

Manistee County Planning Building • 395 Third Street • Manistee, Michigan 49660

6:15 p.m., Thursday
September 23, 2021

Manistee County Board Room
415 Third Street
Manistee, Michigan

MINUTES

A. Call to Order, Pledge of Allegiance and Roll Call.

Chair Becker-Witt called the meeting to order at 6:15 p.m.

Members Present: Eleanor DeYoung, Glenn Zaring, Phil Landis, Mary Becker-Witt. Zoom--
Ted Batzer-Stronach Township and Margaret Batzer-City of Manistee

Members Absent: Sharon Goble

Ex-Officio Members Present: Mike Szokola Planning Director, Zach Sompels City
Zoning /Planner 1, Katie Mehl Planner 1, Nancy Baker Assistant to Planner and Jessica
Sorensen, Clerical Assistant

Others Present: Lisa Sagala County Administrator

B. Approval of the Agenda.

Mr. Batzer requested reassurance procedures be put in place to avoid any future meeting disruptions, such as the one experienced in the Brownfield Authority meeting. Mr. Szokola stated the situation has been addressed. The zoom waiting room will be enabled to mute all participants upon entry, they must be requested by the Commission to be unmuted and then enabled to come into the room. This procedure was put in place to control any future meeting disruptive situations. This did not change the agenda.

Ms. Batzer joined the meeting at 6:17 pm.

Mr. Zaring moved, seconded by Mr. Landis to approve the agenda as printed.

Roll Call Vote: Yes; Mr. Batzer, Ms. Batzer, Mr. Zaring, Mr. Landis, Ms. DeYoung, and Ms. Becker-Witt. No; none.

C. Public Comment.

None

F. House Keeping Business

a. Act to approve the August 26, 2021 Minutes.

Mr. Zaring moved, seconded by Mr. Landis to approve the August 26, 2021 minutes as printed.

Roll Call Vote: Yes; Mr. Batzer, Ms. Batzer, Mr. Zaring, Mr. Landis, Ms. DeYoung, and Ms. Becker-Witt. No; none.

G. Unfinished Business and Reports.

1. Planning Department Update

Mr. Szokola:

- Regional Summit: main focus on economics, PD (Planning Department) presentation was zoning contracts, showed how communities are being assisted, community feedback on services is positive
- Landbank: will meet for project discussion, working with Brownfield, properties may soon be available
- Employee training: Mary Reilly willing to do board training for communities/joint training with townships, all staff is eligible to be tested for AICP (American institute of Certified Planners)
- Recreation Commission: nonmotorized Manistee Lake plan is available on the website, routes are laid out, railroad relocation plan is in discussion
- City Council: city reviewed it before it was ready to present to them

Ms. Mehl: informative presentations by Landbank and MSU at Summit, working on procedural documents-scripts-resolutions-conducting a meeting-ZBA discussions, future work--Bear Lake Township 3 SUP's, Onekama Township 1 new variance.

Mr. Sompels: Hillcrest Project making changes to buildings, missing landscape plans; HDC had 2 trainings; will work with Northern Hotel/bakery to get project moving forward; Dune Grass business had minor amendments for signage and light pole; Bluefish repainting areas with same colors and putting dumpster into compliance; SUP's--8th Street multi-unit dwelling and possible grow operation at 10th and 12th street; developer looking at Family Video property for convenience store with gas pumps; city October agenda has 2 SUP's and a text amendment; new signage for TCF bank becoming Huntington Bank; Tabernacle parking lot SUP; text amendment to define lot coverage; gave HDC report to City Council; working through private handicap parking space due to short term rentals taking up close proximity parking spaces to building; new housing developers withdrew project due to City Council declining financial support.

Mr. Szokola stated County Board approved Mr. Gibson's contract.

4. Meetings and Trainings Attended by Planning Commission Members

Ms. DeYoung and Mr. Landis: attended the Regional Summit, and MTA (Michigan Township Association) dinner with no further information to add.

Mr. Zaring: attended the MTA dinner and Technology Meeting. Charter building within existing footprint and will not be expanding to the eastern part of county.

Ms. Batzer: Recreation Commission update—Mr. Rob Carson is Chair of the Friends of SMARTrails; County Board approved Mr. Gibson's contract; Sarah Archer is leaving the recycling program—hope the Conservation District will take this over and she will assist with transmission if needed; MMR 11- or 12-point plan of recruiting and retention for employees; approved 2021-2022 budget.

Mr. Batzer: commented on Munson Health Care requiring new hires and current employees be vaccinated or show reasonable cause not to; be sure the PC meeting information follow MI Open Meetings Act.

Ms. Becker-Witt: attended Regional Summit and MTA dinner with no further information added.

H. New Business & Communications

1. Manistee County Address Ordinance—Review

Mr. Szokola; last update 2015, due to past addressing issues asking the PC to review the proposed ordinance additions and amendments, updating to allow for easier/improved addressing and for better clarification in issuing addresses. Appendix A

Ms. Mehl; authority clarification for addressing, memo gives summary with some article/section/subsection language amendments/additions/removing of wording for PC reviewing, comments to be discussed at October meeting, PC recommendations will be compiled in a memo to submit to the County Board for a public hearing with the possible adoption of the amendments.

PC noted several immediate changes; remove West Shore-change to Munson Manistee Medical and a typo page 7, raveling to traveling.

3. Other Business from Planning Commission Members or Staff

Mr. Szokola stated Manistee Township presented a copy of their Master Plan just prior to this meeting. There is a 65-day review window.

Ms. Mehl gave out a Master Plan Review Check List which encompasses the MI Enabling Act requirements to help ensure they are met. Arcadia Township is amending their ordinance, a memo will be compiled with the adding of economy dwellings plus any other added updates.

Mr. Szokola stated staff will use the check list when reviewing and verifying contents of a Master Plan provided the plans are submitted in a timely manner. This will assist the PC with their review. He praised Ms. Mehl and Mr. Sompels job performance in the office and out.

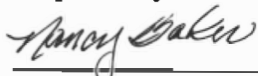
G. Adjourn

Chair Becker-Witt declared all business was complete for adjournment of the meeting.

Roll Call Vote: Yes; Mr. Batzer, Ms. Batzer, Mr. Zaring, Mr. Landis, Ms. DeYoung, and Ms. Becker-Witt. No; none.

The meeting adjourned at 7:08 pm.

Respectfully submitted,



Nancy Baker, Recording Secretary, for
Glenn C Zaring, Secretary, Manistee County Planning Commission
Date: September 23, 2021

Proposed additions and amendment to the Manistee County Address Ordinance of 1985 as amended December 14, 2015:

Staff believes that the following additions to the address ordinance are necessary based on frequently asked questions and dilemmas that have arisen with recent addressing activities in Manistee County.

Article 2: Definitions, 203. Definitions

Add **FOOTPRINT** the area occupied or previously occupied by a structure.

Add **UNIT** is a portion of a structure with need or cause to have an address assigned to it or one module of a group of addressable structures. Including but not limited to apartments, condos, flats, suites, rooms, rentals, studios, penthouses, lodgings, camp sites, pump or charging stations, etc.

Add **VACANT LAND** is any portion of land that doesn't currently contain a structure and is removed of all debris.

Add **ZONING PERMIT** is a land use permit, special use permit, planned unit development, or similar permit issued by the City, Village, Township, or County.

STRUCTURE means anything constructed, erected or placed with a fixed location on the ground and includes, but is not limited to, dwellings, houses, mobile homes, businesses, buildings, municipal pumping or substations or booster stations, and so on, which may have need or cause to have an address, but not structures clearly accessory to a principal structure excluding accessory dwelling units.

Article 4: Address Numbering, 403. Address Numbering System

C. Address numbers shall be whole numbers; this includes unit numbers.

The following addition should be added to this section because it clarifies a restriction effecting address numbering. The decision to insert it below the current subsection D. and above current subsection E. is because the information in subsection D. provides the sequence restrictions for an address. Subsection E. provides the continued use of existing address numbers if they meet the stipulations. If addition is placed between the two it would allow the statement of restrictions to continue prior to allowance of continued use of existing numbers on existing structures.

Add E. Addressable structures on a lot that abuts more than one road shall be addressed based on the road providing vehicular access (a driveway). When the driveway intersects with more than one road, the Planning Commission or its designee shall have the final determination of the most appropriate travel way on which to base an address. The Planning Commission or its designee shall be guided by such factors as driveway distance and the road towards which the structure faces.

Amend current E. to be F. (adjust section 404., A, 3, which has refence to the letter being amended at the end of its language)

Article 4: Address Numbering, 405. Notification of Addresses

A. When a person applies for an address, the Planning Commission, or its designee, shall assign an address number and provide the person with a form containing the structure's address number, compass designation, if any, and proper road name. The person will make use of the form, or copies, to notify, in turn, the construction code inspector of jurisdiction, utilities, post office and any other interested persons.

[Annotation: ~~Generally anyone wishing an address for a structure may be issued an address~~ All new structures require an address be issued. Vacant land shall not be issued an address. Pursuant to action by the Planning Commission, an address shall not be issued until a zoning permit (including DNR Betsie River Permit) and a Manistee-Mason Department of Public Health Permit for well and/or septic have been issued first, or the individual responsible for issuing the permit has indicted in writing their respective permit is not required; all as adequate evidence the address is to a structure and not for vacant land. In past precedence a "structure" can include an electric meter on a utility pole for a sign, well, truck-stop, parking lot lights, camp-trailer site (if allowed by zoning), other utility power supply. An address is computed to the location of the structure, not to the parcel. Addresses shall be provided for any structure which service as a dwelling, retail or service establishment or place where people report to or regularly are located for purposes of employment or self-employment.]

Article 6: Display and use of addresses

The addition should be added to provide a Clear understanding of how existing addresses may be used. The department receives frequent questions about whether an existing address on the property may be used on a new construction to the property. The addition to article 6 display and use of address is the best location to describe the use of an address.

Add 604. Transfer of existing addresses

Address numbers may only be transferred to new structures on parcels if all the following requirements are met:

- A. Notice is given to the Planning commission or its designee of the proposed structure's removal.
- B. An address request form is submitted with site plans that display:
 1. The footprint of the removed or to be removed structure.
 2. The footprint of the new proposed structure.
- C. The proposed structures footprint covers at least 51% of the originally proposed structure's footprint.
- D. Meets the requirements of section 403.

The addition below should be added to provide a clear means to remove addresses that have had their structures removed and are now covering vacant land. **Article 6: Display and use of addresses is the best location for the addition because it brings awareness that once the structure using the address is no longer in use the address will not be either. The removal of addresses on vacant land will help clear up the misconception that addresses can be issued on vacant land.**

Add 605. Address Removal

At the Planning Commissions or its designee's discretion an address may be removed if all the following conditions are met:

- A. The existing structure has been removed from the parcel for over one (1) year and;
- B. There have been no applications submitted for a zoning permit (including DNR Betsie River Permit) to a new proposed structure on the footprint of the removed structure for at least one (1) year or there is no longer an active zoning permit.
- C. The removed structures footprint is considered Vacant land.

Article 7: Enforcement, Penalties, Saving Clause,

701. Enforcement

- A.** A construction code (building inspector) operating and authorized to issue a construction code permit under Michigan Public Act 230 of 1972, as amended, being Michigan Compiled Laws 125.1501 et. seq. State Construction Code Act –regardless which nationally recognized construction code is being enforced – may approve a final inspection

of a structure or issue an occupancy permit if the address number is displayed as required in Section 601 of this ordinance.

- B.** Existing structures found not to hold an address in Manistee County will have one issued and the property owner will be subject to Article 7, Section 702. Property owners shall receive notice from the planning department as listed in section 405. of this ordinance of the address assigned to the structure.
- C.** Anyone may file a complaint with a police officer concerning an alleged violation of the requirements of Article V and Article VI of this ordinance. Upon receipt of a complaint, the following procedure for enforcement shall be used:
 - 1.** A police officer, or the individual designated by the Planning Commission to assign address numbers, shall determine if a violation exists or not, in his judgement. If it is found a violation does not exist, the matter shall be dropped.
 - 2.** If a violation is thought to exist, the police officer, or the individual designated by the Planning Commission to assign address numbers, shall contact the resident, occupant, business or owner of the structure in an attempt to obtain voluntary compliance with this ordinance. If the violation is corrected, the matter shall be dropped.
 - 3.** If a violation continues to exist and voluntary compliance is not likely, the police officer, or the individual designated by the Planning Commission to assign address numbers, shall notify the owner of the structure as shown on the latest tax roll maintained by the Manistee County Tax Equalization Department, that a violation exists. Said notice shall explain the violation and cite the appropriate Section of this ordinance which is being violated and shall explain how the violation may be corrected. Said notice shall provide for a period of time in which the violation shall be corrected. Said notice shall be delivered to the owner by first class certified mail, with a return receipt, or by personal delivery by a police officer with an affidavit of service.
 - 4.** After the provided period of time, a police officer, or the individual designated by the Planning Commission to assign address numbers, shall determine if a violation still exists or not. If it is found the violation no longer exists, the matter shall be dropped.

5. If the violation is still thought to exist, the matter shall be referred to the county prosecuting attorney for another remedy which may be prescribed by law.

- D. Nothing in this Section shall prevent the police officer or construction code building inspector or the individual designated by the Planning Commission to assign address numbers from seeking the assistance or counsel of the Planning Commission or its designee(s) in pursuit of a remedy to the violation and for the determination if a violation exists.
- E. Nothing in this Section shall prohibit the United States Postal Service from terminating mail delivery in the case of a violation of Section 601 of this ordinance, or imposing other sanctions allowed under law.

703. Fees, A.

- 3. For the consideration of a request for an address change and/or for changing an address.

[Annotation: No fee has ever been adopted. Fee is \$0.00.]

~~The Manistee County Planning Commission adopted the following service fee:~~

- 4. For changes to the MSAG Map:
 - a. Any change in emergency service boundary that requires a change to MSAG — ~~\$250~~
 - b. Any change in any existing road name that requires a change to MSAG — ~~\$250~~
 - c. Any new roads or extended roads which require a change to MSAG which is not a subject of a new subdivision or land division review which has already taken place — ~~\$50~~
 - d. Any new roads, or extended roads, which occur as a result of an approval of a subdivision or a land division review — ~~\$0.00~~. (cost is to be considered part of the review fees already paid to the Planning Department for sub division and land division review.

~~The above fees are not adopted under this Ordinance.~~ (Changes to the MSAG include a change which results in making changes to the MSAG proper, MSAG maps, Ameritech E9-1-1 database and central dispatch database.)

[Annotation: No fee has ever been adopted. Fee is \$0.00.]

