



CITY OF MARINE CITY

Planning Commission Meeting Agenda

Guy Community Center, 260 South Parker Street

Regular Meeting: Monday, August 9, 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. July 12, 2021 Meeting Minutes
8. **UNFINISHED BUSINESS**
 - A. Zoning Code Amendments (Chapter 160)
 - Off-Street Parking in Nautical Mile District Section 160-214(B)
9. **NEW BUSINESS**
10. **ADJOURNMENT**

**City of Marine City
Planning Commission Meeting
July 12, 2021**

A regular meeting of the Marine City Planning Commission was held on Monday, July 12, 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, Benjamin Heath; City Commissioner William Klaassen; Deputy Clerk Michele Goodrich

Absent: Commissioner Keith Jenken, Interim City Manager Itrich

Motion by Chairperson Moran, seconded by Commissioner Allan, to excuse Commissioner Jenken and Interim City Manager Itrich from the meeting. All Ayes. Motion Carried.

Communications

None.

Approve Agenda

Motion by Commissioner Allan, seconded by Commissioner McCarthy, to approve the agenda with the following amendments:

- Include Virtual Master Plan Public Outreach Training under New Business
- Include MSU Extension News and Planning Digest under New Business

All Ayes. Motion Carried.

Public Comment

None.

Approve Minutes

Motion by Commissioner Beutell, seconded by Commissioner Heath, to approve the June 14, 2021 meeting minutes. All Ayes. Motion Carried.

New Business

None.

Unfinished Business

Site Plan – 536 South Water Street (Extension)

Chairperson Moran advised that the Site Plan for this location was originally approved on February 10, 2020 however, due to COVID, construction had been delayed. He stated that there were no issues with the extension per the Building Official, Tracy Kallek.

Motion by Commissioner McCarthy, seconded by Commissioner Klaassen, to approve the extension of the Site Plan for 236 South Water Street (Extension). All Ayes. Motion Carried.

Zoning Code Amendments (Chapter 160)

Chairperson Moran advised that the ordinance amendments were previously reviewed by the Planning Commission, the changes they requested had been made and were on the agenda for final approval.

Adam Young reviewed the proposed changes to the Zoning Code Amendments.

Mr. Young advised that the current ordinance regarding Off-Street Parking in the Nautical Mile District Section 160-214 (B) exempts any use in the district from having to provide off-street parking. The proposed change eliminated the exemption and further required that businesses needed to provide some parking within the Nautical Mile District. He stated that any project that triggered a Site Plan review would need to comply with the new parking requirements.

Commissioner Beutell, as an example, questioned if a new building was built on the vacant lot at 223 Broadway, where would a business put in the required parking. Chairperson Moran replied that businesses who were unable to comply with the parking requirements would be referred to the City Commission. The City Commission could then charge a fee to cover the parking issue however, the fee had yet to be determined. Mr.

Young stated that any potential fee would go toward future parking improvements within the City. Commissioner Heath stated that he was not in favor of parking requirements for downtown businesses as there was no space even available for parking. Commissioner Klaassen said that businesses could implement parking agreements with each other to utilize available parking spaces. Chairperson Moran recommended tabling the discussion until the next meeting when they can review the entire ordinance.

Mr. Young stated that within the Nautical Mile, as part of the Site Plan review process, the Planning Commission would have the ability to weigh-in regarding the proposed design of new structures. The City would have the ability to establish design guidelines and architectural standards. Commissioner Klaassen advised that there were no current design criteria; Mr. Young replied that the changes allow for future design guidelines.

Mr. Young advised that the Front Yard Parking Ordinance clarified the definition of a hard surface.

Chairperson Moran questioned who the Zoning Administrator for the City was. Commissioner Klaassen replied that it would be the Building Official.

Mr. Young reviewed the proposed changes to the Temporary Signage Section, including Tear Drop Flags. He informed the Board that cities cannot treat signs differently dependent upon what they state. Chairperson Allan questioned how long a temporary sign may stay up; Mr. Young replied that time restrictions were not included in the revisions however, signs may be required to be removed if they fall into disrepair. Mr. Young advised the Board that temporary sign restrictions were a real challenge to enforce. Chairperson Moran stated that it was at the advantage of business owners to keep their signs in good condition. Commissioner Allan said that he was not comfortable eliminating the time restrictions for temporary signage. Chairperson Moran replied that it became an issue of how do you enforce and who enforces the time limits and questioned if temporary signs in town were actually an issue.

Motion by Commissioner Allan, seconded by Commissioner Heath, to approve the Zoning Code Amendments with the revision to Section 160.220 (B)(6), to keep article b-5 in the ordinance and table the discussion on the Off-Street Parking in Nautical Mile District Section 160-214(B). All Ayes. Motion Carried.

New Business

Virtual Master Plan Public Outreach Training

Chairperson Moran announced a Virtual Master Plan Public Outreach training opportunity on July 13 at 4:30pm.

MSU Extension News and Planning Digest

Chairperson Moran advised that he was on an MSU Extension email list and he believed the sections on Planning and Livable Communities would be a benefit to the Planning Commission members.

Adjournment

Motion by Commissioner Klaassen, seconded by Commissioner Beutell, to adjourn at 8:19pm. All Ayes. Motion Carried.

Respectfully submitted,

Michele E. Goodrich
Deputy Clerk

Kristen Baxter
City Clerk

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

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