



CITY OF MARINE CITY

Planning Commission Meeting Agenda

Marine City Fire Hall, 200 South Parker Street

Regular Meeting: Monday, July 12, 2021 7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL: Commissioners Graham Allan, William Beutell, Benjamin Heath, Keith Jenken, Madelyn McCarthy, Joseph Moran; City Commissioner William Klaassen; Interim City Manager Michael Itrich

4. COMMUNICATIONS

5. APPROVE AGENDA

6. PUBLIC COMMENT *Anyone in attendance is welcome to address the Planning Commission. Please state name and limit comments to five (5) minutes.*

7. APPROVE MINUTES

A. June 14, 2021 Meeting Minutes

8. UNFINISHED BUSINESS

A. Site Plan - 536 South Water Street (extension)

B. Zoning Code Amendments (Chapter 160)

- Residential Use in B-1 District Section 160.081(M)
- Off-Street Parking in Nautical Mile District Section 160-214(B)
- Nautical Mile District Sections 160.175 to 160.183
- Front Yard Parking Section 160.214(B)
- Site Plan Phasing Section 160.300(B)
- Temporary Signage Section 160.220(B)(6)

9. NEW BUSINESS

10. ADJOURNMENT

**City of Marine City
Planning Commission Meeting
June 14, 2021**

A regular meeting of the Marine City Planning Commission was held on Monday, June 14, 2021 at Marine City Fire Hall, 200 S. Parker St., and was called to order by Chairperson Moran at 7:00 pm.

The Pledge of Allegiance was led by Chairperson Moran.

Present: Chairperson Joseph Moran; Commissioners Graham Allan, William Beutell, Madelyn McCarthy, Keith Jenken; City Commissioner William Klaassen; Commissioner Benjamin Heath; City Manager Elaine Leven; Deputy Clerk Michele Goodrich

Absent: None

Communications

None.

Approve Agenda

Motion by Commissioner Allan, seconded by Commissioner Beutell, to approve the agenda with the following amendment:

- Conduct New Business before Unfinished Business

All Ayes. Motion Carried.

Public Comment

None.

Approve Minutes

Motion by Commissioner Beutell, seconded by Commissioner Jenken, to approve the May 10, 2021 meeting minutes. All Ayes. Motion Carried.

New Business

Site Plan Review – Harvest Church

City Manager Leven informed the Board that the application was for a change in ownership and a change in use at the property. She stated that one of the requirements of the property was to have a site plan review, even though there were no changes in the site, there was still a requirement to approve a site plan review.

City Manager Leven advised the Board that the previous ownership operated as a banquet center and the property was zoned B-2. She stated that churches were allowed in B-1 Zoning. She advised that special conditions in B-1 Zoning were allowed as a permitted use in B-2 Zoning, which included churches. City Manager Leven confirmed the zoning was sufficient for a change of use and that the site plan approval was a procedural formality.

Commissioner Allan stated that on the application, Mr. Wenturine was listed as the applicant but he wanted to verify that the Church itself owned the property. Mr. Wenturine confirmed that the Church owned the property.

Motion by Commissioner Heath, seconded by Commissioner McCarthy, to approve the Harvest Church Site Plan Review. All Ayes. Motion Carried.

Unfinished Business

Master Plan – Final Approval

City Commissioner Klaassen asked if the Zoning Map was updated. City Manager Leven responded that since the updates were minor, the City did not go through a costly and extensive update with the planner and that thorough updates will need to be made to the entire Master Plan in the near future. She stated that the Zoning Map was completely separate from the Master Plan.

Motion by Commissioner Allan, seconded by Commissioner Beutell, to approve the Master Plan. All Ayes. Motion Carried.

Open Discussion

Commissioner Moran wished City Manager Leven a wonderful journey at her new job.

Adjournment

Motion by Commissioner Jenken, seconded by Commissioner Heath, to adjourn at 7:13pm. **Roll Call Vote.** All Ayes. Motion Carried.

Respectfully submitted,

Michele E. Goodrich
Deputy Clerk

Kristen Baxter
City Clerk



CITY OF MARINE CITY

303 S. Water Street
MARINE CITY, MICHIGAN 48039
(810) 765-8846 • Fax (810) 765-4010

06/28/2021

MARINE CITY PLANNING COMMISSION

RNM DEVELOPMENT LLC
504 S WATER ST
MARINE CITY, MI 48039

RE: 536 S WATER ST

Dear Marine City Planning Commissioners:

Due to Covid-19, RNM was unable to start their project that was previously approved by your board, please note that the applicant has paid a \$50.00 extension fee and supplied a request letter.

Thank you for your anticipated cooperation in this matter.

Sincerely,

Tracy Kallek
Building Official
City of Marine City

Joyce Gill-Milaszewski

536 S Water St, Marine City, MI 48039 | (810) 420-1720 | jmilaszewski@jgmpg.net

May 6th, 2021

Marine City Planning Commission
303 S Water St
Marine City, MI 48039
(810) 765-8846

Dear Marine City Planning Commission:

I am writing to you to request an extension of the period of acceptance for the 23,247 square foot building at 536 S Water Street for mixed-use with commercial on the bottom floor and condominium units on the second and third floors, which was approved on February 10th, 2020.

The COVID pandemic created disruption in both labor and materials which resulted in uncontrollable and unforeseeable delays in the project schedule. As a result, I would greatly appreciate your consideration in extending the period of acceptance for the construction, as we anticipate breaking ground this Fall 2021. No changes are planned or anticipated and we would like to move forward as planned now that the disruption has been resolved.

Sincerely,



Joyce Gill-Milaszewski

Date: May 6th, 2021

New Business

Lot Split – Brian K. Crampton

Motion by Chairperson Moran, seconded by Commissioner Allan, to approve the Lot Split, as presented. All Ayes. Motion Carried.

Site Plan – Infuz Architects

Vince Cataldo of Infuz Architects advised that the proposed 23,247 square foot building would be mixed-use with commercial on the bottom floor and condominium units on the second and third floors.

The Board questioned whether or not the Site Plan was subordinate to the permitted use. A long discussion took place on what the ordinance interpretation was and did it comply with the B-1 ordinance.

City Commissioner Klaassen stated that for definition interpretation, the proper channel was to go to the Zoning Board of Appeals.

Commissioner Attebury suggested updating the language in the ordinance to make sure it covered the intent.

Commissioner Beutell said he agreed with Commissioner Attebury, and asked for clarification of the ordinance in the future.

Commissioner Allan stated that his interpretation was that the subordinate language was relating to retail and said that the business portion should be the larger part to prevent downtown from becoming overly residential.

Commissioner Klaassen stated that as long as the ground floor was commercial, residential was allowed above it.

Chairperson Moran summarized the conversation and said that the Board had two choices: 1) vote to accept that the subordinate phrase was interpreted as meeting the subordinate clause; 2) determine that this was an issue for the Zoning Board of Appeals.

The Board, as a whole, decided that the Site Plan met the permitted use requirements for B-1.

The Board then addressed the letter from Wade Trim dated January 27, 2020:

1) Trash: Applicant stated the building would have a trash shoot with hopper for collection for both residential and commercial. Waste Management will pick up, no dumpster will be used, and they are exploring the use of a trash compactor. This will be managed by a building superintendent.

2) Setbacks: Applicant stated that they will apply to the Zoning Board of Appeals for variance approval.

3) Easement: DTE has drafted a utility easement, and the applicant has a verbal agreement with the owners of Inn on Water Street and property to the south.

4) Fencing: Owners of adjacent property (Inn on Water Street) agreed to allow applicant to take the fence down.

5) Nautical Theme: Board found the nautical theme elements acceptable.

Motion by Chairperson Moran, seconded by Commissioner Allan, to approve the Site Plan as the Planning Commission agreed it does comply with the B-1 ordinance in that the residential areas are secondary to commercial areas. The builder agreed with contingencies such as rooftop screening, applying to ZBA for a variance on the setback, obtaining easements from property owners to the south for fence removal and extension of sidewalk. Applicant will submit required condominium documents and plans for proposed storm drainage. All Ayes. Motion Carried.

2019 Planning Commission Annual Report

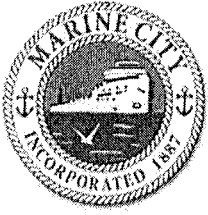
Motion by Commissioner Allan, seconded by Commissioner Ross, to accept the 2019 Planning Commission Annual Report, with the addition of the Parks Plan. All Ayes. Motion Carried.

Unfinished Business

Zoning Code Amendments (Chapter 160)

Adam Young, Planning Representative from Wade Trim, walked the Board through the proposed amendments for the following ordinances:

- Nautical Mile District Section 160.124 (Off-Street Parking)
- Nautical Mile District Sections 160.175-160.183
- Front Yard Parking Section 160.214 (B)
- Site Plan Phasing Section 160.300
- Temporary Signage Section 160.220 (B)(6)



City of Marine City
Building Department
303 S. Water St.
Marine City, MI 48039
(810) 765-9011

buildingdepartment@marinecity-mi.org

RECEIVED
NOV 25 2019

City of Marine City

SITE PLAN REVIEW
APPLICATION AND SUBMITTAL
CHECKLIST FOR PLANNING
COMMISSION

Cash Receipting Code: Plan Com

Application Fees:	\$200.00	Single & Multi-Family (up to 3 units)
	\$300.00	Commercial, Industrial, Subdivisions, Condos, Multi-Family (4 or more units)
	\$200.00	Special Use Application

When this completed application is filed in conjunction with the site plan for the proposed development, it will serve to initiate processing of the plans in accordance with the review procedure as described in the City of Marine City Zoning Ordinance. The engineer, architect, planner and/or designer retained to develop the site plan shall be responsible for securing a copy of the City of Marine City Zoning Ordinances, which are available on the City's website at www.cityofmarinecity.org, and complying with the various requirements therein. Further, these professionals shall make themselves aware of all master plan requirements including, major thoroughfares, land use, recreation, etc. Be sure to complete each applicable section of this application, omission of any required information will delay the review process. **Applicant will reimburse the City of Marine City for all planning Consultant fees and Engineering Consultant fees associated with this application prior to being placed on the agenda.**

Applicant Name(s): INFUZ ARCHITECTS - VINCE CATALANO
 Applicant Address: 6775 SERENITY, ST. CLAIR MI 48079
 Phone: 586 295 7604 Fax: _____ Email: INFUZ LTD & COMPANY, INC
 Property Owner Name(s): JOYCE MILASZEWSKI (JGM)
 Property Owner Address: 504 S. WATER, MARINE CITY
 Phone: 810 765 4200 Fax: _____ Email: _____
 Name of Proposed Development: JGM / MU
 Address of Development: _____
 74-02-475-0210-000
 Parcel No.: 74-02-475-0209-000 Description of Development: ☒ New ☐ Addition
☒ Copy of Legal Description Attached (see attached existing survey)
 Proposed Use: Mixed use building with office space along Water St with residential parking
garages in the rear. 8 Condominiums will be on two upper floors.

PAID
NOV 25 2019
City of Marine City

I (We) hereby attest that all of the information provided in this application and attachments submitted, are true and correct to the best of my (our) knowledge and belief.

Applicant's Signature: _____ Date: 11/21/19
 Owner's Signature: _____ Date: _____
 Site Plan Preparer Signature: _____ Date: 11/21/19

If petitioner is not the owner, state the basis for representation (i.e. Attorney, Representative, Option-to-Buy, etc.): ARCHITECT/AGGENT

Other proposed site improvements include eleven (11) surface parking spaces, a 5-foot-wide sidewalk along the Market Street frontage, lighting and landscaping.

The mixed-use building is proposed to front Water Street and will be built along the sidewalk at the front property line. The building will extend along the southern portion of the site all the way to the Market Street frontage. The northwestern portion of the site will feature the surface parking lot. Vehicular access to the site will be provided only from Market Street, with no vehicular access from Water Street.

The subject site presently contains a single-family dwelling (fronting Market Street), detached accessory structure, driveway and other improvements such as fencing. These existing improvements will be removed as part of the project.

Site Plan Review

The revised site plan has been prepared by Infuz Architects + Innovators, Virtuoso Design + Build, and Project Control Engineering, Inc. The revised architectural sheets (1CS, 2CS, 4CSP, A-2.0, A-2.1, A-3.0 and D-1) are dated January 16, 2020. The revised civil sheets (C-1 and C-2) are dated January 14, 2020. The revised photometric sheet (6CS) is dated January 23, 2020. The applicant has also submitted a letter dated January 16, 2020 which responds to our comments from our previous review letter.

For your reference, the following is a summary of the significant changes that have been incorporated into this revised site plan in comparison to the previous site plan:

- A note has been added to Sheet 4CSP stating that the applicant will secure sign permits from the City at a later date.
- Sheet A-2.1 now specifies the number of bedrooms for each condominium unit. In total, there will be two 3-bedroom units and six 2-bedroom units.
- The northern (side) elevation of the proposed building has been updated to eliminate any openings (windows or doors).
- Because it is no longer necessary, Sheet C-1 specifies that the existing concrete driveway and approach from Market Street to the existing residence will be removed.
- Sheet C-2 now shows that curbing will be provided along the edge of the surface parking area.
- The photometric plan (Sheet 6CS) has been updated to reflect the various types of building-mounted lighting that is proposed.

We have reviewed the revised site plan for compliance with the City of Marine City Zoning Ordinance and sound planning principles. We note the following:

1. Sheet A-2.0 shows that there will be a "trash chute/hopper room" in the interior of the proposed building.

Planning Commission Action Needed: Discuss with the applicant their plan for managing trash generated by the development and determine whether the plan is acceptable or whether an outdoor trash receptacle is needed.

2. The proposed building will be located between 5 and 7 feet from the southern (side) property line. The building face along the southern side property line includes both windows and doors. In accordance with Section 160.196, (H), a 10-foot side yard setback is required within the B-1 District where "walls of structures facing such interior side lot lines contain windows, or other openings." In their January 16, 2020 letter, the applicant has indicated that they will be pursuing a variance from the ZBA to allow a side setback of less than 10 feet.

Planning Commission Action Needed: Site plan approval should be made contingent upon the obtaining of a variance from the ZBA to allow a side setback of less than 10 feet.

3. As shown on Sheet 4CSP and Sheet C-2, a new five-foot wide concrete sidewalk is proposed along the southern property line, connecting to the side door and serving as a pedestrian route between Market Street and Water Street. We think this is a great addition to the project and supports pedestrian circulation within the area. We do note that the southern-most 3 feet of the sidewalk extends beyond the subject site into the adjoining site to the south. For this encroachment to be allowed, an easement from the adjacent property will need to be secured. In their January 16, 2020 letter, the applicant indicates that they will secure an easement.

Planning Commission Action Needed: Site plan approval should be made contingent upon the securing of an easement for the sidewalk.

4. There is presently a wooden screening fence along the southern property line which was installed as part of the Inn on Main Street project to the south. Sheet C-2 indicates that this fence will be removed. Removal of this fence would require permission from the adjacent property owner. In their January 16, 2020 letter, the applicant indicates that they will secure permission from the adjacent property owner.

Planning Commission Action Needed: Site plan approval should be made contingent upon the applicant providing evidence of permission from the adjacent property owner to remove the existing fence.

5. This project is located within the City's Nautical Mile District, which encourages building designs consistent with a nautical theme (see Section 160.179).

Planning Commission Action Needed: Review the architectural drawings and determine whether an acceptable nautical theme will be achieved.

6. Because residential condominium units are proposed, the necessary information and procedures for condominium developments as outlined in Section 160.228, (A) through (H) will apply. This includes the submittal of the master deed, restrictive covenants and an as-built survey to the City. (Please note that the site condominium requirements and procedures of subsection (I) do not apply for this project.)

Planning Commission Action Needed: Site plan approval should be made contingent upon the applicant submitting the required condominium documentation per Section 160.228, (A) through (H) to the City.

7. Sheet C-2 shows proposed storm sewer catch basins and an underground storm sewer piping system that will ultimately connect to the City storm sewer within the Water Street right-of-way. Per Section 160.215, (H), review by the City Engineer is required for this proposed storm system as well as other infrastructure improvements.

Planning Commission Action Needed: Site plan approval should be made contingent upon City Engineer review of the infrastructure improvements.

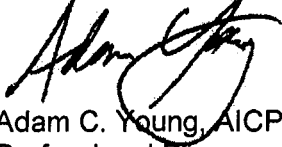
Recommendation

We recommend approval of the revised site plan for the JGM Mixed Use Building project at 504 Water Street. Site plan approval should be made contingent upon the items noted above.

If you have any questions, please feel free to contact us.

Very truly yours,

Wade Trim Associates, Inc.



Adam C. Young, AICP
Professional Planner

ACY: lkf
MRN 6001-20D, Phase 101
Revised SPR JGM Mixed Use Building 504 Water Street.docx

Enclosure: Site and Zoning Development Pattern



Site and Zoning Development Pattern

JGM Proposed Mixed-Use Building
504 Water Street



January 2020
Aerial Source: Google Earth

0 12.5 25 50 Feet



Proposed Marine City Zoning Code Amendments

Prepared by Wade Trim Associates, Inc.

July 14, 2020 – DRAFT

Key:

~~Text proposed to be deleted~~

Text proposed to be added

Wade Trim Commentary explaining selected amendments

Zoning Code Amendments (Chapter 160)

(PC Public Hearing Required for Zoning Change, followed by City Commission Adoption)

Residential Use Language in B-1 District

Chapter 160 – Zoning Code (Section 160.081,(M))

160.081 PRINCIPAL USES PERMITTED (B-1, CENTRAL BUSINESS DISTRICT).

- (M) Residential units **on upper floors above permitted uses on the ground floor.** ~~; provided they are an integral part of the structure containing a permitted use, and the residential use is subordinate to the other permitted use.~~

Off-Street Parking Requirements in Nautical Mile District

Chapter 160 – Zoning Code (Section 160.214,(B))

160.214 OFF-STREET PARKING REQUIREMENTS.

- (B) The number of off-street parking spaces, in conjunction with all land or building uses shall be provided, prior to the issuance of a certificate of occupancy as hereinafter prescribed.

[No proposed changes to items (1) through (11)]

- (12) The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule. ~~except that said schedule shall not apply to the erection, alteration or extension of any use or building within the developed business district bounded by Broadway Street on the north, the St. Clair River on the east, Bridge Street and the centerline of same projected easterly to the St. Clair River on the south, and the centerline of Market Street on the west; except as required in division (B)(5) above. Further, in any District where off-street parking areas have been provided through special assessments the~~

~~required number of spaces as required hereinafter may be reduced by the Board of Appeals by that number of spaces which can be prorated to the use which was specially assessed.~~ **Lands within the Nautical Mile District shall be subject to the off-street parking requirements of Section 160.180.**

Wade Trim Commentary: Currently, the zoning ordinance does not require any off-street parking to be provided for new development or expansion within the portion of the City “bounded by Broadway Street on the north, St. Clair River on the east, Bridge Street and the centerline of same projected easterly to the St. Clair River on the south, and the centerline of Market Street on the west.” This proposed amendment would eliminate this outright exemption. Instead, special off-street parking requirements would apply within the Nautical Mile District – refer to the proposed amendment below, Section 160.180.

Nautical Mile District

Chapter 160 – Zoning Code (Sections 160.175 to 160.183)

Proposed changes to the Nautical Mile District limits are shown in the enclosed map, dated July 14, 2020.

160.175 INTENT.

- (A) The nautical mile is of special public interest because of its unique location along the St. Clair River as a focal point of community redevelopment activities. The Nautical Mile District (NMD) is intended to encourage the redevelopment of the Nautical Mile in a compatible mixture of housing, recreation, entertainment, commercial, office, cultural, public and hotel uses through the flexible application of land regulatory standards. Such uses may be located in various combinations of mixed-use and single-use development. It is also the intent of the District to encourage a high quality of private development with reasonable public amenities to improve the overall living, working, shopping and recreational environment of the Nautical Mile. The Nautical Mile encompasses property ~~within the DDA District and~~ as designated by the City’s Zoning Map. ~~Special district objectives. The Zoning Enabling Act, Public Act 110 of 2006, as amended, allows for the creation of special land development regulations to address problems and needs in specific areas. Accordingly, the Nautical Mile was established to address the special land management and redevelopment needs of the Nautical Mile.~~ **The Nautical Mile District is an overlay district and does not replace or restrict the range of uses allowed in the underlying use district. The overlay district provides additional development options and standards which must be met.**

Wade Trim Commentary: This amendment clarifies that the Nautical Mile District is an overlay district and applies in addition to (“on top of”) the underlying district standards.

- (B) The establishment of special development regulations is designed to achieve the following objectives:
- (1) Ensure that development is guided by provisions of the Marine City Master Plan, ~~the Coastal Zone Management Plan, the Downtown Development Plan~~ and other

policy documents, as may be adopted by the City, supporting the overall redevelopment program of the Nautical Mile;

- (2) Encourage the development of public parks and recreation facilities which recognize and enhance the unique waterfront location, public needs and amenities of Nautical Mile;
- (3) Provide commercial activity which will serve as an attraction draw to the regional trade area and meet the needs of local residents for convenient shopping;
- (4) Ensure that all new construction and renovation is designed and located in a manner which capitalizes upon the unique waterfront environment **and the mid-19th to mid-20th Century charm of the district;**
- (5) Provide for unification of the area through landscaping, signage, lighting and street furniture; and
- (6) Ensure that the location, design, visual appearance and construction of individual buildings and structures is consistent with overall design objectives and redevelopment efforts.
- (7) **Encourage the preservation of historic structures and resources within the district.**

160.176 PRINCIPAL USES PERMITTED.

- (A) ~~The following land uses are permitted in the Nautical Mile District—NMD. The principal uses specified in the underlying district as well as the principal uses specified in the B-1 Central Business District shall be permitted.~~
- ~~(B) The uses shall conform to standards set forth in this chapter and other applicable portions of the City Zoning Ordinance listed below:~~
 - ~~(1) Residential, R-1A, R-1B, R-M Residential; and~~
 - ~~(2) Commercial, B-1 Central Business District.~~

160.177 USES SUBJECT TO SPECIAL CONDITIONS.

- (A) ~~The special condition uses specified in R-1A, R-1B, R-M and B-1 Central Business Districts~~ **The special condition uses specified in the underlying district as well as the special condition uses specified in the B-1 Central Business District shall be permitted,** subject to the conditions imposed by each use and subject further to the review and approval of the Planning Commission.
- (B) The following uses shall not be permitted in this zone:
 - (1) Junkyards and other mobile home parks;
 - (2) Storage or parking or use of moving vans and the like;

- (3) Outdoor storage or parking of wrecked or partially dismantled vehicles;
- (4) Drive-in theaters;
- (5) Drive-in restaurants; and
- (6) Automotive wash establishments.

Wade Trim Commentary: The Nautical Mile overlay district primarily encompasses properties along both sides of Water Street and Broadway Street. The proposed changes to the overlay district are shown on the enclosed map. Additional lands along Broadway Street and South Belle River Avenue are proposed to be included in the district. Underlying zoning districts include B-1 (Central Business), B-2 (General Business), W-M (Waterfront) and R-M (Multiple Family). This amendment clarifies that the uses allowed within the underlying districts are allowed in the Nautical Mile, in addition to uses allowed within the B-1.

160.178 DEVELOPMENT REVIEW AND SITE PLANS.

- (A) **Site plan review and approval of all development proposals within the Nautical Mile District is required in accordance with the provisions of Section 160.300.** ~~Prior to the issuance of a building permit for any multifamily and commercial building to be built or modified, a site plan shall be approved as provided for hereunder. Site plans shall be required for all permitted uses hereunder and all uses subject to special conditions.~~
- ~~(B) The site plan submission shall contain the following information:~~
 - ~~(1) Existing topography recorded at a minimum contour interval of 2 feet showing all natural features, such as trees, rivers and open areas; all features shall be identified as to which remain and which will be removed or altered. Topography shall extend 50 feet beyond all property lines;~~
 - ~~(2) General soils information;~~
 - ~~(3) Location and size of buffer areas;~~
 - ~~(4) Use and general class of each different type of structure;~~
 - ~~(5) The site plan shall be at a scale of not greater than 1 inch equals 20 feet nor less than 1 inch equals 50 feet;~~
 - ~~(6) The site plan shall show all signage and provisions for pedestrian circulation, both on the site and to and from it;~~
 - ~~(7) Name and address of all property owners, as listed by the City Assessor or the county's Register of Deeds;~~
 - ~~(8) Statement of interest in the property, including conditions for sale or purchase of parcel, such as deed restrictions, reservations of land for other uses or other conditions which may have bearing on the total land development;~~

- (9) — Vicinity map of all property within 300 feet of the proposed development, showing streets, zonings and land uses at a scale no greater than 1 inch equals 200 feet;
- (10) — Elevation drawings of typical proposed structures and improvements, including signs, except for single family detached homes;
- (11) — Proposed agreements, deed restrictions, bylaws or articles of incorporation which relate to the preservation or maintenance of open space and associations created to preserve and maintain the open space;
- (12) — Proposed grading shall show 1 foot contour intervals;
- (13) — All existing vegetation 4 inch caliper and over must be located on the plans;
- (14) — Total amount of open space required by this chapter;
- (15) — Total amount of landscape area required by this chapter;
- (16) — A map showing the drainage area of all land which drains onto or across the site and estimated runoff of the entire drainage area. Show existing runoff and estimated runoff after construction;
- (17) — Location and dimension of all curb cuts; and
- (18) — The Zoning Commission may refer requests for special approval land uses or site plans to professional consultants and other public bodies for review and comment.

Wade Trim Commentary: This current language is redundant with Section 160.300 of the zoning ordinance and is therefore proposed to be deleted to eliminate any confusion and/or contradictions.

160.179 ARCHITECTURAL STANDARDS AND NAUTICAL MOTIF.

- (A) **New or remodeled buildings within the Nautical Mile District shall be designed in harmony with the guidelines set forth in the Marine City Master Plan or a Nautical Mile District Sub-Area Plan, as may be adopted by the City. Wherever possible, new or remodeled buildings shall incorporate building designs consistent with the nautical theme. The styles should be similar to those design recommendations presented within the Nautical Mile Coastal Zone Plan and within the plans developed by the Downtown Development Authority.**
- (B) — In an NMD Nautical Mile District, no exterior portion of any commercial building or structure (including walls, fences, light fixtures, steps, pavement or other appurtenant features) or aboveground utility structures shall be erected, altered, restored, moved or demolished without the review of the Planning Commission prior to the issuance of a building permit.
- (B) (C) **Design review shall occur by the City as part of site plan review in accordance with Section 160.300. The review of the Planning Commission shall be advisory to the Building Inspector in the issuance of a building permit. The purpose of the Planning Commission**

design review is to advise on actions which may or may not be compatible with the desirable nautical theme, architectural or cultural aspects of the District. The ~~Planning Commission~~ **City** may consider Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings, prepared by the U.S. Department of Interior, for reviewing actions within the NMD.

- (C) ~~(D)~~ The provisions of this section shall not be construed to prevent the ordinary maintenance or repair of any exterior feature in an NMD district. Further, the provisions of this section shall not prevent the construction, alteration, restoration or demolition of any feature which the Building Inspector certifies is required because of a threat to public safety.

Wade Trim Commentary: In 1981, the City prepared (not sure if it was officially adopted) a "Nautical Mile Master Plan." This plan contains a variety of recommendations for development along the waterfront, primarily in the form of narratives and "plan-view" concepts. Only one image was included that illustrates desired "architectural details" for buildings. We would suggest that the City consider updating this plan or preparing a new design guidelines plan, as part of the City Master Plan. The above zoning language would require new development to be designed "in harmony with" any design guidelines adopted as part of the City Master Plan.

160.180 OFF-STREET PARKING.

~~Off-street parking facilities shall be provided as specified herein.~~

- (A) **In recognition of its pedestrian-oriented and mixed-use character, as well as the availability of public parking, the following provisions shall apply to lands within the Nautical Mile District:**
- (1) **Minimum Number of Off-Street Parking Spaces.** A reduction of fifty percent (50%) shall be applied against the minimum number of off-street parking spaces by type as determined by Section 160.214,(B),(12).
 - (2) **Payment in Lieu of Providing Off-Street Parking.** The owner or owners of a new or expanded use may make application to the City for the option of paying a dollar amount established by resolution of the City Commission per required parking space in lieu of providing such required spaces per the requirements set forth in division (A),(1) above. These monies would be paid into a special parking district fund established by the City Commission specifically for the purpose of providing or improving on-street or off-street parking areas to serve uses located within the Nautical Mile District. The timing of parking spaces provided and their location shall be at the sole discretion of the City Commission. The amount paid into the parking fund described above shall not apply against any present or future special assessments levied by the City for parking improvements.
 - a. **Exception Criterion.** The exception authorized by this division (A),(2) may only be granted by the City Commission. Granting of such exception shall be based upon evidence presented by the property owner or owners showing that the reasonable ability to provide any or all of the parking spaces as required in division (A),(1) above does not exist.

- b. **Payment Required Prior to Occupancy. A property owner or owners granted the exception of contributing to the parking fund will not receive an occupancy permit until such monies have been paid into such fund in full.**

Wade Trim Commentary: *Within the Nautical Mile District, a 50% parking reduction would be established. If a new or expanded use in the Nautical Mile District does not have the ability to provide the required off-street parking at the 50% reduced rate, they would be required to pay into a parking fund established and managed by the City Commission with the purpose of providing or improving public parking within the Nautical Mile District. The fee to be paid for each parking space not provided on-site would be established by the City Commission as part of its fee schedule.*

160.181 EXTERIOR LIGHTING.

- (A) The requirement for exterior lighting is intended to protect the security and safety of pedestrians and motorists using public plazas, pedestrian corridors, off-street parking areas and other spaces open to the public located on private property.
- (B) This section is also intended to regulate the spillover of light and glare on operators of motorized and nonmotorized vehicles, pedestrians and land uses in the proximity of the light source.
- (1) Whenever plazas, pedestrian corridors, off-street parking areas and other spaces open to the public are provided on private property, the site plan shall incorporate exterior lighting concepts ~~as set forth in the Marine City Coastal Zone Management Plan and provisions adopted by the Downtown Development Authority;~~ **designed in harmony with the guidelines set forth in the Nautical Mile District Design Guidelines document, as may be adopted by the City Commission.**
- (2) The site plan shall illustrate the location and type of lighting fixtures, amount of illumination provided and direction of illumination;
- (3) Exterior lighting shall provide sufficient illumination to ensure public safety and security; and
- (4) Exterior lighting shall be located and directed in a manner which does not produce a glare which is a nuisance to nearby land uses or a safety hazard to motorized and non-motorized vehicles or pedestrians.

Wade Trim Commentary: *If and when Nautical Mile district design guidelines are adopted, this language would require new lighting designs to be in harmony with the guidelines.*

160.182 PERMITTED, SPECIAL USE SIGNAGE.

- (A) The requirement for signage is intended to protect public safety, maintain quality in the visual appearance of the Nautical Mile, protect the value and economic stability of adjacent land use and allow for the conduct of competitive commerce. The intent of this section is to regulate the height, area, number, location and style of signs within the Nautical Mile

District. It is also the intent to encourage signs erected in the District to be designed in a nautical concept. **All requirements of Section 160.220 shall apply within the Nautical Mile District, in addition to the requirements of this Section.**

(B) Application of sign requirements:

- (1) No sign may be erected or altered without the issuance of a zoning compliance permit.
- (2) When a site plan is required by this chapter, a scaled drawing illustrating sign details, including design, color, area and height shall be submitted. The location of all signs shall be illustrated on the site plan. Sign details and location shall be considered part of site plan review and approval.
- (3) When a site plan is not required by this chapter, the Building Inspector shall require a zoning compliance permit for signs erected or altered in the Nautical Mile District. The application for the zoning compliance permit shall be accompanied by a scaled drawing illustrating sign details, including design, color, area and height. ~~The Building Inspector shall submit the application and scaled drawing to the Planning Commission for review and approval. The Planning Commission shall follow the same procedure as required for site plan review.~~

(C) General provisions:

- ~~(1) No sign, except those established and maintained by the city, county, state or federal governments, shall be located in, project into or overhang a public right of way or dedicated public easement, except as established in this section.~~
- ~~(2) All directional signs required for the purpose of orientation, when established by the city, county, state or federal government shall be permitted.~~
- ~~(3) Signs used for advertising land or buildings for rent, lease or sale shall be permitted, provided such signs are located on the property intended to be rented, leased or sold. Such signs shall conform to height and area provisions.~~
- ~~(4) The repainting and preventive maintenance of signs shall not be considered an alteration requiring a zoning compliance permit.~~
- (1) **All sign types allowed and regulated in Section 160.220,(B),(4),(b) for the B-1, B-2, W-M and P-1 district shall be allowed within the Nautical Mile District.**
- (2) (5) Projecting signs shall **also** be permitted within the Nautical Mile Overlay District for all structures other than single-family detached dwellings, subject to the following requirements:
 - (a) Projecting signs shall not extend more than 4 feet from the wall of the building, and shall not be closer than 3 feet from the back of curb line.
 - (b) Minimum height. No portion of any sign which extends over the public right-of-way shall be less than 8 feet from the surface below.

- (c) All projecting signs shall be safely and securely attached to structural members of the building by means of metal anchors, bolts or expansion screws. In no case shall any projecting sign be secured with wire, strips of wood or nails. The method of attachment shall be stated on the permit application. All plans for the erection of signs shall be submitted to the Building Inspector for review and approval and shall be further subject to all codes and ordinances of the city.

~~(D) — Sign requirements for all structures except single family detached dwellings:~~

- ~~(1) — Each structure shall be permitted 1 accessory or monolith sign and 1 of the following additional accessory sign types: Wall mounted, projecting or graphic (on private property). For multiple uses, such as shopping centers, office complexes and mixed use developments, the Planning Commission may permit 1 wall mounted, projecting or graphic accessory sign for each individual use within the development.~~
- ~~(2) — Structures which abut more than 1 public street shall be permitted 1 additional accessory ground or monolith sign located along such abutting public street.~~

(D) Temporary and portable signs shall be allowed subject to Section 160.220,(B),(6),(b) and (c).

~~(E) — Prohibited signs:~~

- ~~(1) — Flashing, animated or moving signs, other than those signs which convey noncommercial information, such as time and temperature requiring periodic change;~~
- ~~(2) — Exterior spinners, streamers or string lights, except those used for holiday decorations;~~
- ~~(3) — Any sign not permanently anchored to the ground or building, except those signs used to temporarily advertise land or buildings for rent, lease or sale; and~~
- ~~(4) — Any sign which is not electrically or structurally safe.~~

Wade Trim Commentary: The proposed amendments to this Section would make it consistent with the general regulations for signs throughout the City as outlined in Section 160.220. Any redundant language is unnecessary and therefore is proposed to be deleted. The primary advantage of being within the Nautical Mile overlay is that projecting signs would be permitted (projecting signs are not currently allowed by Section 160.220).

160.183 LANDSCAPING REQUIREMENTS.

- (A) The owner of a parking lot or vehicular use area which abuts a public right-of-way shall install and maintain landscaping between such area and such right-of-way, unless the parking lot or vehicular use area is visually screened by a building or structure or existing landscaping which meets the buffering requirements.

- (B) Where an off-street parking lot or vehicular use area in the NMD zoning district abuts a public right-of-way, screening shall be placed at all locations, excluding sidewalks and driveways, which are between any portion of the right-of-way and the parking lot or vehicular use area visible from the right-of-way as follows:
- (1) A strip of land at least 5 feet in width located between the abutting right-of-way and the parking or vehicular use area exposed to the abutting right-of-way.
 - (2) One tree per 50 feet lineal, or fraction thereof, located between the abutting right-of-way and parking or vehicular use area.
 - (3) A hedge wall, berm, change of grade or any combination of these landscape elements forming a continuous screen at least 3 feet in height. If a wall or fence is used, a minimum average of 1 shrub or vine per 10 lineal feet of wall length shall be provided.
 - (4) Grass or ground cover shall be planted and maintained on all portions of the required landscape strip not occupied by other landscape material or existing vegetation.
 - (5) In cases where the parking areas or vehicular use areas are 50 feet or more from the public right-of-way, and provided that such an area has trees and shrubs which serve to buffer the parking area or vehicular use area, buffering (as required in this section) may be reduced, provided the intent of this section is carried out to the satisfaction of the Building Inspector.

Front Yard Parking

Chapter 160 – Zoning Code (Section 160.214,(B))

160.214 OFF-STREET PARKING REQUIREMENTS.

- (B) The number of off-street parking spaces, in conjunction with all land or building uses shall be provided, prior to the issuance of a certificate of occupancy as hereinafter prescribed.

[No proposed changes to items (1) and (2)]

- (3) Residential off-street parking spaces shall consist of a permanent hard surface parking strip, parking bay, driveway, garage, or combination thereof and shall be located on the premises they are intended to serve. **For the purposes of this section, hard surface shall mean concrete, asphalt, brick, cut stone or similar material and shall not include crushed materials, gravel, wood chips or natural surfacing.** Off-street parking for single-family and two-family dwellings shall further be subject to the following:
 - (a) Off street parking shall not be permitted within the front yard, except within such parking strip, parking bay, driveway, garage, or combination thereof. This requirement shall not apply to parking for temporary special events normally associated with the residential use of the property, such as graduation and holiday parties, **or during City designated snow**

emergencies.

- (b) Within the front yard, the total surface area for any parking strip, parking bay, driveway or combination thereof shall not exceed fifty percent (50%) of the total front yard area.

[No proposed changes to items (4) through (12)]

Wade Trim Commentary: This proposed amendment clarifies what hard surfacing means and provides an exception to the front yard parking prohibition during snow emergencies.

Site Plan Phasing

Chapter 160 – Zoning Code (Section 160.300,(B))

160.300 SITE PLAN REVIEW REQUIRED IN SPECIFIC DISTRICTS.

- (B) Through the application of the following provisions, the attainment of the Master Plan will be assured and the city will develop in an orderly fashion.

[No proposed changes to items (1) through (6)]

- (7) *Effect of approval.* When an applicant receives final site approval, he or she must develop the site in complete conformity with the approved site plan. The site plan approval shall be valid for a period of 1 year. If the project is not under construction with a building permit at the expiration of the approval time, the site plan approval becomes null and void and the developer shall make a new application for approval. ~~Time extension to site plan approval may be granted by the Planning Commission.~~ **Prior to the date of expiration, the applicant may request and the Planning Commission may approve an extension for a period no longer than 1 year.**
- (8) ***Phasing of development.* The applicant may, at his discretion, divide the proposed development into two (2) or more phases. In such case, the site plan shall clearly indicate the location, the size, and character of each phase. The approval of the first phase shall be valid for a period of 1 year in accordance with division (7) above. As part of site plan approval, the Planning Commission may designate the time period for which the approval of any subsequent phases shall be valid. Time extensions for site plan phases may be granted by the Planning Commission in accordance with division (7) above.**
- ~~(8)~~ (9) Amendment of approved site plan. The Zoning Administrator shall have the authority to determine if a proposed change requires an amendment to an approved final site plan. A site plan may be amended upon application and in accordance with the procedure herein for a final site plan. The Zoning Administrator may approve minor changes in an approved final site plan, provided that a revised final site plan drawing (s) be submitted showing such minor changes, for purposes of record.

- (9) (10) Modification of plan during construction. All improvements shall conform to the final site plan. Any changes, which result in a material alteration of the site plan approved by the Planning Commission, shall require resubmittal to the Planning Commission. The Planning Commission, or Zoning Administrator may require the applicant to correct the changes so as to conform to the approved final site plan.

Wade Trim Commentary: *This proposed amendment makes it clear that proposed developments can be divided into phases as shown on the site plan. For the first phase, the time period for the validity of the site plan is 1 year. For subsequent phases, the Planning Commission may increase the time period for the validity of the site plan for up to 2 years. Extensions may be requested by the applicant and granted by the Planning Commission for periods no longer than 1 year.*

Temporary Signage, including Tear Drop Flags

Chapter 160 – Zoning Code (Section 160.220,(B),(6))

160.220 SIGNS.

- (B) It is, therefore, within the health, safety and welfare responsibility of the city that this section is promulgated.
- (6) *Temporary and portable signs.*
- (a) Temporary signs, as defined herein, may be allowed within the R-1A, R-1B, R-M and MHP Districts, provided the following requirements are met. Portable signs, as defined herein, are not allowed within the R-1A, R-1B, R-M and MHP Districts.
1. No more than one (1) temporary sign may be allowed per street frontage. **Up to one (1) additional temporary signs are per street frontage is allowed during any of the below listed certain time periods, as follows:**
 - a. During the time period starting when an election ballot has been certified by the County Clerk and extending 7 days after an election, ~~up to 3 additional signs may be allowed.~~
 - b. During the time period noted on a building permit issued by Marine City allowing for construction activities to occur on the site, ~~1 additional temporary sign per street frontage is allowed.~~
 - c. During the time period where the property is actively listed for sale, ~~1 additional temporary sign per street frontage is allowed.~~
 2. Temporary signs shall not exceed 6 square feet of display area and 4 feet in height.

3. Temporary signs must be safely affixed, properly maintained and not allowed to become unsightly through disrepair or action of the elements.
4. The location of any sign permitted by this section shall not interfere with pedestrian traffic, driver safety, or handicap access.

Wade Trim Commentary: For residential districts, this proposed amendment would limit the total allowed temporary signs per street frontage to 1, except for certain time periods (elections, for-sale, under construction) during which an additional temporary sign is allowed.

- (b) Temporary signs, as defined herein, may be allowed within the B-1, B-2, W-M, P-1, I-1 and I-2 Districts, provided the following requirements are met:
 1. No more than **one (1) ground-affixed temporary sign and one (1) building-affixed temporary sign** may be allowed per street frontage. **Up to one (1) additional ground-affixed or building-affixed temporary signs are per street frontage is allowed during any of the below listed certain time periods, as follows:**
 - a. During the time period starting when an election ballot has been certified by the County Clerk and extending 7 days after an election, ~~up to 3 additional temporary signs may be allowed.~~
 - b. During the time period noted on a building permit issued by Marine City allowing for construction activities to occur on the site, ~~1 additional temporary sign per street frontage is allowed.~~
 - c. During the time period where the property is actively listed for sale, ~~1 additional temporary sign per street frontage is allowed.~~
 2. Temporary signs **affixed to the ground** shall not exceed ~~9~~ **16** square feet of display area and ~~4~~ **10** feet in height. **Temporary signs affixed to a building shall not exceed 20 square feet of display area nor more than 10 feet in any single dimension.**
 3. Temporary signs must be safely affixed, properly maintained and not allowed to become unsightly through disrepair or action of the elements.
 4. The location of any sign permitted by this section shall not interfere with pedestrian traffic, driver safety, or handicap access.

5. ~~Additional requirements for specific temporary sign types: The following specific sign types shall require permit approval by the Zoning Administrator for specified time periods which, in total, do not exceed 60 days in any one calendar year:~~

a. ~~Banners, provided they are affixed to a building wall, over a permanent sign, or by other means necessary so long as the banner is stationary and safely supported. In no case shall more than 1 banner sign be allowed per street frontage.~~

b. ~~Balloon signs, provided no more than 1 balloon sign shall be allowed per street frontage.~~

c. ~~Tear drop flags, provided they do not exceed 12 feet in height measured from grade. In no case shall more than 1 tear drop flag be allowed per street frontage.~~

d. ~~At any given time, no more than 1 of the above temporary sign types is allowed on a single premises.~~

Wade Trim Commentary: *For commercial and industrial districts, this amendment is intended to accomplish the following:*

- *Limit the total allowed temporary signs per street frontage to 1 ground-affixed sign and 1 building-affixed sign, except for certain time periods (elections, for-sale or under construction) during which an additional temporary sign (ground-affixed or building-affixed) is allowed.*
- *Allow for tear drop flags, provided they not exceed 16 square feet in area and 10 feet in height. Our research has found that 8' x 2' is a typical dimension for a small tear drop flag.*
- *Eliminate the need to secure permits for temporary signs.*
- *Eliminate time restrictions for temporary signs. (However, they would need to be removed if not properly maintained.*

(c) Portable signs, as defined herein, may be allowed within the B-1, B-2, W-M, P-1, I-1 and I-2 Districts, provided the following requirements are met:

1. Such signs may be located outside for display only during regular business hours.
2. No more than 1 portable sign may be allowed per street frontage.
3. Portable signs shall not exceed 9 square feet of display area and 4 feet in height.
4. Portable signs must be properly maintained and not allowed to become unsightly through disrepair or action of the elements.

5. The location of portable signs shall not interfere with pedestrian traffic, driver safety, or handicap access.

Zoning Code Amendments (Chapter 160)

Adam Young, Planning Representative from Wade Trim, walked the Board through proposed amendments for the following ordinances and provided an updated zoning map:

- Residential Use Language in B-1 District 160.081(M)
- Off-Street Parking in Nautical Mile District Section 160.214(B)
- Nautical Mile District Sections 160.175-160.183
- Front Yard Parking Section 160.214(B)
- Site Plan Phasing Section 160.300(B)
- Temporary Signage Section 160.220 (B)(6)

Discussion of Sections by the Board included:

Section 160.214(B) Off-Street Parking in Nautical Mile District: The Board decided only the first and last sentences were necessary and asked that the language in between those sentences be removed.

Section 160.175 Nautical Mile District: The Board asked for necessary criteria for items #4 and #6. Adam Young responded and said that only the guidelines of the Marine City Master Plan and Nautical Mile District would need to be updated, not the ordinance.

Section 160.214(B) Front Yard Parking: The ordinance stated that the residential off-street parking spaces shall consist of permanent hard surfaces. The Board asked for clarification of anyone who currently had gravel surfaces. Adam Young replied that anyone who had gravel would be grandfathered in as long as they don't expand the size.

Expansion of the Nautical Mile Map: The Board discussed the pros and cons of adding two additional areas to the Nautical Mile District – a section on Broadway Street and a section on South Belle River Road. Adam Young pointed out advantages of adding the sections which included the requirement for providing parking spaces minimized, the allowance of projecting signs, and additional grant opportunities. A possible disadvantage was having to meet Nautical Mile District design guidelines. Board members felt that that the addition of these sections would assist with growth in the area.

Changes decided on by the Board to include:

- Removing sentence on Section 160.214 Front Yard Parking
- Adding two sections to the Nautical Mile District Map

Motion by Commissioner Beutell, seconded by Commissioner Allan, to accept the draft as presented with one amendment and two additional sections added to the Nautical Mile District Map. All Ayes. Motion Carried.

New Business

Public Hearing: Text and Map Amendments to Zoning Code

Chairperson Moran announced that the Planning Commission would conduct a Public Hearing to receive public comments for and against the proposed text and map amendments to the Zoning Code.

Chairperson Moran opened the Public Hearing at 7:03pm.

Cynthia Mann, business owner of M-29 Outpost on Broadway, stated that she was unable to reference original ordinances online to compare changes and that two of her neighbors had not received notice of the public hearing. She addressed parking requirements and storage under the amendments; Chairperson Moran informed the business owner that proposed changes were for new businesses and she would be grandfathered in.

Kurt Heidebright, Del-Dot Harbor Condominiums, asked the Board how the amendments would affect the boat wells as individual condominium owners. Chairperson Moran stated that, as condominium owners, the proposed changes should have no impact.

City Manager Leven advised that the meeting was primarily about receiving public comment and feedback regarding the proposed changes. She noted that just the proposed changes would impact the areas already included in the Nautical Mile District, but those in the extension areas would be affected from the whole perspective of the ordinance. She advised that the complete ordinance was online on the City website.

Mike Weber, Del-Dot Harbor Condominiums, asked how the sale of the Dunn Marina would affect the condominiums. He questioned what the value of the expansion of the Nautical Mile District was. Chairperson Moran stated that there were benefits regarding parking and signage for business owners. City Manager Leven stated that property in the Nautical Mile District becomes more eligible for state and federal grants because it would be in a defined district.

Connie Termini, Marine City Marine and Service, 1109 South Belle River Road, stated that she read the original Master Plan for the Nautical Mile District and stated that she believed that there has never been a true Nautical Mile as the original ordinance intended. She would like the Nautical Mile to highlight the marina area in addition to the downtown district. She addressed the high dust levels that came from the aggregate yard and the high wakes caused by boat traffic.

Commissioner Allan stated that one of the main priorities of the Master Plan was to create a marina.

Commissioner Ross asked if any of the loop signs identified the marina area; Chairperson Moran responded that they did not.

Chairperson Moran closed the Public Hearing at 7:40pm.

Text and Map Amendments to Zoning Code - Discussion

Zoning Code Section 160.81: Commissioner Ross stated his concern that the language may encourage a high rise building. City Manager Leven advised that the City has a limit of three stories. He expressed that he liked the idea that businesses should be paramount and living spaces should not draw attention to themselves.

Zoning Code 160.175(A): Commissioner Ross questioned what the DDA District was. City Manager Leven stated there was no DDA District. The DDA District used to exist but it was replaced with TIFA District 1 and that the City is looking to clean up ordinances and signify that area as the Nautical Mile overlay. Commissioner Ross addressed the final sentence of 160.175(A), and stated that, to a degree, it sounded contrary to the building standards that he and Commissioner Allan would be working on and that the Board needed to pay attention to that language. City Manager Leven replied that it was a statement of intent and referred to the details within the ordinance.

Zoning Code 160.175(B)(7): Commissioner Ross felt that the existing wording was fairly vague and addressed expanding the language to perhaps include that a person would need to prove that renovation of a building was far costlier than demolition. City Manager Leven stated that the handout Commissioner Klaassen passed out from the City of New Baltimore may provide guidance for expanded language.

Zoning Code 160.176(A): Chairperson Moran asked if the language should be expanded to include the B-2, W-M and R-M Districts. City Manager Leven replied that the paragraph was for permitted uses and those were special conditions. She advised that permitted uses were something that would be allowable without coming before the Planning Commission and that special conditions would need to come before the Planning Commission for approval. Chairperson Moran questioned if those Districts should be included under Principal Uses Permitted. City Manager Leven responded that it would be dependent upon what the Board wanted to do and that what was allowable and that it could only be one or another – either a permitted principal use or subject to special conditions. Commissioner Ross stated that he needed additional time to investigate.

Commissioner Allan stated that if the use was not permitted then there would be a backup through special considerations.

Zoning Code 160.179(A): Commissioner Ross stated that the Sub-Area Plan was what he and Commissioner Allan were working on and noted that the Board would need to revisit this section to ensure it coordinated with this specific article of the ordinance when it was completed so they weren't confusing people by listing two documents which may or may not contain the information they were looking for.

Zoning Code 160.179(B): Commissioner Ross identified a grammatical error in the second sentence and recommended the word "the" be added before the term, design review so that the sentence read: The purpose of *the* design review...

Further on in the same sentence, Commissioner Ross would prefer to change the word "nautical" theme to be "historical" theme. Chairperson Moran believed that the sentence became redundant if it was changed to read historical theme. Commissioner Klaassen stated that the Board hadn't yet determined what a nautical theme was and Chairperson Moran replied that was what Commissioners Ross and Allan were working on.

Zoning Code 160.181(B)(1): Commissioner Allan stated that the spotlights located by the old Ferry station were still on and questioned who was paying for the lighting and how enforcing lighting was addressed. Commissioner Ross stated that the proposed change does not provide any recommendations regarding the areas outside the Nautical Mile and wanted to ensure that the verbiage was clear as to what the general guidelines for the City were versus what they were for the Nautical Mile District; he did not believe it outwardly specified the difference between the two. Chairperson Moran directed City Manager Leven to follow up with Wade Trim to specify Nautical Mile.

Zoning Code 160.183(A)(1-5): Commissioner Ross questioned if there were any examples of this construction to a parking structure that existed within the City; City Manager Leven replied that the most recent construction that followed the terms was the Inn on Water Street.

City Manager Leven stated that the City would provide the meeting minutes to the City Planner and come back with revisions to the ordinances. Commissioner Allan requested to re-mail notices; City Manager Leven stated that the City had fulfilled its obligations and that people may look at the Agendas online. She informed the Board that the City would recheck the addresses.

Motion by Commissioner Klaassen, seconded by Commissioner Allan, to table the Text and Map Amendments to Zoning Code. All Ayes. Motion Carried.