

CITY OF MARINE CITY
PLANNING COMMISSION MEETING

AGENDA

Regular Meeting: Monday, October 12, 2015; 7:00 pm

Marine City Fire Hall: 200 South Parker Street

Marine City, Michigan

- 1. CALL TO ORDER**
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL:** Chairperson Rebecca Lepley; Commissioners Linda Gabler, Keith Jenken, Rudolof Menchaca, Joseph Moran, and Thomas McKenzie; City Commissioner David Simpson; Building Official Arthur Garbarino; and, City Manager Elaine Leven
- 4. APPROVE AGENDA**
- 5. APPROVE MINUTES**
 - A. Planning Commission Minutes ~ September 14, 2015
- 6. COMMUNICATIONS**
- 7. PUBLIC COMMENT** *Residents are welcome to address the Planning Commission. Please state name and address. Limit comments to five (5) minutes.*
- 8. UNFINISHED BUSINESS**
 - A. Master Plan Update
 - B. Fence Ordinance ~ Final Approval
 - C. Non-Motorized Transportation Plan
- 9. NEW BUSINESS**
 - A. Site Plan Review (no fee) ~ 302 S. Water Street
- 10. ADJOURNMENT**

**City of Marine City
Planning Commission Meeting
September 14, 2015**

A regular meeting of the Marine City Planning Commission was held on Monday, September 14, 2015, in the Fire Hall, 200 South Parker Street, Marine City, Michigan, and was called to order by Vice Chairperson Rudy Menchaca at 7:00pm.

After observing a moment of silence, the Pledge of Allegiance was led by Vice Chairperson Menchaca.

Present: Vice Chairperson Menchaca; Commissioners Gabler, Jenken, McKenzie, Moran; City Commissioner Simpson; Building Official Garbarino; City Manager Leven; City Clerk Baxter

Absent: Chairperson Lepley

Motion by Vice Chairperson Menchaca, seconded by City Commissioner Simpson, to excuse Chairperson Lepley from the meeting. All Ayes. Motion Carried.

Approve Agenda

Motion by Vice Chairperson Menchaca, seconded by City Commissioner Simpson, to approve the Agenda, as presented. All Ayes. Motion Carried.

Approve Minutes

Motion by City Commissioner Simpson, seconded by Commissioner McKenzie, to approve the August 10, 2015 Meeting Minutes of the Planning Commission, as presented. All Ayes. Motion Carried.

Communications

No Communications were received.

Public Comment

No residents addressed the Board.

Unfinished Business

Master Plan Update

A quote of \$12,000 from St. Clair County for a “light” update to the City of Marine City Master Plan was presented to the Board for consideration. A discussion ensued on whether the update was budgeted and if it should be done in-house, or contracted out. City Manager Leven informed the Board that the update did not have to be started until 2016. That way, she explained, the city could budget for planning in 2016 and 2017.

Commissioner Moran suggested the city start looking at the original Master Plan and matching demographics to see how much could be done in-house and to give the Board an idea on what needed to be contracted out.

City Commissioner Simpson agreed and said it would be a good idea to spread out the necessary tasks before budget time and to obtain quotes from other companies.

City Clerk Baxter to obtain additional quotes for light updates and contact the County to see if their price could be reduced if some of the demographic work was completed by city employees. Updated information to be provided to the Board at their October 12, 2015 meeting.

Fence Ordinance ~ Attorney Review

A discussion of City Attorney Downey’s review of the proposed Fence Ordinance took place. Mr. Downey’s review included new language to sharpen definitions contained within the ordinance, in addition to the following:

- Adding back Section 156.02, which must remain in order to criminalize the violations of the ordinance.
- The language on subparagraph (b) of Section 156.02 amended to clearly define what constitutes an “obscuring fence or wall” or permissible “decorative” fencing.
- Address the issues presented by residential landscaping, screening, and greenbelts.
- Re-labeling Sections 156.03, 156.04 and 156.05.

- Replicating subparagraphs (e) & (f) in residential and replacing (f) in non-residential with them.

Commissioner Moran distributed a proposed revision of subparagraph (b) Section 156.02 for consideration and discussion. Upon its review, the Board largely approved of the revision and made several language amendments.

Proposed amendments to be forwarded to City Attorney Downey for review and brought back to the Board for consideration and approval at its October 12, 2015 meeting.

Non-Motorized Transportation Plan

City Commissioner Simpson asked the Board how they would like to start the process of developing a Non-Motorized Transportation Plan. Mr. Simpson said he would like to get the plan in place when Tap Grants (Transportation Alternatives Program) are distributed in April, 2016. In addition, Mr. Simpson said it would be a good time to add it to the Master Plan.

It was decided that Board Members would individually walk city bike paths, trails and waterways prior to their October 12, 2015 meeting and bring back notes for discussion on how to proceed.

Adjournment

Motion by City Commissioner Simpson, seconded by Commissioner Moran, to adjourn at 8:07 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter
City Clerk

Kristen Baxter

From: Elaine Leven
Sent: Monday, October 05, 2015 12:52 PM
To: Kristen Baxter
Subject: FW: Marine City

From: Michael Hilfinger [mailto:michael.hilfinger@live.com]
Sent: Monday, September 21, 2015 9:00 AM
To: 'Struck, David' <dstruck@stclaircounty.org>; 'Donaldson, Geoff' <GDonaldson@stclaircounty.org>
Cc: Elaine Leven <eleven@marinecity-mi.org>
Subject: RE: Marine City

Thanks David

From: Struck, David [mailto:dstruck@stclaircounty.org]
Sent: Thursday, September 17, 2015 1:19 PM
To: 'Michael Hilfinger'; Donaldson, Geoff
Cc: eleven@marinecity-mi.org
Subject: RE: Marine City

Elaine,

We look forward to meeting and working with you. Welcome to St. Clair County!

Mike,

I am aware of the city's desire to update its master plan and recreation plan due to recent discussions I have had with Kris Baxter at the city. At the end of July she requested a proposed scope of work and cost estimate for Metro Planning to carry out the master plan update, as we did the city's existing plan under contract back in 2010. I did send her an estimate of \$12,000 in early August. That was based on updating the existing document, particularly the data/tables/maps, goals and objectives, and associated text changes. It also included all of the public involvement and visioning meetings. We would use as much of the existing plan as possible, keeping in mind that the economy has changed quite a bit in the past five years and there has been a lot of positive momentum in Downtown Marine City since the last plan. We could change the scope of work and develop a "road map" for the planning commission or other city officials to take on more of the work themselves, which would bring the overall costs down. That is always an option. We have worked with other cities and townships on just handling specific components of their plan updates.

As for outside funding for those plans, there are not a lot of options out there – and the options that do exist are quite competitive. One of the best options would be the Coastal Zone Management Program grant through MDEQ. They fund the development and update of master plans in coastal communities. The grant would cover 50% of the overall cost. We have written these grants for local units in the past, most recently for Algonac (which was successful) and Fort Gratiot Twp (which was not awarded). In the case of Fort Gratiot, MDEQ said they wanted more of a direct purpose of the project to be focused on specific coastal issues, as opposed to a general master plan for the township. In recent years, they have typically had 1-2 application windows - one in April and one at the end of December. Here is the link to the CZM website: http://www.michigan.gov/deq/0,1607,7-135-3313_3677_3696---,00.html.

Unfortunately, none of the MDNR recreation grants like the Michigan Natural Resources Trust Fund, Recreation Passport or the Land & Water Conservation Fund will fund the development of recreation plans. They are generally for acquisition and/or development. As I mentioned earlier about the master plan update, we could work with the city and provide them with a “road map” or a scope of work that lays out what needs to be done for the city to take on the work themselves, utilizing Metro Planning for specific components if needed (i.e. mapping, facilitating public meetings, etc).

Our staff is constantly keeping an eye out for funding programs and grant opportunities. If we come across any grant program that may help either of these projects move forward, we will certainly share them with you and Elaine.

Dave Struck, AICP | Executive Director
St. Clair County Metropolitan Planning Commission
200 Grand River Avenue, Suite 202
Port Huron, MI 48060
phone: 810.989.6950
dstruck@stclaircounty.org

From: Michael Hilfinger [<mailto:michael.hilfinger@live.com>]
Sent: Thursday, September 17, 2015 12:28 PM
To: Struck, David; Donaldson, Geoff
Cc: eleven@marinecity-mi.org
Subject: Marine City

David and Geoff,

Elaine Leven’s (new Marine City manager) top priority is to update the master plan and draft a 5 year recreation plan. One reason is to ensure the City’s eligibility for economic development and DNR grants.

The City does not have funds for this endeavor. Do you have any ideas on where the City may obtain funds for this project?

I have attached a draft of some action items investors in the City are “kicking around” to give you an idea of how Marine City is moving forward as the economy improves.

I would also like to introduce you to Elaine, if you have not met her, when you have time.

Look forward to hearing from you.

Mike Hilfinger
Strategic Communication Solutions
michael.hilfinger@live.com
248.982.5120
<http://www.scsmichigan.com/>

Chapter 156: Fences

Section

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General Provisions

- 156.01 Definition
- 156.02 Residential Fences
- 156.03 Nonresidential Fences
- 156.04 Corner Clearance and Visibility
- 156.05 Board of Appeals

Permit Provisions

- 156.20 Required
- 156.21 Application
- 156.22 Fee

GENERAL PROVISIONS

156.01 DEFINITION

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FENCE. Any artificial permanent fence, partition, structure or gate erected as a dividing marker, barrier or enclosure.

(Prior Code, 10-1) (Ord. passed 1-5-1967)

Proposed Replacement Ordinance for Previous Sections 156.02 – 156.06

156.02 Unlawful Construction

It shall be unlawful for any person to construct or cause to have constructed any fence upon any property within the city, except in accordance with the requirements and restrictions provided in this chapter. (Prior Code, Section 10-2) (Ordinance passed 1-5-1967) Penalty, see Section 10.99.

156.03

1. Residential Fences.

Residential Fences are permitted or required, subject to the following:

- a. Fences on all lots of record in all residential districts, which enclose property and/or are within a side or rear yard that is not waterfront to either the St. Clair River or the Belle River, shall not exceed six (6) feet in height. This height shall be measured from the average established grade to the highest point of the fence. No fence, wall or hedge shall rise over four (4) feet in height in front of the house or any yard that is waterfront to the St. Clair River or Belle River, or in the minimum front yard, whichever is greater; the measuring technique employed shall be the same as stated above. In addition, no fence, wall, or hedge shall be located within a public right-of-way, occupy a clear vision zone as established by section 156.04, or interfere with visibility from a driveway. The Zoning Administrator is hereby empowered to cause obstructions to be removed in the interest of public safety.
- b. No obscuring fence or wall shall be located within the front yard, or any yard, that is waterfront to either the St. Clair River or the Belle River. Decorative fencing (i.e., post and rail, post and chain, etc.) shall be permitted, provided it does not impede vision – 80% or more of the space being uniformly left open and does not exceed a height of four (4) feet. Chain-link fencing does not qualify. Additionally, residential landscaping, screening and greenbelts must also maintain the 80% unobstructed requirement stated above.
- c. Fences shall consist of at least one side of “finished” quality. The term “finished” refers to the covering of raw material so as to protect it from the natural elements; this includes but is not limited to the painting of metal, and the painting or staining of wood. A finished side of the fence shall be exposed to all adjacent properties including the St. Clair River and the Belle River. The finished side shall generally be the side without post exposure or with the least post exposure. The Building Inspector shall determine the “finished” side.
- d. Fences shall not contain barbed wire, pointed or sharp extrusions on the top, electric current, or charge of electricity. All fences shall be constructed of treated wood, plastic, aluminum, or galvanized metal or similar materials as approved by the Building Inspector and/or Zoning Administrator. Temporary fencing such as chicken wire or plastic snow fencing, shall be prohibited as permanent fencing material.

- e. All fences shall comply with the requirements of the applicable building and zoning codes.
- f. All fences shall be maintained so as to not endanger life or property.

156.04

2. Nonresidential Fences

- a. Fences located in other than residential districts or on the boundary between such districts shall not exceed eight (8) feet in height, measured from the surface of the ground.
- b. Fences, which enclose public or institutional parks, playgrounds, or public landscaped areas situated within an area developed with recorded lots, shall not obstruct vision to an extent greater than twenty-five (25) percent of the fences total area. Fences bordering waterfront to the St. Clair River or the Belle River shall not be obscuring.
- c. No fence, wall, or hedge shall be located within a public right-of-way, occupy a clear vision zone established by section 156:04, or interfere with visibility from a driveway. The Zoning Administrator is hereby empowered to cause all such obstructions to be removed in the interest of public safety.
- d. Fences located within twenty-five (25) feet of an intersection shall not exceed thirty (30) inches in height.
- e. Fences shall not contain barbed wire, electric current, or charge of electricity. In the case where the security of industrial and commercial property is concerned, the Planning Commission may approve a fence eight (8) feet in height with barbed or razor wire attached to the top as a part of the site plan review.
- f. All fences shall comply with the requirements of the applicable building and zoning codes.
- g. All fences shall be maintained so as to not endanger life or property.

156.05

3. Corner Clearance and Visibility

- a. No Fence, wall, structure or planting shall be erected, established or maintained on any corner lot which will obstruct the view of a driver of a vehicle approaching the intersection excepting shade trees which would be permitted where all branches are not less than eight (8) feet above the road level. Such unobstructed corner shall mean a triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines or in the case of a rounded property corner from the intersection of the street property lines extended. In the case of a driveway/street intersection, the aforementioned technique shall also be used however a ten (10) foot dimension shall be utilized situated along the driveway and property line. Decorative fencing which would be approved on a corner could include open weave, split rail or similar fencing. Refer to illustration 3-1.

- b. For purpose of this ordinance, unobstructed view bordering the waterfront of the St. Clair River and/or the Belle River, shall include an unobstructed view ninety (90) degrees out from the corners of the main exterior wall most parallel to the water. Fences, walls or similar barriers may be permitted by the Zoning Board of Appeals.

- *ninety (90) degrees reflects a recent court ruling*

156.06 BOARD OF APPEALS

Upon appeal in writing by any person directly or indirectly affected hereby, the Zoning Board of Appeals of the city may, after a hearing in accordance with the established procedure of the Board, in its sound discretion and in the interests of the public health, safety or welfare of the inhabitants of the community, reduce or remit the requirements of this chapter in individual cases.

PERMIT PROVISIONS

156.20 REQUIRED

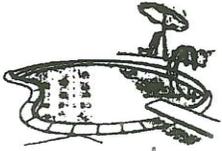
Any person desiring to build or cause to be built a fence upon property within the corporate limits of the city, shall first apply to the building Inspector for a permit to do so.

156.21 APPLICATION

Application for a permit under this chapter shall contain any and all information, including drawings required and necessary for the determination of whether the erection of such fence would be contrary to the provisions in this chapter or the laws of the state.

156.22 FEE

A fee in the amount established by resolution of the City commission shall be paid for each permit under this chapter.



art

McDONALD's POOL & SPA, INC.

9-A

586-662-1117

357 N. MAIN • MARINE CITY, MICHIGAN 48039

PHONE : 810-765-1574 • FAX: 810-765-4175

EMAIL: brandon0@mcdonaldspool.com

8 1/2 x 11 - Picture

Sample

Permission to put art work on
North side of building

302 Water St.

302 South Water Street

