



Notice City Commission Study Session

7:00 PM

Monday, April 25, 2016

Governmental Center, Commission Chambers, 400 Boardman Avenue
Traverse City, MI 49684

Posted and Published: 04-22-2016

The meeting informational packet is available for public inspection at the Traverse Area District Library, Law Enforcement Center, City Manager's Office, and City Clerk's Office.

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. Penny Hill, Assistant City Manager, 400 Boardman Avenue, Traverse City, MI 49684, 922-4440-TDD: 922-4412, has been designated to coordinate compliance with the non-discrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA Coordinator. 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.

At the request of City Manager Marty Colburn, City Clerk Benjamin Marentette has called this Study Session.

City Commission:

c/o Benjamin C. Marentette, MMC, City Clerk
(231) 922-4480

Email: tcclerk@traversecitymi.gov

Web: www.traversecitymi.gov

400 Boardman Avenue

Traverse City, MI 49684

The mission of the Traverse City City Commission is to guide the preservation and development of the City's infrastructure, services, and planning based on extensive participation by its citizens coupled with the expertise of the city's staff. The Commission will both lead and serve Traverse City in developing a vision for sustainability and the future that is rooted in the hopes and input of its citizens and organizations, as well as cooperation from surrounding units of government.

Welcome to the Traverse City Study Session!

Any interested person or group may address the City Commission on any agenda item when recognized by the presiding officer or upon request of any commissioner. Also, any interested person or group may address the City Commission on any matter of City concern not on the Agenda during the agenda item designated Public comment. The comment of any member of the public or any special interest group may be limited in time. Such limitation shall not be less than five minutes unless otherwise explained by the presiding officer, subject to appeal by the Commission.

Agenda

Pledge of Allegiance

Roll Call

1. Discussion regarding an amendment to the Traverse City Code of Ordinances which would allow additional uses and modify the development requirements for Transportation Districts, to allow other uses which are compatible or complimentary to the operation of the Cherry Capital Airport, as recommended by the Planning Commission. (Marty Colburn, Russell Soyring)
2. Discussion regarding Tourist Oriented Directional Signs. (Marty Colburn, Penny Hill)
3. Update regarding the Boardman River Restoration Project. (Marty Colburn)
4. Announcements from the City Clerk. (Benjamin Marentette)
5. Public comment.
6. Adjournment.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF APRIL 25, 2016

DATE: APRIL 22, 2016

FROM: ^{-MAC}
MARTY COLBURN, CITY MANAGER

SUBJECT: APRIL 25 STUDY SESSION

This memo covers the items for the April 25 Study Session.

1. ***Ordinance amendment regarding Transportation Districts/Airport.***

At the April 18 Regular Meeting, the City Commission referred this ordinance amendment to the April 25 Study Session for additional discussion and also scheduled it for possible enactment at the May 2 Regular Meeting. Attached is the previously-provided memo from City Planning Director Russ Soyring as well as the ordinance that was recommended by the Planning Commission.

Mr. Soyring will provide an overview at the meeting regarding the process of this ordinance's development. I've also invited Cherry Capital Airport Director Kevin Klein to address the Commission specifically on this matter; and he will have pertinent information.

2. ***Discussion regarding Tourist Oriented Directional Signs.***

Attached is a memo from Assistant City Manager Penny Hill regarding a request the City received to place a Tourist Oriented Directional Sign at the southeast corner of the Division Street/14th Street intersection. Also attached is information regarding a program for these signs, which is sponsored by the Michigan Department of Transportation. These signs can certainly be helpful in finding businesses, etc. If we want to move forward, we will want to develop a program that is equitable in terms of reviewing and potentially granting such requests. I recommend that the Planning Department and Planning Commission work on developing an ordinance for City Commission consideration.

3. *Update regarding the Boardman River Restoration Project.*

Amy Beyer of Conservation Resource Alliance will provide the City Commission with an update on the overall Boardman River Restoration Project, which has implications for the City-owned Union Street Dam as well as the County-owned Sabin and Boardman River dams.

MC/bcm

k:\ccclerk\city commission\study sessions\20160425

copy: Amy Beyer, Conservation Resource Alliance
Kevin Klein, Cherry Capital Airport Director
Russell Soyring, City Planning Director

Memorandum

The City of Traverse City
Planning Department



TO: MARTY COLBURN, CITY MANAGER

FROM: RUSS SOYRING, PLANNING DIRECTOR *RSoyring*

SUBJECT: TRANSPORTATION DISTRICT AMENDMENT TO ALLOW ADDITIONAL USES AND
MODIFY THE DEVELOPMENT REQUIREMENTS

DATE: APRIL 11, 2016

At the April 5, 2016 the Planning Commission held a public hearing to consider a text amendment for the T-District that would allow other uses that are compatible or complimentary to the airport operation and could address nuances with parking lot locations for uses on the airport grounds. There are 5 parcels that comprise the Transportation District. US Coast Guard and the National Guard own 2 of the properties within the Transportation District however; these federal properties could exercise their claim of being categorically excluded from local zoning. The City of Traverse City and the Traverse City Airport Commission own the remaining parcels within the Transportation District.

The Master Plan designates this area as TC-C Campus Neighborhood. These areas are unique areas of the community with uses having common specialties located in proximity to each other. The Plan states this neighborhood type will have individualized special plans approved by the Planning Commission. In a very general way, the Transportation District provides a basis framework for this unique area that is virtually all airport owned property.

Based on input from East Bay Township, staff modified some of the allowable uses and added a section of special requirements. The special requirements address basic regulations for building orientation and architectural embellishments for the structure's front facing façade. Screening roof top mechanical equipment is also addressed. In addition, the requirements would limit street access to South Airport Road and would require internal drive connections to adjacent developments. Utilities would need to run along the internal streets or major maneuvering lanes to assist in the eventual redevelopment of parking areas for future building sites.

Two individuals made general comments during the Public Hearing. After holding Public Hearing, the Planning Commission took the following action:

Motion by Commissioner Koebert, second by Commissioner Richardson, that an amendment to the Traverse City Code of Ordinances Chapter 1348 *Transportation (T) District* to allow additional uses and to modify the development requirements within this district be recommended to the City Commission. Motion carried 6-1 (Commissioner Howe opposed, Commissioners Dow and Warren absent.)

Attachments: Transportation (T) District Amendment, Map of the T-District, Development Areas controlled by airport authority

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: **TRANSPORTATION DISTRICT AMENDMENT**

THE CITY OF TRAVERSE CITY ORDAINS:

That Chapter 1348, *Transportation District*, of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

**CHAPTER 1348
T - Transportation District**

The Transportation (T) District is for the purpose of accommodating special areas for the moving of goods and people and supporting aeronautical and non-aeronautical uses that benefit the operation of the Cherry Capital Airport as approved by the Northwestern Regional Airport Commission and in compliance with the Airport Zoning Act, Ac No. 23 of the Public Acts of 1950.

CROSS REFERENCES

- Zoning and planning in home rules cities - MCLA 117.4i
- Regulation of location of trades, buildings and uses by local authorities - MCLA 125.581
- Regulation of buildings; authority to zone - MCLA 125.582
- Regulation of congested areas - MCLA 125.583
- Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCLA 125.583a
- Airport Zoning Act, MCLA 259.431 *et seq*
- Signs - B & H Chapter 1476.06

1348.01	Uses allowed.	1348.06	Building height.
1348.02	Uses allowed by special land use permit.	1348.07	Accessory buildings.
1348.03	Lot, density and impervious surface provisions.	1348.08	Parking, loading and driveways.
1348.04	Setbacks.	1348.09	Special Requirements.
1348.05	Encroachments into the setbacks.	1348.10	Federal laws.
		1348.11	Unlawful Land Use.

1348.01 USES ALLOWED.

The following uses of land and buildings, together with accessory uses, are allowed in the Transportation Zone:

- OS District uses, including buildings 3,000 square feet or larger in gross floor area;
- GP District uses;
- I District uses, except C-2 District Uses;
- Air transportation, including airports and airport terminals;
- Amusement and recreation services (indoor only)
- Automobile gasoline/convenience stores;

- Automobile, motorcycle, trailer, recreational vehicle or boat showrooms;
- Brew pubs;
- Business services;
- Drugstore;
- Engineering, accounting, research, management and related services;
- Finance, insurance and real estate services;
- Finance services without drive-throughs;
- Indoor fruit and vegetable markets;
- Landing areas;
- Laundromats;
- Legal services;
- Lodging facilities;
- Microbrewery;
- Motorized vehicle dealers, mobile home dealers, watercraft dealers and recreational vehicle dealers subject to the following conditions:
 - (1) All outdoor display and storage in front or on the side of a building shall meet landscape requirements for parking areas.
 - (2) Outdoor display areas shall be differentiated from parking areas using contrasting surface material and shall be designated on a site plan.
 - (3) Any display platforms shall not be elevated more than three feet higher than the adjacent public right of way.
- Parcel packing services;
- Parking areas, public or private,
- Passenger transportation services;
- Personal services;
- Pet grooming services without outdoor runs or kennels;
- Repair services;
- Restaurants, family, fine and fast without drive-throughs;
- Retail use of 10,000 square feet or more;
- Security services
- Services stations and repair stations;
- Theaters;
- Theatrical producers, entertainers, bands and orchestras;
- Transportation service;
- Vehicle wash facilities as permitted in the C-3 District;
- Veterinary Services, without outdoor runs;
- Water transportation.

1348.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.

The following uses of land and buildings, together with accessory uses, are allowed in the Transportation District if a special land use permit is issued according to the standards of this Code:

- Communication towers.
- Wind Energy Pole/Tower-Mount
- Wind Energy Building Mount

1348.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

<u>Lot width (min.)</u>	<u>Lot area (min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
20 feet	No minimum.	No maximum.	70% maximum.

1348.04 SETBACKS.

(a) Front setbacks.

Building: Minimum setbacks are 25 feet.

Parking area: Behind or to the side of the principal building and set back a distance equal to the setback of the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than 25 feet from the front property line. Parking may be provided street ward of the building along South Airport Road provided a minimum 25 foot vegetative buffer area that will effectively screen the parking area from public view as set forth in Section 1372.04 is maintained where a vegetative buffer exists or, if no other vegetative buffer exists, other screening is provided as set forth in Section 1372.04 within the 25 foot buffer area.

(b) Side setbacks (minimum): Building: None except as follows:

- (1) 25 feet if abutting or adjacent to an R- District
- (2) 50 feet if a loading dock is abutting or adjacent to an R-District.

Parking area: If contiguous to an R-district, a minimum of 10 feet. Otherwise, 5 feet. If shared parking is developed, these setbacks would affect only the perimeter of the combined parcels.

(c) Rear setbacks:

Building: 5 feet, except as follows:

- (1) 25 feet if abutting, or adjacent to ~~or across a public alley from~~ an R - District.

Parking area: 5 feet, except 20 feet if abutting, adjacent to or across a public alley from an R-District.

(d) Corner lots and through lots having a frontage on two streets shall provide the required front setback on both streets.

1348.05 ENCROACHMENTS INTO THE SETBACKS.

No encroachments into the setbacks are allowed.

1348.06 BUILDING HEIGHT.

Building height: ~~Maximum~~ The lesser of 45 feet or the approach, transitional, conical and inner horizontal surfaces which establish the height limitation under this Ordinance are denoted on the Airport Zoning Plan, and are established in conformance with approach standards or regulations of the Michigan Aeronautics Commission or the Federal Aviation Administration. In acting upon applications for permits, the Zoning Administrator will arrive at proper height limitations by insuring FAA Form 7460-1 is completed with Federal Aviation Administration determination of no hazard to aviation. Air traffic control towers are exempt from this height requirement.

1348.07 ACCESSORY BUILDINGS.

Accessory buildings shall:

- (a) Not exceed ~~45 feet in height~~ the Building Height limitation as set forth in Section 1348.06.
- (b) Not be closer than 5 feet to any side or rear property line or 25 feet if abutting or adjacent to an R - District. ~~Boat houses up to 250 square feet gross floor area may be built up to the~~

water's edge.

1348.08 PARKING, LOADING AND DRIVEWAYS.

Requirements for parking, loading and driveways are contained in Chapter 1374. In addition, athletic fields may provide up to 50% of the required number of organized parking on an area developed in turf grasses. Grassed parking areas are considered as providing one parking space for every 350 square feet of continuous turf-covered area. All grassed parking areas shall be maintained in a healthy, vigorous growing condition and shall not be used more than 12 times per calendar year. When use requires more frequent parking, an impervious surface or approved pervious hard surface parking area shall be developed.

1348.09 SPECIAL REQUIREMENTS.

To preserve and reinforce the development patterns of the Transportation District, the following special requirements shall apply.

- a) The predominant building wall and entryway shall face the public or private street.
- b) Street-facing building facades shall incorporate permanent architectural elements which create shadow patterns and surface textures which, in turn, enhance visual interest.
- c) Any rooftop equipment shall be enclosed or screened from street level view using the same materials used for the building walls or a material which is approved by the Planning Director as visually compatible with the building.
- d) Commercial and industrial outdoor lighting shall not exceed one foot candle or cause glare onto neighboring properties.
- e) Driveways on South Airport Road shall be limited to one per parcel and shall be no closer than 400 feet to the nearest driveway on the same side of the street or 150 feet from the nearest intersection.
- f) All properties developed shall allow for internal access to other abutting industrial or commercial properties.
- g) All utilities shall be placed underground and shall follow private or public streets or the primary maneuvering lanes within a parking area.

1348.10 FEDERAL LAWS.

Notice of construction or alteration shall be provided to the Federal Aviation Administration on Form 7460-1 for the following:

- (a) Any construction or alteration exceeding 200 ft above ground level.
- (b) Any construction or alteration:
 - within 20,000 ft of the Cherry Capital Airport which exceeds a 100:1 surface from any point on the runway of the Cherry Capital Airport with at least one runway more than 3,200 ft.
 - within 10,000 ft of the Cherry Capital Airport which exceeds a 50:1 surface from any point on the runway of the Cherry Capital Airport with its longest runway no more than 3,200 ft.
 - within 5,000 ft of the Cherry Capital Airport which exceeds a 25:1 surface
- (c) Any highway, railroad or other traverse way whose prescribed adjusted height would exceed that above noted standards.
- (d) When requested by the FAA.
- (e) Any construction or alteration located on the Cherry Capital Airport regardless of height or location.

1348.11 UNLAWFUL LAND USE.

Notwithstanding any other provisions of this Zoning Ordinance, no person may use any lands within any area of land or water, or both, lying within a ten mile radius from the established center of the Cherry Capital Airport which:

- (a) Would create electrical interference with radio communications between the airport and aircraft or create interference with navigational aids employed by aircraft;
- (b) Would make it difficult for flyers to distinguish between airport lights and others or result in glare to the eyes of flyers using the airport;
- (c) Would create air pollution in such amounts as to impair the visibility of flyers in the use of the airport;
- (d) Would locate or permit the operation of a dump, waste disposal site, sanitary landfill, hazardous waste facility, solid waste transfer station or recycling facility within 10,000 feet of any runway at the airport, unless the construction, location and operation of the site is approved or authorized by the Federal Aviation Administration as not being in violation of its orders, rules or regulations applicable to the airport, or unless a waiver is issued by the Federal Aviation Administration;
- (e) Would otherwise endanger the landing, taking off, or maneuvering of aircraft;
- (f) Would attract birds;
- (g) Would raise the descent minimums of any instrument approach procedure to the airport, or otherwise limit operations at the airport, as determined by an airspace study conducted by the Federal Aviation Administration;
- (h) Would violate the rules of the Federal Aviation Administration or the Michigan Department of Transportation Aeronautics Division.

The effective date of this Ordinance is the _____ day of _____, 2016.

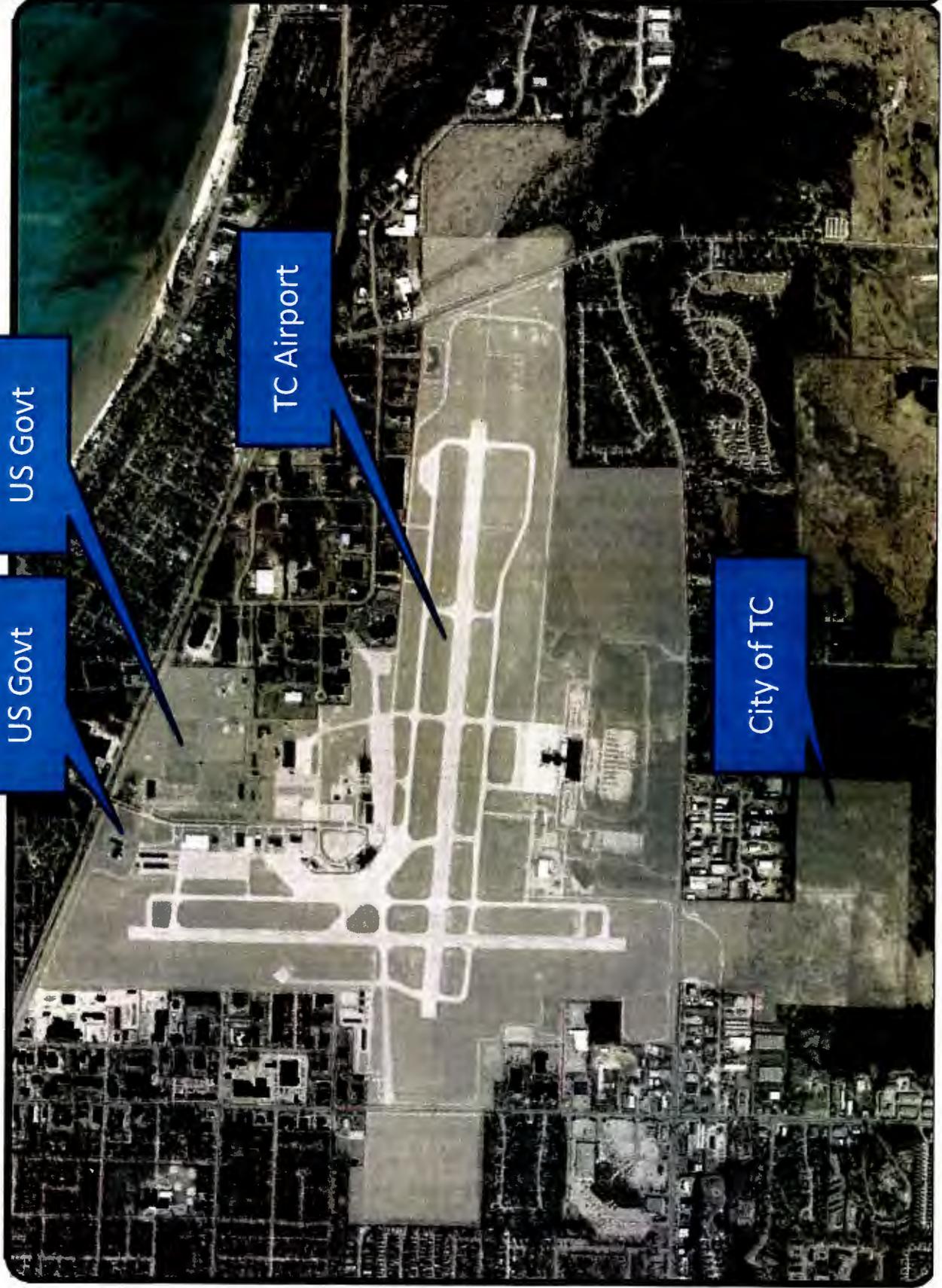
I hereby certify the above ordinance amendment was introduced on _____, 2016, at a regular meeting of the City Commission and was enacted on _____, 2016, at a regular meeting of the City Commission by a vote of Yes: ____ No: ____ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

James Carruthers, 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



US Govt

US Govt

TC Airport

City of TC

Memorandum

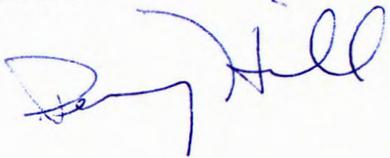
The City of Traverse City

Office of the City Manager



TO: MARTIN COLBURN, CITY MANAGER

COPY: RUSS SOYRING, CITY PLANNER
DAVE WESTON, CITY ZONING ADMINISTRATOR
✓ BENJAMIN MARENTETTE, CITY CLERK

FROM: PENNY HILL, ASSISTANT CITY MANAGER 

DATE: APRIL 8, 2016

SUBJECT: REQUEST FOR TOURIST ORIENTED DIRECTIONAL SIGN (TODS) –
TRAVERSE CITY WHISKEY COMPANY

Background:

City Staff has received a request to place a Tourist Oriented Directional Sign (TODS) at the Southeast corner of the Division Street/14th Street intersection. TODS is a program sponsored by the Michigan Department of Transportation (MDOT), and administered by Michigan Logos, Inc. through a contractual agreement with MDOT. The purpose of the TODS program is to provide business identification and directional information for certain tourist oriented activities. These signs are typically along a rural highway, but are not allowed (by MDOT) at interchanges or on expressways or freeways.

There are two applicable State Highways within the City limits of Traverse City; M-37 (Division Street) and M-72. No other local streets are eligible for a tourist oriented directional sign. (*See attached map*)

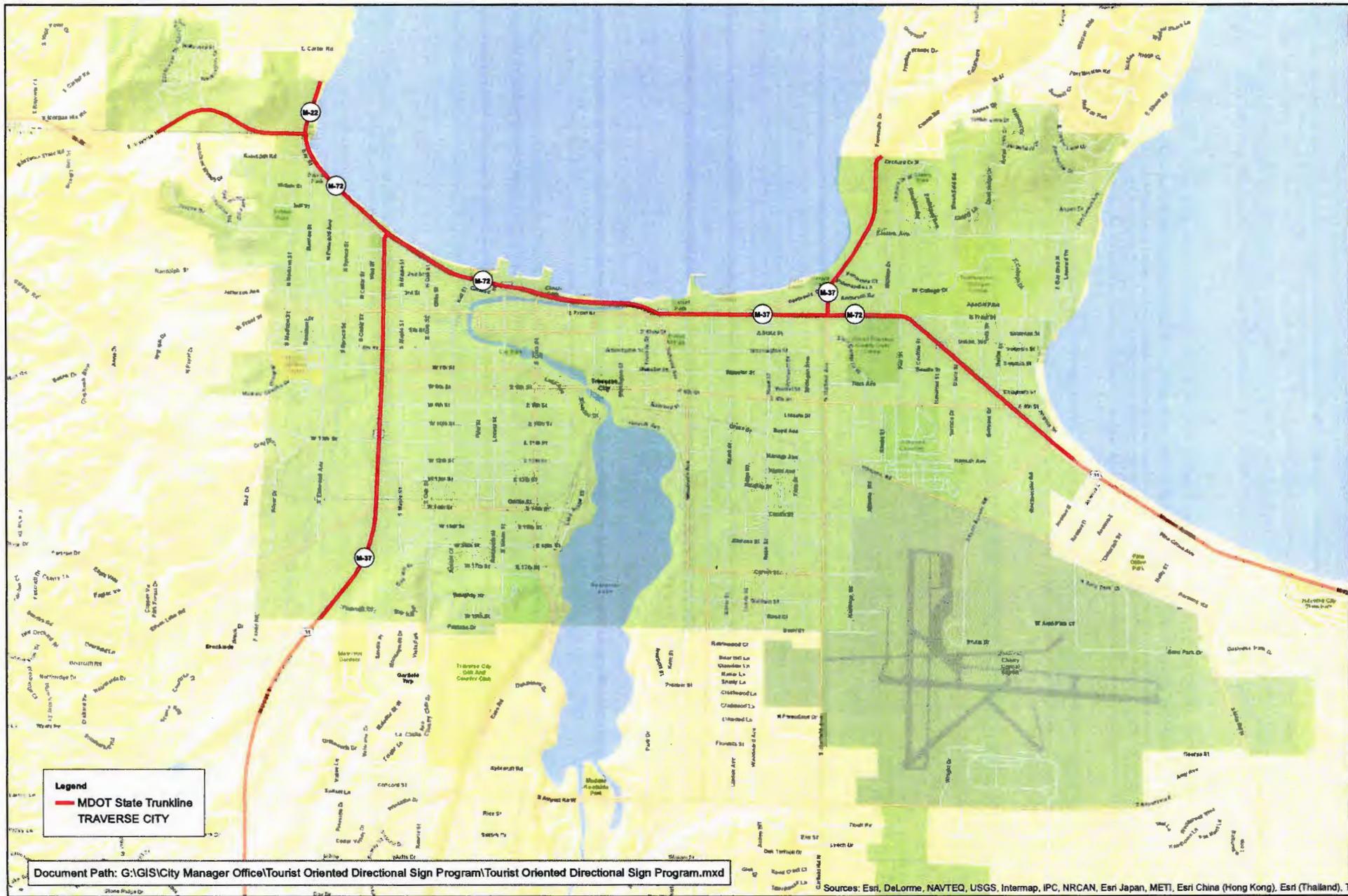
MDOT rules and regulations for the TODS program require that, within an incorporated city or village, tourist oriented directional signs are ONLY allowed if the incorporated city or village has adopted an ordinance allowing such signs. Traverse City has not adopted an ordinance allowing these signs.

Recommendation:

City staff feels that this issue merits discussion by the City Commission at a Study Session. If the City Commission wishes to pursue the adoption of an ordinance that would allow tourist oriented directional signs within the city limits, then it is recommended that the issue be referred to the City Planning Commission for review and drafting a recommended proposed ordinance.

Attachments:

1. Map of State Highways within City Limits
2. Copy of TODS program brochure
3. Map of Division Street/14th Street intersection



GIS

**MDOT State Trunkline
Located Inside City Limits**

4/11/2016
LL&Cross

WHO

ELIGIBLE BUSINESSES

Cultural

Drama
Theatres
Galleries
Memorials
Reservations

Historical

Buildings
Districts
Structures
Objects
Sites

Educational

Museums
Tours

Recreational

Resorts
Riding Stables
Camping
Golf
Sports Complexes
Speedway
Amusement Park

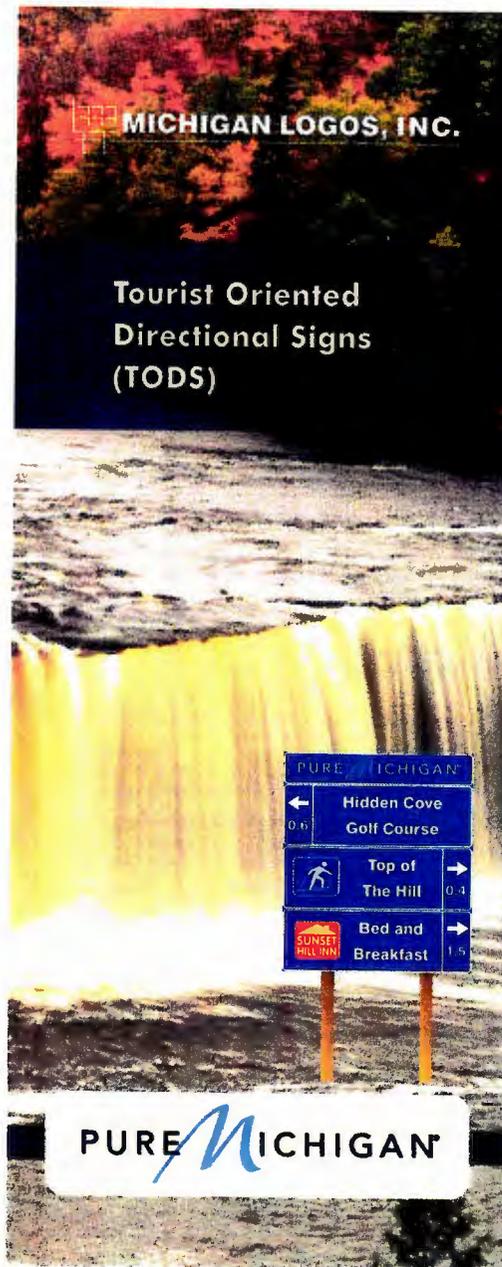
Commercial

Antiques
Crafts
Malls
Winery
Farm Markets
Food
Lodging

Facilities other than those listed above may also be eligible to participate - please contact Michigan Logos, Inc. to see if your location qualifies

MICHIGAN LOGOS, INC.

Michigan Logos, Inc.
5030 Northwind Drive, Suite #103
East Lansing, MI 48823
(888) 645-6467
(517) 337-2267
Fax: (517) 337-4881
www.michigantods.interstatelogos.com



MICHIGAN LOGOS, INC.

Tourist Oriented
Directional Signs
(TODS)

PURE MICHIGAN

← Hidden Cove
Golf Course 0.6

Top of
The Hill → 0.4

SUNSET HILL INN Bed and
Breakfast → 1.5

PURE MICHIGAN

WHAT

TOURIST ORIENTED DIRECTIONAL SIGN PROGRAM

TODS is the acronym for Tourist Oriented Directional Sign. The TODS Program provides the business identification and directional information for certain Tourist Oriented Activities.

A Tourist Oriented Activity is any lawful cultural, historical, recreational, educational, or commercial activity, located on rural highways, but not at interchanges on expressways or freeways.

The Michigan Department of Transportation (MDOT) has contracted with Michigan Logos, Inc. to administer the TODS Program for the State of Michigan.

HOW PARTICIPATION IN THE TODS PROGRAM

- 1 A representative of Michigan Logos, Inc. will call on locations who meet the General Eligibility Requirements established by the Michigan Department of Transportation (MDOT). A summary of these requirements can be found on the inside of this brochure.

A request for information can also be made to Michigan Logos, Inc. by calling (517) 337-2267 or (888) 643-6467.
- 2 A representative will explain the Program and assist all interested locations in completing an Application and other paperwork necessary for their inclusion in the Program.
- 3 Upon submission of the Application by the facility, Michigan Logos, Inc. will confirm the eligibility criteria are met.
- 4 The representative will contact the facility upon approval of the Application and assist with completion of the Contract.
- 5 Michigan Logos, Inc. will then assist in the designing of the TODS panel. Creative design assistance is available at no charge.

Q&A FREQUENTLY ASKED QUESTIONS

1. **Q. What is the "immediate area" of a Tourist Oriented Activity?**
A. The "immediate area" is defined as being the area within 10 miles of the Tourist Oriented Activity.
2. **Q. How much will it cost to participate in the TODS Program?**
A. \$360.00 per year per sign
\$120.00 per year per trailblazer
3. **Q. Can seasonal locations participate in the TODS Program?**
A. Yes. The signs can be erected indicating the season of operation or the signs can be covered during those times the location is not in operation.
4. **Q. Can Gas, Food, Lodging, or Camping businesses participate in the TODS Program?**
A. Gas is not eligible for the Program. Food, Lodging and Camping businesses can participate providing the facility meets the General Eligibility Requirements.
5. **Q. Once I am in the Program, can my sign be removed?**
A. Yes. If your location ceases to comply with eligibility requirements, you will be notified that your sign will be removed.
6. **Q. How will the signs be maintained?**
A. All TODS maintenance will be performed by Michigan Logos, Inc. or its contractors.

ELIGIBILITY TOURIST ORIENTED ACTIVITY ELIGIBILITY CRITERIA

There are specific criteria each type of facility must meet to be eligible for the Program. The following information will help you to determine if your location is eligible.

General Eligibility Requirements

1. The location must be in operation 8 hours per day, 5 days per week, one of which must be a Saturday or Sunday during the normal business season.
2. The facility must derive a major portion of its income from motorists not residing within 10 miles of the activity.
3. The location must have an attendance of at least 2,000 in 12 consecutive months.
4. The maximum distances of services from signed intersections for all establishments are as follows:
Upper Peninsula - 15 miles
Lower Peninsula - 10 miles
5. Food and Lodging businesses and Historical Places are required to meet the additional following criteria:

FOOD

Upper Peninsula - All food-service businesses may participate.

North of M-46 - Only non-franchise, non-chain establishments may participate.

South of M-46 - Only non-franchise, non-chain establishments located in a township with a population less than 6,000 and located 3 or more miles driving distance from a city boundary of 50,000 or more may participate.

LODGING

Upper Peninsula - All lodging establishments may participate.

Lower Peninsula - Only non-franchise, non-chain establishments may participate.

HISTORICAL PLACES

The property must be listed on the National Register of Historical Places, and an official Michigan Historical Marker must be in place.

WHERE LOCATION, PLACEMENT AND SIZE

The signs will be located on state highways within 1/2 mile of intersections with other state highways or local roads. The signs will be offset 10-20 feet from edge of pavement, in line with the existing highway guide signs. Signs may be placed up to 10 miles from the activity.

The business panels are 6' wide by 2' high. There is a maximum of 3 panels per sign structure with a 6' wide by 1' high header plaque. A symbol or logo is allowed on the panels. No more than three sign structures may be installed at an intersection.





Request for TODS Sign SE corner of Division & 14th - TC Whiskey Co.

Print Date: 04/05/2016
Image Date: 05/06/2014
Level: Community