

**VILLAGE OF EMPIRE
PLANNING COMMISSION REGULAR MEETING
TUESDAY, JUNE 3, 2024, AT 7 PM
EMPIRE TOWNSHIP HALL
10088 W. FRONT STREET**

CALL MEETING TO ORDER

ROLL CALL

APPROVAL OF MINUTES – 06/04/2024 Regular Meeting and 08/01/2024 Special Meeting Minutes

TREASURER'S REPORT

ADDITIONS OR CHANGES TO THE AGENDA

CONFLICT OF INTEREST

CORRESPONDENCE

PUBLIC COMMENT

ZONING ADMINISTRATOR'S REPORT

UNFINISHED BUSINESS

1. Sign Ordinance
2. Public Participation Plan (RRC)
3. Planning Commission Vacancy (Recommendation to Village Council)

NEW BUSINESS

COMMITTEE REPORTS

PUBLIC COMMENT

PLANNING COMMISSION MEMBERS AND CHAIRPERSON COMMENTS

ADJOURNMENT

Persons with questions or individuals with disabilities requiring auxiliary aids or services to effectively participate in the meeting should contact the Village of Empire Office at (231) 326-5466, PO Box 253, Empire, MI 49630, or at deputyclerk@villageofempire.com.

**EMPIRE VILLAGE PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, JUNE 4, 2024**

The Village of Empire Planning Commission held a regular meeting on Tuesday, June 4, 2024, in the Empire Township Hall.

ROLL CALL –Bacon, Collins, Ellibee, Schous, Ford, Deering and Chase were present. Zoning Administrator Hall was also present.

APPROVAL OF MINUTES - Motion by Deering, supported by Bacon to approve the May 7, 2024, Public Hearing and Regular Meeting minutes as presented. AYES: 7, NO: 0. MOTION PASSED.

TREASURERS REPORT – Chase presented the revenue and expenditure report for the period ending 04/30/2024, indicating that 20% of the budget has been used to date.

ADDITIONS/CHANGES TO THE AGENDA – Bacon moved Cherry Republic Site Plan Review to first item of unfinished business. Bacon also added PUD Adjustment to new business.

CONFLICT OF INTEREST – None.

PUBLIC COMMENTS & CORRESPONDENCE – A communication from Robin Johnson, the General Manager of Quercus Alba, LLC proposing an adjustment to the New Neighborhood Phase 5 PUD.

ZONING ADMINISTRATORS REPORT – Hall commented on the application and permitting complications from the two recent Mass Gathering requests.

CHERRY REPUBLIC SITE PLAN REVIEW – Hall summarized Site Plan Review Report, Case No. SPR-2024-01. Applicant proposes a 'combination of uses' in accordance with Article 4, Section 4.06.2.5 on parcels 041-719-024-05 and 041-719-024-10. Hall indicated that the application was complete and reviewed the Zoning Administrators' findings of fact. Scott Jozwiak of Jozwiak Consulting presented the expansion project details on behalf of Cherry Republic. Roni Hazelton of Cherry Republic detailed the need to expand the existing building, with the focus being 15,000 sq.ft. of additional warehouse space, three more truck docks, and additional freezer space.

Topics/concerns from the planning commission:

- Elevation changes regarding the existing ditch and drainage
- Access by emergency services due to the entrance going through the self-storage units
- Stormwater and wastewater questions
- Noise from the industrial fans

Topics/concerns from members of the public:

- Fulfilling the landscaping/tree requirement
- Noise from the mechanicals, options to lower the noise
- The main entrance going in between the self-storage buildings
- Additional lighting for employees
- Future changes to the ingress/egress which may cause issues

A long discussion surrounded where to plant enough trees to satisfy the landscaping requirement. The applicant indicated that due to lack of space and appropriate areas to plant trees, they would be willing to donate trees to the Village to plant elsewhere. The planning commission settled on a conditional agreement that the applicant will plant 15 trees reasonably dispersed on site to be approved by the Zoning Administrator.

Motion by Deering, supported by Bacon to approve SPR-2024-01, including a conditional requirement that the applicant plant 15 trees on-site, which the Zoning Administrator will oversee. AYES: 7, NO: 0. MOTION PASSED.

MASTER PLAN UPDATE

Presentation

Brad Lonberger of Place Strategies, Inc. and Elise Crafts of Placecraft presented a revised goal to “perform a master plan update that validates the current plan’s goals and values, expands on community needs for economic development, and develops three small area plans to educate and support private investment in the community”. Work will include data gathering and analysis, community survey and engagement, conceptual design, site planning, proposed redevelopment tools and hosting public meetings to present deliverables. A proposed timeline was included in the presentation.

Renovare Contract

Motion by Bacon, supported by Collins to accept Village Council’s approval of the Site Feasibility Analysis and Master Plan Update by Renovare. AYES: 7, NO: 0. MOTION PASSED.

Planning Commission members that have volunteered to serve on the Master Plan Working Committee are Maggie Bacon, Carey Ford and Margaret Ellibee.

(RRC) COMPLIANCE MEASURES – Consensus to table this agenda item until next meeting.

PUD ADJUSTMENT – Presentation given by Robin Johnson, General Manager of Quercus Alba, LLC developer of New Neighborhood PUD. The developer is proposing a minor adjustment to an existing PUD, which would expand the form of housing one could build in Phase Five. According to the developer, such an adjustment “would be a first step in allowing a greater variety of dwelling types, smaller units grouped together in a quadri-plex, for example, with long-term rental units or townhouses for work force housing, and/or accessible units for seniors to age in place.”

COMMITTEE REPORTS – None.

PUBLIC COMMENT – Karen Baja commented that all Site Plan Reviews should go through the Planning Commission and not handled administratively through the Zoning Administrator.

PLANNING COMMISSION MEMBERS AND CHAIRPERSON COMMENTS – Schous commented that until the New Neighborhood Phase Five acquires a 2/3 vote to amend the PUD, no action can be taken by the Planning Commission.

ADJOURNMENT – There being no further business, the meeting adjourned at 8:59 pm.

Alacia Acton, Recording Secretary

These draft minutes will be considered for approval at the September 3, 2024, Village of Empire Planning Commission meeting.



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STAFF REPORT
MAY-JUNE-JULY-AUGUST 2024

Land Use Permit (zoning) Activity
(year-to-date summary)

PERMIT #	TYPE	ZONE	PARCEL ID	Name (last)	Name (first) - Builder	Site Address / Location	ZA Comments
2024-01	RA	GR	45-041-824-052-00	Greisiger, Joe		11472 S. LaCore Road	DENIED-02232024
2024-02	ND	PUD	45-041-550-058-00	Neil, Tom and Amy	Habegger Construction, LLC	Lot #58 W. South Street [New Neighborhood]	ISSUED-03012024
2024-03	VEND	FSD	45-041-824-009-10	Leelanau Farmers Markets Baril, Bob		N/A W. Front Street	ISSUED-03152024
2024-04	RA	PUD	45-041-550-032-00	Walton, Meg Applewood CT., LLC		11875 Erie Street	ISSUED-03222024
2024-05	RA	VR	45-041-300-069-00	Rozanski, Edward and Maureen		10126 W. Michigan Street	ISSUED-04192024
2024-06	RA	GR	45-041-824-010-10	Aylsworth, Wayne		11532 Reynolds Street	ISSUED-04252024
2024-07	RA	GR	45-041-400-016-00	Zimmerman, Catherine		10111 W. Salisbury Street	ISSUED-05032024
2024-08	ND+ACC	PUD	45-041-550-056-00	Bridge, Lawrence and Diana		11996 Ontario Street	ISSUED-05102024
2024-09	GM-SOLAR	GR	45-041-824-037-10	Barr, Tim and Nescott, Bonnie		11444 S. Reynolds Street	ISSUED-06142024
2024-10	DECK	VR	45-041-300-060-00	Thiry, Steve		11220 W. Michigan Street	ISSUED-06142024
2024-12	RA	GR	45-041-102-012-00	Stringer, Jason		10109 W. Aylsworth Street	ISSUED-07122024
2024-13	ND	PUD	45-041-500-032-00	M-22 Development		11509 S. Sunset Drive	ISSUED-07122024
2024-14	ND	PUD	45-041-500-047-00	M-22 Development		11518 S. Crescent Drive	ISSUED-07122024
2024-15	FENCE	GR	45-041-600-002-00	Okerlund, Scott and Melissa		11014 S. LaCore Road	ISSUED-07122024

ND = New Dwelling

RA = Residential Accessory

Permit activity has been consistent with last year for this same reporting period. There has been an increased interest in short-term rentals and accessory dwelling units, as well as possible land divisions to increase buildable parcel count.

- Cherry Republics parent company has submitted a combination request to be forwarded to Council at their next meeting.
- An application for a Land Division has been submitted (pending additional materials) requesting to divide a parcel that currently fronts on S. Barr Lake for the purpose of creating an additional parcel.

Planning and Zoning

The Planning Commission, at the direction of Council recommended adoption of new ordinances regulating signs to be added back into the zoning ordinance – this item is still pending.

The Planning Commission was presented sample language and informational material on land divisions, lot-line adjustments, and combinations of property for both metes and bounds descriptions as well as



lots in platted subdivisions. The intent is to clarify under what circumstances a platted lot qualifies for division under the Village of Empire Land Division Ordinance.

Since the amendment to the ZO to allow for mixed uses in the LI [Light Industrial] zoning district, Cherry Republic has undergone a Site Plan Review before the Planning Commission to permit construction of a new building. The purpose of the new building is to add more refrigerated and storage space on site and eliminate the current off-site activities.

Respectfully submitted for your review,



Robert (Bob) Hall
Village of Empire – Zoning Administrator



For Planning Commission re: Signs

The council had questions about signing the ordinance, so the Planning Commission met on August 1 to address those questions.

1. The intent of the sign ordinance was always to treat flags as temporary signs and to limit the number.
Section 2: modify the definition of a sign to remove flags as an exemption
Section 2: Retain flags as a temporary sign
2. Section 3f. Reworded. Public service and non-profit agencies must apply for a permit. (*Removed waiver by SEO*).
3. Section 8 title: Signs allowed in Zoning Districts was modified to "Signs Regulated by Zoning District."
4. Purpose. A question was asked about the length of the purpose statement. Our attorney wrote the purpose statement. The last section has been modified for greater clarity (given it is all legal ease). The recommended change is: "based on regulation, location, uses and availability of other means of communication."
5. For consistency, the definition should be Banner Sign (to match the permitted sign table).
6. The letter designations in Section 2 (Definitions) were incorrect. This has been corrected.
7. Will provide the VC with the Fee Schedule referring to the cost of a sign permit. (Section 3 refers to a fee).
8. Added the following to General Provisions (Section 4) for clarity. (These all come from other sections of the sign ordinance)
 - a. (From 3g). "Except for signs authorized without a sign permit pursuant to Section 5, no sign shall be erected or altered until approved by the SEO or authorized by the Village of Empire Planning Commission as part of an approved site plan. After approval, the required sign permit shall be issued by the SEO." (Rationale: this explains "why one has to get a permit.")
 - b. (From 5g) "Temporary signs are to be removed fifteen (15) business days following abandonment or obsolescence as determined by the SEO".
 - c. (from 9a) "Sign size limits are based on size type. If a sign is a double-faced sign, only one side shall be used in calculating compliance with the total allowable square footage."

9. Section 4b. The Zoning Administrator's (ZA) function is to determine a building's abandonment. This caused some confusion because the ZA can also be the Sign Enforcement Officer (SEO). The statement in Section 4b is correct as is.

10. The letter designations for Section 6 (Prohibited Signs) were incorrect. This was corrected.

11. Section 9. Permitted Sign Types, Allowable Dimensions, and Specific Requirements. It became clear that the word "permitted" may be construed to be "allowed" instead of "that for which a permit is required." Added to Definitions, Permitted Signs.

12. Section 10. A question came up about "Sanctions" in the Heading: Administration, Annual Inspection, Enforcement, Sanctions. Removed the word sanction. The recommendation was to retain the language, "**the sign shall be removed by the Village or its employees.**" It should be noted this applies specifically to "in the case of a sign that poses an immediate danger to the health or safety of the public.

NEW!

The intent of the PC decision was to allow for flags. What the Planning Commission missed was that considering flags to be a temporary sign resulted in providing NO guidance on the size of a flag(s) that would be allowed nor the number allowed.

- ***Common flags have a display area that exceeds that allowed for a limited number of signs that do not need a permit (the allowed size being 6 sq ft), while common flags are either 15 sq ft (3 ft x 5 ft) or a slightly smaller 8.2 sq ft (28" x 40"),***
- ***Larger flags displayed on high poles on large property parcels also need to be addressed.***
- ***How to address "feather flags".***

Recommendation:

Add definition of Feather Flag as a temporary sign

Allow Feather Flags only in Gateway Corridor (may need to allow on Front Street in the future, but ...)

Do not require a permit for feather flags (consider them temporary signs)

Provide standard to flags in all districts (creating an exception for feather flags)

VILLAGE OF EMPIRE
LEELANAU COUNTY, MICHIGAN

Minutes of a regular meeting of the Village Council of the Village of Empire, Leelanau County, Michigan, held at the Empire Township Hall located at 10088 W. Front St., Empire, Michigan, on the ___ day of _____, 2024, at _____ p.m. Local Time.

PRESENT: _____

ABSENT: _____

The following ordinance was offered by _____ and supported by _____.

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE VILLAGE OF EMPIRE BY ADDING SECTION 3.12: SIGNS AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH

Part I. The Village of Empire ordains: Article 3 of the Zoning Ordinance of the Village of Empire is hereby amended by the amendment of Section 3.12, which shall be read in its entirety as follows:

Section 3.12 – Signs

1. Purpose.

- a) This section is intended to regulate the size, number, location, and manner of display of signs in the Village to carry out the following purposes:
 - i) To protect and further the health, safety and welfare of Village residents, property owners, and travelers caused by signs which obstruct vision, distract, disorient, or confuse drivers or pedestrians, or are improperly secured or constructed.
 - ii) To conserve and enhance community character by reducing visual clutter which can arise due to excessive or unregulated signage, temporary signage, or other signage which is improperly located or unreasonably distracting.
 - iii) To promote uniformity in the size, number and placement of signs within each zoning district.
 - iv) To promote the economic viability of commercial areas by minimizing visual clutter and allowing for proper placement of signs to safely direct motorists to their destination; to allow businesses the opportunity to use

- v) the signage permitted to them to advertise their businesses and to direct customers to their businesses.
- vi) To promote the use of signs that are safe, aesthetically pleasing, compatible with their surroundings, and legible in the circumstances in which they are seen.
- vii) To carry out these purposes in a manner that is content neutral by regulating the size, number, location and other physical aspects of signs without respect to their content, except as the content may relate to the location of the sign for regulatory purposes or conveys information essential for safety purposes.
- viii) To respect the rights recognized by the courts for residents to use signage on their premises to express their viewpoints or personal messages, with additional opportunities during limited seasons, by regulating the number, size and location of signs, without reference to the message the occupant of the premises may choose to convey.
- ix) To recognize that signs with messages which change automatically by electronic or mechanical means by their nature pose a greater risk of motorist distraction due to the changing nature of the sign, message, or graphics, as opposed to a static sign, the distinction being similar to the distinction between a painting and a television set. It is recognized, however, that in limited sizes and locations, such signs serve a valuable purpose of providing up to date information, requiring a balancing of the impact of such signs with their benefits.
- x) To recognize that directional signage and traffic control signs such as street signs, stop signs, signs within commercial or institutional sites which direct traffic or identify facilities for the disabled, address signs or which identify historic or public service sites, serve an important function of promoting traffic safety by avoiding driver confusion and promoting the safe flow of traffic, and allowing ready location in emergency situations. In addition, it is recognized that such signs are often placed by governmental entities that are not subject to local zoning.
- xi) To require that signs of significant size and substantial construction obtain a permit to assure compliance with the ordinance and codes, while recognizing the administrative burden of requiring permits for certain small and non-permanent signs outweighs the benefit of prior permitting.

The regulations contained in this ~~chapter~~ **section** involve a determination by the Village that the rights of sign owners to convey a message must be balanced against the public right to be free of signs which unreasonably compete for attention, distract drivers and pedestrians, or produce confusion. It is recognized that sign regulations must afford businesses a reasonable opportunity to communicate. It is also determined, however, that oversized, projecting, distracting, clutter, or crowded signs can lead to pedestrian and driver confusion,

disorientation, and distraction and endanger the public health, safety and welfare. To lessen such adverse consequences, reasonable limitations and restrictions are appropriate with respect to the placement, construction, size, type, and design of signs ~~in location of buildings and uses and the availability of other means of communication.~~ **based on the regulation, location, uses, and availability of other means of communication.**

2. Definitions. As used in this Ordinance, the following words shall have the meanings:

- a) **Accessory Sign:** A sign that is not for a principal use of the property on which it is located, including warning signs.
- b) **Animated Sign:** A sign that uses movement, spins, or changes of lighting to depict action or create a special effect or scene.
- c) **Awning/Canopy Sign:** A sign that is part of or attached to the surface of an awning/canopy.
- d) **Banner Sign:** A temporary sign printed or displayed upon cloth or other flexible material. ~~except national, state, or municipal flags.~~ *(green suggested at August 2024 WS meeting.)*
- e) **Changeable Copy Sign:** A sign or a portion of a sign with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight (8) times per day shall be considered an animated sign and not a changeable copy sign for purposes of this Ordinance.
- f) **Corner Lot Sign:** Signs placed facing both public streets on corner lots.
- g) **Display Area:** The entire space used for lettering and symbols on one vertical plane.
- g. **Feather Flag:** A flag characterized by its tall, slender design that resembles a feather. Feather flag is designed to move with the wind, usually attracting attention with its motion and graphics or stylized words. They are typically 5 to 15 ft tall and attached to a flexible pole (from 6 to 20 feet tall) and is considerably narrower than its height.
- h) **Flag Sign:** Any cloth or bunting that is either attached to a staff ~~or pole or of a nature that is usually attached to a staff or pole.~~ *(remove sign, blue recommended by Mr. Bacon)*
- i) **Flashing Lighted Sign:** An illuminated sign that intermittently and repeatedly flashes on and off and/or creates an illusion of a flow of lights.
- j) **Freestanding or Ground Sign:** A sign supported by permanent uprights or braces in the ground.
- k) **Identification Sign:** A sign that identifies a building or street address.
- l) **Illuminated Sign:** A sign rendered visible during the period from sunset to sunrise by

means of an internal light source or by means of an exterior light source directed on to or in the vicinity of the sign.

- m) **Marquee Sign:** A permanent overhang or roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the buildings and are generally designed and constructed to provide protection from the weather.
- n) **Marquee Surface Sign:** A sign attached to or made part of a marquee.
- o) **Multi-Business Plaza:** Those structures that contain more than one enterprise, leased or owned, and may have a common entrance or multiple entrances.
- p) **Nonconforming Sign:** Any existing sign on the effective date of this Ordinance, as amended, which does not at that time comply with all the provisions of this Ordinance and any amendments.
- q) **Permitted Signs:** A permitted sign is a sign for which a sign if permit is required and obtained.
- r) **Portable Sign/Trailer Sign/Sandwich Board:** A sign that is designed to be transported, including but not limited to signs:
 - With a chassis or support constructed without wheels.
 - Designed to be transported by trailer or wheels.
 - Converted A- or T-frame signs.
 - Attached temporarily to ground, a structure, or other signs.
 - Mounted on the exterior of a vehicle and visible from the public right-of-way.
 - Menu and sandwich boards.
 - Searchlight stand; and
 - Hot-air or gas-filled balloons or umbrellas.
- s) **Projecting Sign:** A sign attached to or erected on the exterior wall or surface of a building which projects twelve (12) inches or more from the wall or surface.
- t) **Roof Sign:** A sign mounted on or over the roof of a building and is wholly or partially supported by the building. Mansard roof signage shall be considered wall signage for the purpose of calculating allowable footage.
- u) **Sign Enforcement Officer (SEO):** The Zoning Administrator or such other person as shall be designated by the Village Council.
- v) **Sign:** A structure, including its base, foundation and erections supports upon which is displayed any words, letters, figures, emblems, symbols, designs, or trademarks by which any message or image is afforded public visibility out of doors. **The following are not signs: flags that are smaller than 4 square feet, architectural features, tombstones, art and murals and other memorial markers.**

- w) Surface of a sign: The portion of the sign excluding its base, foundation and erection supports on which a message is displayed.
- x) Temporary sign: A sign (including a banner or flag) intended for a limited period and without a permanent foundation.
- y) Wall sign: A sign that is affixed to or placed flat against the exterior wall or surface of a building or structure, with no portion projecting more than twelve (12) inches from the building or structure wall.

3. Permit Application. The following application requirements shall apply to all signs requiring a permit pursuant to the provisions of this Ordinance.

- a) Application for a permit, on a form supplied by the Village of Empire, shall be required to erect, alter, or reconstruct a sign unless otherwise noted. The completed application, together with all plans and specifications, shall be submitted to the SEO. Approval shall not be given until the application complies with all provisions of this Ordinance. If the application is approved, a permit to erect, alter, relocate, or post the sign shall be issued.
- b) A non-refundable permit fee shall be submitted with the application. Fees for sign permits shall be established, from time to time, by resolution of the Village Council and shall be remitted to the Village.
- c) The application shall contain or have attached the following:
 - i) Name, address, and telephone number of the owner, where the sign is to be erected, and the owner of the sign.
 - ii) Location of building, structure, or lot where the sign is to be attached or erected.
 - iii) Position of the sign in relation to nearby buildings or structures.
 - iv) A sketch or scale drawing with the dimensions, specifications of the display area, method of construction, lighting, and, if applicable, method of attachment to the building or ground.
 - v) Name of person, firm, or corporation erecting the sign.
 - vi) Any Leelanau County construction permit required and issues for the sign.
 - vii) Other details the SEO shall require establishing conformance with this Ordinance.
- d) Issuance of a sign permit in no way indicates any responsibility by the Village of Empire for structural adequacy of a sign or the right to construct the sign.
- e) A sign permit shall be null and void if the sign has not been installed within ninety (90) business days from the date of approval. An extension of ninety (90) business days may be approved by the SEO.
- f) **Public service and non-profit agencies must apply for a permit.**
- g) **Except for the signs authorized without a sign permit pursuant to Section 5, no sign shall be erected or altered until approved by the SEO or authorized by the Village of Empire Planning Commission as part of an approved site plan. After approval, the required sign permit shall be issued by the SEO.**

4. General Provisions. The following regulations shall apply to all signs:

- a) Signs must be constructed of durable materials, maintained in good condition, and shall not be allowed to become dilapidated.
- b) When a business is abandoned **any sign except the street** address must be removed within thirty (30) business days. A business shall be considered abandoned if determined by the **Zoning Administrator** to have been suspended or halted for a continuous period of one (1) year.
- c) **Temporary signs are to be removed fifteen (15) business days following abandonment or obsolescence as determined by the SEO.**

5. Signs Not Requiring a Sign Permit. The following signs may be placed in any zoning district without a sign permit, provided such signs comply with all applicable federal or state law or regulation and are located to not cause a nuisance or safety hazard:

- a) Four (4) temporary signs per property not to exceed six (6) square feet each of the sign surface.
- b) Two (2) temporary flags on a pole or staff less than 8 ft where the display area of the flag does not exceed 15 square feet each.
- c) One (1) flag on a permanent pole or staff that is greater than 8 feet.
- d) Signs erected, required or approved by the state, county, or village agencies ~~when necessary to give proper directions or to safeguard the public.~~
- e) Accessory signs erected by any organization, person, firm, or corporation that is needed to warn the public of dangerous conditions and unusual hazards including but not limited to road hazards, high voltage, fire danger explosives, and severe visibility.
- f) Signs posted near property boundaries, provided the sign surface does not exceed the maximum size of one (1) square foot.
- g) Signs marking a historically significant place, building, or area when sanctioned by a national, state, township, village, or local historical organization, provided the sign surface does not exceed the maximum allowed size of sixteen (16) square feet or the maximum size allowed in the zoning district whichever is less.
- h) Signs required by federal or state agencies in connection with federal or state grant programs that have been approved in conjunction with a valid site plan or land use permit.
- i) ~~Temporary signs are to be removed by the Village after fifteen (15) business days following abandonment or obsolescence as determined by the SEO.~~ (move to Section 4c)

5.1 Signs Not Requiring a Sign Permit in the Gateway Corridor only. The following signs may only in the Gateway Corridor district without a sign permit, provided such signs comply with all applicable federal or state law or regulation and are located to not cause a nuisance or safety hazard:

- a. Two (2) temporary feather flags not to exceed 16 square feet.

6. Prohibited Signs. The following signs are prohibited:

- a) A sign not expressly permitted is prohibited.
- b) Signs imitating warning signals are prohibited. No sign shall display intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles.
- c) Revolving, moving, animated, mechanical, electronic simulated motion, and flashing signs are prohibited, except for rotating/revolving barbershop poles.
- d) Signs within a village street or highway right-of-way are prohibited. No signs (except those established and maintained by the village, township, county, state or federal governments) are to be located, projected onto, or located overhead within a public right-of-way or dedicated public easement, unless the sign has been issued a permit by the agency having jurisdiction over that right-of-way.
- e) Signs higher than eight (8) feet, measured from ground level are prohibited, **except for flags**, projecting signs and signs fully attached to the face of a building.
- f) A sign which is part of a canopy or an awning.
- g) Stake or wire signs, other than those allowed in Section 5: Signs Not Requiring a Sign Permit.
- h) Bench Signs.
- i) Roof signs **provided that Mansard roof signs shall be considered as wall signs.**

7. Alteration or re-establishment of nonconforming signs. Any existing sign which, on the effective date of this Ordinance, does not at that time comply with all provisions of this Ordinance and any amendments shall not be changed to another type of sign which is not in compliance with this Ordinance.

8. Signs Allowed in Zoning Districts. Sign Regulation by Zoning District.

- a) **General Residential (GR), Mixed Residential (MR), and Village Residential (VR) Districts.** Only signs not requiring a permit shall be allowed.
- b) **Commercial Residential (CR) Front Street District (FS) and Light Industrial (LI) Districts.** Any sign not requiring a permit, **approved permitted** signs in accordance with Section ~~10.9~~.

- c) **Gateway Corridor (GC).** Any sign not requiring a permit (section 5.1) and approved permitted signs in accordance with Section 10.9.
- d) **Recreation/Conservation (RC) District.** Any sign not requiring a permit. Also, for nature areas consisting of over thirty (30) acres in the R/C District, may have on the property not more than two (2) identifying signs, each not to exceed twelve (12) square feet and not more than eight (8) feet in height. One (1) thirty- two (32) foot kiosk is also allowed with a height limitation of eight (8) feet.
- e) **Planned Unit Developments (PUD).** Any sign not requiring a permit and for commercial uses within a PUD, permitted signs in accordance with Section 10-9.

9. Permitted Sign Types, Allowable Dimensions and Specific Requirements

~~a) Sign size limits based on sign type. If a sign is a double-faced sign, only one side shall be used in calculating compliance with the total allowable square footage.
(move to Section 4 (General Provisions))~~

a) Corner Lots. Signs may be placed facing both public streets on corner lots within the Gateway Corridor (GC) and Front Street Corridor (FSC), Light Industrial (LI) District, and Planned Unit Development (PUD) Districts. All other requirements of this Ordinance must be met.

Sign Type	Max Sign Surface Area	Other Regulations
Either freestanding or marquee sign	24 square feet	Number of freestanding signs shall not exceed 1 sign / 100-foot lot in the Gateway Corridor or Front Street district. Maximum height allowed is 8 feet.
Identification sign	4 square feet	
Illuminated sign	24 square feet	These signs must comply with the outdoor lighting ordinances. may be illuminated only during the hours of operation by a direct light source. Light source shall be shielded and downward directed. No direct rays or glare from the light sources shall be visible from a public right of way or from an abutting property.
Projecting sign	20 square feet	Maximum projection allowed is 5 feet from a building; not to extend over a public sidewalk, street, or alley; shall not exceed to height of a building's roof line; and with a maximum height of 15 feet.
Portable sign or	2 feet wide by 4 feet high. Signs on wheels 4 feet high by 8 feet high	If intended to direct attention to a specific event, may be displayed for up to 2 weeks prior, and must be removed within 3 days after the event.
Banner sign	24 square feet	May be displayed 2 weeks prior to an event and removed within 3 days following an event.
Wall sign	32 square feet	1 sign / building. If multiple businesses are within a building, they shall share the total 32 square feet.
Alley sign	4 square feet	1 sign / street façade. If multiple businesses are within a building, they shall share the total 4 square feet.
Multiple business / plaza entrance sign	48 square feet	All businesses with a common structure will share a common entrance sign.
Individual businesses within a multiple business building	1 square foot / lineal feet building length	The total lineal street frontage divided by the number of business units within a building, not to exceed 12 square feet / business. Signs shall comply with all other provisions of this Ordinance.

10. Administration; Annual Inspection; Enforcement; Sanctions. The SEO, or designee shall administer and enforce the provisions of this Ordinance. The SEO shall create an inventory of non-temporary signs in the FS and Gateway Districts and may inspect signs yearly. In the case of a sign that poses an immediate danger to the public health or safety, the sign shall be removed by the Village or its employees. Neither the Village nor any of its employees shall be held liable for any damage to the sign or building of the sign or building when a sign is removed under this Ordinance.

Part II: Repealer

Signs – Ordinance #142 of the Village of Empire Code of Ordinances is hereby repealed.

Part III: Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph, or section of this Ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this Ordinance.

Part IV: Savings Clause

All proceedings pending and rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Part V: Effective Date

The provisions of this Ordinance are ordered to take effect thirty (30) days after publication (as the full text or as a summary thereof) in a newspaper of general circulation in the Village of Empire.

Part VI: Adoption

This Ordinance was duly adopted by the Village of Empire Council at its regular meeting called and held on the ___ day of _____, 2024.

Part VII: Publication

The Village Clerk shall cause this Ordinance or summary of this Ordinance to be published in a newspaper of general circulation within Village of Empire within thirty (30) days after adoption.

AYES: Members: _____

NAYS: Members: _____

ORDINANCE DECLARED ADOPTED.

Sue Palmer, President
Village of Empire

Derith Smith, Clerk
Village of Empire

STATE OF MICHIGAN)
) ss.
COUNTY OF LEELANAU)


I, the undersigned, the duly qualified and acting Clerk of the Village of Empire, Leelanau County, Michigan (the “Village”), do hereby certify that the foregoing is a true and copy of an ordinance adopted by the Village Council at a regular meeting on the ____ day of _____, 2024, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this ____ day of _____, 2024.



Derith Smith, Clerk
Village of Empire

Recommendations

The following tables provide a snapshot into the recommendations provided on the community’s Trello following the baseline evaluation.

 = Annual expectation

BEST PRACTICE 1: PLANS AND ENGAGEMENT

		Essentials expectations
	1.1 Master Plan	While the plan identifies goals, objectives and actions, there is no timeline or responsible parties. An action-oriented plan that has timelines and responsible parties helps drive the implementation of the plan. This can be created using a separate document and reviewed annually.
	1.2 Downtown or Corridor Plan	N/A: The community does not have an active DDA (only for Certified designation) A CIP is an essential tool for the planning and development of the physical and economic well-being of a community. It is used to implement the vision and goals identified in other plans, including the master plan and downtown plan; and provides a link between planning and budgeting for capital projects. A six-year (current +5) capital improvements plan will need to be developed and updated annually. As mentioned earlier, projects identified should align with existing adopted plans. The capital improvements plan, when adopted, should be posted online.
	1.3 Capital Improvements Plan	
	1.4 Public Participation Plan	Facilitating consistent future public engagement is important and the village should formalize an all-inclusive comprehensive public engagement plan. This plan can help determine which methods of engagement it would like to pursue, identify when and how each method would be used, and establish ways to measure the effectiveness of each method. When formalizing the public participation plan, the plan should identify goals and objectives, key stakeholders, methods of communication, strategies for outreach and how to communicate results to the public.

BEST PRACTICE 2: ZONING

		Essentials expectations
	2.1 Alignment with Master Plan	Aligned
	2.2 Accessibility + User-friendliness	Aligned
	2.3 Concentrated Development	To meet this best practice a community’s zoning ordinance should clearly allow mixed-use by-right. This means allowing for residential above commercial or even allowing a mix of residential and commercial on the first floor. Additionally, at least one placemaking provision should be incorporated into the zoning ordinance.
	2.4 Housing Diversity	The zoning code currently allows for accessory dwelling units by-right. To align with this best practice, one additional housing use by-right should be added. Addressing housing, a key priority for Michigan communities, involves enabling diverse housing options by-right, thereby effectively meeting the varied housing needs within these areas.
	2.5 Parking Flexibility	Aligned

Empire Planning Commission Public Participation Plan for Planning and Zoning

The Village of Empire, with leadership from the Planning Commission, engaged in 2021 in the Redevelopment Ready Communities (RRC) Essentials Program, administered by the Michigan Economic Development Corporation (MEDC). Creating and following a public participation plan will assist the Planning Commission in engaging the public during substantive planning, zoning, and development projects. This plan outlines both processes already in place and a practical set of best practices to follow in the future.

Overview & Purpose

This plan shall outline a process for seeking and gathering public input and creating a uniform understanding of requirements and goals the Planning Commission will use when making decisions. The Planning Commission, as the recommending body, already engages with the public throughout the planning and development process; however, this plan will aim to increase transparency and predictability between the Planning Commission and local stakeholders. The plan will be updated as needed.

Citizen engagement in a planning process is crucial to its success and effectiveness. By providing an opportunity for community input, the Planning Commission ensures community stakeholders have an opportunity to “buy in” during the planning phases of development. Such a process also enhances the ability and responsibility of public participants to affect the Village’s future.

The Planning Commission welcomes potential developers/applicants to meet with the Zoning Administrator and the Planning Commission, as needed, early on and throughout the planning process to ensure their understanding and acceptance of a plan. The Commission will endeavor to work with all parties to prevent obstacles from arising late in the process. In circumstances when the village consults with a third-party entity, that entity shall adhere to the provisions of this Plan, if applicable.

Goals & Objectives

Goals and objectives that describe a course of action are tools for future decision-making and help define the Village community's character, values, and priorities. Goals are broad statements that describe a desired outcome and where we want to be. They are often long-term in scope. Objectives are programs, actions, or practices that support one or more policy statements. At a high level, objectives address the “who, what, when, where, and how” of reaching a goal.

The goal of this participation plan should also be consistent and support the goals and objectives established by the Master Plan or Master Plan update. Both documents should be reviewed and coordinated over time.

GOAL 1

To seek the involvement of residents in the Village for planning and development matters that directly affect Village residents. Empire Village residents are encouraged to participate in the decision-making process. The Planning Commission uses various communication and outreach methods to gather input.

Objectives:

- Oversee public participation efforts openly, making participation accessible to any stakeholder wishing to participate.
- Distribute information and solicit feedback through the website (in general), posting materials on the website (specific), via email blast, and proactively acknowledging emails and letters as submitted.
- Public involvement methods are continuously evolving; the Planning Committee is committed to seeking new and innovative ways to keep the public involved in design processes.
- Continually update this public participation plan; the Planning Commission will review and consider public engagement activities over the year as part of its Annual Report and recommend updates.

GOAL 2

To solicit public participation in all phases of planning projects, including but not limited to - master planning projects or updates, park planning, street and infrastructure planning, or any other type of beautification planning that directly affects the look and feel of Village neighborhoods or streets. The earlier the public is involved in the process, the greater the opportunity to influence important land-use decisions.

Objectives

- The Planning Commission (or subcommittee) will invite the public to participate in the planning and development of public projects, starting with the Master Plan. When applicable, public hearings or open houses will be implemented to allow residents to comment and provide ideas about the uses, functions, and designs of specific projects in specific areas.
- Open public feedback methods during a public planning project (such as posting information on the website and discussions at open meetings) to allow public input throughout the project.

- Record results of public engagement and recount these results back to the public during a public project.
- Recognize that no single way of soliciting public feedback will work in all instances; be flexible and consider special circumstances to ensure public feedback for all public development projects.

GOAL 3

During the development process, to resolve stakeholder concerns up front and increase diversity in opinion. This will increase flexibility and ease by removing unforeseen barriers and obstacles posed by public concern.

Objectives

- Applicants on new development projects of significant size will be encouraged to provide public informational and feedback opportunities before filing land use applications, regardless of land use permit type.
- Solicit public participation in each phase of planning processes.
- Hold public hearings or open houses per the Michigan Planning and Enabling laws.
- Record results of public engagement and recount these results back to the public (via minutes posted on the website) during all development projects

Public Participation Requirements

The Empire Planning Commission desires input from public stakeholders and is guided and enabled to do so through Michigan State Statutes.

Michigan Open Meetings Act

All government entities must adhere to PA 267 of 1976, the Michigan Open Meetings Act.

- The Planning Commission will post a list of dates, times, and locations of all meetings for the calendar year on the Village's website.
- If the Planning Commission's schedule changes, the Village will post a notice with the new dates, times, and locations within three days of the altered meeting.
- The Planning Commission will post a notice indicating a special or irregular meeting at least 18 hours before.

Michigan Planning Enabling Act

The Planning Commission will notify the following parties (by first-class mail, personal delivery, or e-mail) of its intent to plan and request comment.

- The county and other adjacent local jurisdictions (Villages and Townships)
- Each public utility, railroad, and public transportation entity that operates on or owns public space in the City
- The county road commission and the Michigan Department of Transportation if the master plan includes a master streets plan.

Michigan Zoning Enabling Act

Under the Michigan Zoning Enabling Act (PA 110 of 2006), consideration of the following required advertised public hearings pursuant to the Open Meetings Act:

- Zoning text amendments
- Zoning map amendments
- Variances
- Appeals/Interpretations
- Special land uses

Key Stakeholders

This Plan identifies important groups that can assist and enhance the public participation process and identify groups not often at the visioning table. The following list represents a diverse set of individuals, groups, and organizations that may be interested in or affected by various planning and development projects. Possible key stakeholders include, but are not limited to:

- Local residents
- Chamber of Commerce
- Empire Area Community Center
- Social/Service Clubs such as Lions and local churches
- Community Development Groups
- Village Council/ Zoning Board of Appeals
- Benzie-Leelanau District Health Department
- Leelanau County Road Commission

- Leelanau County Planning Office
- Neighboring Communities
- State Agencies (EGLE, MDOT, etc.)

Engagement from these groups above may vary depending on the project on the table; however, the Planning Commission is committed to making a concerted effort to reach out and involve potential stakeholders listed above to gain the best insights possible on various planning and/or development projects.

Opportunities for Public Participation

The Village offers residents and stakeholders numerous opportunities to participate in the planning, review, and approval processes.

Development Review Bodies

Village Council: The Village Council is the legislative and policy-making body for the Village government. The Village President and other Council roles are elected positions.

Planning Commission: The Planning Commission is mainly responsible for the Village master plan, zoning ordinance, and reviewing special land use development projects. Members are appointed by the Village President to 3-year terms with the consent and approval of the Village Council. The Planning Commission also has an administrative role. This means that they are permitted or required by statute or ordinance to conduct formal reviews and issue administrative decisions. These decisions are then sent to the Village Council as official recommendations.

Committees: From time to time, the Planning Commission may establish Steering or Advisory Committees of Planning Commissioners, Village residents, business owners, and/or other community leaders to help guide the Planning Commission on various projects and help implement identified tasks from the master plan. The Village has a process for proactively seeking volunteers. Typically, advisory committees will have a written charge in place for a specified time. The Advisory Committee(s) make recommendations or report to the Planning Commission.

The Village encourages citizen participation in local government planning and policy decisions. Therefore, all citizens are invited to apply for appointments to the Village's Commission and Committees. These groups provide recommendations to the Village Council on various topics and issues.

The Village Council is responsible for making the final decisions on most issues or topics, but it will look to these groups for advice, background information, and analysis. As the elected body, the Village Council can accept advice in full, partly, or not at all.

Public Meetings

Planning Commission meetings are noticed and posted in three (3) physical locations in the Village: Village office, Village Kiosk (between the post office and surf shop, and the Glen Lake Library). In addition to conforming to the Open Meetings Act, the Planning Commission will make print copies of all meeting materials available through the Village Office.

Once approved, the Planning Commission meeting minutes are posted on the Village's website and made available at the Village Office.

Most Planning Commission meetings are held at Empire Township Hall or, rarely, the Glen Lake Public Library. The public meeting announcements are to be noted accordingly.

Public Comments

Opportunities for public comment shall be available at any meeting of the Planning Commission following the provisions in the bylaws and other operating policies. The meeting agenda allows for public comments under a 'Public Comment' section. The participation of interested persons and their input shall be recorded in the meeting minutes. Approved meeting minutes, including the outcome of public participation, are posted on the Village's website.

Public Hearings

The Planning Commission shall hold public hearings when called for in their local and State enabling legislation or when otherwise prudent to provide the opportunity for public comment on specific topics. Public hearings are typically held at Empire Township Hall.

The Planning Commission shall consider holding public hearings for all land use and development applications (site plan, special land use permit, or rezoning request) before them. However, this is not required by State law to do so for all applications. The recording secretary shall work with the Clerk or Deputy Clerk to schedule and publish the notification of a public hearing before the Planning Commission not less than 15 days before the hearing on a site plan application as mandated by the commission's bylaws.

The Village Council may hold a public hearing in their enabling legislation. On receipt of the report of the Planning Commission report, the Village Council may set a date for a public hearing to consider any proposed zoning ordinance update or rezoning. State and federal statutes require special use permits and rezoning applications be noticed no less than 15 days before a Village Council public hearing.

The Zoning Administrator shall notify the special use permit applicant of the Planning Commission or Village Council determination within five days of the action.

Following the adoption of an ordinance to amend or update the zoning district boundaries or the district regulations, the Zoning Administrator shall send the ordinance to the Village Clerk, and a notice of the ordinance adoption shall be published within 15 days after adoption.

Toolbox of Strategies

There are many ways to accomplish successful public participation. The methods will need to vary depending on the current need. The following list is flexible and should change to accommodate the needs and circumstances of a specific situation.

Basic Announcement Methods for Public Meetings

The following methods are used to advertise the public meetings of the Planning Commission, and other committees acting as advisory bodies when taking action on land use or development applications. Many times, this does not result in involvement of all stakeholders, especially those with visual impairments, non-English speakers, those who are illiterate, youth, individuals with mobility limitations, and those who work during the time in which public meetings are commonly held.

- Website posting
- Email Blast
- Flier posting on Village Office door and other community locations (Post office, Library, etc.)
- Announcements at council meetings.

Many times, this does not result in the involvement of all stakeholders, especially those with visual impairments, non-English speakers, illiterate people, youth, individuals with mobility limitations, and those who work during the time when public meetings are commonly held.

Proactive Practices

The following are some examples of public participation methods that are less reactive and more focused on education and collaboration. The Planning Commission has used some of these methods in the past, while others may be best utilized as increased intensity of planning and development projects occur in the Village in the future.

- Pre-Application Coordination. Before submitting an application or site plan, an applicant may submit a sketch plan or draft plan for review by the Zoning Administrator and/or Planning Commission. The review shall be informal and advisory only and shall not constitute any form of approval or authorization to grant any permit. The review shall be done without cost to the applicant and may or may not appear on a Planning Commission Agenda.

- Questionnaire. Questionnaires are helpful in identifying specific areas of interest or concentration from a broad scope of ideas or issues. These areas of interest can be further explored using methods like the ones outlined below. A community may use a questionnaire to identify where to start in the planning process or to obtain the general climate surrounding a topic. Questionnaires can be helpful in getting a general idea of public opinion regarding specific community issues, but they should not be used as the sole method of public input.

A municipality can help administer surveys with partners. For example, neighborhood groups can put them in mailboxes. As with most public input efforts, it is best to vary the delivery method (mailed, handed out, electronic).

- Open House Meetings and Community Workshops. Open house meetings and community workshops can be as simple as a series of question-and-answer sessions with the public or as creative as interactive map exercises. Formal presentations can be given to a large audience, and then a less formal exchange of information may follow. They provide a more casual and fun setting to encourage participants to think critically and creatively about essential issues. An open house can be a great way to educate the community surrounding a specific topic and hear concerns, questions, and ideas. As noted above, open house venues must be accessible and approachable for all attendees. Further, volunteers must be available and knowledgeable on a project to encourage participant feedback. **An orientation session is essential before commencement.**

- Charrettes. A charrette differs from a workshop because it is often a multi-day event where designers and planners work collaboratively. Citizens offer ideas while the charrette team facilitates and observes. This tool may most often be used for specific development projects that involve significant changes to form or land use and require public input on the design layout. The Village may encourage developers to hold charrettes for specific proposed projects with significant community interest.

- Walking Tours. Walking tours allow more candid and casual feedback from participants. They can be paired with community workshops or charrettes to measure pedestrians' perceived safety and comfort in a downtown, neighborhood or corridor. Walking tours are also helpful in identifying desired design, problem properties, or safety concerns. **(This was done for the Transportation Plan)**

- Web Presence. Depending on the type of project, information may be incorporated into online sources. Further, more intensive projects may have project-specific websites not only to provide information but also to allow for comments and interaction. Technology offers a unique opportunity to give and receive information to a mass of people. The Village may post events, share information on projects and planning and development processes, and even solicit feedback. The Planning Commission will benefit from the web page as Leelanau County transitions to a more updated, flexible website design.

Outreach Strategies

This section outlines how the Planning Commission can plan for public input and involve the public sooner rather than later in the development process by helping citizens and other stakeholders to be more involved in the creation process and not simply a reaction to a finished product. Proactively engaging stakeholders fosters a sense of ownership and prevents delays caused by unforeseen issues. The following are times that the public should be involved.

Master Plan Update

As the visionary policy document for future development in the Village, the master planning process must use a wide range of public input methods to develop the goals, objectives and strategies for implementation. The Planning Commission shall follow the provisions of Michigan Public Act 33 of 2008, as amended (the Michigan Planning Enabling Act, M.C.L. 125.3801 et. seq.) for the adoption of a new master plan or of an update to the master plan. Previous planning efforts included public questionnaire, stakeholder input, and public workshops to solicit community feedback.

Park and Recreation Plan Update

The Village has chosen to include the park and recreation plan within the master plan document with the intent to update it as required by the Michigan Department of Natural Resources (MDNR) every 5-years in order to stay eligible for state recreation funding. Public participation should again be, at minimum, as required by the MDNR in order to meet their requirements.

Zoning Ordinance Update

The zoning ordinance is a document that reflects the vision of the community by regulating the character and type of development. To this end, it is important for the public to be involved in the adoption of amendments to the zoning map or specific regulations contained in the text of the zoning ordinance. As each amendment process is unique and not necessarily related to the entire document, the stakeholders may vary to some extent. However, a general method of public outreach will include public notification on the website and the Planning Commission agenda and posted in 3 locations in the Village. The creation of citizen study groups, or ad-hoc committees, or workshops with directly affected property owners will be encouraged when tackling more complicated issues.

Particular attention should be paid to public outreach and communication when dealing with controversial zoning ordinance amendments or controversial development proposals. The website shall be updated regularly on decision-making processes and projects, and announcements should be made via the Village email blast.

The Development of Publicly Owned Properties

On occasion, the Village may make improvements to Village-owned property. When the improvements are significant enough, the public should be made aware and brought into the process for public input and feedback. Significant public projects may include streetscape projects, major public building improvements, park improvements (particularly improvements that require grants or propose significant changes to public facilities in the parks that may affect users, neighbors, streets, etc.), public property acquisitions or dissolution, etc.

Capital Improvement Program Planning

A capital improvement program (CIP) plan is a short-range plan, typically four to ten years, which identifies capital projects and equipment purchases, a ranking of projects and purchases in order of preference, the plan for financing the items, a timetable for the construction or completion of the project, justification for the project, and an explanation of expenses for the project. The Village Council has assumed the responsibility for the Capital Improvement Plan. It is posted on the Village's website (under Ordinances and Plans) and is available in the Village Office. It is updated or reviewed annually as part of the budget planning process.

Major Developments

The Village shall follow the provisions of the local and State regulations to review development projects that involve the approval of planning and zoning applications and permits. This applies to the review process for site plans, special use permits, rezoning requests, and variance request applications. In many circumstances, the Village Council and Planning Commission will hold public hearings following the State legislation and encourage public comment on the proposed development project during its meetings. Depending on the nature of the project, the community interest, and the community's financial involvement, additional engagement methods may be used to gather community feedback.

Communicating Results

Communicating back to the public the information gathered during the public involvement process will result in another layer of transparency and a greater understanding from the public that we value public input and are actively seeking to involve the citizens in the community. The appropriate venue to communicate, who is responsible for this communication and how soon after the public participation event depends on the situation.

There is no one "right" way of communicating. The following is a list of ways the Village will strive to provide the public with results and decisions on issues of interest.

- Public meetings. Village Council Planning Commission meeting minutes shall be posted on the Village's website.

- **Public Hearings.** A Village official will be charged with taking notes during public open houses, community workshops, or charrettes and getting the names, addresses, and emails of all in attendance. In addition, the results of these events will be sent to participants via email, and the meeting summary will be publicized at other public meetings, such as the Village Council and Planning Commission.
- **Village Website.** Responses to public posts and communication of announcements are fluid and not an official method of communication from the Village to the public. However, many announcements will be posted this way. An official communication process via social media platforms or proprietary software could be developed.

Public Participation Evaluation

Evaluation of public participation methods is necessary for improving the public participation plan. The Village Council and Planning Commission may consider using a short questionnaire to be offered or made available on the Village website to request feedback on the effectiveness of public outreach. This is especially important after major planning projects like master plan updates or intense or controversial development projects. Evaluation of public outreach methods should be managed by the Planning Commission and Village staff.

This guide will be formally reviewed annually as part of the Planning Commission's annual report. The Planning Commission may consider being responsible for keeping records of its participation efforts, compiling the data, and presenting it to the Village and public with suggestions for action. The results should identify strengths and weaknesses and give examples of changes needed to maximize outreach better.

Village of Empire Deputy Clerk

From: Sue Palmer <s.palmer@villageofempire.com>
Sent: Wednesday, August 14, 2024 11:51 AM
To: Derith Smith; Alacia Acton
Subject: Fwd: Resignation from PC

FYI

----- Original Message -----

From: Margaret Ellibee <mellibee24@gmail.com>
To: Sue Palmer <s.palmer@villageofempire.com>, Peter Schous <pjschous@yahoo.com>
Date: 08/14/2024 8:15 AM EDT
Subject: Resignation from PC

Déar Sue and Peter:

Well, we sold our Empire home this morning and the moving process to WI has started.

This is such a bittersweet moment for Sue and I. We have loved our 20+ years in Empire - our friends here and in the county are truly our MI family and will be always. However, we need to go to WI and help with our family as time moves on.

So, with that, I am submitting my resignation from the PC as of today. It has been a joy and honor to serve our Empire citizens and be a colleague to you. Sue, my sincere thanks for your trust and forwarding me to the PC. Your leadership and friendship will always be respected. Peter, my sincere thanks to you for your sound wisdom and teaching me solid lessons of PC work and operations. I so appreciate your consideration in doing that.

This move is a new life chapter for Sue and I. And, Empire is beginning a new future chapter with our master plan update. You both have been instrumental in this undertaking that will be positively significant for Empire and its good citizens. Let's keep that "ball rolling" and ensure our village continues to be strong and vibrant into the future.

Thank you so much.

Muggy

Margaret A. Ellibee

-Sue

Planning Commission Selection Guidelines

Based on the Michigan Planning Enabling Act - Act 33 of 2008

Approved 11/12/2020

Appointment and Approval

The President is responsible for appointing Planning Commissioners. Village Council Trustees are responsible for approving the appointments made by the President.¹

Planning Commissioner Requirements

1. At least 5 of the 7 Planning Commissioners must be qualified electors of the Village
 - a. 2 of the 7 Planning Commissioners may be individuals who are not qualified electors of the Village, but are qualified electors of another local government.²
2. Membership of the planning commission should reflect the important segments of the Village for residents and businesses of the Village such as economic, governmental, and social development.³
3. In addition, the Planning Commission membership should reflect the major interests as they exist in the Village. Examples can include appointing and approving individuals who live in specific areas of the Village or who have demonstrated an interest in areas such as agriculture, education, public health, industry, commerce.⁴

Other Considerations

1. The Village President may serve as ex-officio on the Planning Commission.⁵
2. The Village President may designate 1 or more Trustees, as ex officio members to Planning Commission.⁶
3. Not more than 1/3 of Planning Commission may be ex officio members.⁷
 - An ex officio member has full voting rights but serves on the planning commission by virtue of holding another office in the Village (i.e. President, Trustee)⁸
 - An ex officio member may not serve as chairperson of the Planning Commission.⁹
4. Village employees are not eligible to be members of the Planning Commission (except in a non-voting, administrative role).¹⁰
5. Terms for any elected officials to the Planning Commission (President or Trustee) corresponds to his/her term of office.¹¹

Selection of Planning Commissioners

The Village Council (President and Trustee) recognizes its role in appointing Planning Commissioners that can, while representing differing perspectives, work together in a collegial manner. The Michigan Planning Guidebook offers the Village Council this advice: some of the best Planning Commissioners are those who start off with little to no experience but grew into the position.

¹ MPEA Act 33 of 2008 - 125.3815 Section 15 (1)

² MPEA Act 33 of 2008 - 125.3815 Section 15 (4) (b) *corrected citation*

³ MPEA Act 33 of 2008 - 125.3814 Section 15 (3) *corrected citation*

⁴ MPEA Act 33 of 2008 - 125.3815 Section 15 (3) *corrected citation*

⁵ MPEA Act 33 of 2008 - 125.3815 Section 15 (5)

⁶ *Ibid*

⁷ *Ibid*

⁸ MPEA Act 33 of 2008 - 125.3803 (d) *added reference*

⁹ MPEA Act 33 of 2008 - 125.3817 (1) *added reference*

¹⁰ MPEA Act 33 of 2008 - 125.3815 Section 15 (5)

¹¹ MPEA Act 33 of 2008 - 12.3815 Section 15 (5) (a)

For the Village Website:

Planning Commission

The Planning Commission is an important part of the Village of Empire and its operations. The Michigan Planning Enabling Act (Act 33 of 2008) is the foundational statutory authority for the Planning Commission.

The Village of Empire Planning Commission consists of 7 members. They are appointed by the Village President subject to the approval by a majority vote of the Village Council.

Planning Commission Meetings are open to the Public and all residents are encouraged to attend to have a voice in your government! Planning Commission meetings are held the first Tuesday of the month at 7:00 pm in the Empire Township Hall (meetings during the COVID-19 pandemic are being held remotely).

If you are considering applying for a position as Planning Commissioner, we encourage you to review the Michigan Municipal League Planning Commissioners Handbook available online: <https://www.mml.org/pdf/pcebook.pdf>. In addition, the Glen Lake Library has two guidebooks: *The Michigan Planning Guidebook for Citizens and Local Officials* and the *Michigan Zoning Guidebook for Citizens and Local Officials* that interested persons may find useful.

Vacancies:

If there are no vacancies this message would appear on the site:

“The Village Planning Commission has no vacancies at this time. Some Planning Commissioners terms of office expire in March (of any given year). Calls for applications and vacancy notices are, typically, posted in late January to early February.”

If there are vacancies (example only!)

The Village Council is seeking applications for (#) seats for the Planning Commission. The Village Council has identified the following segments of the Village and areas of the interest as priorities in filling these vacancies:



Zoning Administrator Certificate Program

Hybrid

This comprehensive program is designed to reduce legal risk for zoning administrators and communities. It is essential training for new and experienced zoning administrators, planners, consultants, code enforcement officials, and related administrative staff.

Participants must complete the Citizen Planner Program, or be recognized by the American Institute of Certified Planners (AICP), before starting this course.

The program covers the following topics:

- » Job descriptions, responsibilities, and ethics
- » Legal issues
- » Application forms and review processes
- » Reviewing site plans
- » Inspections and violations
- » Preparing files, reports, and record keeping



- » Interactions with other professionals and agencies and performing departmental duties
- » Customer service and counter behavior

The program includes a webinar; self-paced online learning modules; and in-person lectures, learning activities, and networking opportunities. Total instruction time is about 18 hours. To earn the Zoning Administrator Certificate, participants must complete the entire program and pass an open-book exam.

Find Out More

Ongoing training is essential for planning and zoning officials to help minimize legal risk and plan for a community's future! To learn more about or register for the courses described here, or to discuss hosting an in-person course in your community, contact:

Program Coordinator

Phone: 517-353-6472

Email: cplanner@msu.edu

Web: <https://extension.msu.edu/planning>



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Land Use Planning & Zoning Certificate Courses

MSU Extension offers a variety of land use certificate courses for appointed and elected planning and zoning officials, government staff, and interested community members.

In-person, self-paced online, and hybrid courses are available.



Citizen Planner Program

In Person

This course on zoning and planning roles, responsibilities, and best practices is suitable for new and experienced planning officials and interested community members. It is hosted several times a year across the state. Sessions meet once a week for six weeks. The three-hour sessions include lectures and hands-on learning exercises that cover:

- » **Understanding the planning and zoning context:** Learn the legal sources and limitations of local planning and zoning authority and explore your understanding of ethical decision-making.
- » **Planning for the future of your community:** Recognize the function and importance of a master plan, know the process for developing one, and its relationship to zoning.
- » **Implementing the plan with zoning:** Discover the importance of zoning, learn how zoning

is administered, and gain confidence in your zoning reviews, including site plans.

- » **Making zoning decisions:** Learn how to adopt and amend a zoning ordinance, understand the role of the zoning board of appeals, and learn about basic property development methods.
- » **Using innovative planning and zoning:** Strategize about placemaking and design-based solutions to address new challenges our communities face.
- » **Successfully fulfilling your role:** Strengthen your ethical decision-making skills, develop your public engagement toolkit, and gain insights on when to ask for help.

Participants who complete Citizen Planner have the option to earn the Master Citizen Planner credential.

Citizen Planner Online Course *Self-Paced*

This online, self-paced version of Citizen Planner is designed for people who cannot attend an in-person program or who prefer to learn at their own pace.

The course is highly interactive, with engaging stories, videos, and activities. Most participants complete the course in about 15 hours.

Zoning Board of Appeals Online Certificate Course *Self-Paced*

This course covers the roles and responsibilities of the zoning board of appeals (ZBA),

effective decision-making, and due process. The curriculum features ZBA-specific content, engaging activities, case studies, and the latest Michigan case law.

The self-paced course is designed for local government ZBA members, local government staff, managers, municipal attorneys, and interested community members. The course includes six modules that can be accessed in any order:

- » Understanding basic ZBA roles and responsibilities
- » Effective decisions and ordinance interpretations
- » Hearing appeals of administrative decisions
- » Issuing variances from ordinance standards
- » Nonconformities and other responsibilities
- » Circuit court review and standards

Most participants complete the coursework in about seven hours.

Equipment Needs

Participants in courses with online components will need an internet connection and a computer or internet-enabled mobile device. Larger screens will provide a better viewing experience.

Certificates of Completion

To earn a course certificate, participants must attend and complete all modules.