

Planning Commission
City of Frankfort
Minutes
September 10, 2013
Regular Meeting

Call to Order: 7pm
Roll Call: Barresi, Bissell, Campbell, Fairchild, Ogilvie, Storrer
Absent: Penne
Recognition of Visitors: Scott Guest (NWMCoG), Alma House, Norma Elias
Quorum Present

Motion to approve minutes of Regular Meeting August 13, 2013 with addition moved Barresi, seconded Fairchild, all ayes, motion passed.

Motion to Approve Agenda moved Bissell, seconded Fairchild, all ayes, motion passed.

Public Comments & Correspondence Concerning Items not on Agenda: None

Request to Appear: Scott Guest, NWMCOG passed out the report on Environmental Stewardship Assessment; results are also online. The City of Frankfort did very well. The "dashboard" report can be found on the nwmcog.org website. Guest thanked Frankfort for participating. Mills indicated that this would be a good tool to use in the Parks and Recreation Master Plan.

Reports to the Commission:

1. **Report from the Chair:** Bruce Ogilvie. Per the request of the Renewable Energy (RE) Committee Ogilvie was asked to calibrate the Traverse City RE Ordinance substituting Frankfort language. Pole-mounted solar panels in residential areas are restricted but tolerated in rural and industrial areas. Storage is an issue; there are very strict controls; most users are not storing energy. Fire Amelioration has become a priority and a major issue heightened by low moisture and wild vegetative understory. If cities don't take charge they could incur a surcharge. Elaine Bush (bushe@msu.edu) is offering training to address wildfire mitigation and protection through local zoning. Notify her if you want to attend by October 14th.
2. **Committee Reports:**
 - a. **Kim Fairchild: Signage/Wayfinding Committee** - With the change in requirement for the signs we are now getting 11 signs. Fairchild showed a prototype of the sign. The Chamber Foundation is contributing \$6,000?
 - b. **Cory Bissell: DDA/TIFD/Capital Improvements** - the City Council met and approved a board which will consist of: resident Barb Powell, Mike Elwell of Port City Smokehouse, Steve Campbell of Harbor Lights, Amanda Rommel of Big Bob's Upnorth Outfitters, resident Karen Leinaar, Rick Schmidt of Stormcloud Brewery, Brett Bradley of Graceland and Cory Bissell of Kilwin's. Mills will be meeting with Elmers to devise a Capital Improvement plan for city streets.
 - c. **Pat Storrer: Zoning Ordinance Review Committee** – several motions that were discussed at the August Commission meeting will be presented for action in this meeting's Unfinished Business.
 - d. **Sam Barresi: Public Restroom Facilities Committee/Parking/MSU Practicum Intern Report/Recommendations** - The next meeting is being set up with the Benzie Bus. To help alleviate Frankfort's seasonal parking issues; Mills has looked at electric stretch golf carts (seats 8) that are very reasonably priced and could be used as a shuttle. There is also consideration on parking the larger RVs further out. These large vehicles occupy 3-5 parking spaces near the beach.
 - e. **Other:** Ogilvie remarked that they are still waiting for Beckett and Raeder on their Parks and Recreation plan. They missed an Aug. 5 and September deadline for Recreation funding.
3. **City Superintendent Report:**

- a. **Project Status: Complete Streets and Safe Routes to School Access - Mills** received another \$20,000. The project is going to move ahead as planned to happen in the fall. This is a \$232,000 project we are getting for a \$19,000 investment. The goal is to pave a small portion of 2nd St. and redo the 11th St. intersection so it doesn't have to be addressed in the future. Storrer initiated a discussion about the issue of buses facing the wrong direction on a one-way street. .
 - b. **DDA** – see Cory Bissell's report
 - c. **Wi-Fi** - 98% complete. More antennas were needed at the marina. The water was bouncing the signal and absorbing bandwidth. There will be more webcams.
 - d. **Grants** – Working on SAW grants and other grants. Finishing up dredging project.
 - e. **Other** - The former Michigan Bell building is for sale. Struggling with Sears family on the 6 acres in the Entrepreneurial Park. They want a live/work opportunity. There is money available for a Solar Park. The municipal marina debt will be paid off this year freeing up capital to rebuild floating docks, etc. The Main St. Brick Paver Project will be in front of the Deli, L'Chayim, Augusta's, and Fran's Follies.
4. **Zoning Board of Appeals:** Kim Fairchild and Josh Mills – No report.

Unfinished Business (Motion(s) previously made, tabled, or deferred, brought back for current consideration):

1. **Preliminary Site Development Plan Review Concept:** still in (Zoning Ordinance Review) Committee
2. **Residential Review Items:** Recommendations from the Planning Commission meeting's "Committee of the Whole" 8/13/2013 to enact changes to the Zoning Ordinance dated 2/25/2011. These replace approved motions that were numbered 3.3 and 3.4 at the 12/11/2012 Commission meeting.
 - a. *Moved by Storrer, supported by Ogilvie, that the following recommendation of the Planning Commission's 8/13/2013 "Committee of the Whole" be adopted: the Maximum Number of Accessory Buildings on any one improved lot in North City, East City and West City Residential Districts be defined as three (3), of which a Garage, whether Attached or Detached, counts as 1. Only one (1) Accessory Building may contain Ancillary Living Space; all ayes; motion passed.*
 - b. *Moved by Storrer, supported by Fairchild that the following recommendation of the Planning Commission's 8/13/2013 "Committee of the Whole" be adopted: the Maximum Number of Accessory Structure on any one improved lot in the Rural District be defined as four (4), of which a Garage, whether Attached or Detached, counts as one (1).*
 - i. *Only one Accessory Structure, which may not be an Agricultural Building, may contain Ancillary Living Space.*
 - ii. *The 40ft height limit applies to only 1 of these four (4) Accessory Buildings, and that building may be used only for Agricultural purposes and may not be used as Ancillary Living Space. A structure is deemed "Agricultural" by virtue of its additional height and not by any definition of its contents which may include, but be not limited to: agricultural equipment, tools, vehicles, supplies; animal feed; animal shelter, feed and supplies associated with permitted Urban Agricultural activity and with permitted Greenhouse activity.*
 - iii. *The lot coverage allowance may not be exceeded.*
 - iv. *Storm-water and Steep Slope ordinances must be observed.*
 - v. *An Agricultural Building on any one improved lot subtracts one (1) from the Maximum Number of Accessory Buildings.*

Discussion Points: Are Definitions needed for "Improved Lot" and "Horticulture"? It was concluded that definitions are a good idea in case of litigation. V. the rationale is the way in which the lot appears. It's not likely but possible that a 40 ft. high building could potentially exceed the lot coverage allowance. Therefore you would have to lose one of your accessory buildings. Changed "horticulture" to "greenhouse".

All ayes; motion passed.
 - c. *Moved by Storrer, supported by Fairchild, that the application of "Setback" in Rural District be clarified as follows:*

- i. *The Building Configuration diagram on page 129 shall be corrected to show "15' min" setbacks for both side and rear setbacks for the location of Accessory Structures, such structures being permissible only in the third layer. (This is a clarification, per Josh, not a change, is not subject to Public Hearing); all ayes; motion passed.*
- ii. *Motion by Storrer seconded by Bissell, that the page 129 "Note: Setback distances are reduced based on buildable lot size" shall be clarified by the addition, after "lot size", of "as defined in Section 8203.11 Existing Sub-standard Platted Lot". All ayes, motion passed*
Discussion: (This is a clarification, per Josh, not a change, is not subject to Public Hearing). When the Setback is reduced proportionately based on building lot size, what is the absolute minimum setback? There has to be a minimum. Mills explained that it has to conform to the substandard lot size section of the ordinance. In most cases they still have to accommodate the setback.
- d. *Moved by Barresi supported by Storrer that the following recommendation of the Planning Commission's 8/13/2013 "Committee of the Whole" be adopted: The Page 129 Note is to be expanded with the addition of "Minimum Setback distances for Accessory Building location are increased proportionally as the height of the Accessory Building increases in a proportion of one (1) additional foot of side-yard and back-lot line for each two (2) feet of building all ayes, motion passed.*
 - i. *For example: Standard is (15) fifteen feet for a (24) twenty-four feet Accessory building, for a 40 (forty) foot building the side and rear yard requirements would increase by 8 (eight) feet to a minimum of (23) twenty three feet from both the side lot line and the rear lot line.*
 - ii. *Issue: is this also an issue for North, East and West Residential Districts? Agreed, that it is not.*
- e. *Moved by Storrer supported by Barresi, to establish October 8, 2013, at 7pm, as the date and time for a Public Hearing on motions approved by the Planning Commission Regular Meetings 11/13/2012, 12/11/2012 and 9/10/2013 for the re-adoption of the Zoning Ordinance of 2/25/2011 as relating to various Residential Building Configuration Issues Motions; all ayes; motion passed.*

New Business (New action items from members, in the form of a motion, in writing, please):

1. Determination of "Unclassified Uses" Ordinance 8203.23 for 529 Harbor Place
 - a. Motion to approve proposed solar panel installation at 529 Harbor Place as an "Unclassified Use" in terms of Ordinance 8023.23.
 Moved Ogilvie supported Fairchild, all ayes, motion passed.
 Discussion: This is falling more in line with the direction we are going with the solar ordinance. Barresi : it does talk about the PC. Do we have any issues with anyone saying there would be an adverse condition? Is there a commercial aspect here? We have never talked about rentals as a commercial enterprise. Ogilvie is in favor of this because it is not a pole mounted and not a commercial operation. The owner is well within his property line and children can't get to it. No attractive nuisance aspect.
2. Other actions in the form of a motion: Ogilvie shared that the Citizen Planner program has achieved critical mass of 35 students. We have 30 scholarships available for the entire region.

Public Input – Agenda Items Only

Sharron May – were the other non-compliance issues handled?

Ogilvie - yes

Any Other Business/Ongoing Business: Comments, Assignments, Discussion Outside of New Business

Motions and Outside of Unfinished Business Motions: None

Motion to adjourn moved Fairchild, seconded Campbell, all ayes, motion passed.

Next Meeting(s): Regular Meeting: Tuesday, September 10, 2013, the Haugen Room, City Hall, 7pm.

Commissioner Hand-outs: (1) Draft Minutes: Regular Meeting of 8/13/2013; (2) Materials for amended proposal for Solar Panel at 529 Harbor Place