MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, August 06, 2020
Time: 07:00 PM Eastern Time (US and Canada)
Council Chambers, City Hall, 70 Maple Street,
Manistee, Michigan 49660

AGENDA

I Call to Order
Pledge of Allegiance

II Roll Call

III Approval of Agenda
At this time the Planning Commission can take action to approve the August 6, 2020 Agenda.

IV Approval of Minutes
At this time Planning Commission can approve the July 9, 2020 minutes.

V Public Hearing
No Public Hearing tonight.

VI Public Comment on Agenda Related items
All comments and handouts from the speaker at the podium will go through the Chair, also there will not be any interaction between the podium and audience. If these rules cannot be followed, the Chair can terminate this portion of the meeting.
(Usually a limit of between 3-5 mins to address Planning Commission).

VII New Business

- 294 12th street SUP update.
- Alex Giltz, Seeking the Commissions Sentiment.
- ZO Design Guidelines.
- Kris Fewless, request for taller accessory building.
- Tabernacle SUP amendment.
- Fee for SUP transfer and amendments.

VIII Old Business

- Short – term rentals
  - Village of Pentwater.
  - City of Ludington Fee Schedule, Ordinance, Guidelines.
- Sign Ordinance
- 24 Arthur St. SUP transfer request and extension.
- Amendments to ZO
  - Master list:
    - Lower Story Dwelling
    - Fences
    - Patios
    - Site Plan Review Committee

        - Temporary Storage
    - Dumpsters, Pads, screenings, and enforcement.
        - City Council Consensus
        - Dumpster pics
        - Develop guidelines

IX Public Comments and Communications

At this time the Chair will ask if there are any public comments.
(Usually a limit of between 3-5 mins to address Planning Commission).

X Correspondence

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

XI Staff Reports

- City Manager, City-Wide Update

XII Members Discussion

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

XIII Adjournment

CITY OF MANISTEE PLANNING COMMISSION
70 Maple Street
Manistee, MI 49660

MEETING MINUTES
July 9, 2020

A meeting of the Manistee City Planning Commission was held on Thursday, July 9, 2020 at 7 pm in the Council Chamber, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 pm by Chair Wittlieff followed by the Pledge of Allegiance.

ROLL CALL

Members Present: Bob Slawinski, Michael Szymanski, Pamela Weiner, Roger Yoder and Mark Wittlieff

Members Absent: Marlene McBride and Shelly Memberto

Others: Rob Carson (County Planning Director), Mike Szokola (Planner 1/ City Zoning) and Nancy Baker (Recording Secretary)

APPROVAL OF AGENDA

Motion by Commissioner Szymanski, second by Commissioner Slawinski to approve the July 9, 2020 Agenda as printed.

With a Roll Call vote this motion passed 5 to 0.
Yes: Slawinski, Szymanski, Weiner, Yoder and Wittlieff
No: None

APPROVAL OF MINUTES

There were no corrections or additions to the minutes.
Motion by Commissioner Slawinski, seconded by Commissioner Yoder to approve the June 4, 2020 Planning Commission Meeting minutes as presented.

With a Roll Call vote this motion passed 5 to 0.
Yes: Slawinski, Szymanski, Weiner, Yoder and Wittlieff
No: None

PUBLIC HEARING

None

PUBLIC COMMENT ON AGENDA RELATED ITEMS

None

NEW BUSINESS

357 Cypress St, 6-month update

Mr. Szokola was unable to determine if the requirements for the SUP were met. He reviewed the SUP stipulations set by the PC. The poles look to have been painted and straightened.

Brian Krus, Red Apple Rd, owner of 357 Cypress St building.

- Business is not his, he owns the property
- Business name is Wild Wild West Tobacco
- Objected to 30-day non-compliance letter: feels he is in compliance
- A water main break occurred with a city valve: this valve goes into his building
- The neighbors he contacted have no issues with the lighting

Commissioner Slawinski stated the flood lighting reflecting onto the highway makes driving difficult. Mr. Krus stated the lights can be aimed down.
Mr. Szokola verified with the PC that the SUP stipulations are considered met; PC responded 357 Cypress St is in compliance.

24 Arthur St SUP transfer request

Mr. Szokola stated the SUP is for 24 and 26 Arthur Street which are not combined. The permit has an expiration date and work needs to start immediately. Commissioner Szymanski suggested an extension of 90 days be granted due to the Coronavirus delaying the ability to accomplish work.
Elizabeth Martinez, Hickory Property is planning to purchase the properties. The request is to combine the 2 parcels. She thanked the Commission for the recommendation of the 90-day extension.
Urban Roots Detroit, owner of the parcels, confirmed the desire to transfer the SUP to Hickory Property. Urban Roots Detroit's focus will be on their other properties within the City of Manistee and the development plans for these properties.

Motion by Commissioner Szymanski, seconded by Commissioner Yoder to approve the transfer of the SUP permit.

With a Roll Call vote this motion passed 5 to 0.

Yes: Slawinski, Szymanski, Weiner, Yoder and Wittlieff
No: None

Mr. Szokola will contact all parcel owners involved in the SUP and will inform them of the 90-day extension. The 90-day extension applies only if they move forward and show accomplishments with their site plan.

Motion by Commissioner Szymanski, seconded by Commissioner Slawinski to approve the 90-day extension on all the parcels involved in the marihuana district that were approved prior to

the Coronavirus situation.

With a Roll Call vote this motion passed 5 to 0.
Yes: Slawinski, Szymanski, Weiner, Yoder and Wittlieff
No: None

DDA Letter of Support
Mr. Szokola stated the DDA does not have a director. He sent a letter of support regarding lower-story dwellings to the DDA. This will be on the DDA's agenda for their discussion.

Building Character and Orientation
Mr. Szokola stated a verbal complaint was received regarding the orientation of a dwelling in the Bryant Avenue area. The city zoning ordinance allows for the home to be placed on the parcel in its present orientation. The city has several dwellings with the same orientation. The question is, does the orientation of the dwelling on Bryant Ave represent the character of the neighborhood. The zoning ordinance allows a home to be placed this way. Discussion ensued. The house is in compliance.

Tabernacle Church
Motion by Commissioner Slawinski, seconded by Commissioner Yoder to amend the agenda, under New Business, Tabernacle Church.

With a Roll Call vote this motion passed 5 to 0.
Yes: Slawinski, Szymanski, Weiner, Yoder and Wittlieff
No: None

Mr. Szokola stated the Tabernacle Church's revised parking lot plans were submitted to the department during the Cova-19 pandemic but have not been reviewed by the entire Site Plan Committee. Those that reviewed the plan had no issues with it. The city engineer communicated he had comments that staff had not received at this time.
The Pastor of the Tabernacle Church requested a 6-month extension.
Discussion ensued of the timeline for the extension.

Motion by Commissioner Szymanski, seconded by Commissioner Yoder to extend the Tabernacle Church permit to November 15, 2020.

With a Roll Call vote this motion passed 5 to 0.
Yes: Slawinski, Szymanski, Weiner, Yoder and Wittlieff
No: None

OLD BUSINESS
Short Term Rentals; Village of Pentwater

Mr. Szokola sent a letter to City Council requesting guidance on the short-term rental program. The City Council received materials from the sample ordinance and a presentation on the subject.
Mr. Carson attended the City Council work session. The message conveyed was for the PC to receive guidance from the City Council to move forward. The elected and appointed city officials are to give guidance to the Planning Department staff. The city has a long-term rental ordinance in place. Staff will not be the enforcement for short-term rental violations. The PC will make recommendations to the City Council.
Mr. Szokola strongly recommended that rental certificates be placed on rental listings so enforcement officers and renters can easily view the certificates.
Discussion ensued regarding the many available companies that can assist in short-term rental enforcement, regulating the rentals and other rental issues.
It was requested this remain on the City Council agenda.

Amendments to ZO
Master list / public hearing
Mr. Szokola is waiting on word from the DDA regarding lower-story accessary dwellings. Some of the zoning ordinance amendment items on the list for the public hearing are lower-story dwellings, fences, and patios. He inquired about an amendment regarding temporary storage structures. The PC asked Mr. Szokola if he could develop the language for temporary storage structures and add this to the master list.

Dumpsters, pads, screenings, and enforcement
Mr. Szokola reviewed a letter written for the City Council and asked that a PC member present it to the City Council. He displayed a sheet of dumpster pad costs which were of non-realistic numbers. Discussion ensued on the cost, materials, designs, how dumpsters are not grandfathered in, etc. Staff is looking for support to include a mock-up of minimum requirements and support for this from City Council.

PUBLIC COMMENTS AND COMMUNICATIONS
Brian Krus disagrees with recommendations regarding the city dumpster situation.
Mr. Carson stated the complaints coming in are from city residents.

CORRESPONDENCE
A letter from Beckett & Raeder was received regarding a July public hearing for Filer Township's master plan.

Roger Zielinski and Kerry Gavigan submitted a letter of correspondence regarding long- and short-term rentals. Problems arise when winter renters are forced to leave their rented dwelling to allow for short-term summer rentals. Many entities have dwellings that allow for short or long-term renting, but do not allow places to be able to do both. Roger and Kerry asked for consideration to not allow places to be able to do both. Discussion ensued on what to allow, the possible requiring of contracts, and other points on the matter.

George Saylor submitted a letter responding to fences, the setbacks, fence placement on property lines, and neighbors on the other side of the fences who adjoin the property. If issues arise between neighbors this becomes a civil matter. The city will not get involved.

STAFF REPORTS
None

MEMBERS DISCUSSION
None

ADJOURNMENT
Motion by Commissioner Yoder, seconded by Commissioner Wiener, to adjourn the meeting. Motion Passed Unanimously. Meeting adjourned at 8:35 pm.

The next regular meeting of the Planning Commission will be held on August 6, 2020.

MANISTEE PLANNING COMMISSION

Nancy Baker

Nancy Baker, Recording Secretary

DRAFT

manistee™
MICHIGAN

Planning Commission

July 29, 2020

Mike Szokola
Manistee County Planner
395 3rd St.
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

Joe Hayes
5450 W. Shelby Road
Shelby, MI 49660

In Reference to the Special Use Permit for Property 294 12th Street

Dear Mr. Hayes,

On September 5, 2019 your property at 294 12th in Manistee, Michigan was granted a Special Use Permit or SUP amendment. Some of the stipulations of the SUP were that:

- Permit valid for 5 years.
- Applicant is to provide four boulevard trees.
- Hours of operation are limited to 7 am - 10 pm.
- Phasing the installation of fencing around the facility will be considered a minor non substantive change. This can be approved by the Site Plan Review Committee.
- All the following must be completed up to 90 days after SUP granted:
- Permanent fence around North & West portion of parcel.
- Must install temporary "Green" snow fencing around South and East portions prior to beginning Phase 3.
    - As phases completed, green temporary fence will be replaced by permanent fencing.
- Must install grass mats on North side of property.
- Must regulate run-off on east side of parcel.
- Install surveillance cameras within 1 week minimum archival of footage, not directed towards any surrounding residences.
- Must set up meeting with Zoning Administrator for inspection when stipulations complete.
- All required sign permits must be pulled within one month after SUP granted.
- Soil Erosion and Sediment Control Permit must be pulled within one month after SUP granted.

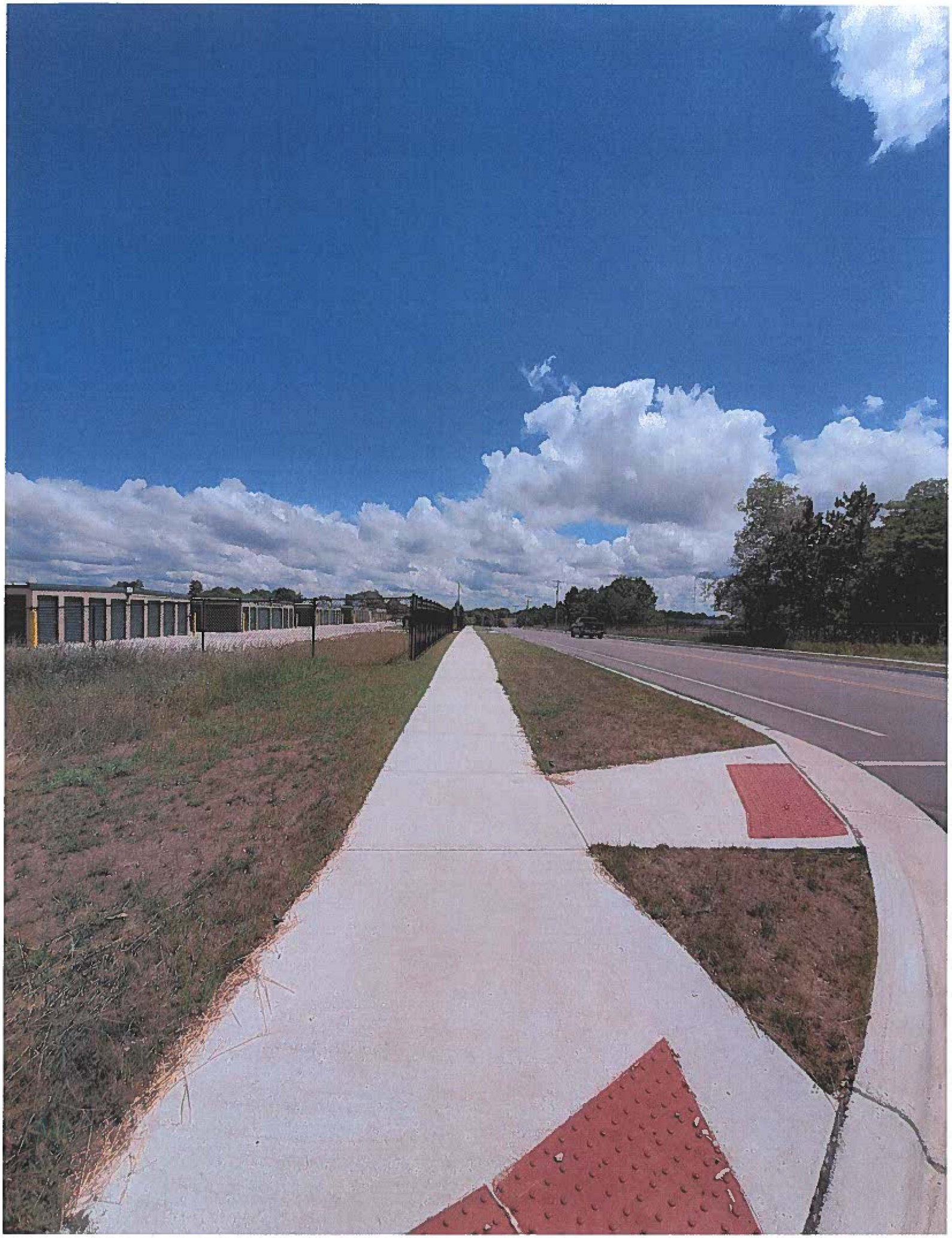
- In addition to the amended SUP, per the original SUP, you were to reimburse the City of Manistee for sidewalk construction. That bill of $ 11,779.00 was due on 06/01/2020 and as this writing has not been paid.

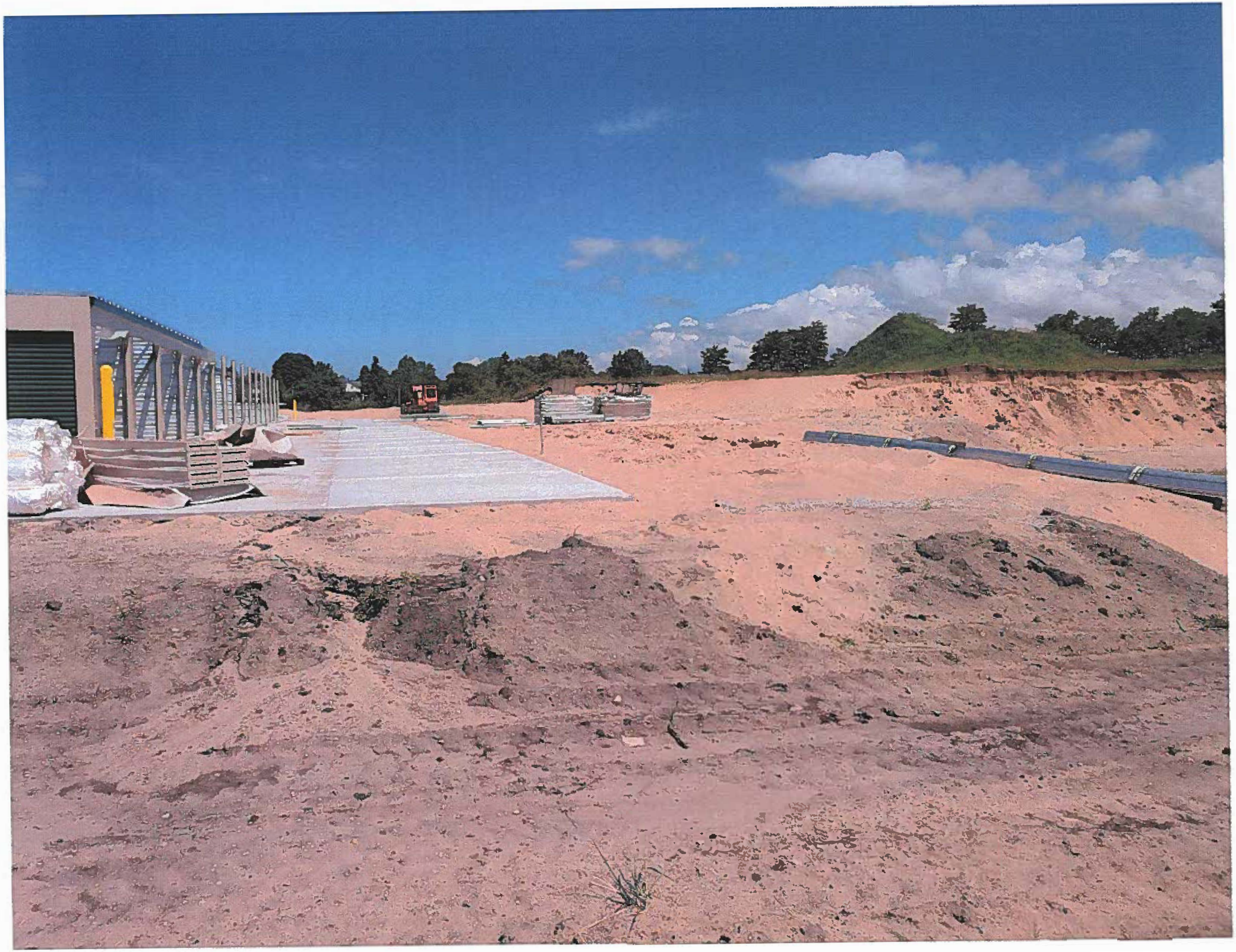
The 90-day period ended on December 15, 2019 to have all the 90-day requirements completed. As of the writing of this letter the required Zoning Administrator review has not taken place. If the required stipulations are not met, the SUP can be revoked, and all uses granted via the SUP would need to cease. The Planning Commission has requested your presence at their August 6, 2020 Planning Commission Meeting. If you do not attend the August 6, 2020 meeting, the Planning Commission can move forward with revoking your SUP permit.

If you have any questions, feel free to contact me via phone or email.

Sincerely,

Mike Szokola
Manistee County Planner





Manistee County

PLANNING DEPARTMENT
(231) 723-6041
Fax (231) 398-3526
planning@manisteecountymi.gov

Manistee County Planning Building - 395 Third Street - Manistee, Michigan

MEMO

TO: City Planning Commission

FROM: Manistee County Soil Erosion Department

RE: **Manistee Self Storage**

DATE: July 29, 2020

Soil Erosion Permit 19-395

6/25/2020, letter sent requesting the site be seeded and mulched to be done by August 1, 2020. Request for permit extension payment be submitted to the office.

7/22/2020, second notice letter regarding seeding/mulching and extension.

8 0 1 9 5 7 2
Tx:4013327
1/28/2019 11:00:00 AM
2019R005381
NOTICE OF SPECIAL USE PERMIT
MARYLYNN WRZESINSKI - REG OF DEEDS
MANISTEE COUNTY, MICHIGAN
RECORDED/SEALED ON
10/28/2019 01:10 PM
REC FEE: 30.00
PAGES: 3

SPECIAL USE PERMIT

CITY OF MANISTEE
395 Third Street
Manistee, Michigan 49660

This SPECIAL USE PERMIT, herein after referred to as the permit, is granted pursuant to the authority granted in Article 18: Standards and Requirements for Special Uses, of the Manistee City Zoning Ordinance, effective March 27, 2006.

Name of Property Owner/Permit Holder: **Joe Hayes**
Mailing Address: **5450 W. Shelby Rd.**
Shelby, MI 49455

Description of Property affected by Special Use Permit: **Parcel #51-673-001-00**

AMENDED E.N. SALLINGS ADDITION LOT 1, PER VACATION ORDER RECORDED IN LIBER 730 PAGE 299 [[SALE(86) 3485 3146 (90) 3570 2538, 6573 6024 (95) 3613 3561 (00) 6730 0299 (01) 3746 0313 (06) 8988 0341

Description of Special Use Granted, as Permitted in Article **#18**
Section **#1855** Mini/Self Storage Facility

Special Use Permit Application **#PZ19-039**
Approved by the Planning Commission on **September 5, 2019**

PERMIT CONDITIONS AND REQUIREMENTS:
This permit is issued, subject to the following conditions and/or requirements as contained in Article 18, Section 1855:

CONDITIONS:

- Permit valid for 5 years.
- Applicant is to provide four boulevard trees.
- Hours of operation are limited to 7 am – 10 pm.
- Phasing the installation of fencing around the facility will be considered a minor non substantive change. This can be approved by the Site Plan Review Committee.
- <u>All the following must be completed up to 90 days after SUP granted:</u>
  - Permanent fence around North & West portion of parcel.
  - Must install temporary "Green" snow fencing around South and East portions prior to beginning Phase 3.
    - As phases completed, green temporary fence will be replaced by permanent fencing.

Office of Manistee
County Register of Deeds
Received on
OCT 28 2019
at 11:00 am

- Must install grass mats on North side of property.
- Must regulate run-off on east side of parcel.
- Install surveillance cameras within 1 week minimum archival of footage, not directed towards any surrounding residences.
- Must set up meeting with Zoning Administrator for inspection when stipulations complete.
- All required sign permits must be pulled within one month after SUP granted.
- Soil Erosion and Sediment Control Permit must be pulled within one month after SUP granted.

TRANSFER OF PERMIT

This permit is transferable only in accordance with Article 18, Section 1801.H of the ordinance.

EXPIRATION OF PERMIT (as per Article 18 Section 1801.I):

A Special Use permit shall be valid for as long as the approved use continues in accordance with the terms and conditions of the approved permit. The Special Use permit will expire on the occurrence of one or more of the following conditions:

1. If replaced or superseded by a subsequent permitted use or Special Use permit.
2. If the applicant requests the rescinding of the Special Use permit.
3. If a condition of approval included stipulation to expire the Special Use permit by a certain date.
4. If the use is abandoned, moved or vacated for a period of one year.

VIOLATIONS OF PERMIT (see Article 18 Section 1801.J):

Any violation of the terms, conditions or limitations of a Special Use permit shall be cause for revocation or suspension of the permit. The Planning Commission may either revoke or suspend, pending correction of the violation, any Special Use permit. The act to revoke or suspend the permit shall occur after giving notice to the permit holder, specifying the alleged violation(s) and disclosing when a hearing will be held on the matter. The notice shall be delivered by registered mail. Any interested party may appear in person or by attorney at the hearing. The act to revoke or suspend the permit shall occur after or at the hearing on the matter. Before revoking or suspending the permit, the Planning Commission shall make a finding that a material violation of the Special Use permit exists. The permit holder shall be given reasonable opportunity to correct the violation(s).

CERTIFICATION OF PERMIT

The above SPECIAL USE PERMIT was granted by the Manistee City Planning Commission pursuant to the requirements of the Manistee City Zoning Ordinance.

DATE OF APPROVAL:

CITY OF MANISTEE

STATE OF MICHIGAN)
) SS.
COUNTY OF MANISTEE)

KCS 10/15/19
Kyle Storey Date
Manistee County Planner I

On October 15th, 2019, before me, a Notary Public in and for said County, personally appeared Kyle Storey to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his free act and deed.

Tiffany Mackey
Notary Public - State of Michigan
County of Manistee
My commission expires 08/04/2025

Notary's Stamp _____
(Notary's name, county, acting in County, and Date Commission expires)

Tiffany Mackey
Notary's Signature

ACKNOWLEDGMENT & RECEIPT OF PERMIT

I (we) the undersign do hereby certify that I am (we are) the person(s) listed above as the special use permit holders of their authorized legal representative. I (we) do further certify that I (we) have read, understand and agree to comply with all of the requirements and conditions of this permit, as listed above and in the Manistee City Zoning Ordinance.

STATE OF MICHIGAN)
) SS.
COUNTY OF MANISTEE)

10/15/19
Joe Hayes Date

On October 15th, 2019, before me, a Notary Public in and for said County, personally appeared Joe Hayes, to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his/her free act and deed.

Tiffany Mackey
Notary Public - State of Michigan
County of Manistee
My commission expires 08/04/2025

Notary's Stamp _____
(Notary's name, county, acting in County, and Date Commission expires)

Tiffany Mackey
Notary's Signature

Prepared by:
Kyle Storey
Manistee County Planner I
395 Third St.
Manistee, MI 49660

INVOICE

70 MAPLE STREET
MANISTEE, MI 49660

THE CITY OF manistee MICHIGAN

Customer ID:	HAYJOE
Invoice Number:	0000000632
Service Date:	01/09/2017
Invoice Date:	05/18/2020
Due Date:	06/01/2020

JOE HAYES
5450 W. SHELBY RD.
SHELBY, MI 49455

Property Address:

Remaining Unapplied Credits: 0.00

Notes: RESOLUTION TO APPROVE 294 12TH SUP:SIDEWALK CONC, 4IN 2740SQ FT $9179 + $2600 SIDEWALK CON 8 IN 400SQ FT

Quantity	Description	Unit Price	Amount
1.00	REIMBURSEMENT - MAJOR	11,779.00	11,779.00

Total Invoice:	11,779.00
Credits Applied:	0.00
Payments Applied:	0.00
Invoice Balance:	11,779.00

INVOICE

CITY OF MANISTEE
70 MAPLE STREET
MANISTEE, MI 49660

Customer ID:	HAYJOE
Invoice Number:	0000000632
Service Date:	01/09/2017
Invoice Date:	05/18/2020
Due Date:	06/01/2020

Property Address:

JOE HAYES
5450 W. SHELBY RD.
SHELBY, MI 49455

Mike Szokola

From: Joe Hayes <joehayes@maplewoodhomes.com>
Sent: Wednesday, July 29, 2020 4:53 PM
To: Mike Szokola
Subject: Re: SUP permit Requirements

[WARNING: External Message]

got it - thanks

Joe Hayes
Maplewood Homes
www.MaplewoodHomes.com
(616) 499-5054

MAPLEWOOD
HOMES
Open new doors.

Email indicating Mr. Hayes Received my letter

HS

From: Mike Szokola <mszokola@manisteecountymi.gov>
Sent: Wednesday, July 29, 2020 4:52 PM
To: Joe Hayes <joehayes@maplewoodhomes.com>
Subject: SUP permit Requirements

Joe,

Here is the letter I was going to send out to you.

Please review and if you have any questions feel free to reach out to me.

See you August 3 at 1 pm,

Mike Szokola
Assistant Planner / GIS
Manistee County
231.398.3527
mszokola@manisteecountymi.gov

Manistee County

manistee™
MICHIGAN

Planning Department

July 30, 2020

Mike Szokola
Manistee County Planner
395 3rd St.
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

Planning Commission
70 Maple St.
Manistee, MI 49660

Dear Planning Commission,

I was approached this week by a gentleman, Alex Giltz, who wished to ask the boards feeling towards an amendment that would allow for an auto repair business to be operated within the Residential R-2 Zoning District.

I instructed Mr. Giltz that a Zoning Amendment request carries with it a $1000.00 fee and it is not a guarantee that it will be passed. I instructed Mr. Giltz that it might be wise to approach the board and ask them their feelings towards allowing an amendment to the R-2 zoning district, prior to spending $1000.00 on an amendment request that could have no chance of passing.

Mr. Giltz will be in attendance to answer any questions and to seek the Commission's sentiment towards his potential amendment.

I have also included the current requirements for areas in which this use is currently allowed:

SECTION 1811 AUTOMOBILE REPAIR FACILITY

A. Definition.

Any establishment, building, premises, or land where commercial services are furnished involving automobile and truck repair, maintenance, and painting for the general public, and where rental, leasing, storage and salvage operations and parking services are incidental to the principal activities.

B. Regulations and Conditions.

1. Dismantled, wrecked or inoperable vehicles or any vehicle parts or scrap of any kind shall not be kept outdoors where they are visible from any adjoining property or right of-way. The Planning Commission may require an opaque fence up to eight (8) feet in height and/or an evergreen landscape buffer not less than eight (8) feet in height at time of planting to buffer any vehicles from neighboring uses or passers-by.

2. Not more than two (2) vehicles shall be parked on site for the purpose of selling or renting such vehicles.

3. All exterior lighting shall be in accordance with Section 525 hereof.

4. All equipment including hydraulic hoists, pits, lubrication and repair facilities shall be entirely enclosed within a building. No outdoor storage of merchandise or equipment shall be permitted.

5. All hazardous material storage and handling shall be conducted in accord with Section 520 hereof, and with any applicable State or Federal requirements.

6. All repair and maintenance activities shall be performed entirely within an enclosed building.

7. The Planning Commission may establish hours of operation for such uses consistent with the character of the land uses in the vicinity.

8. All signs shall be in accordance with Article 21 of this Zoning Ordinance.

9. All parking shall be in accordance with Section 514 of this Zoning Ordinance.

10. Landscaping and Buffering shall be provided in accordance with Section 531 of this Zoning Ordinance.

11. All dumpster enclosures shall be in accordance with Section 506 of this Zoning Ordinance.

Sincerely,

Mike Szokola
Manistee County Planner

manistee™
MICHIGAN

Planning Department

July 30, 2020

Mike Szokola
Manistee County Planner
395 3rd St.
Manistee, MI 49660
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planning@manisteecountymi.gov
www.manisteemi.gov

Planning Commission
70 Maple St.
Manistee, MI 49660

Dear Planning Commission Members,

A new dwelling addressed as 439 9th Street is breaking ground very soon. We spoke last month about design standards within the ZO. At that time the Planning Commission felt that we did not need to move forward with design standards. This dwelling had been approved by Kyle last November. At that time, it was not stated what the building would be made from, nor is a requirement to do so.

The Permit was issued with the following stipulations:

Residential Construction - 960 Sq. Ft. Principal Structure
Land Area = .19 Acres
Finished Height of Project - Less than 35 Feet
Zoning District - R-2
Impact of City Services - Water and Sewage

I do not believe that Kyle issued this permit incorrectly. I bring this dwelling to your attention and ask again if you feel that design standards are something the Planning Commission wishes to adopt? (See Image 1)

Sincerely,

Mike Szokola
Manistee County Planner

Image 1: A 960 square foot dwelling with metal façade, roof and attached/built in garage.

manistee™
MICHIGAN

Planning Department

July 30, 2020

Mike Szokola
Manistee County Planner
395 3rd St.
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

Planning Commissioners
70 Maple St.
Manistee, MI 49660

Dear Planning Commission,

I was contacted by a Mr. Kris Fewless regarding an accessory building he wishes to build on his property. His Parcel is, parcel number # 51-51-315-703-01, addressed as 2226 Merkey Road. I instructed Mr. Fewless that he would not be able to put an accessory building up in his zoning district higher than 12' side walls. He will be appearing before you to request a higher side wall and or building per Section 515, subsection D. (See image 1)

SECTION 515 ACCESSORY BUILDINGS AND STRUCTURES

A. All accessory buildings and structures shall be located in the side yard or rear yard, except when built attached to the principal building (for example radio or television antennas, or upper story accessory dwellings).

B. Accessory buildings shall be located in compliance with the setback requirements of this Ordinance.

C. An accessory building attached to the principal building of a parcel shall be made structurally a part thereof, and shall comply in all respects with the requirements applicable to the principal building. A detached accessory building shall not be located closer than ten (10) feet to the principal structure.

D. An accessory building and structure in the R-1, R-2, R-3 and R-4 Districts shall not be higher than eighteen (18) feet and side walls shall not be higher than twelve (12) feet, unless a higher structure is approved by the Planning Commission and the Historic District Commission (if applicable) to achieve architectural compatibility with the principal building.

E. In all Districts except L-I and G-I accessory buildings shall not be taller than the principal building. In all Districts except C-1, L-I and G-I, the building area of all accessory buildings shall not exceed the building area of the principal building, except in accord with Section 1804, hereof.

City of Manistee Zoning Ordinance
Article Five General Provisions
Page 16

Image: 1: Taken from the City of Manistee Zoning Ordinance.

Image 2: Mr. Fewless's property on Lake Michigan.

Sincerely,

Mike Szokola
Manistee County Planner
City of Manistee Zoning Administrator

manistee
MICHIGAN

Planning Commission

Mike Szokola
Manistee County Planner
395 3rd St
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

July 13, 2020

The Buckley Gospel Tabernacle
77 Hancock Street
Manistee, MI 49660

Dear Sir or Madam,

This letter is to inform you that at the City of Manistee Planning Commission meeting held on July 9, 2020, the Planning Commission decided to extend your Special Use Permit. You will now have until November 15, 2020 to complete the requirement of your Special Use Permit.

If you have any questions or concerns, feel free to reach out to me or someone else at our office.

Sincerely,

Mike Szokola
Manistee County Planner
City of Manistee Zoning Administrator

manistee™
MICHIGAN

Planning Department

July 30, 2020

Mike Szokola
Manistee County Planner
395 3rd St.
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

Planning Commission
70 Maple St.
Manistee, MI 49660

Dear Planning Commission Members,

I recently received the following feedback regarding the Tabernacle parking lot from the Site Plan Committee:

City Fire Inspector: No comments
City DPW: No comments
City Manager: No Comments
City Police: No Comments

The City Engineer had the following comments:

1. No issues with overall concept/ site plan and proposed drainage.
2. My stormwater comments are detailed in nature and may not have any impact on site plan review, my comments are as follows:
   a. Ensure adequate freeboard 1' is available in the detention pond relative to the overflow elevation and neighboring properties
   b. Provide positive drainage from the proposed pond overflow to street along edge of entrance drive.
   c. Outlet pipe can be smaller diameter from pond to CB/ MH at edge of Road to convey restricted flow.
   d. Storm sewer from MH/CB at edge of road to the outlet MH within the road should be larger to handle restricted flows from pond plus potential overflow flows.
   e. Show pre and post flow and runoff volume calculations on plan sheets, if separate stormwater management report is not submitted.

Staff Recommendation:

If the applicant agrees to the City Engineer's requirements added as a stipulation to the SUP, staff recommends with moving forward with approving the SUP.

manistee
MICHIGAN

Planning Commission

July 30, 2020

Mike Szokola
Manistee County Planner
395 3rd St.
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

Planning Commission
70 Maple St.
Manistee, MI 49660

Dear Planning Commission Members,

While looking over the fee schedule, it was noticed that the City of Manistee charges an initial Special Use Permit fee of $ 750.00. Staff is concerned that subsequent amendments or transfers to Special Use Permits do not incur a fee, even when a mailing to residents might be required.

Staff Recommendation:

Staff recommends that in order to cover costs of all mailings or fees associated with Special Use Permits that all amendments to a Special Use Permits that require a mailing be at the full amount of the original Special Use Permit $750.00, minimum. In order to recoup staff time, Special Use Permits and Transfers of Special Use Permits that do not require a mailing would cost $200.00, minimum.

The reason minimum is shown after the fees is in case other fees for expert advise or services is needed to be sought. The applicant shall be charged for all those fees and services. This follows the current City of Manistee Fee Schedule.

Sincerely,

Mike Szokola
Manistee County Planner

manistee
MICHIGAN

Planning Commission

July 29, 2020

Mike Szokola
Manistee County Planner
395 3rd St.
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Planning Commission Members
70 Maple St
Manistee, MI 49660

Dear Planning Commission Members,

Recently, the City of Ludington passed their short-term rental fee structure. The fee structure is below:

SHORT-TERM RENTAL FEES

The city council unanimously approved a fee structure for its new short-term rental program, the ordinance for which was approved by the city July 13.

The fee structure includes a one-time application fee of $500; a $1,500 license fee; a $1,500 renewal fee after three years; a $100 fee for each unit inspection; and other associated fees.

While the City of Manistee does not have to mirror this fee structure it is important to note how surrounding communities are addressing their fees when it comes to short-term rentals. Some areas to note are the one-time application fee, $100 unit inspection fee, and other associated fees.

After speaking with Carol Ann Foote, Planning and Zoning Administrator for the City of Ludington, I found out about how they are proceeding with their short-term rental program.

Carol explained to me that she has been developing their short-term rental program for about 4 years now. It was modeled off Holland, Michigan's short-term rental program. The initial one-time application fee is for entry into a lottery for one of Ludington's limited short-term rental licenses. Ludington will only be operating 30 short-term rentals within their City. Carol cited the housing shortage that is prevalent in most Northern Michigan municipalities as the limiting factor behind the reason for limiting the number of licenses.

Carol was generous enough to provide us with her "Guide to Short-Term Rentals" and the City of Ludington ordinance no. 429-20 for review.

Sincerely,

Mike Szokola
Manistee County Planner

CITY OF LUDINGTON
ORDINANCE NO. 429-20

AN ORDINANCE TO ADD ARTICLE VIII TO CHAPTER 6 OF THE LUDINGTON CITY CODE TO ESTABLISH A SHORT-TERM RENTAL LICENSING PROGRAM, TO PROVIDE PENALTIES FOR VIOLATION, AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH

The City of Ludington ORDAINS:

Section 1. City Code Amendment.

Chapter 6 of the Ludington City Code is hereby amended by the addition of the following Article VIII, which shall read in its entirety as follows:

ARTICLE VIII. – SHORT TERM RENTAL PROPERTIES

Sec. 6-250. - Purpose and Legislative Findings.

The purpose of this Article is to secure the public health, safety and general welfare of City residents and property owners, as well as visitors to the City, by regulating short-term rental properties to prevent nuisances and safety hazards that interfere with City residents' or property owners' rights to conduct normal, daily activities without unreasonable interference and to provide safe and healthy living arrangements for visitors who rent property on a short-term basis.

The City Council hereby finds and determines the following:

(a) Short-term rentals, that is, those generally lasting less than 28 days, of single- and multi-family structures in the City are becoming increasingly popular and widespread following the rise of online short-term rental marketplaces.
(b) Residential structures in the City may be increasingly purchased solely for short-term rental purposes, and not for occupancy by the owner.
(c) Commercial and recreational activities associated with short-term rentals are frequently incompatible with residential uses and often constitute a public nuisance.
(d) The City suffers from a shortage of affordable housing for permanent residents of the City, as documented in the City's Master Plan and the Residential Target Market Analysis, dated July 1, 2015, prepared for Mason County and the Michigan State Housing Development Authority by LandUse|USA.
(e) The shortage of affordable housing directly affects the economic well-being of the City and its residents because major employers in the City and surrounding areas are unable to attract workers to the City.
(f) The purchase of available housing units by investors to operate short-term rentals may further diminish the availability of affordable housing for the residents of the City.

(g) High investor demand for residential structures for use as short-term rentals may have the effect of artificially inflating the value of those properties, further reducing the availability of affordable housing units for the permanent residents of the City.

(h) Short-term rentals occur primarily in the summer months (June through August), due to the summer resort nature of the community. Short-term rentals in the off-season (September through May) are markedly diminished, which may leave many neighborhoods with numerous vacant houses for large parts of the year and create so-called "dark neighborhoods."

(i) Vacant housing units, especially when concentrated as they are in dark neighborhoods close to recreational amenities, may attract vandals and other criminal activity to the neighborhood, may become rundown during the winter, and provide shelter for wild animals and other vermin, all to the detriment of the public health, safety and welfare of the residents in close proximity.

(j) Accordingly, and based on the foregoing findings, the Ludington City Council determines that it is reasonable to adopt a short-term rental licensing program designed to eliminate or reduce the impacts short-term rentals may have on the supply of affordable housing, the peace and security of residential neighborhoods, and the nuisance activities frequently associated with short-term rentals. Specifically, City Council believes that these goals can be reasonably attained by adopting the regulations set forth in this Article; by limiting the total number of short term rental units operating in the City; by limiting the concentration of short-term rentals; and by limiting the duration of a short term rental license, thereby periodically allowing all who may seek to operate a short-term rentals in the City an equal opportunity to obtain a short-term rental license from the City.

Sec. 6-251. – Definitions.

As used in this Article, the following words and phrases shall have the meanings herein ascribed to them:

(a) *Accessory Building* means a building that is subordinate or incidental to the principal building on the same zoning lot on which the accessory building is located, or as otherwise defined by Article 500.4 of the City zoning ordinance.

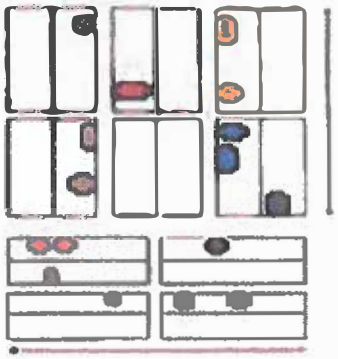
(b) *Bedroom* means a room in a dwelling which is intended, arranged, or designed to be occupied by one or more persons primarily for sleeping purposes.

(c) *City* means the City of Ludington.

(d) *City Block* means the smallest area of land in the City bounded on all sides by public streets or highways. A city block may contain public or private alleys, which, for purposes of this Article are not considered to be a public street.

TWO SHORT-TERM RENTALS PER CITY BLOCK RIGHT-OF-WAY/STREET SEGMENT

How two short-term rentals per linear block or segment of street might look:



Note: Some streets in Ludington run North/South and others run East/West

(e) *Dwelling* means any house, room, boarding house/rooming house or apartment, which is wholly or partly used or intended to be used for living, sleeping, cooking and eating. Hotels, motels, bed and breakfasts, resorts, recreational equipment (including but not limited to travel trailers, pickup campers, motorized homes, folding tent trailers, private buses, boats and boat trailers and utility trailers), tents and accessory buildings shall not be defined as a dwelling for purpose of this article.

(f) *Driveway* means the route of access for vehicles from a public or private street or alley across a premises to a parking or loading area, garage, dwelling or other structure or area on the same premises, and that is located and constructed in accordance with the requirements of the City Code.

(g) *License* means a short-term rental license issued by the City to the owner of a premises authorized to be used as a short-term rental. No licensee shall acquire by virtue of having been granted a license, a right of automatic renewal, nor shall any licensee have or acquire a property or liberty interest in or expectation of an initial or renewed license. All licenses terminate upon transfer of ownership, and may not be assigned, transferred or hypothecated, in whole or in part.

(h) *Licensee* means the owner(s) holding a license.

(i) *Limited short-term rental* means the rental of any premises for not more than two rental periods of up to 14 days, not to exceed 14 days total, in any calendar year.

(j) *Maximum occupancy* means the maximum number of allowable occupants for the premises.

(k) *Nuisance means* an offensive, annoying, unpleasant, or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeated invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects an individual, or the generation of an excessive or concentrated effects from movement of people or things including but not limited to: noise; dust; smoke; odor; glare; fumes; flashes; vibration; objectionable effluent; noise from a congregation of people, particularly at night; passing traffic; or invasion of street frontage by traffic generated from an adjacent premises which lacks sufficient parking and vehicle circulation facilities.

(l) *Occupant* means a non-owner individual living in, sleeping in, or otherwise having possession of a premises.

(m) *Owner* means a person holding legal or equitable title to the premises. An owner may designate an agent to perform duties or receive notice under this Chapter.

(n) *Person* means any individual, company, partnership, corporation, limited liability company, trust or other entity having the legal capacity to own or lease real property

(o) *Premises* means real property, and all fixtures and improvements, including the dwelling, located on it.

(p) *Rent* or *rental* means to permit, provide for, or offer possession or occupancy of a dwelling on a premises on which the owner does not reside for a period of time to a person who is not the owner, pursuant to a written or unwritten agreement.

(q) *Short-term rental* means the rental or subletting of any dwelling on a premises for a term of 28 days or less.

(r) *Transfer of Ownership* has the meaning ascribed to it by MCL 211.27a or any subsequent sections or statues of the same import.

Sec. 6-252. – License Required.

(a) *General Regulations*: It shall be unlawful for any person to offer any premises as a short-term rental, or conduct or operate a short-term rental on any premises within the City without a short-term rental license issued by the City.

(b) *Specific Regulations*: Persons seeking to operate a short-term rental must be registered with and licensed by the City prior to the commencement of any short-term rental activity. All short-term rental operations shall comply at all times with the requirements of this Article VIII.

Sec. 6-253. – Exceptions.

This Article shall not apply to the following:

(a) *Family occupancy.* A member of the owner's family, as well as that family member's guests, may occupy a premises as long as a member of that family retains ownership of the premises. The family occupancy exemption also exempts family occupancy of

guest houses or similarly separate dwellings lawfully located on the same premises, when occupied by family guests, exchange students, visitors, medical caregivers, and child caregivers, without compensation to the owner.

(b) *House sitting.* During the temporary absence of the owner and the owner's family, the owner may permit non-owner occupancy without remuneration to the owner.

(c) *Dwelling sales.* Occupancy following closing by a prior owner after the sale of a premises for the length of time agreed to by the parties to the dwelling sale agreement.

(d) *Estate representative.* Occupancy by a personal representative, trustee, or guardian (including family members) of the estate of the owner, with or without compensation. The estate shall notify the City of the owner's name, date of death or incapacity, and name of the person occupying the premises.

(e) *Bed and Breakfasts.* Occupancy of a structure originally constructed for residential purposes and used as temporary lodging and meals for travelers or guests where bedrooms are rented on a nightly basis and managed by an on-site owner, subject to the limitations outlined in this Article and pursuant to a valid land use or special use permit issued by the City under the City zoning ordinance (Appendix A to Ludington City Code). Meals may or may not be included in the price of the room.

(f) *Commercial/Non-Profit Facilities.* Licensed campgrounds, hotels and motels, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, hospitals, or housing provided by a substance-abuse rehabilitation clinics, mental-health facilities, or other health-care related clinics.

(g) *Limited short-term rentals.* The rental of any premises for not more than two rental periods of up to 14 days, not to exceed 14 days total, in any calendar year.

Sec. 6-254. – Licensing Procedure and Criteria

(a) <u>Application:</u>

Applicants for a short-term rental license shall file an application to conduct a short-term rental operation with the City on a form provided by the City for that purpose. The application shall include:

(1) The name, mailing address, and phone number of the owner(s) of the premises to be licensed.

(2) The name, mailing address, and phone number of the applicant if different than the owner.

(3) A notarized letter of authorization from the owner to the applicant if the applicant is not the owner of the premises sought to be licensed.

(4) A description of the premises proposed to be used for short term rentals, including but not limited to:

a. Number of bedrooms
b. Number of bathrooms
c. Maximum occupancy
d. Tax parcel ID number and legal description

(5) A non-refundable application fee in an amount set from time to time by resolution of the City Council or its designee. If a license is granted, the application fee will be applied towards payment of the license fee.

(6) Written confirmation that the premises owner does not have an ownership interest in more than one premises for which a short-term rental license has been issued or is being sought in the City of Ludington.

(7) A statement whether the applicant has ever been cited for a violation of this Ordinance or had a short-term rental license revoked.

All applicants selected to receive a license shall also file with the City prior to issuance of the license, the following:

(1) A licensing fee in an amount set from time to time by City Council or its designee.

(2) A certificate of general liability insurance coverage issued by an insurance company licensed to do business in the State of Michigan covering the premises and insuring the licensee against risks arising from commercial rental activities on the premises.

(b) Inspection

Upon the selection of a completed license application from the applicant pool, the City will schedule an inspection of the premises with the City Building Inspector. The Building Inspector will visit the premises and assess its fitness and safety for short-term rental operations using the standards contained in this Article. The owner(s) of the premises described in the application shall be the only permitted short term rental licensee, but may designate in writing to the City a local agent for purposes of receiving notices under this Article and shall do so if required by Sec. 6-255(a) of this Article.

(c) Limits on Issuance of Licenses

The City may issue up to thirty (30) short term rental licenses, under the following conditions:

1. A license may only be issued for a premises with two or fewer dwelling units. For the purposes of this subsection, "dwelling unit" means a dwelling encompassing areas for living, sleeping, cooking and eating that is a self-contained unit separated from other dwellings on the premises, if any exist.
2. No more than two (2) licenses may be issued in any City block as is defined in Sec. 6-251.
3. Regardless of the number of applicants, no person may hold more than one license at the same time.
4. Licenses are valid for a period three (3) years, commencing at 12:01 a.m., on the first day of January of the first year following adoption of this Article, and ending at midnight of the 31st day of December of the third year following

adoption of this Article. Licenses may be issued at any time, but licenses issued after the first day of the first year of the three-year licensing period will be valid only until the expiration of that licensing period, such that all short-term rental licenses issued by the City will expire at the same time.

5. Licenses which terminate due to revocation by the City, death of the owner, a transfer of ownership of the premises, or any other reason will become available for re-issuance the next succeeding January, but will expire at the end of the then three-year licensing period.
6. Licenses will be initially issued on the basis of a blind, random drawing conducted by the City. All complete applications will be included in the pool from which the license selections are made. The City shall set by resolution the due date for license applications to be included in the pool from which the license selections are made. The City shall also set by resolution the date on which the license selection drawing will be conducted. All premises for which a license is drawn from the license application pool shall be inspected before a license is issued pursuant to Sec. 6-254(b). If the City receives more than 30 license applications by the due date, then licenses which become available due to termination or resignation of a license or failure of the premises to pass inspection may be granted on the basis of a blind, random drawing to qualified applicants who applied by the due date and who were not selected in the initial drawing. The City shall consider any license application submitted after the due date on a first-come, first-served basis.
7. Licenses are non-transferrable, non-assignable and remain the sole property of the City. Death of licensee who is a natural person, or a transfer of interest of more than fifty percent (50%) or a lesser but controlling interest in a partnership, corporation, limited liability company, trust, or other legal entity that owns the licensed premises, terminates a license immediately.
8. Notwithstanding any other provision of this Article, all licenses expire at the end of the three-year licensing period. If the City chooses to continue issuing short-term rental licenses pursuant to this Article, any person desiring to continue operating a short-term rental must renew their license. Any person desiring to commence operating a short-term rental must apply for a license in should the City choose to continue its short-term rental program in order to have the opportunity to obtain a short-term rental license.

Sec. 6-255. – Short-Term Rental Regulations.

Premises licensed for short-term rentals under this Article shall comply at all times with all of the following requirements:

(a) Licensees must be available to receive notices and respond to complaints from neighbors or the City, 24 hours per day, 7 days per week. Licensees who do not reside permanently in Mason County or who do not maintain a permanent business location in Mason County shall designate in writing to the City, as part of its application, the name, physical address, phone number(s), fax number (if available) and email address of a local agent. Notwithstanding the local agent's actual authority, the local agent

shall be deemed to be the licensee's authorized agent for purposes of serving notice under this Article, including service of a civil infraction citation.

(b) The address of the premises must be prominently displayed inside the main area of the dwelling so that occupants will have it available in case of an emergency.

(c) The licensee's name, address, phone number(s) and email address must be displayed prominently in the main part of the dwelling, along with the name, address, phone number(s), fax number and email address of a designated local agent, if any, and supplied in writing to all persons who rent the premises.

(d) A copy of the "Good Neighbor Guidelines" developed by the City must be provided to the occupants.

(e) Fire extinguishers, smoke detectors and carbon monoxide detectors adequate for the dwelling, as determined by the City Building Inspector as part of the inspection of the premises, shall be provided, properly mounted and kept fully charged and in good working order at all times. Notwithstanding any inspection by the City Building Inspector, the Fire Chief may inspect any building pursuant to the City Code.

(f) All exterior signage must have a valid use permit issued by the City pursuant to the City's zoning ordinance.

(g) Dwellings may not be sublet by any tenant of the licensee.

(h) Licensee shall provide secure trash receptacles and must make those receptacles accessible by weekly trash removal services for occupants' use. Receptacles must be designed to prevent intrusion by animals and to ensure proper trash removal from the premises. Commercial dumpsters are not allowed on any premises used for short term rentals.

(i) Licensee must ensure that the premises complies with all applicable parking regulations under the City Code. Licensee shall provide occupants with a copy of Ordinance No. 419-20 (Parking and Storage of Recreational Vehicles and Equipment).

(j) Pursuant to Sec. 22-67, open burning shall be allowed without prior notification to the code official for recreational fires such as outdoor fire pits. In the event that any recreational fire shall become a nuisance by reason of smoke or flying embers, or if it shall pose any danger to persons or property, the fire chief or his designee or any police officer of the City of Ludington, may order such fire extinguished, and in the event that the owner, occupant or person responsible for such fire shall fail to extinguish such fire, such failure shall constitute a municipal civil infraction. Notice that a fire is a nuisance or poses a danger may be verbal and need not be in writing, nor shall other notice requirements provided in the fire prevention code be applicable to such circumstance. The fire chief or his designee or any police officer of the City is further authorized to extinguish any recreational fire that is a nuisance.

(k) No fireworks shall be ignited, discharged, or used at a premises licensed for short-term rentals except in accordance with Chapter 22, Article IV of the City Code.

(l) All short-term rentals shall be for purposes of renting as a temporary dwelling only and may not include any commercial activities such as yard sales, festivals, retreats, class reunions, home occupations or similar uses.

(m) Maximum occupancy of a premises used for short term rentals shall be not more than as established by the City or State fire/health codes and the maximum number of people as indicated on the license application.

(n) Short term rental contracts must stipulate that the licensee or local agent reserve the right to immediately terminate the contract for violations of any City Ordinance or other applicable law.

Sec. 6-256. – Licensee Responsibility.

The licensee and/or the licensee's local agent shall have the duty to remedy any violations of this Article, or any violation of State law or City Ordinance, including specifically, Sections 34-98 (disturbing the peace; disorderly conduct) and 62-40 (placement for collection) of the City Code and Article 700.4 of the City zoning ordinance (Appendix A to City Code), by the occupants of a short-term rental and/or the guests of such occupants. For any violation of the foregoing provisions of the City Code, the City may (in addition to other remedies) notify the licensee and/or local agent of such violation by telephone or return receipt email at the phone number and email address posted on the interior notice or supplied in the licensee's application. The licensee and/or local agent shall be considered to have received notice of the violation upon receiving the telephone call or when a return receipt email message is received by the City, whichever is soonest. Upon receiving notice of the violation, the licensee and/or local agent shall ensure that the violation is remedied within two (2) hours of receipt of such notice. Failure to remedy the violation within two (2) hours after receiving notice of the violation, without good cause, shall constitute a material violation of this Article and may subject the licensee to a municipal civil infraction citation and court enforcement proceedings and the penalties imposed by law. Nothing in this Section limits the City or its authorized designee's right or ability to enforce violations of the City Code against occupants.

Sec. 6-257. – Violations and Penalties.

(a) Violation. A violation of this Article is hereby declared to be a public nuisance and a nuisance per se and is declared to be offensive to the public health, safety, and welfare.

(b) Penalties. Any person who violates any provision of this Article shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101 – 600.9939 of Michigan Compiled Laws, and shall be subject to the penalties or sanctions stated in this subsection, plus the costs and attorney fees of the City in the enforcement. In addition, this Article shall be specifically enforceable by order of the Court to prohibit or enjoin future activities on or about the premises in violation of this Article. Each day this Article is violated shall be considered as a separate violation:

1. First Violation: fine of no less than $250;

2. Second Violation: fine of no less than $500;

3. Third Violation: permanent revocation of license. A person whose license has been revoked is ineligible to apply for or receive a license in the future. Appeal from revocation of a short-term rental license is allowed pursuant to the terms of this section.

(c) Revocation Appeal Procedure. Upon a finding by the City Code Enforcement Officer or his or her Designee of a third violation, the City Code Enforcement Officer or his or her Designee shall prepare or cause to be prepared a written notice specifying the alleged violation and the factual basis for this belief and a statement that the City intends to revoke the license within 14 days.

1. The written notice shall inform the licensee of a right to an appeal hearing to show cause as to why the license should not be revoked by filing with the city clerk a written notice of appeal within 14 days of service of the written notice by the City Code Enforcement Officer or his or her Designee.

2. If an appeal hearing is requested within 14 days of service of the written notice, the city clerk shall refer a copy of this notice and the request for appeal hearing to an appeals panel consisting of the City Manager or his or her designee, Chief of Police or his or her designee, and the Chair of the Building and Licenses Committee or his or her designee. Upon receipt of the written notice and request for appeal, the city clerk shall confer with the appeals panel to schedule a hearing. The hearing shall be held as soon as practical, but not later than 7 business days after the filing of the notice of appeal with the city clerk. The hearing provided for shall be conducted by the appeals panel.

3. Written notice of the appeal hearing including the time, date, and place of the hearing shall be served on the licensee or the licensee's designated agent either personally or by certified mail, restricted delivery and return receipt requested.

4. At the hearing, the licensee shall be given an opportunity to present evidence and legal arguments. The licensee may also be represented by an attorney, and the appeals panel may request the assistance of the City Attorney. The appeals panel's decision shall be in writing and shall specify the factual evidence upon which it is based and shall be a final decision. A copy of the appeals panel's written decision shall be provided to the licensee.

(d) Fraudulent Complaints. Any person who knowingly files a fraudulent, false, or fictitious complaint about a short-term rental shall be deemed to be in violation of this Article and may be found responsible for a civil infraction and penalties under Chapter 1, Sec. 1-7 of the City Code.

Sec. 6-258. – Enforcement.

(a) The Code Enforcement Officer or his or her Designee, any police officer having jurisdiction in the City, and other persons as may be appointed from time to time by the City Council are hereby designated as the authorized local officials to issue municipal civil infraction citations for violation of this Article.

(b) In addition to enforcing this Article through the use of a municipal civil infraction proceeding, the City may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Article.

(c) The remedies provided in this Article are cumulative and the City's exercise of one remedy shall not bar the exercise of other remedies available to it.

Sec. 6-258. – Review of short-term rental licensing program; sunset provision.

The City Council or its designee shall review the City of Ludington short-term rental program described in this Article by the end of the initial three-year licensing period on 31st day of December of the third year following adoption of this Article. If the City Council does not renew the short-term rental licensing program by that date, the provisions of this Article shall expire such that no existing license shall be renewed and no licenses shall be granted to applicants on the waiting list.

Section 2. Severability.

If any section, clause, or provision of this Article is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such declaration shall not affect the remainder of the Article. The City Council hereby declares that it would have adopted this Article and each part, section, subsection, phrase, sentence, and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences, or clauses is declared invalid.

Section 3. Repeal.

All ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 4. Effective Date.

This Ordinance shall become effective 21 days following its introduction, adoption and publication as required by law.

Adopted on _____, 2020.

_____
Deborah L. Luskin, City Clerk

GUIDE TO CITY OF LUDINGTON SHORT-TERM RENTALS

400 S. HARRISON ST.

LUDINGTON, MI 49431

Ph: 231-843-2956 ... (FAX) 231-845-1146

Email: cafoote@ci.ludington.mi.us

www.ludington-mi.gov

CITY OF LUDINGTON

SHORT TERM RENTALS

CHECKLIST

TO BE PROVIDED BY APPLICANT

In order for a short-term rental application and/or renewal to be complete, the following documents must be submitted. If any documents are missing; the application must be returned to the applicant along with a letter outlining the missing elements.

- ☐ **$500 Application Fee (Non-Refundable)**
- ☐ **City of Ludington Short Term Rental Application**
- ☐ **Signed Applicant Statement**
- ☐ **Notarized letter of authorization from the owner to the applicant, if applicant is not the owner of the premises sought to be licensed.**
- ☐ **Name, address, phone number, fax number (if available), and email address of a local agent to be available to receive notices and respond to complaints from neighbors or the City, 24 hours per day, 7 days per week if Licensees do not reside permanently in Mason County.**
- ☐ **Description of premises proposed to be used for short term rentals:**
  - Number of bedrooms
  - Number of bathrooms
  - Maximum occupancy
  - Parcel I.D. number and legal description of property
- ☐ **Certificate of general liability insurance coverage issued by an insurance company licensed to do business in the State of Michigan covering the premises and insuring the licensee against risks arising from commercial rental activities on the premises.**

CITY OF LUDINGTON

SHORT TERM RENTAL

APPLICANT STATEMENT

- ☐ I am the legal owner of the subject property or an authorized agent of the legal owner of record. I will obtain all necessary permits and complete any modifications required to rent the property as a short-term rental. All statements on this application are true and accurate to the best of my knowledge. I understand that if a license is issued based on false statements, or if I do not comply with all requirements, license approval may be revoked.

- ☐ I understand that no person may hold more than one license at the same time and that a license is valid for a three-year period- January 1- December 31 of third year.

- ☐ I confirm that I do not have an ownership interest in more than one premises for which a short-term rental license has been issued or is being sought in the City of Ludington.

- ☐ I understand that there will only be two short-term rentals per city block right-of-way/street segment.

- ☐ I understand that a short-term rental license is non-transferable and non-assignable.

- ☐ I am aware that upon transfer of ownership, death of licensee, or transfer of more than fifty percent (50%) or a lesser controlling interest in a legal entity, the license will immediately terminate.

- ☐ I am aware that a license can be revoked by the City for violations of the Short-Term Rental Ordinance or other applicable law.

- ☐ I understand that there shall be no commercial activities conducted on the premises including, but not limited to, yard sales, festivals, retreats, class reunions, home occupations or similar uses.

I have read and understand the Applicant's Statement and agree to abide by the terms.

Applicant's Signature_____Date:_____

CITY OF LUDINGTON SHORT TERM RENTAL APPLICATION

Rental Inspection Department
400 S. Harrison St.
Ludington, MI 49431
Ph: 231-843-2956...Fax: 231-845-1146
Email: cafoote@ci.ludington.mi.us www.ludington-mi.gov

Application must be completed in full. Incomplete applications cannot be accepted

Property Address_____ Parcel I.D.#_____ #Units_____

UNIT ONE	UNIT TWO
Number of bedrooms _____	Number of bedrooms _____
Number of bathrooms _____	Number of bathrooms _____
Maximum occupancy _____	Maximum occupancy _____

If applicant is different from the owner, a notarized letter of authorization must be attached.

Applicant Name_____ Email_____

Mailing Address_____ City, State, Zip_____

Phone: Daytime_____ Evening_____ Cell_____

Signature:_____ Date_____

[1]Owner Name_____ Email_____

Mailing Address_____ City, State, Zip_____

Phone: Daytime_____ Evening_____ Cell_____

Signature_____ Date_____

[2]Owner Name_____ Email_____

Mailing Address_____ City, State, Zip_____

Phone: Daytime_____ Evening_____ Cell_____

Signature_____ Date_____

Party responsible and authorized to act local agent to promptly remedy any complaint

Agent/Manager Name_____ Email_____

Mailing Address_____ City, State, Zip_____

Phone: Daytime_____ Evening_____ Cell_____

OWNERSHIP ACKNOWLEDGEMENT: **(If application is filled out by someone other than owner, a notarized acknowledgement of ownership must be attached to application)**

- ☐ I confirm that I do not have an ownership interest in more than one premises for which a short-term rental license has been issued or is being sought in the City of Ludington.
- ☐ I have never been cited for a violation of the Short-Term Rental Ordinance.
- ☐ I have never had a short-term rental license revoked.

Signature_____ Date_____

CITY OF LUDINGTON
SHORT TERM RENTAL
LICENSEES RESPONSIBILITIES

- Licensees or his/her agent, must be available to receive notices and respond to complaints, 24 hours per day, 7 days per week.
- The address of the premises must be prominently displayed inside the main area of the dwelling, in case of an emergency.
- The licensee's and his/her agent's name, address, phone number(s) and email address must be displayed prominently in the main part of the dwelling and supplied, in writing, to occupants of the premise.
- The "Good Neighbor Guidelines" must be provided to the occupants.
- Fire extinguishers, smoke detectors and carbon monoxide detectors must be properly mounted and kept fully charged and in good working order at all times.
- Any exterior signage must meet Zoning requirements and have a permit issued by the City.
- Licensee shall provide secure trash receptacles and follow the proper guidelines for weekly trash removal. (Dumpsters are not allowed)
- Licensee must ensure compliance with all applicable parking requirements of the City Code.
- Licensee must ensure compliance with other City Codes including, but not limited to, Open Burning, Fireworks and Disturbing the Peace.
- Licensee's Short-Term Rental contract must stipulate that the licensee or local agent reserve the right to immediately terminate the contract for violations of any City Ordinance or other applicable law.

CITY OF LUDINGTON
GOOD NEIGHBOR GUIDELINES
(Must be provided to the occupants)

SEC. 62-40. - GARBAGE: PLACEMENT FOR COLLECTION: No garbage, refuse or recyclables or other items shall be placed for collection earlier than 5:00 p.m. on the day prior to the scheduled collection for such premises. Items which have not been removed by the city's garbage collection service, including refuse and recycling containers, shall not be allowed to remain at any curbside or along any alley or street past 7:00 p.m. on the day of such scheduled collection for such premises.

GARBAGE PICKUP FOR THIS LOCATION IS: _____

RECYCLING PICKUP ONLY DURING THE 3RD FULL WEEK OF THE MONTH

SEC 22-67 ALLOWABLE BURNING (FIREPIT): *Open burning* shall be allowed without prior notification to the code official for *recreational fires, highway* safety flares, smudge pots and similar occupational needs. In the event that any recreational fire shall become a nuisance by reason of smoke or flying embers, or if it shall pose any danger to persons or property, the fire chief or his designee or any police officer of the City of Ludington, may order such fire extinguished, and in the event that the owner, occupant or person responsible for such fire shall fail to extinguish such fire, such failure shall constitute a municipal civil infraction. Notice that a fire is a nuisance or poses a danger may be verbal and need not be in writing, nor shall other notice requirements provided in the fire prevention code be applicable to such circumstance. The fire chief or his designee or any police officer of the City is further authorized to extinguish any recreational fire that is a nuisance.

Sec. 22-98. – DISCHARGE DURING CERTAIN HOURS (FIREWORKS)

(a) No person shall at any time ignite, discharge or use consumer fireworks within the city except on the day preceding, the day of, or the day after a national holiday as permitted by state law and subsection (b) of this section.

(b) No person shall at any time ignite, discharge or use consumer fireworks within the city between the hours of 1:00 a.m. and 8:00 a.m. on the day preceding, the day of, or the day after a national holiday as permitted by state law. Notwithstanding any other provision of this Code, the violation of this provision shall result in only the imposition of a civil fine of not more than $500.00 for each violation and no other fine or sanction.

SEC. 34-98. - DISTURBING THE PEACE; DISORDERLY CONDUCT. No person shall:

(1) Create or engage in any public disturbance, fight or quarrel in a public place.

(2) Create or engage in any disturbance, fight or quarrel that incites or causes or tends to incite or cause a breach of the peace.

(3) Disturb the public peace and order by disrupting the ordinary and usual tranquility of the citizenry by loud and boisterous conduct or by noise deemed excessive under the circumstances. This subsection shall be interpreted as an objective standard and not a subjective determination of the particular individual subjected to such conduct.

(4) Disturb without lawful authority any peaceful and lawful assembly or meeting of persons.

(5) Permit or allow any premises owned, occupied or controlled by him to be used or occupied by noisy, boisterous or disorderly persons.

(6) Permit or allow any loud or boisterous noise, or any fight, quarrel or disturbance on any premises owned, occupied or controlled by him.

(7) Permit the use of any radio or television receiving set, musical instrument, phonograph, or other machine or device for the producing or reproduction of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants at any time with louder volume than is necessary for convenient hearing for the person who is in the room, vehicle or chamber in which such machine or device is operated and who is a voluntary listener thereto.

SEC.58-202 – PARKING TIME RESTRICTED: It shall be unlawful to park any recreational equipment on any public right of way, street or alley within the City for a period of longer than 72 consecutive hours. Recreational equipment shall include, but not limited to: travel trailer, pickup camper, motorized home, folding tent trailer, private bus, utility trailer, etc.

SECTION 700.4:1 OFF-STREET PARKING IN RESIDENTIAL DISTRICTS

(1) For all residential buildings, required parking areas shall be provided on the same lot on a lot adjacent to the lot it is intended to serve.

(2) Such parking areas shall not be located in any required front yard, except in the case of a dwelling with a driveway leading to a garage or parking area when the drive may be used for parking.

(3) At no time shall parking in the area between the sidewalk and curb be permitted, whether the area is paved or unpaved, except when parking on the street is prohibited.

(4) There shall be no parking or storage of any truck tractors and/or trailer rigs on a residential lot.

CITY OF LUDINGTON
SHORT TERM RENTAL
PREPARING FOR INSPECTION

Upon the selection of a completed license application from the applicant pool, you must schedule and pass an inspection of the premises to assess its fitness and safety for short-term rental operations before renting the property.

COMMONLY FOUND VIOLATIONS
****THIS IS NOT A COMPLETE LIST OF VIOLATIONS THAT COULD BE FOUND****

INTERIOR

•	All sleeping areas must have proper egress.
•	Interior shall be maintained in a sanitary condition and free from rodent and insect infestations.
•	Heating that is properly installed and maintained in safe working condition.
•	Properly installed and maintained water heating device.
•	Minimum sanitary facilities maintained in a sanitary/ working condition include: Toilet, Lavatory, Bathtub/ Shower and Kitchen sink.
•	All sanitary facilities shall be properly connected to the public water and sewer system.
•	Smoke detectors shall be provided as required by Building Code.
•	Fire extinguisher and carbon monoxide detectors properly mounted and charged.
•	Cover plates for outlets, switches and junction boxes shall be in place.
•	Address of premises prominently displayed inside main area of dwelling
•	Licensee/agent's name, address, phone #, and email prominently displayed inside main part of dwelling.
•	"Good Neighbor Guidelines" displayed

EXTERIOR

•	Remove all trash and debris from the exterior property.
•	Cut all grass and weeds in excess of ten inches.
•	Doors/windows in good condition and operable.
•	Steps, decks, porches, and landings in good/ safe condition.
•	Handrails/guardrails sturdy, weatherproof, at least 30" high, spindles less than 4" apart.
•	Roofs, shingles, eaves, soffits, and fascia in good repair.
•	Siding, trim, and paint in good condition.
•	House numbers displayed in a position that can easily be observed and readable from the public right-of-way. All numbers should be a least 3 inches in height and at least 1/2 inch across.
•	Secure trash receptacles (designed to prevent intrusion by animals and to ensure proper trash removal.)

CITY OF LUDINGTON
SHORT TERM RENTAL
FEE SCHEDULE

Application Fee (Non-Refundable)	**$500.00**
License Fee	**$1,500**
Renewal License Fee	**$1,500 (Every Three Years)**
Initial Inspection	**$100.00 Per Unit**
Second and subsequent inspections	**$100.00 Per Unit**
Inspection "No Show" ***(cancellations must be made 24 hr. in advance)***	**$100.00 Per Unit**
Construction Board of Appeals	**$200.00 Per Unit**

manistee
MICHIGAN

Planning Department

Mike Szokola
Manistee County Planner
395 3rd St.
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

July 14, 2020

City Clerk
70 Maple St.
Manistee, MI 49660

Dear Heather,

This memo is to inform you that the City of Manistee Planning Commission transferred the SUP for 24 Arthur St. to Hickory Properties. The transfer was contingent on the new owner completing the original permit conditions and requirements of the Special Use Permit, this included the site plan buildout as described in the originally approved SUP, and combination of parcels addressed 24 Arthur street and 26 Arthur street in Manistee, Michigan.

The Planning Commission also granted all Marijuana SUP properties an additional 90 days to finish work on the properties due to Covid-19. 90 days would be added to the expiration date on the originally permitted SUP permits. The permits are valid for 2 years, however, if no work has taken place on the properties within one year, the use could be considered abandon and the permit would become void at that time.

If you have any questions or concerns, feel free to reach out to me.

Sincerely,

Mike Szokola
Manistee County Planner
City of Manistee Zoning Administrator

City of Manistee Text Amendments, Master List.

Definitions:

DWELLING, LOWER STORY ACCESSORY: A dwelling, which is considered an accessory use, located in the same building as the principal commercial use and located on the lower story of the building.

Site Plan Review Committee: A committee consisting of representatives from the City Fire Department, City Police Department, City Planning Department, City DPW, and City Manager. The Site Plan Committee can be expanded when needed to include representatives from the City Attorney's office, City DDA, City HDC, City Building Department, Economic Development Office, and other outside agencies.

SECTION 1505 LOWER STORY DWELLINGS

A. Lower story dwellings are permitted in existing structures within the C-3 district. New structures proposing lower story dwellings shall be governed as a mixed use.

B. Lower story dwellings shall be accessed by a secure entrance dedicated for the exclusive use of building residents and guests.

C. ~~No~~ Lower story dwellings ~~unit~~ shall ~~exceed~~ have a maximum of two (2) bedrooms.

D. ~~Each~~ Lower story dwellings ~~unit~~ shall have a minimum floor area of five hundred (500) square feet.

E. A basic site plan shall be required and reviewed by the Zoning Administrator per Section 2201, A.

F. Dwelling units shall not be located on the street level or basement except in those locations where resident privacy can be provided by building design, courtyards, topography or similar design; such as daylight or walkout dwelling units along the riverfront or into a secured and private side or rear yard.

G. At least the first 20 feet of depth at street level of the building shall be dedicated to a commercial use.

Article Five: General Provisions, Section 502, subsection D, subsubsection 3:

E. Patios, built at grade, built no closer than 3 feet to the property line, not exceeding 200 square feet and not exceeding the Parcel's "Maximum Lot Coverage" for the district in which it resides.

F. Fences, while not requiring a land use permit, all other requirements of the zoning ordinance must be adhered to. Please see Section 502 Fences.

Commented [1]: Not exceeding and having a maximum seemed redundant

Commented [2]: Is this for "new structures proposing ~~lower story dwellings~~"? IF so, do you want that included

Section 518 Temporary Storage Structures

A. A temporary storage structure shall not be occupied as a dwelling.
B. A temporary storage structure shall be located only in the side or rear yard of a property and shall meet the setback requirements of its respective district. The Administrator must approve the site for the temporary structure.
C. Membrane-covered framework structures shall be prohibited in all districts.
D. In all districts, except L-I and G-I, a temporary structure shall not exceed one hundred (100) square feet in size.
E. Temporary storage structures shall be limited to 45 days in a calendar year.

Commented [3]: I know this wasn't changed, but it reads better with the change

We also have 8 mentions of the R-4 Zoning district within our ordinance. I believe the R-4 Zoning district has been replaced. We should remove this Zoning district from the Zoning Ordinance so as to not cause confusion.

City of Manistee Text Amendments, Master List.

Definitions:

DWELLING, LOWER STORY ACCESSORY: A dwelling, which is considered an accessory use, located in the same building as the principal commercial use and located on the lower story of the building.

Site Plan Review Committee: A committee consisting of representatives from the City Fire Department, City Police Department, City Planning Department, City DPW, and City Manager. The Site Plan Committee can be expanded when needed to include representatives from the City Attorney's office, City DDA, City HDC, City Building Department, Economic Development Office, and other outside agencies.

SECTION 1505 LOWER STORY DWELLINGS

A. Lower story dwellings are permitted in existing structures within the C-3 district. New structures proposing lower story dwellings shall be governed as a mixed use.

B. Lower story dwellings shall be accessed by a secure entrance dedicated for the exclusive use of building residents and guests.

C. No dwelling unit shall exceed a maximum of two (2) bedrooms.

D. Each dwelling unit shall have a minimum floor area of five hundred (500) square feet.

E. A basic site plan shall be required and reviewed by the Zoning Administrator per Section 2201, A.

F. Dwelling units shall not be located on the street level or basement except in those locations where resident privacy can be provided by building design, courtyards, topography or similar design; such as daylight or walkout dwelling units along the riverfront or into a secured and private side or rear yard.

G. At least the first 20 feet of depth at street level of the building shall be dedicated to a commercial use.

Article Five: General Provisions, Section 502, subsection D, subsubsection 3:

e. Patios, built at grade, built no closer than 3 feet to the property line, not exceeding 200 square feet and not exceeding the Parcels "Maximum Lot Coverage" for the district in which it resides.

f. Fences, while not requiring a land use permit, all other requirements of the zoning ordinance must be adhered to. Please see Section 508: Fences.

Section 518 Temporary Storage Structures:

A. A temporary storage structure shall not be occupied as a dwelling.
B. A temporary storage structure shall be located only in the side or rear yard of a property and shall meet the setback requirements of its respective district. The Administrator prior to placement must approve the site for the temporary structure.
C. Membrane-covered framework structures shall be prohibited in all districts.
D. In all districts, except L-I and G-I, a temporary structure shall not exceed one hundred (100) square feet in size.
E. Temporary storage structures shall be limited to 45 days in a calendar year.

We also have 8 mentions of the R-4 Zoning district within our ordinance. I believe the R-4 Zoning district has been replaced. We should remove this Zoning district from the Zoning Ordinance so as to not cause confusion.

Above this line has been reviewed by City attorney.

SECTION 518 TEMPORARY STORAGE STRUCTURES

A. A temporary storage structure shall not be occupied as a dwelling.
B. A temporary storage structure shall be located only in the side or rear yard of a property and shall meet the setback requirements of its respective district. The Administrator prior to placement must approve the site for the temporary structure.
C. Membrane-covered framework or metal roofed temporary structures shall be prohibited in all districts.
D. In all districts, except L-I and G-I, a temporary structure shall not exceed one hundred (100) square feet in size.

Modify C, and add E.

C. Membrane-covered framework structures shall be prohibited in all districts.

E. Temporary storage structures shall be limited to 45 days in any calendar year.

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MICHIGAN

Planning Department

Mike Szokola
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395 3rd St.
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www.manisteemi.gov

July 30, 2020

Planning Commission
70 Maple St.
Manistee, MI 49660

Dear Planning Commission Members,

The City Council recently came to consensus on moving forward with enforcement of the dumpster ordinance. (See attached packet, "Manistee City Council Work Session: Tuesday July 14, 2020") Now that the Planning Commission has the support of City Council, and the blessing of the City attorney, Staff has the following recommendations:

- Allow 21 months from September 1, 2020 for current property owners to come into compliance voluntarily, before enforcement takes place.
- Breaking the City of Manistee down into districts and moving through the districts systematically addressing concerns as documented, needed, or reported. This could follow the same districts as the Anti-blight districts.
- Offer the Manistee News Advocate the opportunity to do a story on the upcoming dumpster and enclosure enforcement with interviews with Staff, Planning Commission members, and City Council members.

These recommendations are to be a starting point in our discussions and are to facilitate the conversation moving forward. As always it is up to the Planning Commission members on how Staff is to proceed.

Sincerely,

Mike Szokola
Manistee County Planner

MANISTEE CITY COUNCIL
WORK SESSION
MINUTES OF JULY 14, 2020

The Manistee City Council met in a work session on Tuesday, July 14, 2020 at 7:00 pm remotely as authorized by Executive Order of the Governor.

MEMBERS PRESENT: Dale Cooper, Lynda Beaton, Roger Zielinski, Michael Szymanski, James Grabowski, and Erin Martin-Pontiac

MEMBERS ABSENT: Jermaine Cipcic

ALSO PRESENT: City Manager, Department Directors, and Public

Public Comments on Work Session Related Items.

All individuals in attendance of the virtual meeting were in a virtual waiting room, with their microphones muted. When it came time for public comment, each person waiting in the virtual waiting room was called individually by the City Clerk by the last four digits of their telephone number. Individuals were asked if they had a comment or if they were passing.

The City Clerk reviewed the items on the agenda for those in attendance that did not have a copy of the agenda.

Tara Hernandez, 344 River Street – Taco 'Bout It Mexican Fusion/ expressed appreciation for the allowance of additional outdoor seating on River Street and reported a noticeable increase in business as a result.

Manistee Area Chamber of Commerce Quarterly Economic Development Update – Marc Miller, Economic Development Director provided the quarterly economic development report.

Discussion included:

- 72 meetings/engagements/contacts with developers (County wide)
- 50 COVID recovery contacts/meetings with local community (County wide)
- 3 Retention visits and new business startups
- Experiencing Interest in Manistee from entities outside of the community
- Purchase agreement signed for the property previously known as the Boat House Grill
- Potential interest in Amor Sign property
- WSCC project progressing; possible late fall opening
- Monroe Cottages and Hollander Development moving forward
- Implemented River Street Reinvigoration Plan
- DDA agreement
- Industrial Development Corporation (IDC) engagement for grants
- Another round of grants for businesses in Manistee County through MEDC – Michigan Small Business Restart Program
- Council would like economic development updates to include statistics broken down for the City
- Interest from merchants to explore outdoor retail space

Discussion on City Hall Hours of Operation – City Manager Thad N. Taylor led the discussion on proposed changes to City Hall hours of operation.

Discussion included:

- Extended hours of operation Monday, Tuesday, Thursday, Friday with Wednesday closure
- Provides for separation of workers to limit exposure
- Allows for deep cleaning of the building on Wednesday
- Combination of in-person work and remote work
- Will publish communication of new hours for notice to the public
- New hours to begin the last week of the July after completion of Work Share Program

CONSENSUS: Council directed staff to move forward with the new hours of operation for City Hall beginning July 27, 2020 and to notify the public of the changes.

Discussion on Dumpster Enclosures – Councilmember Szymanski led the discussion on compliance with the ordinance regulating dumpsters in the City.

Discussion included:

- Concrete slabs and enclosures for dumpsters regardless of when installed
- Enforcement
- Notice informing owners of need for compliance
- Timeframe for compliance
- Requirements prevent rodents and improve appearance
- Flexibility for dumpsters not within public view

CONSENSUS: Council directed staff to work on compliance with the current dumpster ordinance but provide flexibility for dumpsters that are not visible to the public.

Discussion on Labor Fest. – Councilmember Szymanski led the discussion on Labor Fest.

Discussion included:

- Cancelation of other events due to the current pandemic
- Compliance with current executive order
- Alcohol will not be served at the event
- Timeframe for booking bands
- Limited number of attendees for music portion of event
- Social distancing concerns with parade
- Event will be on the July 21st agenda for consideration

CONSENSUS: No consensus given.

Discussion on Sleighbell Parade – Councilmember Szymanski led the discussion on the Sleighbell Parade.

Discussion included:

- Concerns with large crowds that attend this event
- Visitors come from all over to attend
- Holiday craft bazaar has already been cancelled
- Decision to proceed or cancel needs to be made for contract purposes
- Maintaining compliance with social distancing and masks will be difficult

- Safety concerns
- Need for discussion with the City Attorney to see if this event would violate the current executive order
- Consistency with cancellations
- Additional discussion needed

CONSENSUS: No consensus given.

Other –

Grabowski inquired if building permits on River Street properties had expired and requested information on the asphalt work needed on First Street.

Beaton commented on concerns with landscaping maintenance in the DDA district and with the shortage of long-term rentals in the City.

Szymanski reminded staff that he would like a list of the police officers assigned to each blight district and would like it made available to the public.

Bradford reported on the successful bond sale, outstanding interest rate received, and gross savings on refunded bonds.

Zielinski thanked staff for their hard work during difficult times.

Adjourned at approximately 8:20 p.m.

Respectfully submitted,

Heather Pefley MiPMC, CMC
City Clerk

DRAFT