

VILLAGE OF ELK RAPIDS – PLANNING COMMISSION

AGENDA

PLANNING COMMISSION REGULAR MEETING TUESDAY, APRIL 25, 2017 AT 7:00 P.M.
HELD AT THE GOVERNMENTAL CENTER, 315 BRIDGE ST. ELK RAPIDS, MICHIGAN

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL:

3. MINUTES:

- a. Approval of Minutes Regular Planning Commission meeting March 28, 2017.

4. CONFLICT OF INTEREST:

Any Commission member who believes that he or she has a conflict of interest regarding any item on this agenda, shall so state that conflict at this time. Does any member believe they have a conflict of interest regarding any item on this agenda?

5. CITIZEN COMMENTS:

Any Citizen who wishes to address the Planning Commission on a matter not listed on this agenda may speak at this time. The Planning Commission Chair should recognize the citizen before speaking. A five minute limitation applies unless extended by the Chair. Citizens wishing to speak on matters listed on the agenda will be permitted, under the same limitations, to speak when the matter is brought before the Commission. Does any citizen wish to address the Planning Commission on a matter not listed on this Agenda?

6. PUBLIC HEARINGS:

- a. None.

7. OLD BUSINESS:

- a. Continued discussion – Alternative Housing needs in the Village of Elk Rapids.
DRAFT – Accessory Dwelling Unit Survey Questionnaire

8. NEW BUSINESS:

- a. Election of Planning Commission Chair
- b. Election of Planning Commission Vice-Chair
- c. Appointment of Planning Commission Representative to the Zoning Board of Appeals.

9. CORRESPONDENCE:

- a. None.

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10. REPORTS:

- a. Planning and Zoning Administrator, Steven Ravezzani – March, 2017 Monthly Report.
- b. Council Representative – B. Mullaly
- c. ZBA Representative – L. Dake
- d. Green ER – Royce Ragland

11. CALENDER REVIEW:

- a. Next Planning Commission Meeting – May 23, 2017.

12. AGENDA ITEMS FOR NEXT MEETING

- a. To be determined.

13. ADJOURNMENT

PUBLIC NOTICE ANNOUNCEMENT VILLAGE OF ELK RAPIDS

NOTICE OF COMPLIANCE WITH THE ADA AT PUBLIC MEETINGS

The Village of Elk Rapids shall provide reasonable auxiliary aids and services, such as signers for the hearing impaired and individuals with disabilities at meetings/hearings upon five (5) days' notice to the Village. Individuals with disabilities requiring auxiliary aids or services should contact the Village of Elk Rapids by writing or calling the following:

William Cooper, ADA Coordinator 315 Bridge Street, P.O. Box 398, Elk Rapids, MI 49629 (231)-264-9274.

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LIMITED ENGLISH PROFICIENCY NOTICE

With seven days advance notice, accommodations can be made for persons with disabilities and/or limited English speaking ability, and persons needing auxiliary aids of services of interpreters, signers, readers or large print.

Con siete días de anticipación, el alojamiento se pueden hacer las personas con discapacidad y / o capacidad limitada de habla Inglés, y las personas que necesitan ayudas auxiliares de servicios de intérpretes, los firmantes, lectores o en letra grande.

Với bảy ngày thông báo trước, phòng có thể được thực hiện cho người khuyết tật và / hoặc hạn chế khả năng nói tiếng Anh, và những người cần hỗ trợ các dịch vụ phụ trợ của thông dịch viên, những người ký tên, người đọc hoặc in lớn.

Nrog xya hnuv ua ntej daim ntawv ceeb toom, kev kho kom haum yuav ua rau cov neeg muaj kev tsis taus thiab / los yog tsis tau lus Askiv hais lus muaj peev xwm, thiab cov neeg hu ua deductible lwm yam kev pab ntawm cov kev pab cuam ntawm cov neeg txhais lus, signers, txawj nyeem ntawv los yog sau loj loj.

與7天前通知，住宿可以為殘疾人和/或有限的英語口語能力，並需要口譯，簽名，讀者或大型印刷服務的輔助器材的人的人進行。

عم دوجو راعشا قبسم نم ةعبس م ايا، نكم ي ري فوت نيم جرتم، نيصتخم ةغلب ةراشال، نيئراق، وا فورح ةري بكم جحلا يوذل تاج ايت حال ةصاخلا، ءال وهو نيذل ال نوملكتي ةغللا ةيزي لجنال ا ةقال طب.

APPROVAL OF MINUTES

VILLAGE OF ELK RAPIDS – PLANNING COMMISSION

DRAFT

**PLANNING COMMISSION MEETING
TUESDAY, 7:00 P.M. – MARCH 28, 2017
GOVERNMENT CENTER – 315 BRIDGE ST.**

The Meeting was called to order at 7:00 P.M by CHAIR, WALLY HIBBARD. PLEDGE OF ALLEGIANCE WAS RECITED.

**ROLL CALL: PRESENT: Chair, Wallace Hibbard; Becky Lancaster; Lauren Dake; Richard Smith; Council Representative; Barb Mullaly, Excused
Absence: Jim Okonoski; Vice-Chair, Royce Ragland. Also present, Secretary Elaine Glowicki; Zoning Administrator, Steve, Ravezzani and Citizens.**

MOTION by LANCASTER second by DAKE to approve the 2/28/2017 Planning Commission Minutes as corrected. All members present voting yes. MOTION CARRIED. (corrections were (spelling marijuana to marihuana and typo to Amendment) Corrections were identified in the February 28th PC minutes.)

CONFLICT OF INTEREST: NONE

CITIZEN COMMENTS: NONE

PUBLIC HEARING: Proposed Ordinance #475 to the Village of Elk Rapids Zoning Code, §429, Medical Marihuana.

Chair Hibbard opened the Public Hearing at 7:05. Chair Hibbard read into record the Proposed Ordinance #475 as follows: WHEREAS: on September 21, 2016, Governor Snyder signed into law Public Act 281 of 2016, the Medical Marihuana Facilities Licensing Act, significantly expanding the number and types of medical marihuana facilities that are allowed under the Act. Also included under the Act is the ability of local governing authorities to either adopt an ordinance that will allow such facilities in their community or not. The Village of Elk rapids Zoning Code, Section §429, allows Cultivation Facilities” as a Permitted Use in the Industrial Zoning District,

Citizen Comments: Three citizens were present. Questions were answered. The citizens did not object to the deletion of the marihuana ordinance. No other input was received. Public Hearing closed at 7:15 p.m.

The planning members presented their support as follows:

THEREFORE: IN ACCORDANCE WITH SECTION 205 (1) OF THE ACT, THE PLANNING COMMISSION ELECTS TO RECOMMEND TO THE VILLAGE COUNCIL THE FOLLOWING:

MOTION BY LANCASTER SECOND BY DAKE TO DELETE IN ITS ENTIRETY, SECTION 429, MEDICAL MARIHUANA. ROLL CALL VOTE:

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DAKE, LANCASTER, SMITH, HIBBARD. ALL MEMBERS PRESENT VOTING YES. MEMBERS ABSENT: OKONOSKI, RAGLAND. COUNCIL REPRESENTATIVE MULLALY ABSTAINED. MOTION CARRIED.

OLD BUSINESS:

a. CONTINUED DISCUSSION – ALTERNATIVE HOUSING NEEDS IN THE VILLAGE OF ELK RAPIDS:

This agenda item has been an ongoing discussion that began at the January and February Planning Meetings. The Village of Elk Rapids Planning Commission has been discussing the need for new housing alternatives that respect the look and scale of single-family neighborhoods while supporting more efficient use of existing housing stock and infrastructure, providing housing that responds to changing family needs; smaller households and increasing housing goals. One such alternative is an accessory Dwelling Unit (ADU). At this time ADUs are not allowed in the Village. The planning Commission would like to know what residents think and would like to invite them to participate in a community-wide survey to give their opinions about this important issue.

Zoning Administrator Ravezzani presented to the planning members an updated accessory dwelling unit survey of five questions to the Primary resident in the Village; Property owner in the Village; and Commuter.

The members were in favor of the questions but felt the format should be separated listing each residential status with their own set of questions. Discussion and ideas were brought forth. Members agreed to provide the Zoning Administrator with their thoughts to make the survey user friendly. This issue will be continued at their April meeting.

NEW BUSINESS: NONE

CORRESPONDENCE:

Elk River Chain of Lakes Watershed Management Plan – April 4, 2017
RSVP by 3-27-2017

Northwest Michigan Local Government Summit –April 7, 2017

Framework for Our Future – Regional Prosperity Plan – for Northwest Lower Michigan

REPORTS:

Planning & Zoning Administrator, Steve Ravezzani – February, 2017 Monthly Report.

There has been no further correspondence regarding Hesse property off of US31 or any proposed building plans from the Third St. Elk Rapids Bible Church.

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Council Representative – Barb Mullaly – reported on submission of a Grant for the Dam Beach Bathrooms, Mark Stone’s report on the hydro-dam, Village Council Public Hearings to be considered on April 17th for Ordinance #477, Chapter 2, Administration-compensation and Ordinance #478, Chapter 62 – Utilities.

ZBA Representative, Lauren Dake -March Meeting cancelled due to lack of appeals.

Excused Absence - April 26th Meeting - Barb Mullaly

NEXT PLANNING MEETING: April 26, 2017

ADJOURNMENT: 8:20 P.M. Elaine Glowicki, Recording Secretary

OLD BUSINESS

Alternative Housing needs in the
Village of Elk Rapids

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TO: Village of Elk Rapids Residents and Property Owners:

The Village of Elk Rapids Planning Commission has been discussing the need for new housing alternatives that respect the look and scale of single-family neighborhoods while supporting:

- a. more efficient use of existing housing stock and infrastructure;
- b. providing housing that responds to changing family needs;
- c. smaller households and increasing housing costs;
- d. providing accessible housing for seniors and persons with disabilities, and,
- e. support cost effective alternative housing goals.

One such alternative is an Accessory Dwelling Unit (ADU). ADUs are permanent residences that are 'secondary' or 'accessory' to a primary residence on the same single family lot. ADUs can be attached to or separate from the main residence and are commonly referred to as mother-in-law apartments, accessory apartments, 'granny' flats or carriage/guest houses. **ADU's are not to be used for short term rentals.**

At this time ADUs are not allowed in the Village of Elk Rapids. The Planning Commission would like to know what residents, property owners, and those who work in the village, think about allowing ADU's in the Village by inviting you to participate in this community-wide survey to give your opinions about this important issue. Your input will help the Commission plan for the appropriate, efficient, and best use of our land, infrastructure and resources. We look forward to knowing your views, and will certainly appreciate any comments you may want to write on the Survey. The survey may be completed on-line at the Village of Elk Rapids web site, www.elkrapids.org, or may be obtained from the Village Office, 315 Bridge St. Elk Rapids, MI

We thank you for your help and assistance in our planning efforts. Again, we hope you will complete this Survey and return it to us by **June 5, 2017**.

Planning Commission, Village of Elk Rapids

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A. If you are an owner of residential property in the Village:

1. What is your status in the Village of Elk Rapids?

Primary residence is in the Village

Residential property owner in the Village

Do not reside in the Village of Elk Rapids

2. Which of the following statements best reflects your feeling concerning affordable housing alternatives within the Village of Elk Rapids?

Affordable housing alternatives in the Village is about right, not a problem

Affordable housing alternatives in the Village is lacking, need to provide more

3. If the Village allowed accessory dwelling units would you be inclined to have one?

YES

NO

4. For which of the following purposes would you consider establishing an ADU on your property?

To earn extra income

Place for a relative to live

Other (please specify)

5. Presuming that Accessory Dwelling Units would be the most cost effective alternative housing means to achieve the goals listed in the introduction, which of the following statements best reflects your feeling concerning Accessory Dwelling Units in all residential zoning districts in the Village?

Accessory Dwelling Units should be prohibited in all residential zoning districts

Accessory Dwelling Units should be allowed that meet current Code requirements

Accessory Dwelling Units should be allowed as a "Conditional Use" with the development of ordinances regulating such use

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6. What type of accessory dwelling units would be acceptable in your neighborhood? Check all that apply.

A basement converted to an ADU

An addition to an existing house

A “Tiny Home”

An apartment above a detached garage

An apartment above an attached garage

ADUs are not acceptable in my neighborhood

7. What types of standards should apply to ADUs in your neighborhood? Check all that apply.

Parking for residents of the ADU should be off of the street

At least one of the dwellings should be occupied by the owner of the property

The size of the ADU should be smaller than the main dwelling unit

Short Term rental or leasing of the ADU (30 days or less), should be prohibited

Be designed so that the appearance of the building retains the character of the neighborhood

There should be a maximum number of unrelated persons per property

B. If you work in the Village and live outside the Village, or if you rent living accommodations in the Village:

1. If the Village allowed accessory dwelling units would you seriously consider or be inclined to have one?

YES

NO

2. Which of the following statements best reflects your feeling concerning affordable housing alternatives within the Village of Elk Rapids?

Affordable housing alternatives in the Village is about right, not a problem

Affordable housing alternatives in the Village is lacking, need to provide more

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C. If you are a business owner in the Village:

1. Would allowing accessory dwelling units in the Village be beneficial to your business?

YES

NO

2. Which of the following statements best reflects your feeling concerning affordable housing alternatives within the Village of Elk Rapids?

Affordable housing alternatives in the Village is about right, not a problem

Affordable housing alternatives in the Village is lacking, need to provide more

D. All Respondents

1. Additional comments:

Optional: Please include name and phone number so that we may contact you for clarification of your answers.

REPORTS

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PLANNING AND ZONING ADMINISTRATOR MONTHLY ACTIVITIES REPORT FOR THE MONTH ENDING: MARCH 31, 2017

PERMIT INQUIRIES, CONSULTATIONS & REVIEWS

The Planning and Zoning Administrator processed a total of 203 zoning permit inquiries, consultations, and reviews during the month of March, 2017.

PERMITS REQUESTED:

1. ZCP #2017-005 – Request of Morrison Veterinary Clinic for a ZCP to allow for the modification of the existing building to accommodate a new veterinary clinic on their property located at 714 US 31. Permit Approved.
2. ZCP #2017-006 – Request of Coldwell Banker Realty for a Sign Permit to allow for the placement of two new Wall Signs on the existing building located at 100 River St. Permit Approved.
3. ZCP #2017-007 – Request of Joe Morrison for a Lot Split Permit to allow for the dividing of Parcel #05-43-010-027-00, located on his Cedar St. property. Permit Approved.

PERMIT COMPLIANCE MONITORING VISITS

The Planning and Zoning Administrator conducted site visits to ensure Code compliance at the following properties:

1. Morrison Veterinary Clinic – 714 US 31 – Zoning Compliance Site Visit for ZCP #2017-005.
2. Coldwell Banker Realty – 100 River St. – Zoning Compliance Site Visit for ZCP #2017-006.
3. Joe Morrison – Parcel #05-43-010-227-00 – Zoning Compliance Site Visit for ZCP #2017-007.

ZONING CLASSIFICATION CHANGE REQUESTS:

1. None.

CODE AMENDMENT REVIEW:

1. Ord. #475, Proposed Amendment to the Village of Elk Rapids Zoning Code, Section 429, Medical Marijuana.

(See Planning Commission Activities below)

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2. Ord. #477, Proposed Amendment to the Village of Elk Rapids Code of Ordinances, CHAPTER 2 – ADMINISTRATION, DIVISION 1. OFFICERS - SEC. 2-3, b.2. The Village Council held a First Reading of the proposed amendment at their regular meeting on March 20, 2017. A Public Hearing was scheduled for their regular meeting April 17, 2017.
3. Ord. #478, Proposed Amendment to the Village of Elk Rapids Code of Ordinances, CHAPTER 62, UTILITIES, ARTICLE III, SEWER SERVICE, AND ARTICLE IV, SEWER RATES AND CHARGES. The Village Council held a First Reading of the proposed amendment at their regular meeting on March 20, 2017. A Public Hearing was scheduled for their regular meeting April 17, 2017.

VIOLATION NOTICES:

1. None.

MEETINGS:

1. The Planning and Zoning Administrator attended the following meetings:
 - Village Council: March 6, 2017, March 20, 2017
 - Planning Commission: March 28, 2017
 - Staff: March 7, 2017, March 14, 2017, March 21, 2017, March 28, 2017

ZONING ADMINISTRATOR - OTHER ACITIVITIES:

1. Planning and Zoning Administrator delivered daily bank deposits for the Village.
2. Planning and Zoning Administrator continues the review of the Village of Elk Rapids Code of Ordinances, to recommend changes that would update current code in accordance with state statute and provide a more user friendly document.
3. Planning and Zoning Administrator prepared required draft and public notices for amendment to the Village of Elk Rapids Code of Ordinances, Ord. #477 and Ord. #478 as noted above.

PLANNING COMMISSION ACTIVITIES:

1. The Planning Commission held their regular meeting on March 28, 2017. Discussion continued on the review of Alternative Housing options for the Village.
2. The Planning Commission continued review of the new Public Act 261, Medical Marijuana Facilities Licensing Act.

Governor Snyder signed into law Public Act 281 of 2016, the Medical Marijuana Facilities Licensing Act, significantly expanding the number and types of medical

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marijuana facilities that are allowed under the Act. Also included under the Act is the ability of local governing authorities to either adopt an ordinance that will allow such facilities in their community or not. The Village of Elk Rapids Zoning Code, Section 429, currently allows “Cultivation Facilities” as a permitted use in the Industrial Zoning District. The Commission held a public hearing at their regular meeting on March 28, 2017 to receive citizen input on a proposed amendment to rescind Sec. 429., Medical Marijuana, of the Village of Elk Rapids Zoning Code that currently allows “Cultivation Facilities” within the Industrial Zoning District. On a vote of 5 – Yes, 0 – No, 2 – Absent, the Commission recommends to the Village Council that the proposed amendment be Adopted.

VILLAGE COUNCIL ACTIVITIES RELATED TO PLANNING AND ZONING:

1. None.

ZONING BOARD OF APPEALS ACTIVITIES:

1. The March meeting of the Zoning Board of Appeals was cancelled due to lack of appeals being filed.

SEMINARS/EDUCATIONAL TRAINING:

1. None.