICATION TOWER: A radio, telephone, cellular telephone or television relay structure of more than 14 feet in height attached directly to the ground or to another structure, used for the transmission or reception of radio, telephone, cellular telephone, television, microwave or any other form of telecommunication signals.

Section 2. To add *Communication Tower* to the Special Uses listed in Sections 2703, 5003, 5303, 5503, 5803, 5903, 6003, 6703.

Section 3. That the City of Manistee Zoning Ordinance of May 1, 1990 as amended, (Title XV, Chapter 160 of the Manistee City Code of Ordinances) is hereby amended by adding a new special use to Article 16 after section 1613 as follows, to wit:

1615. COMMUNICATION TOWERS

- A. The following site and developmental requirements shall apply:
1. A minimum site of point seven five (.75) acre with a width to depth ratio.
 2. The use of guyed wires is strictly prohibited within Residential districts.

3. The base of the tower and wire cable supports shall be fenced with a minimum five (5) foot high fence designed to prevent access to the site.

B. Special Performance Standards:

1. Accessory structures are limited to uses associated with the operation of the tower and may not be located any closer to any property line than thirty (30) feet. Nothing shall prevent an application from applying to the Zoning Board of Appeals for a setback variance.
2. Accessory structures shall not exceed six hundred (600) square feet of gross building area.
3. All towers shall be equipped with an anti-climbing device to prevent unauthorized access.
4. The plans of the tower construction shall be certified by a registered structural engineer.
5. The applicant shall provide verification that the antenna mount and structure have been reviewed and approved by a professional engineer and that the installation is in compliance with all applicable codes.
6. All towers must meet the standards of the Federal Aviation Administration and the Federal Communications Commission.
7. To preserve the view of the shoreline. No tower shall be located closer than 500 feet from Lake Michigan.
8. No part of any tower or antenna shall be constructed, located or maintained at any time, permanently or temporarily, on or upon any required setback area for the district in which the antenna or tower is to be located. In no case shall a tower or antenna be located within thirty (30) feet of a property line. Nothing shall prevent an applicant from applying to the Zoning Board of Appeals for a setback variance.
9. Metal towers shall be constructed of, or treated with, corrosive-resistant material.
10. Antennas and metal towers shall be grounded for protection against a direct

strike by lightning and shall comply as to electrical wiring and connections with all applicable statutes, regulations and standards.

11. Towers with antennas shall be designed to withstand a uniform wind loading as prescribed in the building code.
12. All signals and remote control conductors of low energy extending substantially horizontally above the ground between a tower or antenna and a structure, or between towers, shall be at least eight (8) feet above the ground at all points, unless buried underground.
13. Towers shall be located so that they do not interfere with reception in nearby residential areas.
14. Towers shall be located so there is room for vehicles doing maintenance to maneuver on the property owned and or leased by the applicant.
15. The base of the tower shall occupy no more than five hundred (500) square feet.
16. Minimum spacing between tower locations shall be one (1) mile in order to prevent a concentration of towers in one area.
17. Height of the tower shall not exceed two hundred (200) feet from grade within a business district, and three hundred (300) feet from grade within a Manufacturing district.
18. Towers shall not be artificially lighted unless required by the Federal Aviation Administration.
19. Existing on-site vegetation shall be preserved to the maximum extent practical.
20. There shall not be displayed advertising or identification of any kind intended to be visible from the ground or other structures, except as required for emergency purposes.
21. The antenna shall be painted to match the exterior treatment of the tower. The chosen paint scheme should be designed to minimize off-site visibility of the antenna.

22. Structures shall be subject to any state and federal regulations concerning non-ionizing electromagnetic radiation. If more restrictive state or federal standards are adopted in the future, the antenna shall be made to conform to the extent required by such standards or the Special Use approval will be subject to revocation by the Planning Commission. Cost for testing and verification of compliance shall be borne by the operator of the antenna.
23. There shall be no employees located on the site on a permanent basis to service or maintain the antenna. Occasional or temporary repair and service activities are excluded from this restriction.
24. All parking and drive areas must be paved as provided in this ordinance.
25. Where the property adjoins any residentially zoned property or land use, the developer shall plant two (2) alternating rows of evergreen trees with a minimum height of five (5) feet on twenty (20) foot centers along the entire perimeter of the tower and related structures. In no case shall the evergreens be any closer than ten (10) feet to any structure.
26. The tower shall be removed by the property owner or lessee within six (6) months of being abandoned.

Lorraine G. Conway, Mayor

Dated

ATTEST:

Kenneth J. Oleniczak
City Clerk/Treasurer

Dated

