

**Village of Mackinaw City
Special Meeting
Planning Commission
March 10, 2011
Approved Minutes**

Members: Rob Most (Chairman), John Riemer, Bo Whipkey, Florence Tracy, Mary Clark, Paul Allers, and Nancy Dean

Staff: Jeff Lawson (Village Manager)

Guests: Dick Moehl, Matt Mikus, Stefan Geblic

SPECIAL MEETING	
1	Call to Order and Welcome
2	<p>Roll Call The meeting was called to order at 7:01 p.m. by Chairman Most. Roll call members present: R. Most, J. Riemer, F. Tracy, M. Clark, P. Allers, N. Dean, and B. Whipkey. Members Absent: None</p>
3	Pledge to Flag
4	<p>Approval of Minutes Motion Clark seconded Allers to accept the minutes of the meeting held on February 24, 2011, as amended. Voice vote – all ayes. Motion carried.</p>
5	<p>Public Comment Dick Moehl provided a copy of the City of Mackinac Island’s Ordinance concerning ferry service and provided an update on the legal action filed with the Michigan Public Service Commission regarding ferry service to and from Mackinac Island.</p>
6	New Business
6a	No new business was presented.
7	Old Business
7a	<p>B-4 Historic Downtown Allowable Customer Service Floor Area – Draft Language Staff provided an overview of the procedures for amending Zoning Ordinance 138 with regard to increasing the downtown allowable customer service use area in the B-4 Historic District.</p> <p>Motion Allers seconded Clark to hold a public hearing with the date to be set by Staff and Council to review the proposed language for allowable customer service use area. There was no discussion on the motion. Voice vote – all ayes. Motion carried.</p>
7b	<p>Sexually Oriented Business – Draft Language Staff summarized the recent discussions concerning the location of a Sexually Oriented Business (SOB) from a residential zoning district. Also discussed was how far an SOB can be located from residential districts vs. residential homes. The Village’s industrial district does not allow houses to be built within it; however, the Township outside the Village is more flexible and does allow residential construction in their adjacent district. Also confirmed was the amount of SOBs that are allowed in the Village, which proposed language will provide for an adequate amount. Billboard placement and regulations were also discussed at length.</p> <p>Section 4, item 5, Sanctions; Equitable Remedies, of the proposed SOB was addressed concerning “civil infractions” and how they are assessed. Staff explained that civil infractions are assessed each day per occurrence until the violation is remedied. First offense is usually reasonably assessed.</p>

	<p>Repeat violations, without remedy, increase per day per infraction.</p> <p>Section 3, Location of Sexually Oriented Businesses, Item (c), of the proposed SOB was reviewed to identify how far SOBs can be located from residential zoning districts, residential purposes, churches and schools. It was the general consensus of Commissioners to change the distance an SOB is allowed from a residential zoning district, residential purposes, churches and schools from 1,000 feet to 1,500 feet.</p> <p>Motion Clark seconded Dean to recommend to the Village Council that a public hearing date be set for the proposed amendment to the Zoning Ordinance concerning Sexually Oriented Business. There was minimal discussion on the motion. Voice vote – all ayes. Motion carried.</p>
	<p>Most called for recess at 7:48 p.m. Meeting called to order at 7:53 p.m.</p>
7c	<p>Open Air Businesses – Discussion Staff reviewed the definition of an Open Air Business. Staff provided an overview of open air businesses and how they fit into the different Zoning Districts (B2, AG, BC and CR). There was a lengthy discussion concerning open air business definitions and which districts certain open air businesses would be consistent within a location in the Village and other uses in a particular district. Commissioners directed staff to redefine the open air businesses definition and to place open air businesses into districts that are complementary to the defined activity.</p>
8	<p>Commissioner Comments Commissioners were provided the final draft of the Master Plan for review and directed to bring any typographical or grammatical errors into the office.</p> <p>Paul Allers provided information related to the six month moratorium on the Michigan Marihuana Act, which was given by Council on November 18, 2010.</p>
9	<p>Commissioner Calendar March 24, 2011 – Regular Meeting April 14, 2011 – Special Meeting April 28, 2011 – Regular Meeting May 12, 2011 – Special Meeting and Public Hearing (at the School)</p>
10	<p>Adjournment Motion Tracy seconded Allers to adjourn at 8:33 p.m. Voice vote – all ayes. Motion carried.</p>

Planning Commission Minutes respectfully submitted:

Rob Most, Chairman

Mary Clark, Secretary