



City of Boyne City

Founded 1856

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AGENDA

BOYNE CITY PLANNING COMMISSION

Monday December 18, 2017, 5:00 p.m.
Boyne City Hall



Scan QR code or go to
www.cityofboynecity.com
click on Boards & Commissions for complete
agenda packets & minutes for each board

1. Call to Order
2. Roll Call - Excused Absences
3. Consent Agenda
The purpose of the consent agenda is to expedite business by grouping non-controversial items together to be acted upon by one Commission motion without discussion. Any member of the Commission, staff, or the public may ask that any item(s) on the consent agenda be removed to be addressed immediately following action on the remaining consent agenda items. Such requests will be respected.
- Approval of minutes from the November 20, 2017 Boyne City Planning Commission meetings.
4. Hearing Citizens Present (*Non-Agenda Items*)
5. Reports of Officers, Boards, Standing Committees
6. Unfinished Business
7. New Business
 - A. Discussion on minimum dwelling size requirements.
 - B. Adoption 2018 Meeting Calendar
8. Staff Report
9. Good of the Order
10. Adjournment – Next Meeting January 15, 2018

Individuals with disabilities requiring auxiliary aids or services in order to participate in municipal meetings may contact Boyne City Hall for assistance: Cindy Grice, City Clerk/Treasurer, 319 North Lake Street, Boyne City, MI 49712; phone (231) 582-0334

Approved: _____

**Meeting of
November 20, 2017**

Record of the proceedings of the Boyne City Planning Commission regular meeting held at Boyne City Hall, 319 North Lake Street, on Monday November 20, 2017 at 5:00 pm.

Call to Order

Vice Chair Place called the meeting to order at 5:16 p.m.

Roll Call

Present: Ken Allen (Arrived at 5:16 pm), Jason Biskner, George Ellwanger, Tom Neidhamer, Aaron Place
Absent: Chris Frasz, James Kozlowski, Jeff Ross and Joe St. Dennis

**Excused Absences
Motion

2017-11-20-02
Neidhamer moved, Biskner seconded, PASSED UNANIMOUSLY, a motion to excuse the absence of Frasz, Kozlowski, Ross and St. Dennis.

Meeting Attendance

City Officials/Staff: Planning and Zoning Administrator Scott McPherson and Recording Secretary Pat Haver
Public Present: Five

**Consent Agenda
Motion

2017-11-20-03
Neidhamer moved, Ellwanger seconded, PASSED UNANIMOUSLY, a motion to approve the Planning Commission minutes from October 16, 2017 as presented.

**Citizen comments on
Non-Agenda Items**

Ted Macksey wanted to update the board with the progress that is being made on his development property on Jefferson St. Planning stages are moving cautiously along, looking at single family, multifamily and apartment/condo type units. He is still in the design phases and has spoken with some banks who are very excited about the potential and helping financially, and is working with others who are possible financial backers. He wanted to discuss a couple of items in the zoning ordinance that he feels need to be addressed. Several commission members from various city boards have attended housing summits, and he believes that the 24 ft. width requirement in the General Provisions is too restrictive. He passed out samples of smaller width homes that are far more flexible and cost effective to build and own, and would like the Planning Commission to discuss possible amendments to the ordinance to allow smaller width homes. The second item is in the Traditional Residential District where accessory buildings and attached garages are to be setback at least 10 feet from the front of the residences. Again, he feels that this is too restrictive and eats into the usable space in the rear lot. He presented the board with examples of models that he feels are within keeping to the spirit of good architecture and acceptable plans to his point of view utilizing bedrooms over the garages that are in line or set out from the front of the houses. He would like the Planning Commission to place these items on a future agenda for in-depth discussion. The board members discussed the request and has directed staff to place this on the next available agenda as an item for discussion.

**Reports of Officers,
Boards and Standing
Committees**

McPherson advised the board that an M75 Corridor Planning meeting was recently held with members of Wilson and Boyne Valley Townships, along with consultants Kathleen Duffy and Brad Strader, to help develop a draft plan to be reviewed at the January 15, 2018 meeting. As a benefit of being an RRC Community, MEDC has paid for the entire cost of this plan. As a cooperative initiative commissioners from both Wilson and Boyne Valley Townships will be asked to attend for discussion.

Unfinished Business None

New Business

Public Hearing for Zoning Ordinance Amendments to Article V

Planning Director McPherson reviewed his staff report that was included in the agenda packet. As directed by the Commission, staff developed amendment language for Article V Waterfront Residential District (WRD). The proposed change would be a text amendment to the WRD district and only the front yard setback would change for non-waterfront parcels, all other requirements of the district would remain the same and the proposed language would add section 5.60 E to Article V. which would read: *Non-Waterfront Parcels: Parcels in the Waterfront Residential District that do not have waterfrontage shall have a minimum front yard setback of 10 (ten) feet.*

Public Hearing opened at 5:28 pm

Stu Lorton: 810 N. Lake St. - Had questions about the specific regulations of the district and if any of them would change along with the proposed setback? Nothing else in the district would change except the front yard setback for non-waterfront homes in the Waterfront District. As a homeowner in this district, he would like to endorse this change.

With no additional public comments, the public hearing was closed at 5:29 pm

The board discussed the proposed amendment and were in agreement that it made a lot of sense, is less restrictive to those owners of lots and that it better fit into the front yard setback requirements of the other districts in the city. The board reviewed Section 2.50 Amendment Criteria, and felt that this amendment met the criteria under 2, 3, 4 and 11. With no further board discussion, **motion by Ellwanger, seconded by Allen** to recommend to the City Commission to establish a first hearing for the Zoning Ordinance Amendment to Article V, based on meeting criteria 2, 3, 4 and 11 under Section 2.50.

****Motion**

2017-11-20-7A.1

Roll Call:

Ayes: Allen, Biskner, Ellwanger, Neidhamer, and Place

Nays: None

Absent: Frasz, Kozlowski, Ross and St Dennis

Motion Carries

Public Hearing opened at 5:35 pm

Public Hearing for Zoning Ordinance Amendments to Article XX

Planning Director McPherson reviewed this portion of his staff report that was included in the agenda packet. The proposed Article XX Schedule of Regulation amendment was requested of the Planning Commission by the ZBA to review Section 20.30 note l; due to the inability to interpret the intent of the section due to confusing and contradictory text. The amendment would not change how things were calculated regarding setbacks on public alleys, just eliminate bad language. Section 20.30 l would be deleted which currently reads: *No rear yard or side yard setback is required where such property abuts a public alley, providing the accessory buildings in the rear yard shall meet the required setback.*

With no public comments, public hearing closed at 5:37 pm

The board reviewed Section 2.50 Amendment Criteria, and felt that this amendment met the criteria under 4 and 5.

****Motion**

With no further board discussion, **motion by Allen, seconded by Ellwanger** to recommend to the City Commission to establish a first hearing for the Zoning Ordinance Amendment to Article XX, based on meeting criteria 4 and 5 under Section 2.50.

2017-11-20-7A.2

Roll Call:

Ayes: Allen, Biskner, Ellwanger, Neidhamer, and Place

Nays: None

Absent: Frasz, Kozlowski, Ross and St Dennis

Motion Carries

Staff Report

Planning Director McPherson talked about upcoming meetings that are held annually with the City Commission and boards. The Goal Setting session that typically takes place after a new commission is seated in January are looking at holding it during the spring or summer when more residents are in town for feedback. They are also looking at different ways to garner more interest and comments. The annual Joint Boards and Commission meeting is held to update everyone on what each board has accomplished and looked into during the previous year, are looking at coming up with a particular item to focus on. As things progress, we will keep the board up to date

Good of the Order

None

Adjournment

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, December 18, 2017 at 5:00 p.m.

****Motion**

2017-11-20-10

Allen moved Ross seconded, PASSED UNANIMOUSLY a motion to adjourn the November 20, 2017 meeting at 5:41 p.m.

Vice Chair Aaron Place

Recording Secretary Pat Haver

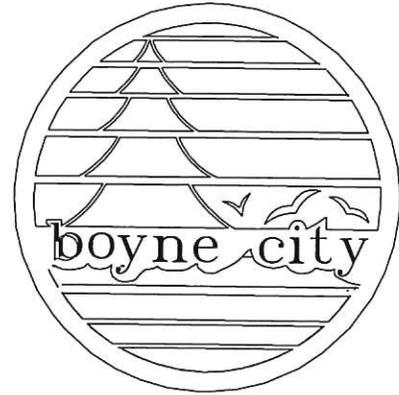
CITY OF BOYNE CITY

To: Chair Chris Franz, and fellow Planning Commissioners

From: Scott McPherson Planning Director

Date: December 18, 2017

Subject: Dwelling Requirements



Background

At the November regular meeting of the Planning Commission at the request of Ted Macksey the Commission directed staff to put the issue of minimum dwelling width on the agenda for discussion and the possible development of amendment. The Planning Commission may recall that a this topic was brought to the Commission last December in the context of ways the City could help facilitate the development of more diverse and affordable housing options. At the time the Planning Commission discussed this issue there was attempts to form a working group to help identify and pursue actions that could be taken to promote the development of affordable housing options. Since that time no progress has been made with this creation of a housing committee. For your reference the minutes from December 2016.

Discussion

If looking to impact housing development the amendment of zoning regulations can be one of the most effective tools the City has to accomplish this goal. Just some of possible areas that can be reviewed and amended that can effect housing are minimum floor area, lot area, density, setbacks, required parking and review processes.

In all the residential districts there is a minimum required floor area. Floor area for a dwelling is defined as:

***Floor Area:** The sum of the gross horizontal areas of several stories of the building measured from the exterior faces of the exterior walls or from the center line of party walls, but not including porches (enclosed or unenclosed), breeze ways, garages (attached or unattached), basements, utility rooms, unfinished attics, or any space devoted to off-street parking or loading. The "floor area" of a building, which is what this normally is referred to as, includes the basement floor area when more than one-half (2) of the basement height is above the established curb level or finished lot grade, whichever is higher.*

The minimum required floor area for a dwelling for each district is as follows: Rural Estate

District (RED) = 800 First floor, 1,200 if more than 1 story

Traditional Residential District (TRD) = 672 First floor, 1,000 if more than 1 story

Waterfront Residential District (WRD) = 672 First floor, 1,000 if more than 1 story

Multifamily Residential District (MFRD) = 500

Professional Office District (POD) = 672

Waterfront Marina District (WMD) = 672 (As part of mixed use conditional use) Central

Business District (CBD) = Single Family 672, Apartments None

Transitional Commercial District (TCD) = 672, some efficiency units of 350 allowed.
Community Service District (CSD) = 672 (Senior housing only)

When reviewing the minimum floor area of a dwelling the definition of a dwelling should also be reviewed as the minimum width of a dwelling is contained in the definition. A dwelling is defined as follows:

Dwelling: Any structure, building, or portion thereof, on-site built, prefabricated, preassembled, or pre-built, having cooking facilities and which is designed, used, and occupied wholly as the home, residence or sleeping place for complete living accommodations of one (1) family, either permanently or transiently, complying with not less than the following minimum standards:

- 1. Foundation: The structure must be firmly and permanently attached to a solid concrete block, poured-in-place concrete, or stone foundation, or a foundation of other suitable materials, set upon concrete footings, below frost level. Said foundation shall be completely extend from the structure to said footings and enclose the entire perimeter of the structure. Said foundation and footings shall be constructed in accordance with the building code and all state regulations.*
- 2. The exterior width of any structure as measured along the width of the dwelling and, also, as measured along the depth of the dwelling shall not be less than twenty-four (24) feet, excluding eave overhang.*
- 3. All structures have overhangs of not less than one (1) foot as measured horizontally from the side of the structure to the outside edge of the eave and gable end.*
- 4. No structure shall have exposed wheels, towing mechanism, or undercarriage.*
- 5. The foregoing standards do not apply to a mobile home located within a licensed mobile home park except to the extent required by state law.*
- 6. The structure contains a full kitchen, and contains lavatory and bathing facilities in a separate room.*

In no case shall a travel trailer, mobile home, motor home, automobile chassis, tent or other portable building be considered a dwelling. In cases of mixed occupancy where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purpose of this Ordinance and shall comply with the provisions hereof relative to dwellings.

Recommendation

Review residential floor area sizes for districts all and make recommendation to staff to development ordinance amendment language for any changes to minimum requirements.

Meeting of
December 19, 2016

Record of the proceedings of the Boyne City Planning Commission regular meeting held at Boyne City Hall, 364 North Lake Street, on Monday December 19, 2016 at 5:00 pm.

Call to Order

Chair MacKenzie called the meeting to order at 5:00 p.m.

Roll Call

Present: Ken Allen, Jason Biskner, George Ellwanger, Jane MacKenzie, Tom Neidhamer

Absent: Chris Frasz, James Kozlowski, Aaron Place and Joe St. Dennis

Excused Absence(s)

**Motion

2016-12-19-02

Biskner moved, Ellwanger seconded, PASSED UNANIMOUSLY, a motion to excuse the absence(s) of Chris Frasz, Aaron Place and Joe St. Dennis.

Meeting Attendance

City Officials/Staff: Planning and Zoning Administrator Scott McPherson and Recording Secretary Pat Haver

Public Present: 4

Consent Agenda

**Motion

2016-12-19-03

Allen moved, Neidhamer seconded, PASSED UNANIMOUSLY, a motion to approve the consent agenda; approval of the Planning Commission minutes from November 21, 2016 as presented.

Citizen comments on
Non-Agenda Items

None

Reports of Officers, Boards
and Standing Committees
Unfinished Business

With the recent Housing Summits; a Housing Committee will be formed to gather information, discuss options and views and those who are interested should contact Planning Director McPherson. Ken Allen expressed an interest in being on this committee and Jane MacKenzie, due to her professional positions, will also be tapped to be on this committee.

New Business

Hill alley vacation
request

Planning Director McPherson reviewed his staff report that was included in the agenda packet. Darrel and Marcella Hill are requesting the alley on Lincoln St. located between their two parcels be vacated. The alley is undeveloped, not maintained and contains no infrastructure now nor are any planned in the future. This alley has significant portions of steep slopes, and is not conducive to access. The application has been reviewed by City Staff and Department Heads and no concerns were raised in regards to this request. Mrs. Hill has spoken with all of the adjoining property owners, who have signed off on this request.

After board discussion, **motion by Allen, seconded by Ellwanger**, to recommend to the City Commission, the requested alley vacation on Lincoln Ave. of Darrel and Marcella Hill as presented.

2016-12-19-7A

Roll Call:

Aye: Allen, Biskner, Ellwanger, MacKenzie and Neidhamer

Nay: None

Absent: Frasz, Kozlowski, Place and St. Dennis

Motion Carries

Group Day Care ordinance review

Planning Director McPherson reviewed his staff report that was included in the agenda packet. As the need for day care facilities continue to grow in Boyne City it has become difficult to secure day care services, is cited by employers as reasons they are understaffed and unable to locate quality members to fill their workforces, staff felt it was time to discuss possible amendments to the Zoning Ordinance. In the last year, staff has been approached by a couple of applicants who were interested in setting up this service, but due to the limits in minimum square footage of the lot size and conditional use requirements they had to be disapproved. After board discussion, staff has been tasked with drafting amendment ordinance language based on the following recommendations by the Planning Commission:

- 1) Principal allowed use by right in all the residential districts and in the Central Business District
- 2) No minimum lot size
- 3) Fenced in play area with a minimum size of 1,200 square feet; not to be located in the front building line

Minimum Floor Area ordinance review

Planning Director McPherson reviewed his staff report that was included in the agenda packet. In reviewing possible actions the city can take to help facilitate the development of more diverse and affordable housing options, the amendment of the zoning regulations can be one of the most effective tools the city has to accomplish this goal. Some possible areas that can be reviewed and amended in housing are minimum floor area, lot area, density, setbacks and required parking. The possibility of tiny houses being allowed has brought inquiries to the planning department. In all of the residential districts, there is a minimum required floor area. The board discussed various areas that changes could be implemented such as changing/lowering the square footage of the floor area, possibly changing the width of a residence and allowing duplexes as a permitted use in all of the residential zoning districts. It was decided that the Housing Committee that is being formed would be the best place to continue with this discussion, so staff will present this item for discussion to that group when it is formed.

Adoption of the 2017 meeting calendar

Included in the agenda packet is the 2017 meeting calendar for your review and consideration. **Motion by Neidhamer, seconded by Ellwanger, PASSED UNANIMOUSLY**, to adopt the 2017 calendar as presented, meetings to be held the 3rd Monday of each month at 5:00 pm.

****Motion**

Staff Report

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- The city was successful in receiving grants that they have recently applied for; one for the purchase of the Open Space, one for the development of Phase I of the Boyne City to Boyne Falls non-motorized trail; and one to assist the One Water developer for the proposed fishing pier.
 - In the near future the Planning Commission will be reviewing the Recreation Plan as a few updates need to be considered in order to continue to access several grant opportunities
 - The Police Department followed up with the City Commission on the Sidewalk Café Ordinance, this summer there were no reported problems from service of alcohol within the sidewalk, and Planning Staff received no reports of problems either. The only complaints received were it was felt that one area was too tight for pedestrian traffic, and when measured, it was determined that the table/chair setup fell within the specified

requirements. The Commissioners felt that the first season worked well, so will leave things as they are.

Good of the Order

- Possibly next month Boyne Housing will be submitting a site plan for review by this board; and if that occurs, Jane MacKenzie will not be in attendance when this review takes place
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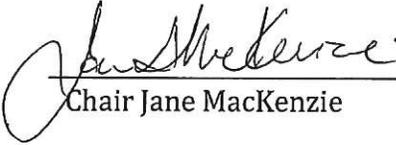
The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, January 16, 2017 at 5:00 pm in the Honeywell Meeting Room.

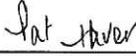
Adjournment

2016-12-19-10

MacKenzie moved, Neidhamer seconded, PASSED UNANIMOUSLY a motion to adjourn the December 19, 2016 meeting at 6:24 p.m.

****Motion**


Chair Jane MacKenzie


Recording Secretary Pat Haver

