

**CITY OF ESCANABA
PLANNING COMMISSION
Official Minutes – Thursday, March 14, 2024**

MEETING CALLED TO ORDER

A meeting of the Escanaba Planning Commission was held on Thursday, March 14, 2024 at 6:00pm in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

Secretary Webber called the meeting to order at 6:00 PM.

ATTENDANCE

Membership:

Chair Patrick Connor	Absent	Commr. Kasja Nelson	Present
Secretary Roy Webber	Present	Commr. Christiana Reynolds.....	Present
Commr. Michael Harris	Present	Commr. Mark Sadowski.....	Present
Commr. James Hellermann.....	Absent		

With five in attendance, a quorum of the Planning Commission was present.

City Administration:

- Tyler Anthony, Planning & Zoning Admin
- Brianna Ecklid-LaVigne, Confidential Secretary
- Ronald Beauchamp, City Council Liaison

Others:

- Ed Legault, Delta County EDA
- Stanley Lemay, resident of Escanaba

Two other unnamed individuals were present.

MINUTES

Reynolds moved to approve the February 8, 2024 regular meeting minutes as proposed. Sadowski seconded.

A voice vote was taken. MOTION PASSED.

AGENDA

No changes to the agenda were made.

CONFLICT OF INTEREST DECLARATIONS

None.

PUBLIC COMMENT ON AGENDA ITEMS

Ed Legault commented on item NBI. He said that, after reading the packet materials on Form-Based Codes (FBCs), he felt that it was a great idea. He especially liked how FBCs allowed for a streamlined administrative process and citizen collaboration on what is best for the community. Legault also felt that it worked well with the Master Plan – while other cities were often reluctant to use FBCs, they soon found that residents preferred it to traditional zoning.

Lemay spoke on an issue he was having on his property. He reported that he was 73 years old and had lived on Willow Creek Road his entire life. At some point in the preceding few months, Lemay was cited for working on his vehicles in his front yard. Since he had always worked on his own vehicles on his property without issues, he was disappointed to find that it was illegal. He

repeated that this kind of work was a regular activity of his and his neighbors. Lemay felt that it was unfair to learn only now that it was illegal. Webber asked Anthony if he could comment on the issue; Anthony noted several sections of the Zoning Ordinance that made it illegal to maintain personal vehicles at a person’s home.¹ Lemay added that there was no good reason for these rules, and that they should be changed.

PUBLIC HEARINGS

No public hearings were held.

UNFINISHED BUSINESS

UB1: Annual Report Review

Webber noted that the previous meeting ran too long, and that some items were postponed until this meeting. One of these items was the Annual Report Review.

Anthony introduced the item.² He recommended that the Commission adopt the report with two minor revisions.

Harris offered, Nelson seconded:

RESOLUTION NO. 24-05

RESOLUTION TO ADOPT AND TRANSMIT THE 2023 ANNUAL REPORT

RESOLVED, that the Planning Commission adopts the 2023 Annual Report as prepared by its Staff with the following changes:

1. Correct the “Zoning Ordinance; Specific Changes” table to show “Marihuana-Related Changes” as originating from the City Council, and
2. Correct the same table to show “Setback-Related Changes” as originating from the Planning Commission; and

RESOLVED, that the Chair shall present the 2023 Annual Report, including the previously stated changes, to the City Council, and that the Staff shall transmit said Report to the City Council beforehand.

A voice vote was taken. MOTION PASSED.

UB2: General Updates – February

a. Delta County Planning Commission Report – February

Nelson reported that the Delta County Planning Commission did not meet in February.

b. Zoning Board of Appeals (ZBA) Report

Anthony reported that the ZBA requested that the Planning Commission recodify the Zoning Ordinance. The ZBA felt that it constrained development, and they wanted to see it changed to resolve such issues. Anthony noted that a committee might have been the best way to do this. He

¹ At that time, Secs. 511, 611, 711, 911, and 1701.3 shared virtually the same language, as follows: “The repair of vehicles, and the storage of merchandise, motor vehicles or trucks is prohibited.”

² See Appdx. 1, UBI.

also noted that the ZBA created a committee to review the process by which the City appointed members to that body. Finally, he reported that the ZBA had elected new officers for the year.

c. Zoning/Land Use Permit Report – February

Anthony reported that only one zoning permit was approved in January. Delta County Building & Zoning reported 11 permits issued in January, with three of them being in Escanaba.

UB3: Training Updates – February

No training was reported.

NEW BUSINESS

NB1: Planning Consultant Committee

Anthony introduced the item.³ Webber asked for a motion. He then asked Anthony to clarify if the Commission was voting to establish a committee; Anthony replied that they were.

Reynolds offered, Harris seconded:

**RESOLUTION NO. 24-06
RESOLUTION TO ESTABLISH A PLANNING CONSULTANT COMMITTEE,
TO SET A TIMELINE, AND TO APPOINT MEMBERS**

Whereas, The Planning Commission did approve of a Master Plan RFP on January 11th, 2024; and

Whereas, The Planning Commission’s staff, jointly with City administration, did complete and post the RFP on February 5th; therefore, be it

RESOLVED, That the Planning Commission hereby appoints a Committee to review all submissions in response to the RFP between April 1st and 11th, and to recommend a shortlist of consultants to the Planning Commission by April 12th;

RESOLVED, That these four persons are appointed to the Committee: James McNeil, Ronald Beauchamp, Patrick Connor, and Tyler Anthony; and be it further

RESOLVED, That Ronald Beauchamp shall be the Committee’s Chair, and Tyler Anthony shall be the Committee’s Secretary/Vice-Chair.

A voice vote was taken. MOTION PASSED.

Sadowski offered, Nelson seconded:

**RESOLUTION NO. 24-07
RESOLUTION TO SET A PLANNING CONSULTANT SELECTION TIMELINE**

Whereas, The Planning Commission did appoint a Committee to review submissions to a Master Plan RFP on March 14th, 2024; and

Whereas, The Committee will recommend to the Planning Commission a shortlist of consultants by April 12th; therefore, be it

³ See Appdx. 1, NBI.

RESOLVED, That the Planning Commission will, upon invitation, hold interviews with the Committee’s recommended consultants between April 22nd and 26th, select a final consultant between April 29th and May 3rd, and notify said final consultant immediately upon their selection.

A voice vote was taken. MOTION PASSED.

NB2: Bylaws Amendment

Anthony introduced the item.⁴ Reynolds noted that, during the last meeting, the idea of cutting down the time spent reading written comments had been brought up; she asked if there was any such language in the proposed changes. Anthony stated that staff would not be reading comments aloud any longer, but that such comments were to be provided before the meeting. Reynolds then asked if they would have time during the meeting to read comments that might come in on the meeting date; Anthony replied that they would.

Webber asked if he correctly saw that there were going to be four officers and two elected liaisons;⁵ Anthony replied that he was right. Webber then sought more discussion from Commissioners; he added that he saw no issues with the proposed changes.

Discussion then ensued over liaisons. Webber felt it to be odd that the Commission sent out liaisons to other public bodies, but none of them sent any liaisons back. He felt that it may do some good for other bodies to attend Commission meetings. Anthony then noted that the ZBA was exploring the idea of having a member dually appointed to both the Planning Commission and to the ZBA.⁶⁷ Webber noted that such a member might work, but there might be a chance that a voting-on-the-same-issue problem might arise.

Harris moved to amend the bylaws as proposed by staff. Reynolds seconded.

A voice vote was taken. MOTION PASSED.

NB3: Form-Based Codes Discussion

Anthony introduced the item.⁸ He then noted that an FBC would open many unique opportunities for the City. Webber agreed, then expressed a need to better educate himself on FBCs before speaking more confidently on them. Reynolds asked if more copies of the textbook referred to in the packet could be had.⁹ All discussed options to learn about FBCs. Nelson reported an online training source, adding that she would share it with other Commissioners. Nelson noted that, based on her recent training, FBCs are extremely useful. However, very few areas applied it across their whole jurisdiction – most used FBCs in limited areas. She felt that

⁴ See Appdx. 1, NB2.

⁵ At the time, the Commission had two officers (the Chair and Secretary) and no official liaisons.

⁶ “Curran moved to establish an ad-hoc committee. Such a committee was ... to review the appointment processes for City boards and commissions Renner seconded. A voice vote was taken. MOTION PASSED” (Escanaba Zoning Board of Appeals, Official Minutes – January 16, 2024, NBI).

⁷ Per the Michigan Zoning Enabling Act: “... In a city ..., 1 [ZBA member] may be a member ... of the planning commission if [they function] as the zoning commission, ...” (MCL 125.601(4)).

⁸ See Appdx. 1, NB3.

⁹ Daniel Parolek, Karen Parolek, and Paul Crawford, *Form-Based Codes* (Hoboken, NJ: John Wiley & Sons, Inc., 2008).

FBCs emphasized the character and quality of a place much better than traditional zoning. Webber agreed with Nelson’s view, recalling some training he had done the year before. Anthony added that FBCs shift the focus to physical elements instead of activity, which is what affects people more. Harris and Anthony mentioned how FBCs could work better than traditional zoning in Escanaba’s older areas, and how they are better for a growing and diverse community.

NB4: General Updates – March

a. Delta County Planning Commission Report

Nelson reported that the Delta County Planning Commission (DCPC) did indeed hold their March meeting. She added that it was a bit disorganized, likely due to the sudden passing of Sandy Caron, their Planning & Zoning Administrator. The DCPC did receive the Commission’s letter and discussed it at some length, expressing surprise over its contents. They felt that Connor’s experiences were the result of a misunderstanding, and Nelson reported that the DCPC intends to respond to the Commission at some point. They were to add a new item to their agendas for liaison comment. Nelson stated that, while she could only speak to her experiences with the DCPC, they had always been welcoming to her. Anthony noted that they still did not have their minutes posted online; Nelson replied that they seemed unaware of time limits for making their minutes public, and that the DCPC was working on compliance with those rules. Nelson also reported that they planned to review the Delta County Master Plan and their bylaws.

b. Historic District Commission Report

Webber reported that the Historic District Commission was to meet that coming Monday; he planned to have information to report at the next Commission meeting.

c. Zoning/Land Use Permit Report – February

Anthony reported that permit activity had picked up in February.¹⁰ Webber asked about The Fire Station (TFS) project, noting that there didn’t seem to be much action.¹¹ Anthony explained that TFS agents had contacted the City in February, noting that they planned to start work late in the spring. Harris also noted that TFS’s owners considered the Escanaba site a lower priority while they worked on their other locations.

NB5: Training Updates – March

Harris reported to have scheduled some training in April. Nelson reported 11.5 hours of training in March, mostly on Form-Based Code and planning ethics. Anthony reminded Commissioners that they should send in their invoices for training, as they are eligible for reimbursement.

GENERAL PUBLIC COMMENT

None.

COMMISSIONER/STAFF COMMENT & ANNOUNCEMENTS

Harris recalled Lemay’s comments from earlier in the meeting. Harris felt that Lemay’s experiences were unfair. Anthony pointed out several parts of the Zoning Ordinance that made

¹⁰ See Appdx. 1, NB4.

¹¹ The Fire Station was a marihuana retailer, which had secured a Special Land Use permit on September 13, 2023, located at 201 Ludington Street. As of this meeting, nothing but interior and limited exterior demolition had been done at the property.

it illegal for people to work on vehicles at their own property. He added that, according to the Ordinance, he would not even be able to change out a windshield wiper in his own garage. Harris asked if this language meant that no work could be done to a vehicle at all; Anthony confirmed. Reynolds question if it was something that could be changed.

Harris moved to have staff present options for removal of language prohibiting maintenance of one’s own vehicle city-wide from the Zoning Ordinance.

Webber suggested that this portion of the meeting wasn’t the proper time for business. He added that it should still be placed on the next meeting’s agenda.

Harris withdrew his motion.

Webber announced that a >80% solar eclipse was to take place on April 8. He encouraged all present to go out and safely experience it, since it was to be the last one in our area for decades. Webber added that that the Escanaba Public Library planned to host a solar lens-making class.

Anthony read a newspaper ad for the Bay College Community Satisfaction Survey, asking all present to take part.

Anthony offered condolences to the friends and family of Sandy Caron due to her sudden passing.

ADJOURNMENT

A motion was made by Nelson to adjourn the meeting. No second was made.

The meeting adjourned at 6:51 PM without objection.

EXHIBITS TO THESE MINUTES

Appendix 1: The meeting agenda and packet.

APPROVAL

I, Roy Webber, Secretary of the City of Escanaba Planning Commission, hereby certify that the foregoing constitutes the true and complete proposed minutes of a meeting of the Planning Commission of the City of Escanaba, County of Delta, State of Michigan, held on 14 March 2024; that I have reviewed said proposed minutes; and that said proposed minutes shall be made publicly available.

REVIEWED:

Draft reviewed on: 3/18/2024



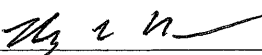
Roy Webber, Secretary
City of Escanaba Planning Commission

Draft available on: 3/19/2024

I further certify that the foregoing proposed minutes are now approved; that these approved minutes shall be made publicly available; and that all the foregoing was/is made/given/kept in accordance with the Open Meetings Act (MCL 15.261 et seq.), the Michigan Planning Enabling Act (MCL 125.3801 et seq.), the Michigan Zoning Enabling Act (MCL 125.3101 et seq.), said City’s Code of Ordinances, and said Commission’s Bylaws.

APPROVED:

Approved at meeting on: 4/11/2024



Roy Webber, Secretary
City of Escanaba Planning Commission

Final available on: 4/12/2024