

**VILLAGE OF EMPIRE
PLANNING COMMISSION REGULAR MEETING
TUESDAY, OCTOBER 1, 2024, AT 7 PM
EMPIRE TOWNSHIP HALL
10088 W. FRONT STREET**

CALL MEETING TO ORDER

ROLL CALL

APPROVAL OF MINUTES – 09/03/2024 Regular Meeting Minutes

TREASURER'S REPORT

ADDITIONS OR CHANGES TO THE AGENDA

CONFLICT OF INTEREST

CORRESPONDENCE

PUBLIC COMMENT

ZONING ADMINISTRATOR'S REPORT

UNFINISHED BUSINESS

1. Appointment to Master Plan Update Working Group
2. Master Plan Update Review and Approval Process
3. Redevelopment Ready Community Tasks

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, SEPTEMBER 3, 2024**

The Village of Empire Planning Commission held a regular meeting on Tuesday, September 3, 2024, in the Empire Township Hall. Vice Chair, Collins led the meeting.

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

APPROVAL OF MINUTES - Motion by Bacon, supported by Ford to approve the June 4, 2024, regular meeting minutes as presented. AYES: 5, NO: 0. MOTION PASSED. Motion by Chase, supported by Bacon to approve the August 1, 2024, special meeting minutes with a change to the motion, which indicates AYES of 7 and should be 4. AYES: 5, NO: 0. MOTION PASSED.

ADDITIONS/CHANGES TO THE AGENDA – None.

CONFLICT OF INTEREST – None.

PUBLIC COMMENTS & CORRESPONDENCE – None.

ZONING ADMINISTRATORS REPORT – The May-August 2024 ZA Report was presented. Hall stated that the Land Division Ordinance needs to be reviewed as he has suggestions to improvement. Hall also explained that he will be forwarding the Cherry Republic lot combination to Village Council this month. The Cherry Republic landscaping plan is still outstanding. Members had a brief conversation around renewable energy ordinances.

SIGN ORDINANCE – Bacon reviewed the proposed recommendations based on feedback received from Village Council.

- Add definition of feather flags as a temporary sign
- Allow feather flags only in Gateway Corridor
- 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)

Motion by Bacon, supported by Chase to repeal the motion made on August 1, 2024, to submit an earlier version of the Sign Ordinance to Village Council for review. AYES: 5, NO: 0. MOTION PASSED.

Motion by Bacon, supported by Deering to accept the changes made to the Sign Ordinance tonight on September 3, 2024, and forward to Village Council for review and approval. AYES: 5, NO: 0. MOTION PASSED.

PUBLIC PARTICIPATION PLAN (RRC) – Motion by Bacon, supported by Chase to submit the draft Empire Planning Commission Public Participation Plan for Planning and Zoning to the RRC planner, Pablo Majano for review and feedback. AYES: 5, NO: 0. MOTION PASSED.

PLANNING COMMISSION VACANCY RECOMMENDATIONS – Bacon inquired with the commission if there were any segments within the Village that they believe needs representation. Bacon noted that one of the requirements is a new member must be a Village resident. Collins

noted that no commissioners have lived here less than 10 years, stating that there is currently no representation from the newer subdivisions. A call for applications will go out after Village Council agree on which segments need representation.

COMMITTEE REPORTS – None.

PUBLIC COMMENT – None.

PLANNING COMMISSION MEMBERS AND CHAIRPERSON COMMENTS – Members discussed a Citizen Planner training opportunity.

ADJOURNMENT – There being no further business, the meeting adjourned at 8:05 pm.

Alacia Acton, Recording Secretary

These draft minutes will be considered for approval at the October 1, 2024, Village of Empire Planning Commission meeting.

Village of Empire

Box 253

Empire, MI, 49630

Master Plan Approval

Resolution #4- 2009

WHEREAS; Under Michigan law (MCL 125.38) the governing body of a local unit of government, may by resolution, exercise its authority to be the final approving agent of a proposed Master Plan update. This may be done only after the comment period has expired and the Planning Commission has reviewed the submitted comments and conducted a Public Hearing and has recommended a final draft to the governing body for approval; and,

WHEREAS; The Village Council, the duly elected governing body of the Village of Empire, does hereby assert its authority under Michigan law (MCL 125.38) to be the sole authority to grant final approval for the Master Plan update and future updates. Final action by the Village Council shall not occur until after the required comment period has expired, and Public Hearing has been conducted, and the Planning Commission has recommended the draft to the Council for final approval.

NOW, THEREFORE, BE IT RESOLVED;

That the Empire Village Council hereby adopts the attached Master Plan Approval Resolution, said resolution to be effective March 24, 2009.

Voting For: Linda Payment, Sam Barr, David Diller, Emerson Hilton and Susan Carpenter

Voting against: none

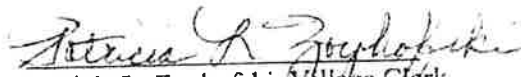
The resolution is declared adopted.



Susan A. Carpenter, Village President

CERTIFICATION

I hereby certify that the forgoing resolution is a true copy of Resolution #4-2009 which was adopted by the Empire Village Council for the Village of Empire at a regular meeting held on March 24, 2009



Patricia L. Zoyhowski, Village Clerk

RRC Essentials – Items that need attention

- 1.4 Public Participation Plan
- 2.3 Concentrated Development
- 2.4 Housing Diversity
- 3.4 Internal Review Process
- 3.8 Access to Information
- 4.1 Recruitment Process
- 4.2 Expectations & Interests
- 4.4 Bylaws
- 4.6 Training Plan

For best practices and examples of what is needed:

www.miplace.org/programs/redevelopment-ready-communities/rrc-library/

(1.4) Public Participation Plan: The community has a public participation plan for engaging a diverse set of community stakeholders

in list STEP 1. PIPELINE

Labels

Unaligned

Annual Item

+

Notifications

 Watch

Description

Annual Update:

- Provide an update on engagement activity to the governing body annually, upload documentation to Trello.

Annual update is only for communities pursuing certification.

Why? Public participation plans help communities establish clear expectations for public engagement, ensuring all groups are represented in decision making processes.

Check out the *RRC Guide to Public Participation Plans*

To Align With Best Practice:

0%

- Attach a link to the community's adopted public participation plan which meets the expectations below and has been reviewed and updated within the past 5 years.
- Certified:** Upload documentation that the community is providing updates to the governing body on public engagement activity at least annually.

Essentials Best Practice Expectations:

0%

- The plan identifies key stakeholders, including those not normally at the visioning table.
- The plan describes public participation methods and the appropriate venue to use each method.
- The plan includes the use of both traditional and proactive engagement methods.
- The plan identifies how the community will report out results of engagement efforts.

The community reviews and updates the plan on a regular basis.

Certified Best Practice Expectations:

0%

All "Essentials" expectations are met.



 **Activity**



Pablo Majano Dec 1, 2023, 10:43 AM (edited)


Baseline Findings:

Creating a straightforward process to ensure the voices of community members are heard helps create a sense of place and investment and has the potential to attract community members to participate in the future of Empire. 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 strategy, the plan should identify goals and objectives, key stakeholders, methods of communication, strategies for outreach and how to communicate results to the public.

Recommendation:

Develop a public participation plan.

 • Reply

 **(2.3) Concentrated Development: The zoning ordinance provides for areas of concentrated development in appropriate locations and encourages the type and form of development desired.**

in list STEP 1. PIPELINE

Labels

Unaligned



Notifications

 Watch

 **Description**

Why? Allowing for areas of context-sensitive concentrated development provides myriad benefits including enabling pedestrian mobility, providing a sense of place, generating fiscal stability for communities, and leveraging existing infrastructure.

 **To Align With Best Practice:**

0%

- In the comments, provide a specific reference(s) to where in the zoning ordinance mixed use development (housing above commercial) is allowed by-right.
- In the comments, provide a specific reference(s) to where in the zoning ordinance the community requires at least one (essentials) or two (certified) types of place making tool (see below for list of possible options).

 **Essentials & Certified Best Practice Expectations:**

0%

- The ordinance allows mix-use buildings by-right in designated areas of concentrated development.
- Essentials:** The ordinance requires **ONE** or more of the following elements in areas of concentrated development (see below).
- Certified:** The ordinance requires **TWO** or more of the following elements in areas of concentrated development (see below).

 **Placemaking provision options (include at least one):**

0%

- Build-to lines
- Front facing doorways

- Minimum ground floor transparency
- Open store fronts
- Outdoor dining
- Parking located in rear of building
- Public art program
- Temporary or permanent parklets
- Walk-up Windows

☰ Activity



Pablo Majano Oct 26, 2023, 3:29 PM (edited)

Baseline findings:

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. The core concentrated area for the village is identified as the Front St. District. This district does not allow for mixed-use by right, even though it allows for single-family and two-family uses in the district. In addition to allowing for mixed-use by right, additional placemaking elements should also be clearly identified and allowed. Elements such as:

- Minimum ground floor transparency
- front facing doorways
- outdoor dining
- build-to-lines

Should be considered.

Recommendation:

- Allow for mixed-use by right in the core concentrated area of development.
- Include one or more placemaking elements as identified in the baseline finding.

😊 • Reply

(2.4) Housing Diversity: The zoning ordinance allows for a variety of housing options.

in list STEP 2. IN-PROGRESS

Labels

Notifications

Partially Aligned +  Watch

Description

Why? Having an ordinance which clearly allows for diverse housing types creates unique neighborhoods, provides lifestyle options for residents of all ages and income levels, helps attract talent, and provides flexibility for meeting market demand.

To Align With Best Practice:

0%

- In the comments, provide specific reference(s) to where in the zoning ordinance at least TWO or THREE types of traditional housing is allowed (see list below); uses must be CLEARLY defined (i.e. multifamily housing does not equal townhomes)

Essentials & Certified Best Practice Expectations:

0%

- Essentials:** The ordinance allows for **TWO** or more of the following housing types **by right** (See below for options).
- **Certified:****The ordinance allows for **THREE** or more of the following housing types **by right** (See below for options).
- Expectation:** The ordinance allows for TWO (Essentials) or THREE (Certified) or more of the following housing types **BY RIGHT:**

8%

- Accessory dwelling units
- Townhomes/Rowhouses (Attached single-family units)
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-
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 Activity



Pablo Majano Oct 26, 2023, 4:25 PM

Baseline Finding:


The zoning code currently allows for accessory dwelling units by right. To align with this expectation the code should consider for allowing for one more of the following uses by right:

- Triplexes
- Quadplexes
- Stacked flats
- Mixed-use by right

Housing is a priority for communities across the state of Michigan. One way to address this need is to allow for codes to allow for multiple housing type uses as identified in this report.

Recommendation:

Add an additional housing use by right. In the future if going for certification, the community is expected to have three or more housing uses as identified in the best practices by right.

 • Reply

(3.4) Internal Review Process: The community has a clearly documented internal application review policy.

in list **STEP 1. PIPELINE**

Labels

Unaligned +

Notifications

 Watch

Description

Why? Clearly documenting the internal review process provides predictability and consistency in the development review process. It also ensures that processes can continue in the event of staff turnover. Think of them as standard operating procedures (SOPs). This is an internal document that mirrors the external-facing document referenced in 3.8 (Guide to Development), this document is meant to capture the process from the municipality's point of view.

To Align With Best Practice:

0%

- Upload a copy of the community's documented internal review process.
- Certified:** Provide documentation related to the joint review team

Essentials Best Practice Expectations:

0%

- The internal review process addresses the following: Key steps of the application from submittal to issuing of the permit, timelines, identifies who reviews applications, identifies approval standards.

Certified Best Practice Expectations:

0%

- All "Essentials" expectations are met.
- The community has established a joint review team

Community has documented the internal review process that includes the following application processing steps:

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 Activity




Pablo Majano Oct 27, 2023, 8:38 AM

BASELINE FINDINGS:

It is important to have an internal document that tracks the site plan review process. This gives direction and tracks the flow of a site plan or special use permit from submittal to approval. So, once a site plan is submitted to the Zoning Administrator, documenting the following steps and who is responsible for reviewing the document before/after going to the planning commission is important. It is recommended that a clearly documented internal staff review process be developed.

Recommendation:

Develop a clearly documented internal review process

 • Reply

(3.8) Access to Information: The community makes development review information and forms readily available online.

in list STEP 2. IN-PROGRESS

Labels

Partially Aligned



Notifications

 Watch

Description

Why? Having key information and forms available online (or as a full guide) reduces the number of questions the point of contact will need to address and increases the likelihood of a successful development review experience from the beginning.

NOTE: The guide should be more than a collection of links or information. It should be built in a way that helps the first time investor/developer to actually understand the process.

Check out the *guide to the guide* for help.

To Align With Best Practice:

0%

Essentials: Provide a link to the community's webpage that includes the required items below.

Certified: Provide a link to the completed Guide to Development.

Essentials Best Practice Expectation: The community's website includes the follow essential items:

40%

Zoning ordinance

Meeting information

Application(s) for site plan, special land use, rezoning, variance, zoning text amendment and zoning permit

Fee schedule

Conceptual meeting availability

Certified Best Practice Expectation: The community has compiled a Guide to Development ▲
which includes the following:

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 **Activity**



Pablo Majano Dec 1, 2023, 10:50 AM

example: <https://www.rogerscity.com/rogers-city-development-guide.html> @deputyclerk10

 • Reply • Add link as attachment



Pablo Majano Oct 27, 2023, 10:01 AM

Baseline Findings:

Best Practice 3.8 evaluates the availability of the community's development information and pertinent planning and zoning information that an applicant needs. Having all development-related information in a single location can greatly increase the ability of an applicant to access what they need efficiently. Including this information online can also maximize capacity, as staff will spend less time answering questions when applicants can have these questions answered by the community's website.

Under the home webpage, useful links are provided some development-related information. This includes:

- Master Plan
- Planning and Zoning Permits
- Zoning Ordinance
- Contact Information

It is one thing to put all the necessary documents online, it's another to know how to navigate the process. It is recommended that a document be created, or a narrative be developed, that shows how residents, developers, or entrepreneurs navigate the development process. Whether it is pulling a roofing permit, opening a business, or constructing a large project, the guide for development should function for everyone. This information could be located into a page called "Doing Business Empire". This is where all development related, or local business information could be housed.

Recommendation:

At a minimum for Essentials the following information should be available online, in addition to those resources that exist:

- Pre conference availability
- fee schedule
- meeting information

🗨️ • Reply

(4.1) Recruitment Process: The community has a clear recruitment and appointment process.

in list **STEP 1. PIPELINE**

Labels

Partially Aligned



Notifications

 Watch

Description

Why? Having clear and accessible recruitment and appointment procedures reduces barriers to attracting candidates for boards and commissions.

Attachments

Files

PDF

Selection of Planning Commissioners 11122020.pdf

Added Sep 25, 2024, 11:51 AM



To Align With Best Practice:

0%

[https://migration.revize.com/revize/leelanaucounty/Documents/Villages/Empire/Services/Applications And Forms/Applications/Application to Serve on Boards and Committees 2024.pdf](https://migration.revize.com/revize/leelanaucounty/Documents/Villages/Empire/Services/Applications%20And%20Forms/Applications/Application%20to%20Serve%20on%20Boards%20and%20Committees%202024.pdf)

Certified: Attach a copy of the community's policy outlining the board/commission appointments process.

Essentials Best Practice Expectation:

0%

Board and commission applications are available online.

Certified Best Practice Expectations:

0%

All "Essentials" expectations are met.

The community has clearly documented the process for board and commission appointments available online.



Pablo Majano Oct 27, 2023, 10:09 AM

Baseline Findings:

Currently a board and commissions application is available online, which is targeted just for the planning commission board. An application for an appointed position should be made available online for all development related boards. A general description of each development-related board/commissions and desired skillsets (certified option) should be provided. The process for applying to a board or commission should also be clearly identified to allow for a clear understanding of how someone can get appointed to a board or commission. To allow for more applicants, the community could consider an option to offer training for those interested in a board position. There are multiple resources that offer free training, which are further explained in Best Practice 4.6

Recommendation:

- Develop an section on the website that advertises a general boards application.
- Document the appointment process and post online

🗨️ • Reply

(4.2) Expectations & Interests: The community sets expectations for board and commission positions.

in list **STEP 1. PIPELINE**

Labels

Partially Aligned



Notifications

 Watch

Description

Why? Providing clear expectations on what being a board member entails (and helpful background to have) helps candidates understand which board may best fit their background and capacity.

To Align With Best Practice:

0%

- Essentials:** Provide a link(s) to the community's expectations for prospective appointed board/commission members.
- Certified:** Provide a link(s) to the community's expectations **AND** associated interest and backgrounds for prospective appointed board/commission members.

Essentials Best Practice Expectation:

0%

- The community outlines expectations for appointed board and commission positions.

Certified Best Practice Expectations:

0%

- All "Essentials" expectations are met.
- The community identifies associated interests and background for appointed board and commission positions.

Activity



Pablo Majano Oct 27, 2023, 10:19 AM

Baseline findings:

Its important to underhand roles and responsibilities for boards and commissioners. Having this information online is essential to attracting potential new board members that are a good fit.

Recommendation:

Post expectations for development related boards online. If going the certification route, interest and desired skill sets should be added.

🗨️ • Reply

(4.4) Bylaws: The community has bylaws for appointed development related boards and commissions.

in list STEP 1. PIPELINE

Labels

Unaligned



Notifications

 Watch

Description

Why? Bylaws provide predictability for board proceedings and, therefore, the development review experience.

To Align With Best Practice: Upload/link a copy of bylaws for each board and commission listed below.

0%

- [https://migration.revize.com/revize/leelanaucounty/Documents/Villages/Empire/Services/Planning and Zoning/Resource Page/PC BYLAWS CURRENT 08042020b.pdf](https://migration.revize.com/revize/leelanaucounty/Documents/Villages/Empire/Services/Planning%20and%20Zoning/Resource%20Page/PC%20BYLAWS%20CURRENT%2008042020b.pdf)
- Downtown Development Authority/Corridor Improvement Authority
- ZBA

Essentials & Certified Best Practice Expectations:

0%

- The community has adopted bylaws for appointed development related boards and commissions.
- The bylaws are available online.

Activity



Pablo Majano Oct 27, 2023, 12:27 PM

Baseline Findings:

Bylaws or rules of procedures are required under law for certain boards and commissions. They also provide predictability for board proceeds and therefore the development review experience. Making a board or commission's bylaws available online allows for ease in accessibility for potential or current members. By-laws should be developed and made available online for those development related boards

Recommendation:

Post development related bylaws online

🗨️ • Reply

ZBA needs to meet and adopt

(4.6) Training Plan: Community has a documented training plan.

in list **STEP 1. PIPELINE**

Labels

Unaligned

Annual Item

+

Notifications

 Watch

Description

Annual Update:

- Update training plan annually (bi-annually for Essentials).

Why? Developing a training plan identifies opportunities, expectations, and goals that are aligned with the community's plans, needs, and capacity. This working document addresses training needs and desires of current board and commission members.

To Align With Best Practice:

0%

- Essentials & Certified:** Upload a training plan(s) covering all development-related boards which address all the expectations within this best practice criterion.

Essentials Best Practice Expectations:

0%

- The plan identifies training goals and expectations
- The plan identifies funding sources
- The plan identifies how training participants share outcomes with other officials and staff
- The plan identifies how the community consistently encourages training
- The plan is reviewed every two years.

Certified Best Practice Expectations:

0%

- All "Essentials" expectations are met.
- The plan is updated annually



Pablo Majano Dec 1, 2023, 10:58 AM

example: <https://www.miplace.org/4a72f2/globalassets/documents/rrc/rrc-library/bp4/bp4---training-plan-2021-cass-city.pdf>

@deputyclerk10

🗨️ • Reply • Add link as attachment



Pablo Majano Oct 27, 2023, 1:14 PM (edited)

Baseline Findings:

In order to access training, an individual must have three things: information on upcoming events, funds to register/travel, and time to attend. While a community can't have direct control over an elected or appointed official's schedule, it can encourage training by providing funds and information on upcoming events. Some communities also implement training requirements within their bylaws or establish expectations for boards and commissions. Currently Empire does not actively encourage or specifically provide funds for training opportunities for officials. As part of Essentials, a training plan should be set up to support training. If going the certification route, the training plan will need to be updated annually.

The plan should include identifying priority trainings, tracking attendance and ensuring officials are regularly reminded of training opportunities. It is important to note that training programs need not be expensive – if the village is concerned about budgetary constraints, a training plan could focus on webinars or other methods that are low cost or free.

We encourage communities to develop a comprehensive Training Plan that addresses the following.

Identify training goals & expectations

1. Identify established & potential funding sources
2. Outline how to consistently encourage training
3. Outline how to encourage training report outs
4. Outline how the community will review and update the strategy

Recommendation:

Develop a training plan

🗨️ • Reply

The Uglification of Michigan Lake Towns

By Nora Kenney - September 5, 2024

In 1873, as a result of the Homestead Act, my great-great-great grandfather, of French-Canadian descent, was awarded 160 acres of land in Leelanau County, Michigan for military service in the Civil War. Since then, Northern Michigan has been special to my family, and looking around at the landscape—its pine-studded bluffs overlooking the clearest blue lakes—it’s not difficult to see why.

America is known for its English-Protestant roots, for the pilgrims who settled the Eastern seaboard and the Anglos who descended from them. But America has a French-Catholic history, too, and Northern Michigan is a central location in that history. To this day, churches dedicated to Catholic saints and the Holy Family dot the land, reminding us of the loggers who worshiped in them and the Jesuits missionaries who served them, as far back as the seventeenth century.

Of course, families, towns, and landscapes change through the years, as they should. But change and growth should honor the histories and charms that make such places unique; otherwise cities start to feel corporate, soulless, and indistinct. Traverse City, it seems, is experiencing this first-hand. A recent piece in the *Michigan Enjoyer* lamented the utilitarian steel buildings and weed shops that are proliferating in the city, harming its sense of “rootedness” and subsuming it into the “global monoculture.” Will these

types of changes come for the rest of Northern Michigan, too? And will residents have a say in what happens to their places?

Harbor Springs, O.W. Root pointed out, is “still a lake town” like Traverse City used to be. It’s still a place where principles like localism and tradition are important. But that could change. Unfortunately, some of the mechanisms that have weakened Traverse City’s “Up North” feel could be headed for Harbor Springs, and many residents feel they’ve been silenced from expressing concerns about them. Could the changes be part of a broader power-grab movement, on the part of central planning, over the small but beloved vacation towns that make America special?

New zoning changes in Harbor Springs that were approved on May 20 are related to the city’s pursuit of Redevelopment Ready Community (RRC) certification—a certification which, it is no coincidence to point out, Traverse City earned a few years ago in 2018. RRC, a quasi-governmental state program, encourages regions to develop more and to develop uniformly, tying grants and funding from Lansing to local governments’ willingness to comply with its “best practices.”

It’s the type of initiative that could perhaps be a godsend for struggling post-industrial cities in Michigan like Flint, Saginaw, and Inkster, where the decline of manufacturing activity has led to infrastructural disintegration and poverty. But it doesn’t make much sense in Harbor Springs, where the quaint, historic main street is an important tourist attraction and where per-capita income is much higher than the state average.

What’s more, these zoning changes will be the most significant code revisions in the city since 1976, and, fearful over what’s happening in Traverse City, many residents are questioning their logic. Unfortunately for those residents—and perhaps conveniently for Lansing—many of them also feel they are being stifled from voicing their concerns.

On May 6, two weeks before the final vote, Harbor Springs convened a special hearing, at some residents’ request, to discuss the zoning ordinances. But according to a July 10 letter to the editor in *Harbor Light News*, the mayor, Matthew Bugara, said that he would order city police to eject from that hearing any residents who would mention the RRC programming to which the zoning changes are connected.

Paraphrasing Bugara, Mike and Mauri Kilbourne wrote that while the mayor was allowing the hearing to occur, “he also said that if anyone ‘even mentions the RRC, he would have the City police there to escort that person or persons out of the meeting.’”

The couple concluded, "With so much of the zoning ordinance intertwined with the RRC, it makes one wonder what was really going on."

Next to the Kilbourne's letter in the same July 10 edition, another letter, from the paper's editor, Charles O'Neill, paralleled Bugara's moratorium, banning future letters related to the new zoning changes. "This will be the end of Letters published by this newspaper on that issue, from either viewpoint," he wrote, pointing out that he'd already devoted sufficient space to the topic.

O'Neill may have reasonable concerns about how his paper's finite space is allocated. But at the same time, it's not hyperbole to say that the city is silencing residents, both in meetings and the local press, from speaking on a topic that will affect their daily lives.

They're also playing publicity games, some say. After being silenced at the May 6th hearing from mentioning RRC and banned from addressing zoning changes in the local newspaper, residents' only recourse has been to pursue a referendum on the November ballot to reverse the ordinance. But even that process has uncovered a certain shadiness that violates the spirit of "transparency" Harbor Springs claims is driving its pursuit of RRC certification.

The referendum will indeed be on the ballot in November, but only after a strange cat-and-mouse game transpired. After residents gained the requisite number of signatures on a petition to put the referendum on the ballot, the city clerk, Nick Whitaker, initially denied the petition on a technicality, following back-room conversations. "The City of Harbor Springs deemed a petition to put a referendum on the November ballot defective, despite having more than the necessary number of signatures needed," wrote Karly Graham in the *Petoskey New-Review*. "A total of 349 valid signatures were collected for the referendum, but because the submitted petition was not delivered and addressed to the city council, the city denied the petition."

But Graham further reports that the "cover letter of the petition, which was submitted by Mark Wagoner, was addressed to all members of city council, and the start of the letter reads, 'Dear Members of the City of Harbor Springs City Council,' according to agenda materials." Thus, Graham's account seems to contradict Whitaker's claim that the petition was not addressed correctly. To make matters worse, residents may never understand what drove Whitaker's conclusion about Wagoner's letter, since the legal opinion that somehow enabled it was "considered during closed session," Graham reports.

The referendum is now on the November ballot anyways, despite originally being denied, thanks to a special favor from the city council. But what was their purpose in pretending the petition was invalid, only to then put it on the ballot anyways? Was it to paint themselves as clement, merciful heroes, and its signatories as backwards ingrates?

“We live in a democracy, and as much as this pains me to put this on the ballot, I truly think it’s the right decision,” said council member Michael Berhmann, melodramatically, in what can only be considered a tone of ingratiating *noblesse oblige* if the reporting from Graham about Wagoner’s letter is correct.

My cousin, Jay Kenney, is involved in an effort called “We Love Harbor Springs,” a PAC that’s raised questions about the ordinance and transparency surrounding it. He thinks the situation is a PR stunt. “They wanted to look like the good guys and make it seem like we were idiots for not doing referendum right. Even though we did,” he texted me.

People like Jay, who question the wisdom of the zoning changes—and even the integrity of the council advancing it—will have to wait until November to see if neighbors in Harbor Springs share their hesitations. But in the meantime, these concerned citizens shouldn’t be blocked by fabricated technicalities from participating in the democratic process when policy changes threaten their neighborhoods. And they shouldn’t be made to feel stupid for not wanting Harbor Springs to turn into Traverse City.

Residents in the Cherry Capital lament what their home is becoming. Meanwhile, in Harbor Springs, where the iconic main street is crowned by the nineteenth-century Holy Childhood of Jesus Catholic Church, neighbors gather to pray that “the global monoculture that flattens every place it conquers” can be stopped. Please God, don’t let it come for towns like Charlevoix, Leland, and Harbor Springs, where veterans settled peacefully after the Homestead Act, and where beauty and history, to some degree, still persist.

FYI

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