

TRAVERSE CITY PLANNING COMMISSION REGULAR MEETING

TUESDAY, January 7, 2014

7:00 P.M.

Commission Chambers
Governmental Center, 2nd Floor
400 Boardman Avenue
Traverse City, Michigan 49684

Posted: 1/3/14

AGENDA

The City of Traverse City does not discriminate on the basis of disability in the admission or access to or treatment or employment in, its programs or activities. Makayla Vitous, Assistant City Manager, 400 Boardman Avenue, Traverse City, Michigan 49684, 922-4440, T.D.D., 922-4766, has been designated to coordinate compliance with the non-discrimination requirements. If you are planning to attend and you have a disability requiring any special assistance at the meeting and/or if you have any concerns, please immediately notify the ADA Coordinator.

Planning Commission
c/o Russell Soyring, Planning Director
400 Boardman Avenue, Traverse City, MI 49684
231-922-4778

1. CALL MEETING TO ORDER
2. ROLL CALL
3. ANNOUNCEMENTS
4. ELECTION OF OFFICERS
 - A. Chairperson
 - B. Vice-chairperson
 - C. Secretary

5. **CONSENT CALENDAR**

The purpose of the consent calendar is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission, staff or the public may ask that any item on the consent calendar be removed therefrom and be placed elsewhere on the agenda for full discussion. Such requests will be automatically respected. If an item is not removed from the consent calendar, the action noted in parentheses on the agenda is approved by a single Commission action adopting the consent calendar.

- A. December 3, 2013 Regular Meeting and December 18, 2013 Study Session minutes (Approval recommended)
- B. Reappointment of Planning Director's Designee as the Recording Secretary for the City of Traverse City Planning Commission (Approval recommended)
- C. Consideration of an amendment to the Planning Commission Bylaws revised November 25, 2013 to change the Planning Commission meeting schedule to the 1st and 3rd Tuesdays (Approval recommended)

5. OLD BUSINESS

- A. Brief overview of Freedom of Information Act, Open Meetings Act, Planning Commission Rules, Capital Improvement Plan Review, Ethics & Conflicts of Interest (Benjamin Marentette, Lauren Tribble-Laucht)
- B. Public Hearing to consider an amendment to the Traverse City Code of Ordinances, Section 1324.04, *Rules of Procedure*, regarding removing the Rules of Procedure section from the zoning code and establishing a separate Rules of Procedure document adopted by the Board of Zoning Appeals
- C. Public Hearing to consider a rezoning request initiated by the Planning Department to rezone the property located 10597 East Traverse Highway from R-9 (A) (Multiple Family Dwelling Districts) to MU (Mixed Use PUD Morgan Farm)

6. NEW BUSINESS

- A. Annual Report
- B. Goal Setting
- C. Board of Zoning Appeals Planning Commission representative

7. CORRESPONDENCE

8. REPORTS

- A. City Commission- Commissioners Easterday and Werner
- B. Board of Zoning Appeals- Commissioner Warren
- C. Grand Traverse Commons Joint Planning Commission- Commissioners Serratelli and Warren
- D. Planning Commission
 - 1. Housing Building Committee— Commissioners Bergman and Warren
 - 2. Active Transportation Committee—Commissioner Werner
- E. Planning Department—Mrs. Luick
 - 1. Capital Improvement Program—Chairperson Serratelli

9. PUBLIC COMMENT

10. ADJOURNMENT

MINUTES

TRAVERSE CITY PLANNING COMMISSION

Tuesday, December 3, 2013

7:00 P.M.

Commission Chambers
Governmental Center, 2nd Floor
400 Boardman Avenue
Traverse City, Michigan 49684

PRESENT: Commissioners Jody Bergman, Michael Dow, Jeanine Easterday, Janet Fleshman, Vice-Chairperson Cecil McNally, Chairperson John Serratelli, and Tim Werner

ABSENT: Commissioners Bill Twietmeyer and Janice Warren

STAFF PRESENT: Dave Weston, Zoning Administrator; Missy Luick, Planning and Engineering Assistant

1. **CALL MEETING TO ORDER-** The meeting was called to order by Chairperson Serratelli at 7:00 p.m.

2. **ROLL CALL**

3. **ANNOUNCEMENTS-** Commissioner Serratelli announced that the alley vacation request that was to be on tonight's agenda has been pulled by the applicant. In addition, the building height zoning code text amendment was also supposed to be on tonight's agenda, but will be included for introduction at a future meeting.

Commissioner Serratelli introduced and welcomed Commissioner Dow to the Planning Commission.

4. **CONSENT CALENDAR**

The purpose of the consent calendar is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission, staff or the public may ask that any item on the consent calendar be removed therefrom and be placed elsewhere on the agenda for full discussion. Such requests will be automatically respected. If an item is not removed from the consent calendar, the action noted in parentheses on the agenda is approved by a single Commission action adopting the consent calendar.

A. November 5, 2013 Regular Meeting and November 20, 2013 Special Meeting minutes (Approval recommended)

B. Consideration of an amendment to the Planning Commission Bylaws revised November 25, 2013 to change the Planning Commission meeting schedule to the 1st and 3rd Tuesdays (For introduction and possible action on December 18, 2013)

- C. Consideration of an amendment to the Traverse City Code of Ordinances, Section 1324.04, *Rules of Procedure*, regarding removing the Rules of Procedure section from the zoning code and establishing a separate Rules of Procedure document adopted by the Board of Zoning Appeals (For introduction; Recommend setting a Public Hearing on January 7, 2014)

Motion by Commissioner Easterday, second by Commissioner Bergman, to approve the Consent Calendar as presented.

Motion carried 7-0 (Commissioners Warren and Twietmeyer absent.)

5. **OLD BUSINESS**

- A. Public Hearing to consider an amendment to the Traverse City Code of Ordinances, Section 1368.02, *Setbacks; Yards*; Section 1332.04, *Setbacks*; and Section 1334.04, *Setbacks*, regarding corner lot setbacks in the Single Family, Two Family and Multiple Family Dwelling Districts (R-1a, R-1b, R-2, R-9, R-15 and R-29)

Mr. Weston explained that the amendment before the Commission was requested by the Board of Zoning Appeals to provide relief for property owners on corner lots who have difficulty improving their properties and meeting two front yard setbacks.

Commission discussion.

A Public Hearing was opened.

The following members of the public made public comment on the topic:

- Adrinne Rossi, 312 W Seventh Street, opposes the amendment.

The Public Hearing was closed.

Commission discussion.

Motion by Commissioner Bergman, second by Vice-Chairperson McNally, that an amendment to the Traverse City Code of Ordinances, Section 1368.02, *Setbacks; Yards*; Section 1332.04, *Setbacks*; and Section 1334.04, *Setbacks*, regarding corner lot setbacks in the Single Family, Two Family and Multiple Family Dwelling Districts (R-1a, R-1b, R-2, R-9, R-15 and R-29) be denied and that corner lot setback requests continue to go to the Board of Zoning Appeals for consideration.

Motion carried 7-0 (Commissioners Warren and Twietmeyer absent.)

- B. Public Hearing to consider an amendment to the Traverse City Code of Ordinances, Section 1374.04, *Driveways and Access Requirements*, to limit parcels in the Single or Two Family Dwelling Districts (R-1a, R-1b and R-2) to one driveway.

Mr. Weston explained the proposed amendment to the Commission.

Commission discussion included changing the wording of the amendment to read, "For a single or two-family residential use, parcels without alley access are limited to one curb cut per parcel" instead of "...one driveway" because properties could have one continuous driveway that has more than one curb cut.

Motion by Commissioner Easterday, second by Vice-Chairperson McNally, that an amendment to the Traverse City Code of Ordinances, Section 1374.04, *Driveways and Access Requirements*, to limit parcels in the Single or Two Family Dwelling Districts (R-1a, R-1b and R-2) to one curb cut per parcel be recommended by the Planning Commission and such recommendation be forwarded to the City Commission for their consideration.

A Public Hearing was opened.

The following members of the public made public comment on the topic:

- Adrinne Rossi, 312 W Seventh Street, supports the amendment.

The Public Hearing was closed.

Motion carried 7-0 (Commissioners Warren and Twietmeyer absent.)

- C. Public Hearing to consider an amendment to the Traverse City Code of Ordinances, Section 1374.06, *Drive-Through Standards*, to clarify how services are provided to customers without motor vehicles

Mr. Weston explained the proposed amendment to the Commission.

Commission discussion.

A Public Hearing was opened.

The following members of the public made public comment on the topic:

- Mike Dakoske, Traverse City State Bank of 333 W. Grandview Pkwy, made general comments.

The Public Hearing was closed.

Commission discussion.

Commission consensus was to look at possibly amending the Special Land Use Section related to Drive-Throughs or look into the possibility of an overlay or form-based code for Drive-Throughs that would specify what areas require a separate service window in the City.

Staff will come back to the Commission with another recommendation at a future meeting.

6. NEW BUSINESS

- A.** Conditional Rezoning reversion for parcel 45-51-033-042-00, commonly known as 10597 E. Traverse Hwy

Mr. Weston explained that the Planning Commission is required to initiate the Conditional Rezoning reversion process based on the language in our zoning code.

Michael Dakoske, Traverse City State Bank of 333 W. Grandview Pkwy, stated that the 15 acre property is located on M-72. Mr. Dakoske explained that the bank is working with a potential developer on a project for the property, but the project will not be 75% complete by May 16, 2014 and there are no extensions left for the existing conditional rezoning. Therefore, Mr. Dakoske is requesting that the Planning Commission cancel the existing conditional rezoning agreement.

Commission discussion.

Motion by Commissioner Bergman, second by Commissioner Dow, that a public hearing date be set for January 7, 2014 to rezone the property located 10597 East Traverse Highway from R-9 (A) to MU (Mixed Use PUD Morgan Farm).

Motion carried 7-0 (Commissioners Warren and Twietmeyer absent.)

7. CORRESPONDENCE – None.

8. REPORTS

- A.** City Commission- Commissioners Easterday reported
B. Board of Zoning Appeals- Mr. Weston reported that they meet next week.
C. Grand Traverse Commons Joint Planning Commission- Commissioner Serratelli reported.
D. Planning Commission
1. Housing Building Committee— No report.

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2. Active Transportation Committee—Commissioner Werner reported. Mrs. Luick added that the City was notified that they will receive a \$3000 grant for the creation of the Active Transportation Plan document and it's facilitation.

E. Planning Department—No report.

1. Capital Improvement Program—Chairperson Serratelli reported.

9. PUBLIC COMMENT

- Adrinne Rossi, 312 W Seventh St, thanked the Commission for changing their meeting nights to be televised twice a month.

10. ADJOURNMENT- Meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Date: _____

Jan Warren, Secretary

STUDY SESSION MINUTES TRAVERSE CITY PLANNING COMMISSION

WEDNESDAY, December 18, 2013

7:00 P.M.

Training Room

Governmental Center, 2nd Floor

400 Boardman Avenue

Traverse City, Michigan 49684

PRESENT: Commissioners Jody Bergman, Michael Dow, Jeanine Easterday, Janet Fleshman, Vice Chairperson Cecil McNally, Chairperson John Serratelli, Bill Twietmeyer, Janice Warren and Tim Werner

ABSENT: None.

STAFF PRESENT: Russ Soyring, Planning Director; Missy Luick, Planning and Engineering Assistant

1. **CALL MEETING TO ORDER-** The meeting was called to order by Chairperson Serratelli at 7:00 p.m.

2. **ROLL CALL**

3. **ANNOUNCEMENTS-** None.

4. **THEATERS IN OPEN SPACE (DISCUSSION)**

Mr. Soyring explained the details of his memo to the Commission.

Commission discussion.

Commission consensus was that the current ordinance language for theaters in Open Space is adequate.

5. **MASTER PLAN IMPLEMENTATION (DISCUSSION)**

Mrs. Luick updated the Commission on status of Master Plan Element implementation.

Commission discussion.

6. **MEASURING BUILDING HEIGHTS (DISCUSSION)**

Mr. Soyring mentioned that his topic comes up periodically. Presently, a flat top building is measured at the roof deck, while a pitched roof building is measured at the mid-point. The current measuring method may be disadvantageous to build a pitched roof building.

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STUDY SESSION

December 18, 2013

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If pitched roof buildings were measured at the eave, instead of at the midpoint, it would allow pitched roof buildings to be taller than the height limit of the district.

Commission discussion.

The following made public comment on the topic:

- Mike Wills, 110 Fairway Hills Drive, made general comments

Commission discussion included the idea of looking at building heights by district and the possibility of adding the topic to the Commission's 2014 Goals.

Staff will work with Mr. Wills on researching building height ordinances in other communities and by speaking with local building architects.

7. PUBLIC COMMENT

- Mike Wills, 110 Fairway Hills Drive, discussed the Traverse City Light and Power coal dock proposal in Elmwood Township.
- Chairperson Serratelli wished all of the Commissioners and Staff a Merry Christmas and Happy New Year.

8. ADJOURNMENT- Meeting adjourned at 7:46 p.m.

Respectfully submitted,

Date: _____

Jan Warren, Secretary

PLANNING COMMISSION BYLAWS

TRAVERSE CITY PLANNING COMMISSION

(Adopted December 13, 1988)
(Revised December 6, 1994)
(Revised August 9, 1995)
(Revised January 19, 2000)
(Revised August 23, 2000)
(Revised June 6, 2007)
(Revised May 7, 2008)
(Revised January 7, 2009)
(Revised September 9, 2009)
(Revised November 1, 2011)
(Revised November 25, 2013)

PURPOSE:

These Planning Commission Bylaws are adopted pursuant to the Traverse City Code to acquaint the people of Traverse City and persons appearing before the Commission with the operation of the Commission so that matters coming before this body can be handled in an understanding, prompt and efficient manner.

I. AUTHORITY AND JURISDICTION:

The City Planning Commission derives its authority from the City Charter Section 160, which states "The City Commission shall by ordinance establish and maintain a City Planning Commission having the powers and duties prescribed by State law;" and the Traverse City Code (Chapter 1220). That these laws state that the City Planning Commission shall have the powers and duties authorized and directed by the City Charter, the Michigan Zoning Enabling Act of P.A. 12 of 2008 as amended, and the Michigan Planning Enabling Act of P.A. 33 of 2008 as amended. This section also provides for establishing the membership of the Commission, the meetings of the Commission and grants the authority to the Commission to adopt rules and procedures for the conduct of their business.

II. OFFICERS:

A. A Chairperson, Vice-Chairperson and Secretary shall be elected by majority vote of the members of the Commission every year at the first regular meeting in the month of January.

Such other officers as are deemed necessary and advisable for the conduct of business shall be appointed as required and provided for by the Commission.

B. The Chairperson shall preside at all meetings and shall appoint such committees as may be authorized by the Commission, and be an ex-officio member of such committees.

The Chairperson, subject to these rules, shall decide all points of order or procedure unless otherwise directed by a majority vote of the Commission in the session at that time.

- C. The Vice-Chairperson shall preside and exercise all of the duties of the Chairperson in his or her absence. Should neither the Chairperson, nor the Vice-Chairperson be present at a meeting, a temporary Chairperson shall be elected by a majority of the members present.
- D. The Secretary shall record the meeting minutes.
- E. In the event that an officer shall leave the Commission before the expiration of his or her term, the Mayor, City Commission or Mayor with City Commission approval shall appoint a new officer to serve out the remainder of his or her term.

III. MEETINGS:

- A. All regular and special Commission meetings shall be open to the public.
- B. The regular meetings of the Commission shall be held on the first Tuesday of each month, except when such Tuesday falls on a legal holiday or conflicts with the City Commission meeting schedule.
- C. A special meeting of the Commission may be called by the Chairperson, the Vice-Chairperson in the event the Chairperson is out of town, or any three members of the Commission. Each member of the Commission must receive at least eighteen (18) hours notice as to the time, place and purpose of the meeting in writing, delivered or served personally at his or her usual place of residence, except that the announcement of a special meeting at a time at which all members are present shall be sufficient notice of such meeting.
- D. Study meetings may be held on the third ~~Wednesday~~ Tuesday of the month, as called for by the Commission or Chairperson, except when such Tuesday falls on a legal holiday or conflicts with the City Commission meeting schedule.
- E. Meeting agendas shall be approved by the Chairperson. The agenda shall be sent to the Commission no later than on the Friday preceding the regularly scheduled meeting. In unusual circumstances, items may be added to the agenda by the Chairperson prior to the meeting.
- F. A quorum of five (5) members must be present to constitute an official meeting of the Commission.
- G. All hearings shall be scheduled at the hour the meeting is scheduled to be.
- H. All regular meetings shall begin at 7:00 p.m. and no new items requiring action shall be taken after 10:00 p.m. unless otherwise determined at the meeting.

- I. The conduct of the Planning Commission business shall be governed by the current edition of Robert's Rules of Order unless otherwise modified by law, ordinance, or these rules of the Planning Commission.

IV. VOTES:

The concurring vote of a majority of members present at a regular or special meeting shall be necessary to pass on any matter referred to them. The adoption of a master plan, or of any such part, amendment, extension or addition shall require the concurring vote of six (6) members of the Commission.

V. CONFLICT OF INTEREST:

Upon disclosure of a conflict of interest the member shall be disqualified from voting on the matter at issue.

- A. Appearance of Conflict. An appearance of a conflict exists when a reasonable person would believe that because of certain facts a Planning Commissioner's participation in a proceeding would create an appearance of impropriety, partiality, bias or lack of fairness.
- B. Contractual Conflicts of Interest. The conduct of City officials and employees in relation to conflicts of interest involving contracts shall be as established by State law.
- C. Financial Conflict of Interest. An official or employee who has a financial interest, direct or indirect, in any matter to be decided by the City, other than with respect to a contract, shall make that interest known and shall refrain from voting upon or otherwise participating in the making of the decision. Violation of this subsection with the knowledge, express or implied, of the person or corporation dealing with the City shall render the decision voidable by the City Manager or the City Commission. Any official or employee violating the provisions of this subsection shall be deemed guilty of a misdemeanor, and upon conviction shall forfeit office. A financial conflict of interest may be waived by the City Commission after full disclosure of such conflict to the Commission. Unless otherwise provided by law or ordinance, the remaining members of the Commission in a unanimous vote may rule that the best interests of the City are to be served by removing the prohibition on voting and participating in the matter.

VI. PROCEDURE:

- A. All inquiries, applications or matters requiring official action by the Commission which is not specifically mentioned below shall be submitted in writing at the offices of the Planning Department. This must be done at least seven (7) days prior to the meeting of the Commission at which consideration is requested.

- B. Requests for rezoning subdivision approvals, Special Land Use Permits and Planned Unit Developments shall be filed on application forms obtained from the Planning Department.
- C. Rezoning, Special Land Use Permit, Planned Unit Development, subdivision approval, lot split and alley and street vacationing requests shall be submitted at least seven (7) days prior to the meeting for introduction before the Commission. If the Commission finds the submission complete, then a public hearing date shall be scheduled to consider the request.
- D. The Commission and/or the Planning Director may require such surveys, plans or other information as may be reasonably required by said Commission for the proper evaluation or consideration of the matter. Written documentation from the petitioner should be presented to the Commission which will give full information as to the intentions of the petitioner, as well as a legal and informal description of the property in question.
- E. In the event that sufficient data has not been furnished, the Commission shall table the matter until such time as the required information has been furnished.
- F. All proceedings, decisions and resolutions of the Commission shall be initiated by motion. The vote upon motions and resolutions may be recorded by roll-call vote. All members, including the Chairperson, may vote on each motion.
- G. In the event a petitioner requests that his or her item be tabled, after it has been published, noticed and scheduled, the public hearing may be held to allow interested citizens an opportunity to speak to the request, then tabled to a specific future meeting and scheduled in sequence on the agenda.

VII. PUBLIC HEARINGS:

- A. The primary function of the public hearing process is the gathering of information through public testimony and written documentation. The nature of the evidence received during this process will in many cases require further careful consideration to assure a logical and just decision. The Commission shall therefore determine at each public hearing the meeting date at which a decision will be rendered.
- B. The applicant or the applicant's authorized agent must be present at the public hearing to properly answer questions concerning the request. If the applicant or agent is not present, the request may be tabled until the next meeting or dismissed at the discretion of the Commission.

- C. The Commission shall hold a public hearing on any proposed amendment to the zoning ordinance or zoning map. Official notice for the Commission public hearings shall comply with the requirements and procedures established by Section 1320.04 of the City Code of Ordinances. The Commission shall recommend approval or denial of the amendment, and shall transmit, in writing, its recommendation to the City Commission for official action.
- D. The Commission shall hold a public hearing on any proposed City Commission authorized Special Land Use Permit. The official notice of public hearing shall comply with Section 1364.04, of the City Code of Ordinances. The Commission may recommend denial, approval or approval with conditions after said hearing and notification as provided herein. Its recommendation shall be incorporated in a statement of conclusions specifying the basis for the recommendation and any conditions imposed, which statement shall be transmitted to the City Commission for official hearing and action.
- E. The Commission may hold a public hearing with such notice as it deems advisable for Planned Unit Developments. After review by the Commission, it shall submit a written recommendation to the City Commission.
- F. In the case of lots splits resulting in the creation of a new buildable lot, the Commission may in its discretion hold a public hearing on the matter and make a recommendation to the City Commission for appropriate action.
- G. The Commission may hold a public hearing with such notice as is deemed advisable for public street and alley vacations and openings. After review by the Commission, it shall submit a written recommendation to the City Commission.
- H. The Commission will not reconsider any request on which a negative decision has been rendered within one (1) year from the date of the Commission's decision on the request unless it can be shown by the petitioner that substantial new information affecting the request which was not presented to the Commission at the previous hearing(s) is now available and would affect the original decision rendered. Said substantial new information shall be described in writing by the applicant at the time of application. Before re-hearing the request, the Commission shall decide whether there is substantial new information allowing the new hearing.

VIII. PUBLIC COMMENT AT REGULAR MEETINGS. The Planning Commission welcomes public comment and has prescribed the following to facilitate the conduct of public business.

- A. Public Comment during Agenda Items. Any interested person wishing to address the Planning Commission regarding an Agenda Item may do so during discussion of an agenda item prior to action recognized by the presiding officer or upon request of any Commissioner. All persons must identify themselves and their address and direct their

comments to the Commission. The comment of any member of the public or any special interest group may be limited in time to five minutes except as provided in subsection (D). As part of its deliberation, the Planning Commission may clarify, answer questions and ask questions as a result of public comment.

- B. Public Comment during the designated Public Comment Section - General. Any interested person wishing to address the Planning Commission regarding other matters may do so under the designated Public Comment section. All persons must identify themselves and their address and direct their comments to the Commission. The comment of any member of the public or any special interest group may be limited in time to five minutes except as provided in subsection (D). Questions posed may be answered at the meeting or may be referred to staff for response at a later time.
- C. Public Comment during the designated Public Comment Section - Planning Commissioners. Planning Commissioners interested in making a public comment may do so under the designated Public Comment section. Further, Planning Commissioners may briefly respond for clarification purposes as a result of public comment.
- D. Order and Duration of any Public Comment. The presiding officer shall control the order and duration of any public comment subject to appeal. The presiding officer shall have the authority to limit and terminate any public comment that becomes disruptive, unduly repetitive, or impedes the orderly progress of the meeting. Items not appearing on the agenda will not be acted upon by the Planning Commission except in accordance with these rules.

IX. AMENDMENTS:

- A. These bylaws may be amended or modified provided that such amendment or modification is presented in writing at a meeting, and that favorable action is taken thereon at a subsequent meeting.
- B. Six (6) members of the Commission by due motion and recorded vote may suspend or vary the application of these rules to a particular application, case, problem or proceeding pending before the Commission.

X. PLANNING COMMISSION POLICIES FOR PROVIDING INFORMATION TO THE NEWS MEDIA:

The Commission will provide information to the news media in the following manner:

- A. Upon request, the agenda of a specific meeting will be sent out to the various news media at the same time they are sent to the Commission.

- B. The news media should be advised that if they do not attend the meeting, they can call the Secretary the morning after the meeting, and he or she will advise them of the action which was taken by the Commission.
- C. Upon request by the news media for a specific Commission meeting, the minutes for that meeting will be provided to the requesting party.
- D. At such time as the Commission may invite in outside experts, or for study sessions which relate to some major program which may be evolving, the Secretary may notify the news media of such a meeting and request their presence if directed by the Commission. This will enable the news media to obtain this background information in the same fashion as the Commission, thereby enabling them to have a better basis for reporting future actions of the Commission relative to the proposed programs.

I hereby certify that the above document was adopted by the Traverse City Planning Commission at their ~~November 4~~ December 18, 20143, ~~Regular~~ Special Meeting.

Jennifer Jaffe-Jan Warren, Secretary
Traverse City Planning Commission

Highlights – Discussion with Planning Commission

January 7, 2014

Prepared by: Benjamin Marentette, City Clerk

Freedom of Information Act

- A State of Michigan law which provides public access to most public records of public bodies
- Generally, public records are documents created or received in a public official's capacity as a public official regardless of form: handwritten, typewritten, e-mails, voicemails, papers, maps, discs
- Generally, all records are subject to public disclosure unless specifically exempted (examples of exempt records: various law enforcement records, attorney-client privileged records, pending public bids, testing questions and answers).
- The City Clerk serves as the city's Freedom of Information Act Coordinator; a person makes a written request to the City Clerk for review of public records (in order to review, inspect or copy the public record)
- Generally, we must respond within 5 business days

Open Meetings Act

- A State of Michigan law which requires the public body to deliberate and conduct its business in an open meeting so the public may observe.
- Notice of the meeting must be posted at least 18 hours in advance at the public body's principal place of business
- Anytime there is a quorum of a public body for its official function, proper public notice must be given and the meeting must be conducted in compliance with OMA. ***A quorum is more than half of the public body; for Planning Commission, which consists of nine members, a quorum is five or more Planning Commissioners.***
- Subcommittees appointed by the public body are a public body themselves, i.e. ad hoc committees

- Public body may go into closed session for specific purposes, such as: trial and settlement strategy in a *pending* lawsuits; strategy in negotiation of collective bargaining agreement; attorney-client privileged communication. No decisions may be made in closed session; all decisions must be made in Open Session. ***Most likely reason for Planning Commission: Attorney-Client Privileged communication.***
- The agenda must contain a designated “public comment” section – public comment may limit time per speaker, but not limit time designated to public comment overall
- A person may address the public body under the public body’s rules
- The public has a right to “observe” deliberation of the public body, but not to deliberate with the public body
- Once the meeting has adjourned, members should depart and not continue conversations.

Boardmanship

- Set the example for respect – address everyone professionally – speak to an issue/debate directly, don’t make comments personal.
- Speak slowly, distinctly.
- As much as possible, ask clarifying questions of staff in advance of Commission meeting – and inform staff of any particular issues they should be prepared to cover. This is not to stifle public observation and debate, but to ensure preparedness.
- Review your meeting packet as far in advance as possible, to allow time for advance questions and staff responses.
- The Commission only speaks as a body – when speaking be sure to represent your opinions as yours, not as official City Commission position.

Highlights – Discussion with Planning Commission
January 7, 2014
Prepared by: Lauren Tribble-Laucht, City Attorney

Conflicts

- *Contractual* conflicts of interest are governed by state law, which generally prohibits a Commissioner from directly or indirectly being a party to or participating in any contract between himself or herself and the City. (rarely applies to Planning Commission)
- *Financial* conflicts of interest are governed by the City Charter, which provides a direct or indirect financial interest in any matter to be decided by the City (other than with respect to a contract) shall be disclosed and the Commissioner must refrain from voting upon or otherwise participating in the making of the decision.
- *Appearance* of a conflict of interest is a judicial doctrine, which exists where there is doubt in the public’s mind as to the impartiality of the Commissioner’s actions.

Incompatible Offices

- State law mandates a public officer shall not hold two or more incompatible office at the same time.
- “Incompatible offices” exist when the performance of the duties of the offices held by the official results in *subordination* of one public office to another, *supervision* of one public office by another or a *breach of duty* of public office.

Ethics

- Commissioners have a duty to vote on every matter before the Commission in the absence of a conflict.

Capital Improvement Plan (CIP)

- The City Charter mandates the City Planning Commission be established by ordinance and have the powers and duties prescribed by State Law. State Law grants the Planning Commission certain powers and duties.
- The Michigan Planning Enabling Act provides the Planning Commission must approve the *location, character, and extent* of any street, public way, open space, structure, or

utility covered by a municipal master plan before its construction or authorization for construction. (MCL 125.3861)

- The Michigan Planning Enabling Act provides the Planning Commission must, after having adopted a master plan, prepare an annual capital improvements program of public structures and improvements.
 - The capital improvements program must show those public structures and improvements, in the *general order* of their *priority*, that in the Commission's judgment will be needed or desirable and can be undertaken within the ensuing 6-year period.
 - The capital improvements program must be based upon the requirements of the local unit of government for all types of public structures and improvements.
 - Each agency or department of the City with authority for public structures or improvements must furnish the Planning Commission with lists, plans, and estimates of time and cost of those public structures and improvements upon request.



Communication to the Planning Commission

FOR THE MEETING OF: JANUARY 7, 2014

FROM: RUSS SOYRING, PLANNING DIRECTOR

SUBJECT: AMENDMENT TO BYLAWS AND BZA RULES OF PROCEDURE TO
AMEND MEETING SCHEDULE

DATE: JANUARY 2, 2014

At the November 20, 2013 meeting, the Planning Commission discussed the 2014 meeting schedule and agreed that meetings on the 1st and 3rd Tuesday were desirable for the Planning Commission. To make that change, it requires the Planning Commission to amend its Bylaws. The Bylaws state that the draft changes are presented to the Commission in writing and then acted upon at a following meeting. The proposed changes are included in the packet for possible action on January 7, 2014.

The Planning Commission meeting schedule change requires that the Board of Zoning Appeals schedule is amended. They meet on the first Tuesday following the second Monday, which generally is the second Tuesday of the month although if the month begins on a Tuesday, then their meeting can fall back to the third Tuesday. The Board of Zoning Appeals has its Rules of Procedure in the Zoning Code. Staff is proposing to remove the Rules of Procedure section from the Zoning Code and have the Board of Zoning Appeals adopt a Rules of Procedure document at its January 14, 2014 meeting. Their meeting day will be changed to the 2nd Tuesday of the month.

If you agree with the proposed amendment, the following motion would be appropriate:

I move that an amendment to the Traverse City Code of Ordinances, Section 1324.04 *Rules of Procedure*, to remove the rules and procedure content from the Zoning Code and establish Rules of Procedure as a separate document of the Board of Zoning Appeals be recommended by the Planning Commission and such recommendation be forwarded to the City Commission for their consideration.

RAS:ml

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: Board of Zoning Appeals Rules of Procedure Amendment to remove the content from the Zoning Code and establish the Rules of Procedure as a separate document of the Board of Zoning Appeals

THE CITY OF TRAVERSE CITY ORDAINS:

That Section 1324.04 *Rules of Procedure*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

1324.04 RULES OF PROCEDURE.

The Board of Zoning Appeals shall follow such procedures as are established by statute, ordinance and resolution of the Board. ~~These procedures shall include:~~

- ~~(a) **Appeals Generally.** For purposes of these rules of procedure, an appeal shall include all applications for appeals, interpretations, variances, exceptions and matters involving nonconforming uses.~~
- ~~(b) **Initiating Appeals.** Appeals shall be filed with the Zoning Administrator within twenty-one days after written notice is given of the action being appealed. The appeal shall be placed upon the Board's agenda in the second month immediately following the month in which the appeal is filed.~~
- ~~(c) **Filing Fees.** The filing fee for appeals shall be established by resolution of the City Commission.~~
- ~~(d) **Notices.** Notice of an appeal will be given pursuant to State statute. Such notice shall be mailed or delivered at least fifteen days prior to the first meeting of the Board at which it will be formally considered.~~
- ~~(e) **Advertisements.** One advertisement in a local newspaper of general circulation indicating the nature of the appeal and the date of the hearing will be placed at least 15 days before the hearing. A minor deviation in the notice published in the newspaper or in the time of appearance of such notice in the newspaper shall not affect the validity of the proceedings of the Board unless there is a clear demonstration of prejudice as a result of such minor deviation.~~
- ~~(f) **Regular Meetings.** The Board's regular meeting date is the Tuesday after the second Monday of each month at 7:30 p.m. If the regular meeting date falls on a holiday, or if the regular meeting date falls on a Tuesday immediately following a Monday holiday, the meeting date shall be moved to the next working day. Meetings shall be held in the City Commission Chambers of the Governmental Center, unless otherwise indicated.~~
- ~~(g) **Exceptions to Regular Meeting Dates.** If a quorum of the members is not present or anticipated, then the regular meeting may be canceled and rescheduled to the next regularly scheduled meeting or to the earliest possible date determined by the Chairperson of the Board. If no requests have been received 21 days before the date of a regularly scheduled meeting, the meeting may be canceled by the Zoning Administrator.~~
- ~~(h) **Application Contents.** In addition to all other requirements of statute and ordinance,~~

applications shall be in a form determined by the Zoning Administrator and shall contain such information as the Zoning Administrator shall direct. Such applications shall also include the following:

- (1) A site plan or site diagram reflecting accurate dimensions of the property, the location of structures on the property and the location of buildings on adjacent properties. If requested by the Board or the Zoning Administrator, such drawing shall be a survey performed by a registered land surveyor.
 - (2) The name, address and telephone number of the applicant and all authorized agents of the applicant.
 - (3) The application must be signed by the owner or someone acting upon written consent of the owner, which written consent must be submitted with the application.
 - (4) All previous appeals involving the property noted on the application as to the subject, date and outcome of the appeal.
- (i) **Conflict of Interest.** A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office. Before deliberating any appeal, the Chairman shall ask if any member has such a conflict.
- (j) **Representation at Hearing.** The applicant or the applicant's authorized agent must be present at the public hearing to properly answer questions concerning the appeal. If the applicant or agent is not present, the appeal may be deferred until the next meeting or dismissed, at the discretion of the Board.
- (k) **Reconsideration.** An applicant may re-appeal a decision after twelve months from the decision of the Board. The Board will not reconsider any appeal within twelve months from the date of the decision unless it can be shown by the applicant that there has been substantially changed circumstances affecting the appeal, which circumstances were not known to the Board at the previous hearing. The substantial change in circumstances shall be described, in writing, by the applicant at the time of the application. Before rehearing the matter, the Board shall decide whether there is a substantial change in circumstances allowing the rehearing.
- (l) **Instructions.** The Zoning Administrator shall prepare a written description of the procedures of the Board and instructions to all potential applicants. Such written instruction shall be submitted to the Board for its approval prior to public distribution.
- (m) **Other Rules.** The Board may adopt such other rules to govern its procedure as it deems advisable, provided such rules are not in conflict with statute or ordinance.

The effective date of this Ordinance is the _____ day of _____, 2013.

I hereby certify the above ordinance amendment was introduced on _____, 2013, at a regular meeting of the City Commission and was enacted on _____, 2013, at a regular meeting of the City Commission by a vote of Yes: ____ No: ____ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Michael Estes, Mayor

Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on

Benjamin C. Marentette, City Clerk

DRAFT



Communication to the Planning Commission

FOR THE MEETING OF: January 7, 2014

FROM: Russ Soyring, Planning Director

SUBJECT: Conditional Rezoning Reversion for 10597 East Traverse Highway

DATE: January 2, 2014

On December 3, 2013 the Planning Commission scheduled a public hearing to begin a reversionary process to change the zoning at 10597 East Traverse Highway from R-1b (Single Family Dwelling) to R-9 (Multiple Family Dwelling). This action was prompted by a request from Michael Dakoski, Vice President of Traverse City State Bank to cancel the conditional rezoning so a new conditional zoning request could begin. Traverse City State Bank holds the deed for the property.

Mr. Dakoski, representing the bank is now asking that the reversionary process be cancelled so the interested developer for the property can make a formal submission to MSHDA for financing in February. MSHDA will require a letter from the City that states that the project has zoning and site plan approval in place for the project. If the property zoning reverts back to MU (Mixed-Use /PUD the multiple family buildings planned for the property could not be built by right. The R-9 zoning will expire in May, 2014.

If the rezoning process is not cancelled or deferred, the developer would not able to apply for MSHDA financing until the August cycle provided the property once again gets rezoned to R-9 (Multiple Family Dwelling). This delay creates timing and uncertainty issues to sell tax credits, adds to the holding costs and causes other complications for the parties involved.

I recommend that the Planning Commission hold the public hearing, but defer making a recommendation on the rezoning until the March 4, 2014 meeting.

RS



TRAVERSE CITY STATE BANK

RECEIVED

DEC 30 2013

PLANNING DEPT
CITY OF
TRAVERSE CITY

December 30, 2013

Mr. Russell Soyring, Planning Director
Traverse City Planning Commission
400 Boardman Ave
Traverse City, MI 49684

Hand Delivered

Re Conditional Rezoning for parcel #45-51-033-042-00

Dear Mr. Soyring,

The Traverse City State Bank hereby requests that the Conditional Rezoning now in place for this parcel be continued to its current approved date and that it not be cancelled despite a previous communication with your office last month. The new buyer for the property will be seeking MSHDA financing and its current conditional zoning designation will be a necessary component to support that endeavor.

Please call me if you have any questions or clarification regarding this request.

Sincerely,


Michael H. Dakoske
Vice President

**TRAVERSE CITY PLANNING COMMISSION
2013
ANNUAL REPORT**

ATTENDANCE

COMMISSIONER

MEETINGS ATTENDED

Jody Bergman	21 of 24 meetings
Michael Dow	2 of 2 meetings (joined December 3)
Jeanine Easterday	21 of 24 meetings
Janet Fleshman	3 of 3 meetings (joined November 20)
Gary Howe	2 of 21 meetings (last meeting November 5)
Jennifer Jaffe	16 of 20 meetings (last meeting November 20)
Cecil McNally	21 of 24 meetings
John Serratelli	24 of 24 meetings
Bill Twietmeyer	20 of 24 meetings
Jan Warren	16 of 24 meetings
Tim Werner	22 of 24 meetings

#	TYPE OF REQUEST	RECOMMEND APPROVAL	RECOMMEND DENIAL
	ORDINANCE AMENDMENTS		
1	An amendment to the Traverse City Code of Ordinances, Chapter 1377, <i>Accessory Dwelling Units Overlay Districts</i> , and Section 1320.07, <i>Definitions</i> , regarding allowing Accessory Dwelling Units on single-family zoned parcels in the Traverse Heights neighborhood.	3/5/13	
2	An amendment to the Traverse City Code of Ordinances, Chapter 1328 Open Space District, Section 1328.01, <i>Uses Allowed</i> , and Section 1328.02, <i>Uses Allowed by Special Land Use Permit</i> ; and Chapter 1364 Special Land	5/7/13	
3	Use Regulations, Section 1364.01 <i>Types of Special Land Use Permit Review</i> and Section 1364.08 <i>Special Land Use Permits Granted by the City Commission</i> , that would allow theaters in the Open Space District and allow the reuse of existing buildings in the Open Space and Residential Conservation Districts by right.		
4	An amendment to the Traverse City Code of Ordinances, Section 1332.09, <i>Special Requirements</i> , Section 1334.09, <i>Special Requirements</i> , and Section 1336.09, <i>Special Requirements</i> , that would restrict attached garages on parcels with alley access in the Boardman and Central Historic Districts	6/4/13	
5	An amendment to Chapter 1340, C-1 (<i>Office Service District</i>), Section 1340.01, <i>Uses Allowed</i> , and Chapter 1342, C-2 (<i>Neighborhood Center District</i>), Section 1342.01, <i>Uses Allowed</i> , regarding allowing Medical Marihuana Collectives in the C-1 (Office Service District) and C-2 (Neighborhood Center District)		8/6/13
6	An amendment to Chapter 1354, I (<i>Industrial District</i>), Section 1354.01, <i>Uses Allowed</i> , to allow for C-2 (Neighborhood Center District) uses in the I (Industrial District) with restrictions	9/4/13	
7	An amendment to the Traverse City Code of Ordinances, Section 1368.02, <i>Setbacks; Yards</i> ; Section 1332.04, <i>Setbacks</i> ; and Section 1334.04, <i>Setbacks</i> , regarding corner lot setbacks in the Single Family, Two Family and Multiple Family Dwelling Districts (R-1a, R-1b, R-2, R-9, R-15 and R-29)		12/3/13
8	An amendment to the Traverse City Code of Ordinances, Section 1374.04, <i>Driveways and Access Requirements</i> , to limit parcels in the Single or Two	12/3/13	

9	Family Dwelling Districts (R-1a, R-1b and R-2) to one curb cut per parcel An amendment to the Traverse City Code of Ordinances, Section 1374.06, <i>Drive-Through Standards</i> , to clarify how services are provided to customers without motor vehicles (<i>discussed 12/3/13, no action taken</i>)	N/A	N/A
CONDITIONAL REZONING			
1	Conditional Rezoning request by Michael Brown, design/builder for TBA Credit Union, to Conditionally Rezone 626 E Front and 636 E Front from HR (Hotel Resort District) to C-3 (Community Center District) with conditions.	2/5/13	
2	Conditional Rezoning request to extend the duration of approval for 10597 East Traverse Highway from R-1b (Single Family Dwelling District) to R-9 (Multiple Family Dwelling District) for one additional year (May 16, 2014)	2/5/13	
3	Conditional Rezoning request by Terry Harper, Archdale One LLC, to rezone the property commonly known 537 Bay Street from C-1 (Office Service) to C-3 (Community Center) with conditions as offered by the applicant (<i>request discussed 10/1/13, but was later withdrawn by the applicant</i>)	N/A	N/A
REZONING			
1	A rezoning request initiated by the Planning Department to rezone 1350, 1290, 1280, 1260, 1240, 1210, 1291 and 1281 Lake Ridge Circle of which the parcels have split zoning between C-2 (Neighborhood Center District) and R-29 (Multiple Family Dwelling Districts) to R-29 (Multiple Family Dwelling Districts) and consideration of rezoning 212 E. Fourteenth Street that has split zoning of R-9 (Multiple Family Dwelling Districts) and C-2 (Neighborhood Center District) to R-9 (Multiple Family Dwelling Districts)	8/6/13	
2	Zoning Change request initiated by Lisa Kloosterman of 611 Bates Street to rezone 1139 E Eighth Street from C-1 (Office Service District) to C-2 (Neighborhood Center District)	8/6/13	
3	A rezoning request initiated by the Planning Department to rezone 221 Cass Street; 215, 223 and 229 Washington Street from C-4a (Regional Center) District to C-4b (Regional Center)	11/5/13	
SPECIAL LAND USE PERMIT (<i>none</i>)			
SITE PLAN REVIEW			
1	Request from Munson Medical Center for Site Plan Review 13-SPR-01 for construction of a Cancer Center located at 205 South Madison Street be approved as submitted	9/4/13	
2	Request from G.J. Perelli Company for Site Plan Review 13-SPR-02 for the construction of a financial center with a drive-through located at 1407 South Division Street be approved as submitted	9/4/13	

MASTER PLAN- PROJECT REVIEWS FOR CONSISTENCY WITH CITY MASTER PLAN

- Approved as consistent with the Traverse City Master Plan in terms of location, extent and character:
 - Approval of City of Traverse City 2013-2019 Capital Improvement Plan (4/17/13)
 - Approval of the Traverse City Light and Power Capital Improvement Plan (4/17/13)
 - Approval of the 2013-2014 Street Projects (9/4/13)

PRESENTATIONS/DISCUSSIONS

- Planning Commission 2013 Goals presented on 1/8/13, 2/20/13 and accepted 3/5/13.
- Freedom of Information Act, Open Meetings Act, Planning Commission rules, ethics and conflicts of interest presentation by Lauren Tribble-Laucht and Benjamin Marentette (1/8/13)
- Corridors Master Plan presentation by Devin Lavigne and Dan Gardner of Houseal Lavigne Associates (1/16/13 and 6/19/13)
- Regulation of Food Trucks (2/5/13)

- Corridors Master Plan discussions (1/6/13, 2/20/13, 2/26/13, 3/7/13, 3/20/13, 4/2/13, 6/19/13, 8/21/13 and approved on 9/4/13)
- Active Transportation Plan- Purpose discussion (2/20/13)
- 2013-2019 Capital Improvement Plan presentation by Ben Bifoss, Bob Cole, Rob Bacigalupi, Tim Lodge and Russ Soyring (2/20/13)
- Old Towne Neighborhood Streets and Safety presentation (3/5/13, update 6/4/13)
- Morgan Farms Planned Unit Development presentation by Lauren Tribble-Laucht (5/7/13)
- Conditional Rezoning presentation by Lauren Tribble-Laucht (5/7/13)
- BATA's New Direction presentation by Tom Menzel, Carrie Thompson, Kelly Yaroch and Matt Powis (6/4/13)
- 2013-14 Street Projects discussion (6/4/13, 6/19/13)
- Warehouse District and Hannah Park concept discussion from *The Boardman River Plan* (6/4/13)
- Brown Bridge Trust Fund discussion (7/2/13)
- Grand Traverse County Master Plan Draft- review and discussion (7/2/13)
- Boardman Lake Avenue discussion (8/21/13)
- Bayshore Corridor Strategy discussion (8/21/13) presentation (11/20/13)
- Possible name change for Division Street discussion (9/4/13)
- Environmental Stewardship Assessment for Traverse City presentation by Scot Gest, NWMCOG (9/18/13)
- Waterfront access and bank stabilization discussion (9/18/13)
- Corner lot setbacks discussion (10/1/13)
- Corner lot driveways discussion (10/1/13)
- Parking A-Z presentation by Russ Soyring (10/18/13)
- Comprehensive Parking Plan discussion (10/18/13)
- Circulation and Parking regarding drive-throughs discussion (10/18/13)
- Building Height limit discussion (11/5/13)
- Capital Improvement Program project submission discussion (11/5/13)
- Sidewalk funding discussion (11/5/13)
- Traverse Heights Neighborhood type discussion (11/5/13)
- Capital Improvement Program process and establishment of staff-led CIP Committee (11/20/13)
- Theaters in Open Space discussion (12/18/13)
- Measuring building heights discussion (12/18/13)

COMMITTEES

- Planning Commission representatives on the Grand Traverse Commons Joint Planning Committee
- Planning Commission representative on the Board of Zoning Appeals
- Capital Improvement Program Committee as a staff-led committee with representation from three Planning Commissioners, one of which is also a City Commissioner
- Corridor Steering Committee as a subcommittee of the Planning Commission
- Housing Building Planning Committee as a subcommittee of the Planning Commission
- Active Transportation Committee as a subcommittee of the Planning Commission

MISCELLANIOUS

- Nominated both the Kids Creek Restoration Project and the Clinch Park Revitalization Project for Placemaking Awards to the Grand Traverse County Chapter of Michigan Townships Association and the Grand Traverse County Planning Department for their annual awards banquet (9/4/13)
- Consideration of a request by Bonnie Adams of 441 Fair Street to vacate an alley located east of parcel 28-51-582-022-00, commonly known as 449 Fair Street (11/5/13) (*request withdrawn at this time*)

2014 Planning Commission Goals

Accepted by the Planning Commission on xxxxx

- **Corridors Master Plan**

The Planning Commission and the Corridor Steering Committee assisted in the development of corridor plans for 8th Street, 14th Street, Garfield Avenue and East/West Front Streets. The corridor plans provide strategies for revitalizing these corridors as attractive places to dwell and develop business. A subcommittee may need to be formed to recommend zoning ordinance amendments or possible Form Based Codes based on the Corridors Master Plan document. Quarterly implementation progress reports will be provided.
- **Active Transportation Committee**

An Active Transportation subcommittee of the Planning Commission has been formed to guide the process to create a Non-Motorized Plan and reapply for Bicycle Friendly Community designation.
- **Comprehensive Parking Plan**

Once the Active Transportation recommendations are made, a Comprehensive Parking Plan is needed. A subcommittee of the Planning Commission may be formed to guide the process.
- **Bayfront Plan**

The Planning Commission will review proposed public projects for the waterfront for consistency with the Master Plan in terms of location, extent and character. The Planning Commission will rely on the Traverse City Bayfront 2010 (campus plan) to guide decisions. Project review for each implementation phase will be brought before the Planning Commission for review.
- **Formal Planning Commission Training**

In-house training of the legal aspects of planning will be provided by the City Attorney and the City Planning Director. Throughout the year, the Planning Commission will be made aware of training programs available in the area and via the Internet.
- **Master Plan Elements Implementation**

Create an implementation plan for Element action items and for short-term and long-term zoning changes to the Traverse City Code of Ordinances to conform to the approved Master Plan Elements.
- **Building Height Measurement**

The current measuring method may be disadvantageous to build a pitched roof building. A study session may need to be allocated to review building height measurement ordinances in other communities, discuss building heights with area architects and review building heights by district.

- **Definition of Mass**

The Planning Commission will study the “M” in HAME (Hours, Auto, Mass, Emissions) and come up with ratios, maps and documentation that will aid the Commission in future discussions related to mega-housing issues and floor area ratios.

2014 Planning Department Projects

Not for acceptance by the Planning Commission

Mission Statement: *The Planning Department’s primary purpose is to guide the City with land use and planning in order to enhance the quality of the community and ensure it remains a place where both citizens and businesses love to call home.*

The Planning Department:

- Helps to administer the City of Traverse City Master Plan, a document that guides City zoning, land use, urban design and physical improvements, such as buildings, streets and parks.
- Provides administrative staff for the Planning Commission, Grand Traverse Commons Joint Planning Commission, Board of Zoning Appeals, and Historic Districts Commission.
- Administers and enforces the zoning, sign, and historic districts ordinances and other land use laws. Administers the Capital Improvement Program.
- Reviews building site plans and prepares reports and recommendations to the Planning Commission for zoning map amendments, zoning laws, special land use permits and planned unit developments.
- Answers zoning and land use questions and interprets land use principles, and planning and zoning laws.
- Works with property owners and developers, other agencies and other City departments to ensure that building plans are consistent with the Master Plan and laws regarding size and placement of buildings, signs, parking areas and landscaping requirements.
- Inspects multi-family rental dwellings, rooming houses, proper anchoring of boats on the near shore of Grand Traverse Bay and property maintenance code violations.

Goals/objectives for the coming 2014 year include:

- **Seek grants** to implement the Bayfront Plan and other City projects.
- **Clinch Park-** The Planning and Engineering Departments are working on completion of the renovation projects and closing out the project grants in 2014.
- **All Planning Elements-** Now that the Elements are approved, they will be prepared for publication using a unifying graphic design to stylize the Elements in a format that conforms to the Master Plan. The Elements will be printed and bound and to be incorporated as Sub Plans of the Master Plan.
- **Pedestrian Right-of-Way Local Ordinance Education-** In 2011, the City passed a Local Ordinance that requires drivers to stop for pedestrians in marked and posted crosswalks. In 2012, City Staff formed a committee to establish a process to work toward implementation. Staff will launch a public education effort and begin enforcement in 2014.

- **Boardman Lake Trail-** In 2012, the City received a Natural Resources Trust Fund grant for the next phase of the Boardman Lake Trail (multi-use trail extension to 14th Street with connections to the neighborhood and a recreation area along Boardman Lake). The Planning Department will be working with the Engineering Department on implementing the project and administering the grant in 2014.
- **Bike Friendly City-** The Planning Department applied for and received the Bicycle Friendly City designation in 2009 at the Bronze level. Reapplication after we complete the Active Transportation Plan is desired to sustain our designation and possibly increase our status to Silver or a higher designation level.
- **Hannah Park sculpture plaza-** Perry Hannah Plaza scope of work includes designing a small sitting plaza with a statue of Perry Hannah as a centerpiece in Hannah Park at the corner of Sixth and Union Streets. Construction will commence as soon as sufficient funds are raised.
- **Public Pier and Murchie Bridge-** The Planning Department will be working on completing the environmental studies, design and engineering for a multi-purpose pier at the mouth of the Boardman River and administering the project grant in 2014.
- **West End Beach Trail and Access Project-** The Planning Department will be working with the Engineering Department on implementing the project and administering the project grants in 2014.
- **Boardman River Boat Launch and Lot D Project-** The Planning Department will be working with the Engineering Department on implementing the project and administering the project grants in 2014.
- **Grand Traverse Commons Zoning Ordinance-** Work continues on drafting a Zoning Ordinance in cooperation with Garfield Township Planning Department and the Grand Traverse Commons Joint Planning Commission.