



## CITY OF ALBION PLANNING COMMISSION

### REGULAR MEETING

TUESDAY, AUGUST 15, 2017

COUNCIL CHAMBERS

7:00 P.M.

## AGENDA

- I. Call To Order (Reminder: turn off cell phones)
- II. Roll Call of the Commission
- III. Approval of Prior Meeting Minutes –
  - A. May 16, 2017
- IV. Correspondence
- V. Order of Business
  - A. Review & Approval of the Community Engagement Statement
  - B. Review & Authorization of Draft of Future Land Use & Zoning Plan
  - C. 3<sup>rd</sup> Quarter RRC Update
  - D. Comprehensive Plan-Quarterly Update
  - E. Update-Medical Marijuana Regulations & Proposals
  - F. Approval of Interested Candidates for Local Historical District Committee
  - G. Excuse Absent Commissioners
- VI. Public Comments (Persons addressing the Planning Commission shall limit their comments to no more than three (3) minutes. Proper decorum is required.)
- VII. Adjournment

#### PLANNING COMMISSION PUBLIC HEARING PROCESS

- 1) The Planning Commission Chair opens the hearing
- 2) Chair summarized the process
- 3) Staff presents report on applicant's request
- 4) Chair reads any correspondence into the record
- 5) Public speaking portion of hearing
  - Individuals in support
  - Opposition speakers
  - Questions & rebuttal (directed through the Chair)
  - Public speaking portion of hearing closed
- 6) Finding of facts
- 7) Board begins deliberations
- 8) Motion is made
- 9) Roll call vote taken

Planning Commission  
May 16, 2017

I. Call To Order

The May 16, 2017 Planning Commission meeting was called to order at 7:00 p.m. by Chairperson Strander and a quorum declared.

II. Roll Call of the Commission

PRESENT: S Kipp, T Pitt, S Ponds, L Reid, G Strand, G Strander.

ABSENT: G Brown, B Decker

Staff Present: S Mitchell, City Manager, J Domingo, City Clerk; D Nelson, Special Projects Manager and J Tracy, Director Building, Planning & Code Enforcement

III. Approval of Prior Meeting Minutes-

A. April 18, 2017

T Pitt asked for the following correction to the April 18, 2017 Planning Commission minutes:

Pg. 3- #3-thank should be tank

T Pitt moved, S Ponds supported, CARRIED, to approve the Prior Planning Commission minutes with the above correction. (Voice Vote)

IV. Correspondence-None

V. Order of Business

A. Discussion-Updates/Changes to Ordinance # 2011-01, Community Gardens

John Tracy, Director Planning, Building & Code Enforcement discussed the following changes requested by the Planning Commission to Ordinance # 2011-01, Community Gardens as follows:

Ordinance 2011-01  
Section 30-501. General Provisions  
**Community Gardens**

A. Approval

1. Residential Zoning Districts. A community garden in a residential district shall be reviewed and approved by the Planning Commission. The property owner and/or authorized agent shall file an application (provided by the City) with the City Clerk requesting Planning Commission approval.

**Add** *Community gardens are not intended to be for-profit commercial farming operations.*

2. Commercial and Industrial Zoning Districts. A community garden that is adjacent to property in a residential district shall be reviewed and approved by the Planning Commission. All others shall be reviewed and approved by the City Manager or his designated representative.

B. Setback.

**Change** 1. All garden plots and any permitted structure shall meet the front yard setbacks of the zoning district. *Exception: in the case where there are no residential structures within one hundred (100) feet of side parcel lines on either side of parcel where proposed community garden is to be located, minimum front yard setback shall not be less than ten (10) feet.*

2. *Minimum side yard setback from parcel lines shall not be less than five (5) feet.*

3. *Minimum rear yard setback from parcel line shall not be less than five (5) feet.*

4. *Setback areas shall not be used as garden area, setback area shall be maintained as grass.*

5. *When two or more adjoining parcels are used for one community garden, garden area can be continues from one adjoining parcel to another, but shall meet required front yard, side yard and rear yard setbacks around perimeter of garden.*

*See Sec. 30-501.1*

**Add per Planning Commission**

**Added** → *Example.*  
5-14-17

C. Permitted structures. Only the following temporary structures will be permitted in a community garden:

1. Greenhouses, storage sheds, planting preparation sheds and hoopouses.

a. Height. No building or other structure may be greater than fourteen (14) feet in height.

~~b. Maximum coverage. The combined area of all buildings (not including principle structures), excluding hoopouses, shall not exceed three hundred (300) square feet.~~

**Change** *b. Maximum coverage. The combined area of all buildings (not including principal structures), excluding hoopouses, shall not exceed three hundred (300) square feet per each parcel. Size of hoopouses shall not exceed thirty five (35%) percent coverage of the individual parcel of land on which it is located, Calculation of hoopouse coverage shall include coverage of principal structure if applicable. No more than one hoopouse shall be permitted per parcel.*

c. All structures shall be properly maintained.

d. Hoopouse coverings must be maintained and kept intact. The coverings must be removed during non-growing seasons.

e. Temporary structures shall be removed if the property is no longer to be used for a community garden.

2. Fences.

a. The installation of a permanent fence shall comply with the City's fence ordinance.

b. A temporary fence may be installed and maintained **shall be maintained in good condition** and be constructed of standard fence material (*plastic snow fence or similar plastic fence shall not be allowed*). The temporary fence shall be removed at the end of the growing season.

**Add**

**Add** *c. Temporary fence setback:*

1. *Minimum side yard setback of five (5) feet.*
2. *Minimum rear yard setback of five (5) feet.*
3. *Minimum front yard setback of ten (10) feet.*

**Add**

- d. *Temporary fence height:*
  1. *Temporary fence shall not exceed four (4) feet in height within twenty five (25) feet of the front parcel line.*
  2. *Temporary fence on a corner lot shall not exceed three (3) feet in height within twenty five (25) feet of front parcel line or twenty five (25) feet of side yard parcel line adjacent to street.*
  3. *Temporary fence shall not exceed six (6) feet in height in side yard or rear yard. Side and rear yard start at a minimum of twenty five (25) feet back from front parcel line.*

3. Above ground water tanks, or tanks mounted to trailers or skids, provided that no tank shall have a capacity greater than one thousand (1,000) gallons.
4. Benches, picnic tables, trellises, arbors and garden art.
5. Planting beds raised up to forty-two (42) inches above grade.
6. Compost bins and rain barrel systems, which may not be located within the required setback or within ten (10) feet of a property line, whichever is greater.

D. Trash receptacles shall be provided on site and emptied in a timely manner.

E. Parking on site shall only be permitted on an improved driveway/parking area. All other parking shall be in legally approved on-street parking areas or nearby off-street parking areas. Parking of vehicles in grass or unimproved areas is not permissible.

F. Noise. The use or operation of power tools, mechanical equipment or agricultural implements used outdoors in community garden area is prohibited between 9 p.m. and 7 a.m.

**Add** G. *The Community Garden shall be designed and maintained so that water, chemicals, dirt, mud or fertilizer will not drain onto public sidewalks, into the streets, alleys or adjacent properties.*

**Add per Planning Commission** H. *The Community Garden shall be designed and maintained to prevent soil erosion caused by water or wind and / or dust caused by wild.*

I. *Any use of pesticides or fertilizers must comply with applicable state and / or federal regulations.*

J. *Power equipment, tools, supplies, and machinery shall be stored in an enclosed structure or removed from the property daily. All chemicals and fuels shall be properly stored off of the ground, in an enclosed, locked structure when the site is unattended. Lock shall be combination or key type.*

K. Burning. Open burning of garden materials and associated waste products is prohibited.

L. Composting. On-site composting of garden waste is permissible if proper composting standards are followed and if a nuisance is not created for abutting property owners.

M. Operating Standards.

1. The community garden shall be appropriately cultivated which includes regular weeding and maintenance of the garden area.
2. The area around the community garden shall also be properly maintained and comply with the City's noxious weed, grass and brush ordinance.

N. For residential districts, there shall be no on-site retail sales. Sales of product in other Zoning districts shall meet the zoning district requirements for retail sales activity.

O. Signs. Each community garden may have one (1) sign indicating the name of the community garden and the contact information of the principal operator. The sign may not exceed six (6) square feet in area nor exceed six (6) feet in height. The specific conditions for signage will be part of the review and approval of the application for community garden.

P. Application. An application (provided by the City) requesting approval for a community garden shall be filed with the City Clerk and shall include the following information:

1. The application shall be signed by the property owner giving permission for use of the property as a community garden.
2. The application shall also be signed by the individual and/or representative of the group or organization that will be responsible for the community garden.
3. A sketch plan showing the property location and size with dimensions.
  - a. Show location of all existing and proposed structures (*include measurement from parcel/lot lines*).
  - b. Show dimensions of existing and proposed structures.
  - c. Proposed layout of garden plots.
  - d. Temporary fencing if applicable: type, location and height.
  - e. Identify available parking areas on or near property.
  - f. Identify source of water that will be used for irrigation.

**Add**

**Add per 4. The types, methods of application, storage of proposed pesticides, herbicides, fertilizers, and any other chemicals that will be used.**

**Commission 5. Evaluation of existing soil conditions and plans to mitigate soil issues, as necessary.**

**6. The types of machinery and equipment proposed and description of the noise, vibration, smoke, odor, dust, dirt that may be a nuisance to surrounding properties.**

**Added** → **See Sec. 30-501.2 Example: Sketch plan - site drawing.**  
5-14-17

Q. Termination.

1. When the property owner or group or organization responsible for the community garden decides to no longer operate a community garden on the property, the property shall be brought into compliance with the City's noxious weed, grass and brush ordinance.
2. If the individual, group and/or organization responsible for a community garden fails to properly maintain the community garden in compliance with requirements of this ordinance then the

original approving authority (Planning Commission or City Manager) may after reasonable notification terminate the approval to operate a community garden. If the responsible party fails to correct the deficiency then the City Manager will proceed with corrective action under the City's ordinances.

Questions/Comments from Planning Commission:

The Planning Commission asked to have the following corrections made:

**Pg. # 1-** When two or more adjoining parcels are used for one community garden, garden area can be **continues** from one adjoining parcel to another, but shall meet required front yard, side yard and rear yard setbacks around perimeter of garden

- **continues should be continuous**

**Pg. #1-**Commercial and Industrial Zoning Districts. A community garden that is adjacent to property in a residential district shall be reviewed and approved by the Planning Commission. All others shall be reviewed and approved by the City Manager or **his** designated representative

- **his should be changed to his/her or their**

**Pg. #2-** Above ground water tanks, or tanks mounted to trailers or skids, provided that no **thank** shall have a capacity greater than one thousand (1,000) gallons.

- **thank should be tank**

**Pg. #3-** The Community Garden shall be designed and maintained to prevent soil erosion caused by water or wind and / or dust caused by **wild**.

- **wild should be wind**

**Pg. #4-** Evaluation of existing soil conditions and plans to mitigate soil issues, as necessary.

- **add MSU Extension**

The Planning Commission would like to schedule the Public Hearing for the Amendments to Ordinance # 2011-01, Community Gardens for the next Planning Commission meeting (June 20, 2017). If approved by the Planning Commission, it will then go to the Albion City Council for approval.

Comments were received from Commissioners T Pitt, G Strand, G Strander and S Mitchell, City Manager.

## B. Review Comprehensive Plan

City Manager Mitchell stated the Capital Improvement Plan has been completed. However, several additional items are slated to be completed in a one (1) year time frame. A work group may be needed to help facilitate and guide the completion of these tasks.

Chair Strander asked what would need to be done to complete:

### **Explore the establishment of a Local Historic District Study Committee.**

D Nelson, Special Projects Manager stated the Planning Commission had a presentation and discussion at the September 20, 2016 Planning Commission meeting, however a quorum was not present and no action was taken.

A committee would need to be established to research whether or not the City would be interested in creating a Local Historic District. We are currently a National Historic District.

D Nelson, Special Projects Manager recommended members from the following groups:

- Gardner House Museum
- Frank Passic
- Archives at the Albion District Library & Albion College
- Resident that owns a historic home

Commissioner Strand also suggested a small committee and also someone with development perspective.

City Manager Mitchell will reach out for interested persons to be a member of the committee and will report back at the next Planning Commission meeting.

Commissioners would also like a copy of the presentation from the September 20, 2016 meeting in the next Planning Commission packet.

## C. Approve 2016 Annual Planning Commission Report

The 2016 Planning Commission Annual Report was reviewed by the Commission. The report was completed by J Tracy, Director Planning, Building & Code Enforcement, D Nelson, Special Projects Manager, K Berard, Albion College Intern and I Allaway, Albion College Intern.

T Pitt moved, G Strand supported, CARRIED, to send the 2016 Annual Planning Commission Report to the Albion City Council for approval. (Voice Vote)

D. Excuse Absent Commissioners

G Strand moved, S Kipp supported, CARRIED, to excuse Commissioners G Brown and B Decker. (Voice Vote)

VI. Public Comments

No public comments were received.

VII. Adjournment

T Pitt moved, S Ponds supported, CARRIED, to adjourn the meeting. Meeting adjourned at 7:25 p.m.

Recorded By: Jill Domingo, City Clerk

## MEMORANDUM

To: Albion Planning Commission, Sheryl Mitchell, Jill Domingo  
From: Danielle Nelson  
CC: Amy Deprez  
Date: 7/29/2017  
Re: Community Engagement Statement

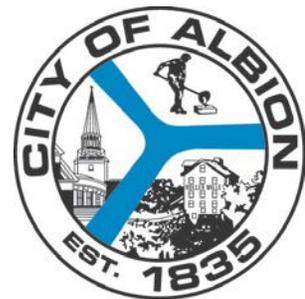
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Comments: At the August 15<sup>th</sup> Planning Commission Meeting, there will be an agenda item regarding the approval of the Community Engagement Statement. This document does not require a public input hearing but it is recommended that a public hearing before the vote is held. The document has been emailed to you with this memorandum. Please take the time to review the document before the meeting. It will be in the packet for the August 15<sup>th</sup> Planning Commission Meeting as well.

This document was created based on the public input methods that are normally utilized by the City and have proven to be successful. The purpose of this document is to:

1. Formally document the public input methods that work that the City will use for developments and initiatives that require public input;
2. Encourage private developers to seek input using the methods outlined in the Statement;
3. Demonstrate the City's commitment to inclusivity and hearing the needs and wants of residents and accommodating their desires;
4. Use as a reference for future public input initiatives to quickly and effectively gather public input.

The completion and approval of this document will also fulfill a Redevelopment Ready Community requirement that will bring the City closer to RRC Certification.



# COMMUNITY ENGAGEMENT STATEMENT

CREATING A PLACE WHERE PEOPLE LOVE TO LIVE, GROW, AND LEARN.

**CITY OF ALBION**  
WILLIAM L. REIGER MUNICIPAL BUILDING  
112 W CASS ST.  
ALBION, MI 49224

## COMMUNITY ENGAGEMENT STATEMENT

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### OBJECTIVES

All residents of the City of Albion are key stakeholders and will continue to be involved in the future development of our community. The City of Albion and its third party consultants will take a proactive approach to public engagement and make concerted efforts to ensure that there are opportunities for all to be involved in the decision-making process when appropriate.

- The City of Albion evaluates each project on an individual basis to determine:
  - its scope and limitations,
  - the appropriate stakeholders,
  - the appropriate approving body,
  - key points of community impact during the decision-making process,
  - any internal and external resources, and
  - the appropriate level of community participation.
- The City of Albion will *make information available in a timely manner* to ensure that interested parties and community stakeholders have adequate time to be involved in decisions at various stages of the review and approval process.
- The City of Albion works to make sure that information is *transparent and easy to access for all interested members of the community*.
- The City of Albion *seeks public input for the ongoing and future development* of the City, such as the Comprehensive Plan and the Zoning and Future Land Use Plan.
- The City of Albion strives to *find creative ways to reach a diverse set of community stakeholders* in decisions regarding planning, land use, and development.
- The City of Albion uses comments and information received from interested members of the community to make decisions regarding planning, land use, and future development.
- The City of Albion *tracks and reviews* the results of all public participation and *provides summaries* back to the public.

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## KEY STAKEHOLDERS IN THE CITY OF ALBION

In the City of Albion, each project will be evaluated on an individual basis to ensure that all interested and appropriate stakeholders are included. The stakeholders will vary according to the project being reviewed. Possible key stakeholders include, but are not limited to:

- Residents of Albion
- Neighboring jurisdictions
- Calhoun County
- City employees and staff
- Albion Economic Development Corporation
- Business owners and their employees
- City boards and commissions
- Neighborhood groups
- Schools
- Churches
- Albion College
- Utility providers
- Albion Community Foundation
- Albion River Committee
- Senior groups
- Health care providers
- Real estate professionals
- Visitors and tourists
- Albion Reinvestment Corporation
- Industrial facilities/manufacturers
- Michigan Economic Development Corporation
- Michigan Department of Transportation
- Emergency personnel
- Michigan Department of Natural Resources
- Michigan Department of Environmental Quality

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## METHODS OF COMMUNITY PARTICIPATION

The necessary level of public participation will vary by project. The following are methods that may be used to reach the appropriate level of public participation when taking action on land use, development applications, projects, and initiatives. The City of Albion will always attempt to use more than one tool or method, depending on the specific project and target audience. This list is flexible and can be changed based on each project's needs and circumstances.

### INFORM—PROVIDE INFORMATION AND ASSIST PUBLIC UNDERSTANDING

- **Website** – [www.CityofAlbionMI.gov](http://www.CityofAlbionMI.gov) announces meetings, posts City Council, Planning Commission, and boards/commissions packets and agendas, meeting minutes, and will often contain pages or links for topics of major interest.
- **Newspaper** – The Albion Recorder is Albion's weekly newspaper published every Thursday with events from Albion, Concord, and Springport. The Advisor/Chronicle is a free weekly newspaper published on Fridays and covers both Albion and Marshall.
- **Cable** – The City of Albion posts relevant information about community events, public hearings, and other meetings on WOW! Cable Channel 17. City Council and Planning Commission meetings are also broadcast live on this channel.
- **Printed Postings** – Available for viewing at the City Hall bulletin board outside of City Hall and Public Service Building bulletin board.
- **Announcements** – Announcements are made during meetings of the City Council, Planning Commission, and other boards and commissions.
- **Press releases and articles** – The City will issue press releases and information for articles to various newspapers regarding public hearings, developments, and other projects (including the Battle Creek Enquirer, the Homer Index, the Albion/Marshall Advisor & Chronicle, the Albion Recorder, and the Albion E-News).
- **Email or postal mail** – Interested parties may request to the City Clerk that they be notified personally of meetings/topics for discussion. Postal mailings are sent to neighbors within 300 feet of properties applying for zoning changes and variance requests, according to statute.
- **YouTube** – All City Council Meetings are recorded and posted on YouTube. Recordings can be found on the City of Albion's YouTube page at:  
<https://www.youtube.com/channel/UCIsBR9GwwVJIL2wyGJCiXfg>.

### CONSULT—OBTAIN PUBLIC FEEDBACK

- **Social media** – The Public Safety Department currently uses Facebook to announce street closures, storm watches/warnings, public safety notices, etc. and the City may also use Facebook to notify the community of upcoming events and meetings.

- **Surveys** – The City will sometimes use online and paper surveys to allow for the collection of large amounts of data and input from the public.
- **Public Hearings** – Public attendance at meetings is highly encouraged and allows for an appropriate venue for public comment.

#### **INVOLVE—WORK DIRECTLY WITH PUBLIC THROUGHOUT THE PROCESS**

- **“Town Hall” Meetings & Community Workshops** – In order to create a space for two-way communication, the City holds “town hall” or “open house” style events for projects and initiatives as needed.
- **Planning & Design Charrettes** – Multiple day design charrettes and information gathering sessions allow for a larger group of people to participate in community planning.

#### **COLLABORATE—PARTNER WITH PUBLIC IN EACH ASPECT OF DECISION MAKING**

- **Advisory committees** – The City uses advisory committees to enhance collaboration between city staff and the public.
- **Focus groups** – Inviting relevant stakeholders and interested parties to brainstorm ideas for initiatives and projects.

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#### **COMMUNICATING RESULTS**

The City of Albion will publicly communicate all results of community input on planning and development issues via the “inform” methods.

## OPEN MEETINGS

All meetings of the City Council, and its various boards and commissions, shall be open to the public in accordance with the “Open Meetings Act,” PA 267 of 1976 as amended, except closed session meetings as provided for in the Act. Public notices for these meetings are printed in the paper and hung at City Hall as required by the Act. The following processes require that neighbors within 300 feet of a property are personally notified:

- Rezoning of property
- Special land use
- Variance requests

Statutes require these processes be noticed in a newspaper of general distribution in the City (Advisor/Chronicle) as well as mailed to neighbors within 300 feet at least 15 days prior to the meeting. All meetings are held in a facility accessible to persons with disabilities, and The City provides and will provide reasonable accommodations. Individuals with disabilities requiring reasonable accommodations or services should contact the City Manager’s Office.

*Interested persons are encouraged to contact the City Clerk or to check the City’s Website at: [www.cityofalbionmi.gov](http://www.cityofalbionmi.gov) in order to be kept informed of any meeting schedule, agendas, variations, or location changes. Meeting agendas and packets are available on the City’s website in advance of the meeting.*

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## UPDATING THE COMMUNITY ENGAGEMENT STATEMENT

Like all documents, the City of Albion understands that the Community Engagement Statement will need to be reviewed and updated on a routine basis. This plan will be updated as needed, at a minimum of every 5 years, in conjunction with the City’s Comprehensive Plan. Updates to this plan will be drafted by staff, reviewed and recommended by Planning Commission, and approved through City Council. At least one public hearing will be held during the process to gather community input and to generate new ideas.

## DEVELOPMENT REVIEW BODIES

The City of Albion has a number of boards and committees. Below you will find descriptions of the City Council, Planning Commission, Zoning Board of Appeals, and the Downtown Development Authority. A complete list is online at:

[http://cityofalbionmi.gov/government/city\\_boards\\_commissions\\_and\\_committees/index.php](http://cityofalbionmi.gov/government/city_boards_commissions_and_committees/index.php).

All agendas can be found on the home page of the City's website at [www.cityofalbionmi.gov](http://www.cityofalbionmi.gov).

The City encourages citizen participation in local government planning and policy decisions. All residents are invited to apply for appointments to City boards and commissions. Vacant positions are advertised on the City's Website at: [www.cityofalbionmi.gov](http://www.cityofalbionmi.gov). For more information regarding the boards and commissions, please contact the City Clerk at [jadomingo@cityofalbionmi.gov](mailto:jadomingo@cityofalbionmi.gov) or (517) 629-7864.

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## CITY COUNCIL

The City of Albion operates under the Council-Manager form of government. City residents elect a Mayor and a City Council to preside over the City, and the City Council appoints a City Manager to handle the day-to-day administration of the City. The City Manager makes recommendations to the Council, and the Council acts on business at regularly scheduled meetings.

The Albion City Council consists of the Mayor and six Council members. Council members are elected to four-year terms, staggered every two years. A Mayor is elected every two years.

The Mayor is the presiding officer of the City Council. He or she is a voting member of the Council. The Mayor makes all appointments approved by the Council except those required by law or ordinance to be made by another officer or agency of the City. If a vacancy occurs in the Mayor's office, or the Mayor is unable to perform his or her duties, the Council member elected Mayor Pro Tem succeeds the Mayor.

The Albion City Council represents the City and its citizens. The Council is responsible for adopting and amending City laws and ordinances, determining City policies and standards, and authorizing the annual City budget. The Council also determines City tax millage rates and utility rates, and approves contracts and agreements for the City.

The Albion City Council meets on the first and third Mondays of the month at 7:00 p.m. in the Council chambers at City Hall (112 W. Cass Street).

Meetings are broadcast live on WOW! Cable Channel 21. Council Agendas are available for review at City Hall on Fridays preceding meetings as well as on the city web page. Minutes of City Council meetings are available at City Hall and at the Albion District Library (501 S. Superior Street) as well as on the city web page. Council meetings are also recorded and

uploaded to YouTube. They can be found on the City of Albion's YouTube page at:  
<https://www.youtube.com/channel/UCIsBR9GwwVJIL2wyGJCiXfg>.

Time for citizen comments is set aside twice during each Council meeting, once near the beginning of the meeting and once near the end.

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## **PLANNING COMMISSION**

The Albion Planning Commission possesses powers and functions required of Planning Commissions under the provisions of PA 285 of 1931, State of Michigan, as amended, including, but not limited to, comprehensive planning, initiating zoning amendments, granting special use permits and planned unit developments (under certain situations), and recommending the Public Improvements Program.

This nine-member commission is provided by Charter Section 8.14 and MCL Section 125.33. The statute does not impose a residency requirement on appointment. The Charter, however, requires that the six persons, whom the Mayor appoints and the Council confirms, have the qualifications of a City elector. Residency is, therefore, required for appointment to the Planning Commission. The other three members are the Mayor, a Councilperson and a City Administrative officer.

Nine voting members, including the Mayor and one Councilmember (appointed annually) and one staff member. One member may be a non-resident, with the consent of Council, who possesses an interest in planning in the City of Albion. Appointed by Mayor with confirmation by City Council. Each term is three years.

The Planning Commission meets every third Tuesday of the month at 7:00 p.m. in the City Council Chambers located on the second floor of City Hall at 112 W Cass St. Albion, MI 49224.

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## **ALBION ECONOMIC DEVELOPMENT CORPORATION**

The Albion Economic Development Corporation (AEDC) and the Tax Increment Finance Authority (TIFA) are separate legal entities, which for purposes of coordination were merged by action of the City Council May 3, 1982. The Brownfield Redevelopment Authority (BRA) is also a separate legal entity. The AEDC was designated by City Council as the BRA governing body on Dec. 4, 2000.

The Albion Economic Development Corporation works to recruit and assist business and industry in the greater Albion area. We seek innovative, collaborative, solutions to modern business challenges, always mindful of the rich natural, economic, and cultural heritage of our community.

The purpose of the AEDC is to strengthen and revitalize the local economy by alleviating and preventing conditions of unemployment, ultimate responsibility for attracting, assisting and retaining local industries and commercial enterprises, providing means and methods for encouragement of attracting new and expanding current industries and commercial business.

The AEDC was established by adoption of articles of incorporation dated July 29, 1977. The statutory authority for the adoption is found at MCL Section 125.1601, et seq. Board member's qualifications are found at MCL Section 125.1604. It shall consist of at least nine members, including the Mayor who shall serve as a Director by virtue of holding the office of Mayor of the City of Albion – not more than three can be an officer or employee of the municipality. The Mayor appoints the board members with the advice and consent of the Council. Ex-officio, nonvoting members include: President of the Chamber of Commerce, Sheridan Township Supervisor, and Albion Township Supervisor. Though residency requirements are determined at the discretion of the appointing authority, the goal is to maintain a majority of residents on the board. Board members serve six-year terms.

The Albion EDC Board meets the first Thursday of every month at 7:30 a.m. in the Albion EDC Conference Room located at 309 N. Superior St. Albion, MI 49224.

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## **ZONING BOARD OF APPEALS**

The purpose of the Zoning Board of Appeals (ZBA) is to hear appeals and make decisions necessary for the enforcement of the Zoning Ordinance.

MCL Section 125.585 provides the statutory basis for this important five-member board to consider appeals from administrative decisions usually in the zoning area. It does not mention residency as a prerequisite to appointment. The old zoning ordinance, Section 30-76, still provides authority for the Albion Zoning Board of Appeals which should consist of seven regular members and two alternates. This number is more than allowed by statute and the statute should be followed.

The ZBA is composed of seven voting members at large and two alternates (no City officials may serve on this board). Appointed by Mayor with confirmation by City Council. There is no residency requirement, however, the City's goal is to have all members be residents of the City. Members of the ZBA serve three-year terms.

Zoning Board of Appeals meetings take place on the second Tuesday of the month at 5:30 p.m. at Albion City Hall located at 112 W Cass St. Albion, MI 49224.

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## **DOWNTOWN DEVELOPMENT AUTHORITY**

The purpose of the Downtown Development Authority (DDA) is to conduct downtown development activities in accordance with the provisions of PA 197 of 1975, as amended, including, but not limited to, the definition of a development area, the creation and implementation of a development plan, etc. (The power to levy and collect a tax according to Section 12(1) of 1997 is not included.)

This agency is created to help a deteriorating downtown restore itself. The governing board is comprised of the Mayor and at least eight and not more than 12 other members (now set at Mayor and ten others through a 1999 bylaw amendment); a majority must have an interest in property located in the downtown area and at least one member shall be a resident of the downtown area, MCL Section 125.154. This is a municipal corporation, which the City created in April 1988 when the Council adopted Ordinance 88-2. (Now Code Sections 34-26 through 34-33). The Council approves its budget and bylaws. Except for the statutory and ordinance restrictions – residency of the appointees to this board is within the discretion of the appointing authority.

The DDA is composed of eleven members as determined by Downtown Development Authority Bylaws. A majority of members must have an interest in property within the DDA district. One member shall be a resident of the district. The Mayor is a voting member by virtue of office. Appointed by Mayor with confirmation by City Council. There is no residency requirement to be on the DDA, however, the City's goal is to maintain a majority of residents on the Board. Members serve four-year terms.

The DDA Meets on the second Wednesday of every month at 7:30 a.m. at Albion City Hall located at 112 W Cass St. Albion, MI 49224.

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## **ALBION BUILDING AUTHORITY**

The responsibilities of the Authority include, but are not limited to, the acquisition, ownership, maintenance, furnishing, equipping, improving or renovating of an existing building or facility or the construction of a new building or facility. Currently, the Authority manages Maple Grove Apartments, a City-owned housing project for elderly and/or handicapped persons.

The ABA is a creature of statute. MCL Section 123.951, et seq, governs the creation of a building authority by a municipality. It is accomplished by the municipality adopting articles of incorporation. No member of the governing body of an incorporating unit of an authority is eligible for membership on the authority. Albion adopted its authority's articles of incorporation on May 17, 1978 with Resolution 5-D-78. The three members of the governing board are called commissioners and are elected by the Council. No residency for membership

is required. The articles were amended in 1998 to increase the commission membership to five and to provide that one commissioner would be a Maple Grove tenant. No other residency is required by the amended articles. Residency of the appointees to this board is within the discretion of the appointing authority.

Five voting members elected by the City Council. One member to be a tenant of Maple Grove Apartment. Except for the member from Maple Grove Apartments, residency is at the discretion of the appointing authority. Three years.

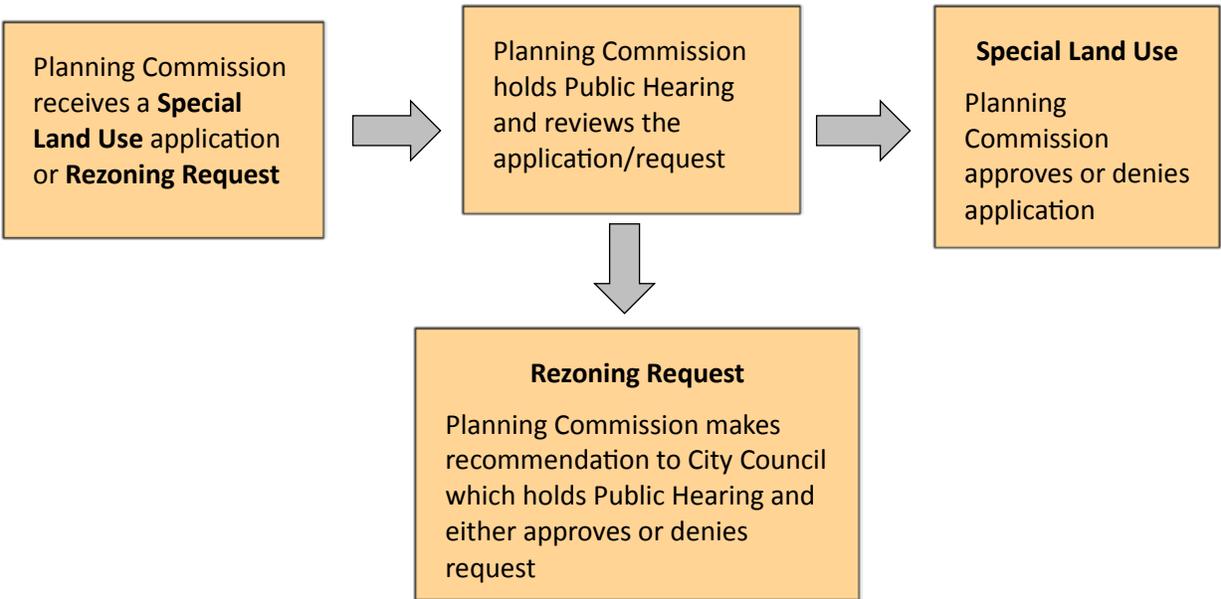
The ABA meets on a quarterly basis and as needed. Meetings are held at 8:00 am. Meeting dates and locations for the 2017 calendar year are:

March 9, 2017	Mayor's Office-City Hall
June 8, 2017	Maple Grove Community Room
September 14, 2017	Mayor's Office-City Hall
December 14, 2017	Maple Grove Community Room

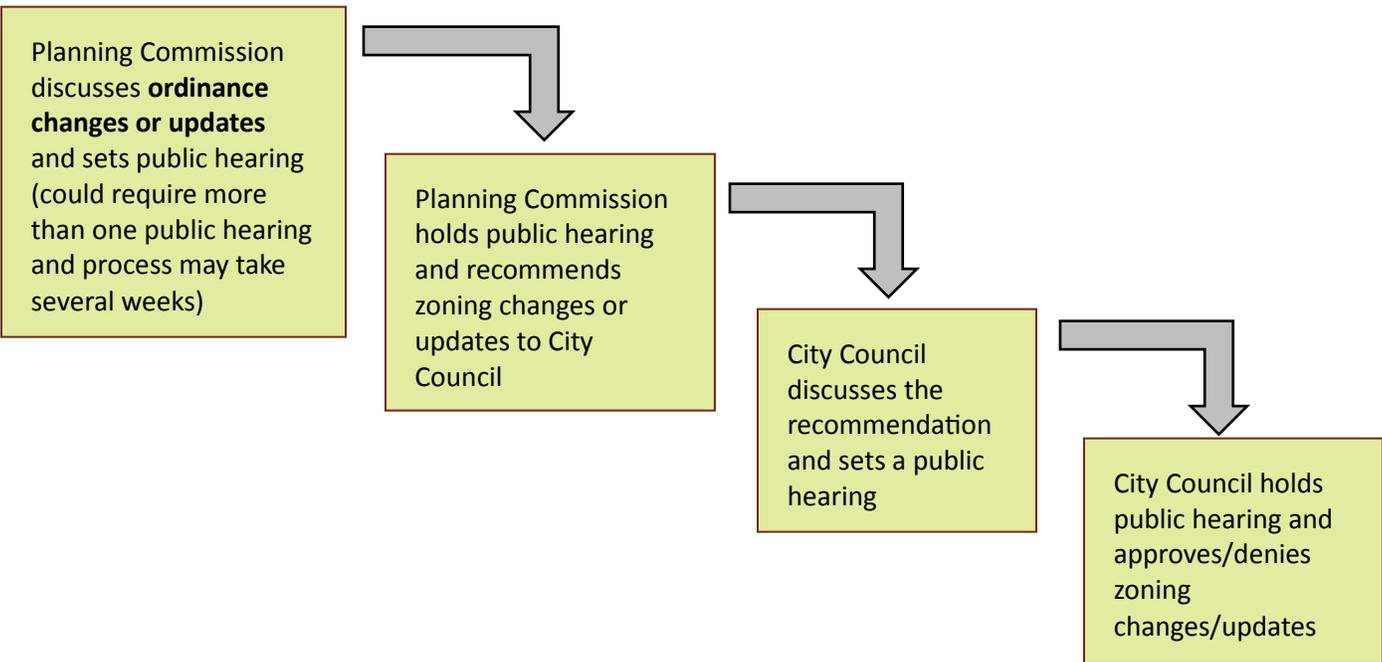
### PROCESSES FOR DEVELOPMENT

There are various times in the planning process when the City Council, the Planning Commission, and/or the Zoning Board of Appeals request public input. These processes include public hearings for rezoning of land, development of the Zoning or Sign Ordinances, the Comprehensive Plan, requested variances, and special land uses. The flowchart below outlines the timelines for these processes:

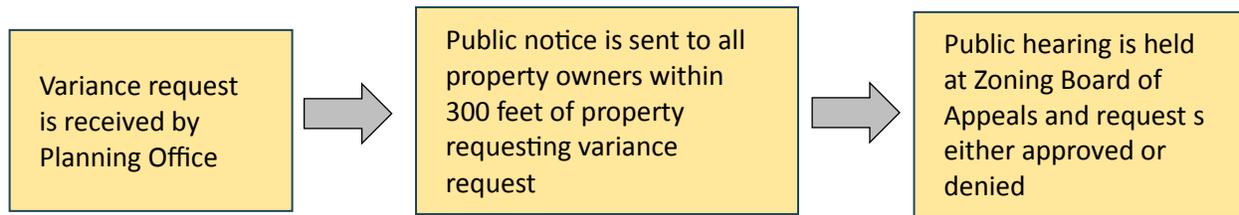
#### SPECIAL LAND USE APPLICATIONS AND REZONING REQUESTS



#### ORDINANCE CHANGES OR UPDATES

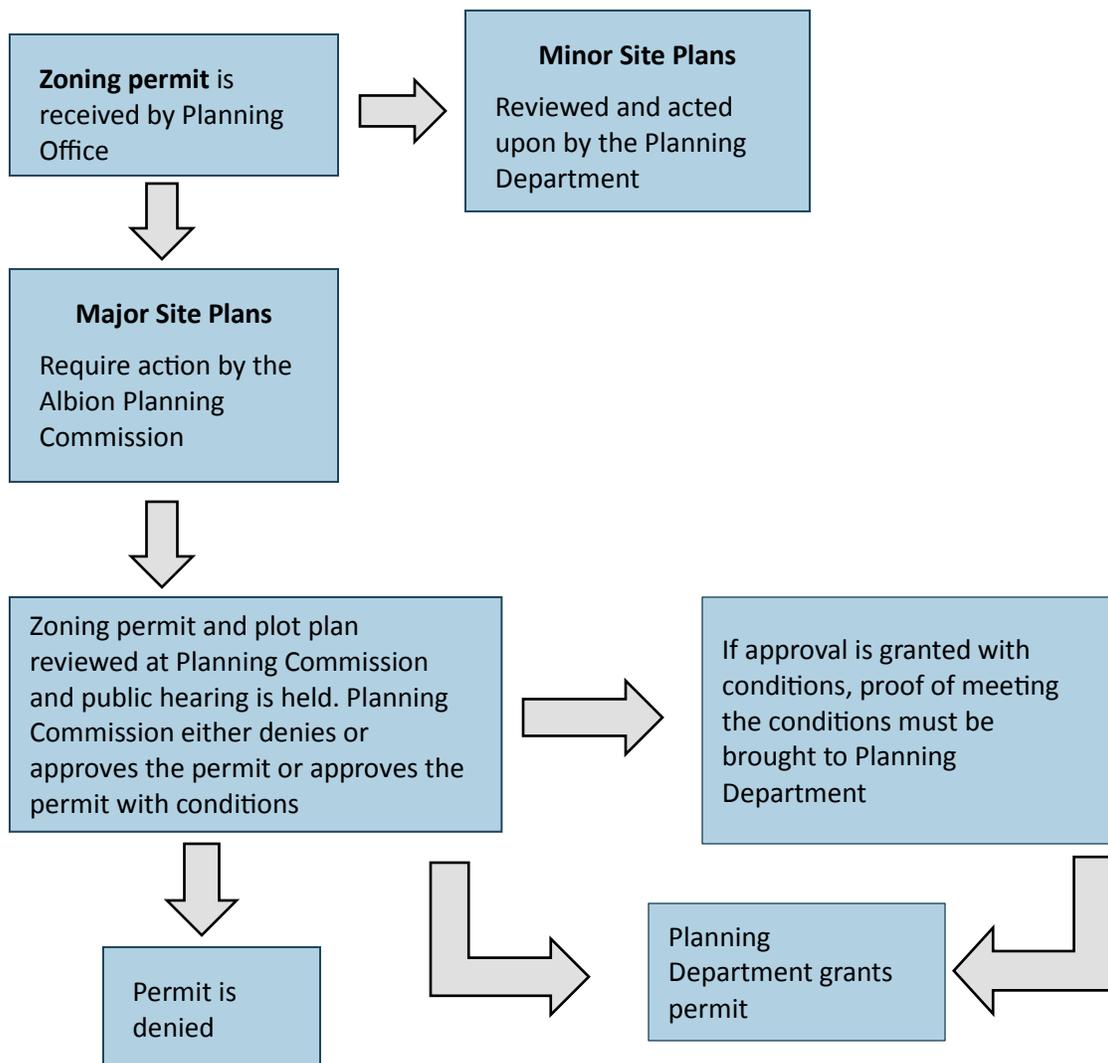


## VARIANCE REQUESTS



## SITE PLAN REVIEW PROCESS

*The process always starts with an application for a zoning permit. A plot plan must be submitted as a part of the zoning permit application. Depending on the type of project you propose, a more extensive site plan may be required. Minor site plans are reviewed and acted upon by the Planning Department, but major site plans require review and action by the Albion Planning Commission.*



## STATE AND LOCAL REGULATIONS

- Albion City Charter
- Albion City Code of Ordinances
- Michigan Open Meetings Act (PA 267 of 1976)
- Michigan Planning Enabling Act (PA 33 of 2008)
- Home Rule City Act (PA 279 of 1909)
- Brownfield Redevelopment Financing Act (PA 381 of 1996)
- Department of Housing and Urban Development Public Engagement Requirements for CDBG Funding
- Downtown Development Authority Act (PA 197 of 1975)
- Plant Rehabilitation and Industrial Development Districts Act (PA 198 of 1974)
- Personal Property Exemption Act (PA 328 of 1998)
- Corridor Improvement Act (PA 280 of 2005)
- Other applicable local, state, and federal regulations

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### A NOTE TO DEVELOPERS

It is strongly encouraged that all developers meet with Planning and Zoning staff for a conceptual review and seek input from neighboring residents and businesses at the start of the application process. We recommend using the “Methods of Community Participation” outlined on the third page of this document. There are times when developments may cause concern or be highly controversial among residents, thus it is important to engage residents at the conceptual stage of the development. The City of Albion and the Albion Economic Development Corporation are happy to help with this process.

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### STATEMENT ON ACCOMMODATIONS AND CDBG FUNDING

It is essential the city conducts planning activities that involve citizen input when determining potential project requests from the CDBG (Community Development Block Grant) program. The local government is required to encourage citizen participation, particularly by low and moderate income persons who reside in blighted areas in which CDBG funds are proposed to be used. This process should establish the areas and identify the activities that residents feel are the most needed for their community.

Local governments are required to ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to proposed and actual use of CDBG funds. The city also must assist representatives of low/mod groups that request help in developing proposals.

When planning public meetings, local governments must provide reasonable accommodations, such as sign language or availability of major documents in a requested

language. All public meetings must be accessible to the handicapped. The Public Notice for the meeting(s) must include a statement on non-discrimination and provide a TDD or Michigan number where individuals who are hearing impaired can obtain information about the CDBG program.

## CONTACT INFORMATION

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### CITY OF ALBION

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### ALBION ECONOMIC DEVELOPMENT CORPORATION

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[www.albionedc.org](http://www.albionedc.org)

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Office Manager  
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## MEMORANDUM

To: Albion Planning Commission, Sheryl Mitchell, Jill Domingo  
From: Danielle Nelson – Project Manager, Albion Economic Development Corporation  
CC: Amy Deprez  
Date: 7/29/2017  
Re: Future Land Use and Zoning Plan

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Comments: At the August 15<sup>th</sup> Planning Commission Meeting, there will be an agenda item to review and authorize a draft of the Future Land Use and Zoning Plan for public comment.

The City does not currently have a Future Land Use (FLU) and Zoning Plan. The Comprehensive Plan was divided into two phases, the first of which has been completed. The FLU/Zoning Plan was left as the second phase of the Comprehensive Plan. This is not a particularly long part of the comprehensive plan but is something that needs to be completed before the City can truly begin to rewrite its zoning ordinance which it has funding from the MEDC to do. Below, you will find a link with an example of a FLU/Zoning Plan from Stephenson Township, MI.

Example Future Land Use Plan: <http://www.cuppad.org/wp-content/uploads/2015/08/StephensonTwpFutureLandUseandZoningPlan.pdf>

Over the past year and a half, the City has been gathering input on what residents would like to see in the near and distant future in Albion. Our current zoning ordinance is not very accommodating to the types of developments that people want to see such as mixed use developments, duplexes, and other types of housing.

The FLU/Zoning Plan will be written by Caitlyn Berard and John Tracy with assistance from Danielle Nelson. Once a draft has been written, it will go to the Planning Commission for approval. After this, the City Council will review it and release it for public comment. After 63 days, the City Council will hold a public hearing on the document and make final recommendations to the Planning Commission. After that, the Planning Commission will be responsible for making the edits that Council would like and will then send it back to City Council for a public hearing and final approval.

Please see the timeline on the next page.

# MEMORANDUM

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<b>Future Land Use and Zoning Plan Timeline</b>	
Drafting the Plan - John, Danielle, Sheryl, and Caitlyn meet with Planning Commission Chairman to discuss draft	July 20 – August 4 *Caitlyn's deadline for FLU Maps is August 8th
Planning Commission Meeting to approve draft for City Council review and public comment	August 15 <sup>th</sup>
City Council Meeting to approve draft and release for public comment - Beginning of 60 public comment period	August 21 <sup>st</sup>
City Council holds public meeting and submits final comments and edits to Planning Commission	November 6 <sup>th</sup>
Final edits are incorporated into FLU/Zoning Plan	November 7 <sup>th</sup> – November 10 <sup>th</sup>
Planning Commission holds public hearing and approves final draft to send to City Council	November 21 <sup>st</sup>
City Council reviews final draft, holds public hearing, and approves the final document	December 4 <sup>th</sup>

# FUTURE LAND USE AND ZONING PLAN (DRAFT)

Adopted by Albion Planning Commission: Adopted by Albion City Council:

*City of Albion*

## INTRODUCTION

In 2016, the City of Albion, the Albion Planning Commission, and the Albion City Council rewrote the City's Comprehensive Plan under the guidance of a consultant. The Comprehensive Plan was divided into two phases, the first being the goals and objectives of the city and the second being this plan, the Future Land Use and Zoning Plan. The first phase was finished in December of 2016 and the second phase was started in June of 2017. Throughout 2016, the City of Albion worked extensively to gather as much public input as possible on the goals and objectives of the comprehensive plans as well as future land use.

The intent of a Future Land Use and Zoning Plan is to give a graphic representation of how land *should* be used to best serve the public good in the coming years. Land use categories tend to be more general than zoning classifications. For example, all of the zoning classifications for residential properties (Albion has 5 separate zoning classifications for residential properties) would all fit under the future land use category of "residential."

### *The Michigan Zoning Enabling Act and the Michigan Planning Enabling Act*

Albion is required by the State of Michigan to have Comprehensive Plan that is updated every 5 years. The Michigan Zoning Enabling Act requires in Sec. 203 (1) that zoning be based on a plan. The Michigan Planning Enabling Act outlines the purposes for which a comprehensive or master plan must be developed. The Comprehensive Plan must include a Future Land Use and Zoning Plan. Section 33 (2)(b) states, "For a local unit of government that has adopted a zoning ordinance, a zoning plan for various zoning districts controlling the height, area, bulk, location, and use of buildings and premises. The zoning plan shall include an explanation of how the land use categories on the future land use map relate to the districts on the zoning map."

### *Public Input*

The City of Albion was responsible for gathering public input on the future land use plan and redevelopment sites for this document. This document reflects the desires of the nearly 150 residents that participated in the Community Visioning Celebration held on June 28<sup>th</sup> 2017. The City's public engagement efforts are directed by its Public Participation Statement which was adopted by the Planning Commission on **Day, Month**, 2017.

### *Zoning Ordinance Update*

The City of Albion is in a unique position to rewrite its current zoning ordinance with technical assistance funding from the Michigan Economic Development Corporation. The "wish list" or outcomes for the zoning ordinance rewrite are described in more detail in the Zoning Plan section of this document on page (insert page number). The zoning rewrite will be done by a professional firm and will determine the specifics of the new zoning classifications. The City of Albion does not currently have the staffing capacity to do this coding work in-house. The City will issue an RFP in the fall of 2017 and from there, select a firm to rewrite the City's zoning ordinance based on what is outlined in this plan.

*Updating the Future Land Use and Zoning Plan*

This document shall be reviewed annually with the Comprehensive Plan by Planning Commission to track progress and make any necessary edits to the document. Given that the zoning ordinance will be rewritten within the next year, the Future Land Use and Zoning Plan should be revisited in 2018 and updated to reflect the new zoning classifications and zoning map. Revisiting this document in 2018 will be critical to shaping Albion’s future land use with a zoning code that is much easier to use and understand for both professionals and laymen than the current code.

DRAFT

## Existing Land Use Categories

### Current Zoning Classifications

#### R-1 Single Family Residence District

This district is composed of low- to medium-density residential areas plus certain open areas where similar residential development should be encouraged. The regulations are intended to stabilize, protect and encourage the residential character of the district and prohibit all activities of a commercial nature. The R-1 district zoning is further subdivided into R-1A zones, R-1B zones, and R-1C zones. Such zones are based upon lot sizes, minimum square footage of dwelling structure, maximum height and minimum setbacks from parcel lines.

#### R-2 One- and Two-Family Residence District

This district is composed of certain medium-density areas representing a compatible co-mingling of one- and two-family dwellings, plus certain open areas where similar residential development appears likely to occur. The regulations are intended to stabilize and protect the essential characteristics of the district and to prohibit all activities of a commercial nature. The R-2 district zoning is further subdivided into R-2A and R-2B zones. Such zones are based upon lot sizes, minimum square footage of dwelling structure, maximum height and minimum setbacks from parcel lines.

#### R-3 Multiple-Family Residence and Office District

This district is composed of certain high density residential areas and within which are certain neighborhoods where rehabilitation for similar development should be encouraged. The regulations are designed to protect the essential characteristics of the district and encourage, insofar as compatible with the intensity of land use, a good environment for family life, composed predominantly of an adult population and to prohibit all activities of a commercial nature except certain enumerated and controlled "Home Occupations." The R-3 district zoning is further subdivided into R-3A, R-3B and R-3C zones. Such zones are based on lot sizes, minimum square footage of dwelling structure, maximum height and minimum setbacks from parcel lines.

#### R-4 Mobile Homes Residence District

The mobile home park district is intended to encourage the appropriate location and suitable development of mobile home parks. In keeping with the occupancy characteristics of contemporary mobile homes, this Division establishes density standards and permitted uses that reflect the basic needs of potential residents.

#### O-1 Transitional Office District

The O-1 Transitional Office District is established in order to buffer commercial and industrial zones from less intensive residential areas by allowing limited professional office and institutional uses in existing structures, when located on or near major streets.

#### B-1 Neighborhood Business District

This district is composed of certain land and structures used primarily to provide the retailing of commodities classed by merchants "convenience goods," such as groceries and drugs, and the

furnishing of certain personal services, such as beauty shops, barber shops, and "pick-up" stations for laundry or dry cleaning, thus satisfying the daily and weekly household or personal needs of abutting residential neighborhoods. This district is small, usually located at the intersection of two (2) streets or highways, and almost always entirely surrounded by residential districts.

### **B-2 Central Business District**

The B-2 Central Business District is intended to provide for a variety of retail and office services which serve the needs of a consumer trade area. This district is characterized by intense pedestrian activity and a unified architectural scale. Existing apartment units and/or multiple-family residences are allowed on upper story floors, but are not allowed on the first floor or basement. Conversion of existing space on the second or third floors for the new residential use shall be subject to special use approval.

### **B-3 Highway Service Business District**

This district is intended to provide for retail business and services in areas which abut federal and state highways, and major arterial streets designated as such on the "street plan" of the City of Albion of current adoption.

### **B-4 Central Fringe Business District**

The B-4 Central Fringe Business District is designed to provide sites for more diversified business types which would often be incompatible with the pedestrian movement in the Central Business District. The intent is to provide services which are more dependent upon direct automobile access to establishments within this district, which are in close proximity to the pedestrian scale services of the Central Business District. Residential uses are permitted provided: The unit is a single family or two-family dwelling and used exclusively for that purpose, or the unit is secondary to a principle permitted use in the district and that permitted use is located on the main floor of the building.

### **M-1 Light Industrial District**

This district is composed of certain land so situated as to be suitable for light industrial development, but where the modes of operations of the industry may directly affect nearby nonindustrial development. The regulations are so designed as to permit the normal operations of almost all light industries, subject only to those needed for their mutual protection and the equitable preservation of nearby nonindustrial uses of land.

### **M-1 (P) Light Industrial Park District**

Light industrial parks shall conform to all the requirements of the light industrial district. The difference between M-1 and M-1-P primarily is that a great distance is required for setbacks in the M-1-P district.

### **M-2 Heavy Industrial District**

This district is composed of certain land so situated as to be suitable for industrial development, but where the modes of operation of the industry may directly affect nearby nonindustrial development. The regulations are so designed as to permit the normal operations of almost all industries, subject only to those needed for their mutual protection and the equitable preservation of nearby nonindustrial uses of land.

### **M-2 (P) Heavy Industrial Park District**

Heavy industrial parks shall permit all uses allowed in light industrial districts, light industrial parks and heavy industrial districts. Difference between M-2 and M-2-P primarily is that a great distance is required for setbacks in the M-2-P district.

### **CD Campus Development District**

Campus development district is comprised of academic buildings, administrative buildings, student housing and athletic facilities. The Campus Development District encompasses a specific territory owned by Albion College and excludes other properties within the territory owned by others.

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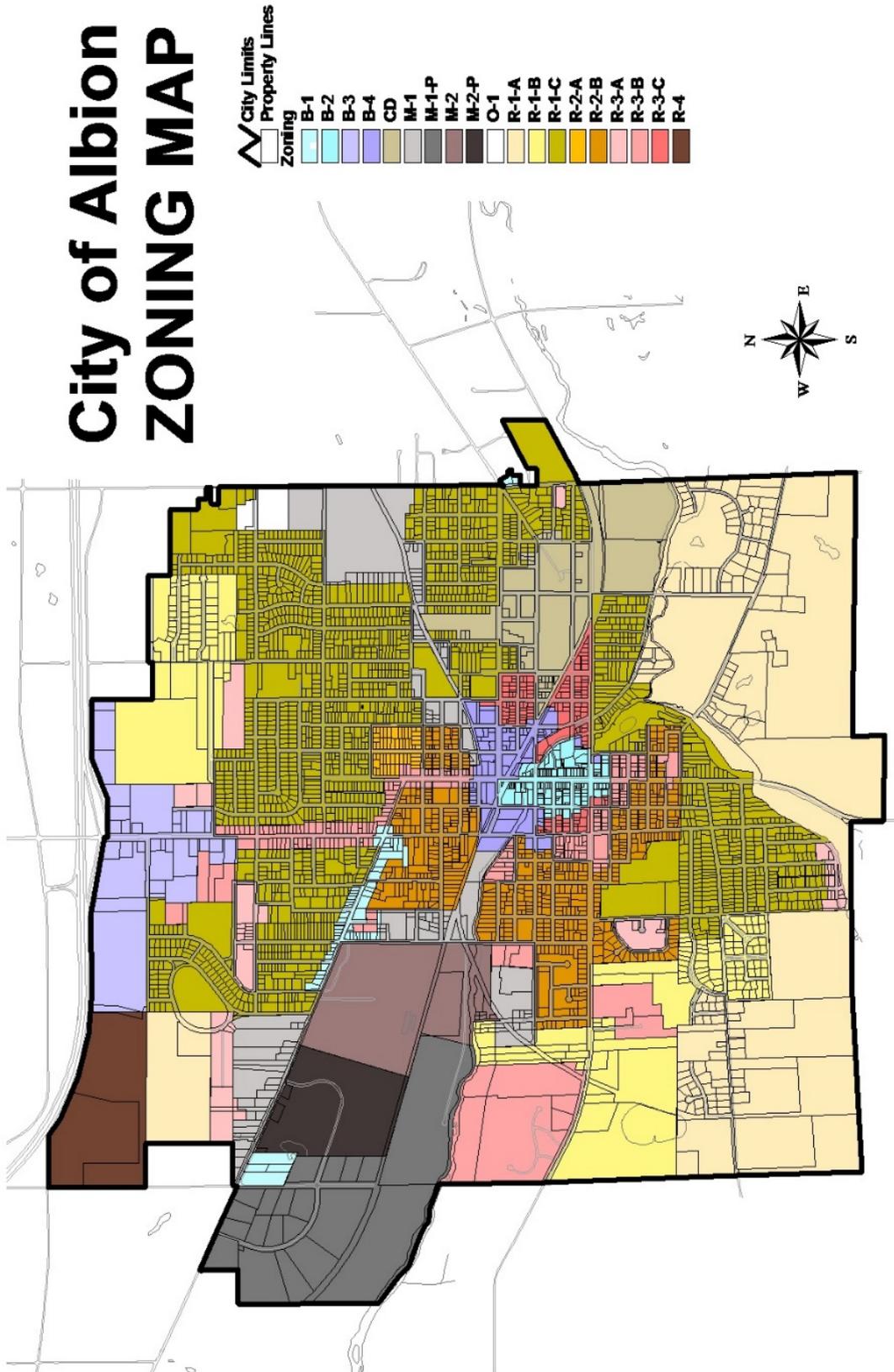
## Zoning Plan

As mentioned in the introduction, the zoning ordinance will be rewritten and updated within the next year. The City will leverage funding from the MEDC to cover the cost of this project. Through workshops and recommendations from the City's previous consultant for the first phase of the Comprehensive Plan, a number of changes to the zoning have been identified. It has been recommended that Albion not pursue form-based code at this time. A few of the high priority areas include: parking management, "missing middle" housing designs, collapsing zoning classifications, and evaluating the possibility of an RFQ (Request for Quote) instead of an RFP (Request for Proposal) process. Other, more specific changes that need to be made to the zoning ordinance that have been identified so far include but are not limited to:

- **Format**
  - Generally cleaning up the language of the zoning ordinance
  - Adding graphics and diagrams
  - Using tables instead of lists to show uses allowed in each zoning district
  - Create a separate chapter for nonconformities and clean up the language describing nonconformities
- **Zoning Classifications**
  - Collapsing zoning districts into fewer categories
  - Create GIS zoning map to reflect new zoning classifications
  - Combine the specific use standards that are repeated in each zoning district (this will be made easier by collapsing the number of zoning districts)
- **Parking**
  - Allow for shared parking among businesses and include parking maximums instead of minimums for businesses
  - Bike parking standards
- **Commercial**
  - Allow for mixed use developments
  - Outdoor seating standards
- **Residential**
  - Increase residential opportunities by allowing for denser housing developments and "Missing Middle" housing and other "nontraditional" housing types
- Update language for Planned Unit Development Districts
- Landscaping and native plant regulations
- Determine if RFP and/or RFQ process is more suitable to the City's needs
- Removing and clarifying sign regulations to match the sign ordinance

# Current Zoning Map

## City of Albion ZONING MAP



## Zoning and the Future Land Use Plan

The Future Land Use Map is not a Zoning Map in its purpose or in a legal sense. A land use map is more general in nature but specifies which types of zoning will be allowed in each area. A zoning map is a visual representation of the boundaries for which zoning regulations have been adopted by the City of Albion. The Future Land Use Plan and Map is intended to guide the decisions of the Planning Commission and direct developments into the appropriate areas.

## Future Land Use Categories

Albion is currently zoned under 19 different zoning classifications. For a city this size, it was recommended during the comprehensive planning process and by professionals at a Congress for New Urbanism Workshop that the zoning classifications be condensed. Condensing the zoning classifications would help to create for a more user-friendly zoning ordinance. The 5 main future land use categories that the new zoning classifications will fall under after the zoning update are:

### Mixed Use District

“Mixed use” refers to a type of development that harmoniously places different types of uses close to one another. For example, a mixed use property in a downtown could have apartments on the upper floors while the ground floor is occupied by retail or commercial space. The blending of residential, commercial, cultural, industrial, and institutional uses should not create conflict but instead create for liveliness and foot traffic at all times of day and is useful for those that live and work in the area.

Albion residents, City staff, and elected and appointed officials have identified a few key areas that could benefit from mixed use zoning classifications. These key areas include: Eaton Street, Austin Avenue/West Michigan Avenue, Superior Street/M-99, and near these major corridors.

### Residential District

The Residential District is established and maintained to accommodate and regulate dense residential properties where setbacks and other restrictions will help to promote safety and preserve quality of life for Albion’s residents. Residential zoning classifications will specify the proper setbacks, size requirements, and regulations for all residential units. After the zoning rewrite, there will likely be 2 to 3 residential categories instead of the 9 that the City has now. Albion is in need of a diversified and improved housing stock to meet the needs of existing and future residents and improve the quality of life. Improving and simplifying the zoning for residential properties will help to spur development and reinvestment.

### Missing Middle Housing

The “missing middle” housing mentioned in this plan refers to a category of housing that accommodates the needs of the “middle” of the housing market that would like to see denser, easier to maintain, urban residential developments. Missingmiddlehousing.com defines the “missing middle” as, “[...] a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living.” Missing middle housing can be very appealing to senior populations that want to “age in place,” young urban professionals, couples without kids, and families

that do not want large homes to maintain. Albion is an ideal location for this missing middle housing. Concept drawings of missing middle housing can be found at [www.missingmiddlehousing.com](http://www.missingmiddlehousing.com).

### Commercial District

Commercial zoning classifications will specify the proper setbacks, build-to lines, and other regulations where the primary land use is for commercial activity. Specific commercial uses that cannot be included in the Mixed Use District will be outlined in the zoning rewrite such as commercial strip malls.

### Manufacturing District

The Manufacturing District is established for industrial and compatible commercial development that may require larger parcels, larger setbacks, and buffers from other uses. This district is in the 425 Property, the Albion Industrial Park, and some of the surrounding areas. The zoning classifications for the zoning district will need to be rewritten and condensed so that they are clear and flexible. Currently in several cases, M-1-P and M-2-P setbacks are too large, severely restricting the size of new industrial development and expansion of existing industry and structures. The existing industrial/manufacturing classifications are very repetitive and text heavy. Given the relatively small amount of heavy industrial facilities in Albion, this zoning classification can be tightened up and if allowed, condensed from four to possibly two zoning categories.

### College District

The College District is an existing zoning classification that denotes the properties that Albion College owns and allows for more uses within the district (such as student housing) and prohibits some other uses (such as heavy industrial). In the zoning ordinance update, this zoning classification will become an overlay district meaning that the district “lays over” the zoning classifications underneath. For example, a residential property may be owned by Albion College and this will be denoted by the College Overlay District while the residential zoning classification restrictions apply to that property. Some specific uses may be allowed under the College District that would not be allowed in others such as dormitory buildings.

Future Land Use Category	Corresponding Existing Zoning Classifications
Mixed Use District	B-2, B-4
Residential District	R-1 (R1A, R1B, R1C); R-2 (R2A, R2B); R-3 (R3A, R3C, R3B); R-4
Commercial District	B-1, B-3, O-1
Manufacturing District	M-1, M-1-P, M-2, M-2-P
College District	CD



## Development in Albion

### Residential Development

Albion was ranked 16<sup>th</sup> best city in the state for first-time homebuyers. Albion has many large, affordable homes. At the same time, Albion has an inadequate housing stock for today's population. More people would like to see residences located closer to walkable urban areas, apartments, townhomes, duplexes, and barrier-free homes. Albion's aging housing stock can be expensive, time-consuming, and difficult to renovate. In the neighborhood between the Albion College campus and downtown, significant renovations are being made to college-owned houses and others are being demolished through the "Harrington Gift" – a donation from Albion College alum that is funding the project. Other areas of the city and county are having homes that are beyond repair demolished by the Calhoun County Land Bank Authority through a grant from the Michigan Homeowners Assistance Nonprofit Housing Corporation and the Michigan State Housing Development Authority.

Nearly every neighborhood in Albion has vacant, blighted, and demolished residential properties that could benefit from new housing developments and renovations to existing structures. Albion's brownfield sites that are located in neighborhoods such as the Dalrymple School property, Union Steel, and the Caldwell School property were all identified by residents as places where they would like to see new housing developments. With the zoning rewrite, the requirements for renovating or building new homes will be much clearer for homeowners and developers.

### Utilities

Albion maintains its own wastewater treatment and water treatment facility. A Capital Improvements Plan was adopted on April 3, 2017 and is available on the City's website. Trash hauling services are provided by Granger. The local internet and cable provider is WOW! Cable. Electricity and gas are provided by Consumers Energy. The City is exploring the option of bringing fiber optic cable internet.

### Commercial Development

Albion's downtown and Eaton Street Corridor are seeing investment and interest from developers and current business owners. Residents have expressed their demand for retail stores, restaurants, and other commercial developments along Eaton Street, Austin Avenue, and Superior Street. The City of Albion and the Albion Economic Development Corporation are working to better accommodate new commercial developments through streamlining their processes and meeting the requirements of the Redevelopment Ready Communities Program through the Michigan Economic Development Corporation. Through meeting this requirement, Albion's redevelopment ready sites will be marketed nationally through the MEDC so that Albion can see a quick but sustainable economic revitalization. Several new businesses have been opened in Albion's downtown and along the Eaton Street Corridor such as: O'Reilly's Auto Parts, Taco Bell, Label Shopper, Sterling Books and Brew, Brown's Home Furnishings, and others. The AEDC, the City of Albion, the DDA, and the Chamber of Commerce will work to retain these businesses and attract more to create vibrant and successful commercial nodes in Albion.

### **Mixed Use Development**

Mixed use developments have been referred to as “recession proof” by professional planners. These properties tend to be easier to redevelop than most. Mixed use properties are most commonly recognized as buildings with both apartments and retail/commercial spaces inside them. They create for a sense of life and vibrancy by generating foot traffic at all times of day.

Albion is now accommodating more mixed use developments. The first building to be renovated is the “Dickerson Building” which is home to Sterling Books and Brew, the Barbell Club, and second-floor apartments. The “Peabody Project” secured a Community Development Block Grant (CDBG) from the MEDC in **month** 2017. This will also be a mixed use development in the Downtown Development District that will have apartments on the upper floors and commercial space on the ground floor.

Through the public input that was gathered, mixed use developments should be pursued along Eaton Street, Austin Avenue, and of course the downtown. This will help to strengthen, revitalize, and beautify these areas of Albion.

### **Industrial Development**

Albion’s Industrial Park which is maintained by the Albion Economic Development Corporation (AEDC), the City’s lead economic development organization, is home to 30 businesses that range from plastic injection molding to bee keeping supplies. The AEDC works to retain and grow existing businesses, support new businesses and entrepreneurs, and attract new companies to the greater Albion area. The zoning update with clear and simplified language regarding manufacturing and industrial properties will be attractive to new businesses and hopefully incentivize existing businesses to improve and expand.

### **Recreational Development**

The City’s recreational development is guided by the Parks and Recreation Master Plan. The 2016 – 2020 Recreation Master Plan was adopted in the fall of 2015. It focuses on: maintenance and improvement of the current parks and recreation system; ensuring that there are sufficient recreational opportunities within walking distance of low-income neighborhoods; enhancing recreational opportunities associated with the Kalamazoo River and the parks along the river and associated with the Albion River Trail; addressing access to and safety within the park system; and ensuring that all applicable policies and environments promote physical activity.

The intersection of three major state-wide and national trails – the Great Lake-to-Lake Trail, the Iron Belle Trail, and the North Country National Scenic Trail – is located in Albion’s Victory Park. Construction on a DNR-funded project to expand Albion’s River Trail and make upgrades to Victory Park began in summer 2017 to capitalize on this unique aspect of the City. The City will continue to leverage funding to become a “trail town” which will further promote physical activity and spark tourism.

### **Transportation**

The 2017-2021 Comprehensive Plan defines the City’s goal for transportation as improving Albion’s transportation network to accommodate and promote various modes, including walking, biking, automobiles, passenger rail, and public transportation. Transportation within and outside of Albion is a challenge for those without personal vehicles, differently-abled persons, and those under the legal

driving age. Calhoun County is pursuing a study to implement a county-wide transportation system. In order to be a part of this system, Albion needs to find a solution for the short term that could connect within Albion to the potential future county-wide system.

### **Major Corridors**

Albion has important gateways that lead into the community – the Downtown Commercial District, Michigan Avenue, Austin Avenue, M-99, and the I-94 Business Corridor/Eaton Street. Enhancing these gateways will require collaboration among the City’s elected and appointed officials and community partners. Stabilizing these corridors by removing blight, rehabilitating existing buildings, redesigning/improving the streetscape, adding wayfinding signage, and adding attractive landscaping will help to improve access for walking and biking, draw business towards commercial nodes, and attract new residents and businesses.

### **Alternative Energy Sources**

Albion hopes to foster the growth of new businesses by providing renewable and affordable energy sources. Through working with Consumers Energy and private developers, Albion could redevelop large brownfield sites with alternative energy sources such as solar or wind fields.

DRAFT

# RRC Quarterly Progress Report 3

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## *Summary and Update*

The current goal for the Redevelopment Ready Community Program in Albion is to have all projects/tasks completed by the end of 2017, save for the zoning ordinance update. This work will be done by a firm (an RFP will be issued soon so that bids can be evaluated) and some of the MEDC technical assistance funding will be used to pay for half of the cost of this work. Once RRC Certified, the MEDC will market 3 of Albion's redevelopment ready sites around the country and around the world to developers, businesses, manufacturers, and more.

## **3<sup>rd</sup> Quarter Progress**

### **Economic Development Strategic Plan**

A steering committee of 16 individuals representing residents, City Council, local businesses, the DDA, Planning Commission, Albion College, and Albion Reinvestment Corporation have come together to draft the Albion EDC's Economic Development Strategic Plan. It is currently in a draft phase. It will be reviewed and edited by the steering committee and sent to the Albion EDC Board of Directors for approval.

### **Future Land Use and Zoning Plan**

The Future Land Use and Zoning Plan is Phase II of the Comprehensive Plan. This document is in draft form and will be sent to Planning Commission on August 15<sup>th</sup> for authorization for public comment. After that, it will be on the August 21<sup>st</sup> Council meeting agenda for authorization for public comment as well. The public will have 63 days to submit input before it goes back to City Council and Planning Commission for final edits and adoption. The plan was drafted with input from the Comprehensive Plan process and the June 28<sup>th</sup> Community Visioning Celebration which was well attended and people were able to give input on redevelopment sites and future land use.

### **Zoning Ordinance Update**

The City is in need of an updated zoning ordinance and code. This will require the City to hire a firm to rewrite the existing ordinance to meet the City's needs. The City is working with Southwest Michigan Planning Council to prepare an RFP. The MEDC will fund half of the cost of this work. Funding sources for the match are being identified.

### **Community Engagement Statement**

The Community Engagement Statement is a document that formalizes the City's methods for consulting, engaging, and informing residents. The document will be adopted by Planning Commission on August 15, 2017. The document not only states the City's commitment to active citizen engagement but also encourages everyone from grassroots organizations to developers to take the same approach to new initiatives and developments.

### **Marketing and Branding**

The Albion EDC has convened a community marketing committee to identify funding sources and generate ideas for a community brand. MEDC technical assistance funding can be used for this project as well. The Albion EDC is exploring options to work with graphic design students at Kellogg Community College to lower the cost of this project and provide valuable experience to local students.

## What is Next?

### Redevelopment Ready Sites

The Albion EDC is currently working to produce property information packages (“PIPs” for short) that will be marketed online and will be used to get developers in the door for Albion’s “redevelopment ready” sites.

### Guide to Development

To streamline the process for property developers and new/existing businesses looking to expand, the City and the AEDC are working together to have a Guide to Development in place that outlines the timelines and procedures for permits, site plan reviews, and other development-related processes. This will help to more quickly accommodate interested businesses and developers, bringing jobs and investment to Albion.

Questions about the Redevelopment Ready Community Program? Visit [www.miplace.org/communities/rrc/](http://www.miplace.org/communities/rrc/)

*Quarterly report and summary prepared by:*

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(517) 629-3926



# RRC Quarterly Progress Report 3 – Albion

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**Community Name:** Albion

**Name of Staff Member Completing Report:** Danielle Nelson

**Date:** 8/7/2017

## Instructions

This document is designed to inform the RRC Team of progress made in your community in terms of implementing the necessary steps to meet the RRC Best Practices. Complete the table below and please be as thorough as possible in your comments.

The **“BP”** column includes which Best Practice is being addressed. The **“Recommended Action for Certification”** column was taken directly from the RRC Report of Findings report and depicts the RRC Team’s recommendations. While the RRC Report of Findings outlined recommended actions to meet each best practice criteria, the city may choose its own path of alternate strategies as long as the required criteria are being accomplished. The **“Progress Made”** column is for you to include comments explaining what steps have been taken towards meeting this specific recommendation. Finally, the **“Date Completed / Expected”** column allows you to attach a time frame of when a particular recommendation was met or a projected timeline for completion.

*\*Note: There are additional questions at the bottom of this document after the table is completed.*

BP	Evaluation Criteria	Recommended Action for Certification	Progress Made	Date Completed / Expected
1.1	The governing body has adopted a master plan in the past five years.	Adopt an updated master plan in compliance with MPEA and Best Practice 1.1	Future Land Use Plan will be authorized for public comment in August. (see attached timeline)	12/4/2017
1.2	The community has a public participation plan for engaging a diverse set of community stakeholders	Develop a public participation strategy as outlined in BP 1.2	Community Engagement Statement will be adopted by Planning Commission on 8/15/2017	8/15/2017



1.2	The community shares outcomes of public participation processes	Consistently communicate the results of community engagement efforts and track the success of various outreach methods	ongoing	ongoing
2.1	The governing body has adopted a zoning ordinance that aligns with the goals of the master plan.	Once a master plan zoning plan is adopted, determine if zoning map or ordinance text changes are needed.  Once a master plan is adopted, review zoning district intent statements to reflect master plan land use recommendations.	Issuing an RFP for zoning rewrite. Zoning rewrite/update expected to be complete in mid 2018.	Mid 2018
2.1	The zoning ordinance provides for areas of concentrated development in appropriate locations and encourages the type and form of development desired.	Adopt zoning ordinance provisions in appropriate areas for concentrated development by right  Determine if needed and adopt additional regulations to protect sensitive historic and environmental features	“	Mid 2018
2.1	The zoning ordinance allows for a variety of housing options	Adopt zoning ordinance provisions that allow for non-traditional housing types	“	Mid 2018
2.1	The zoning ordinance includes standards to improve non-motorized transportation.	Adopt standards to improve non-motorized transportation in the zoning ordinance	“	Mid 2018
2.1	The zoning ordinance includes standards for green infrastructure	Adopt standards to improve green infrastructure in the zoning ordinance, per Best Practice 2.1	“	Mid 2018
2.1	The zoning ordinance is user-friendly	Add graphics, matrices or other visual tools to improve user-friendliness of the zoning ordinance	“	Mid 2018



3.1	The community encourages a developer to seek input from neighboring residents and businesses at the onset of the application process	Incorporate policy that assists developers in seeking input into the public participation strategy	Community Engagement Statement to be adopted by Planning Commission on 8/15/2017.	8/15/2017
3.1	The community promptly acts on development requests.	Develop an easy to follow flowchart of development requests that include timelines	The community acts quickly with development requests through the AEDC and the City's Planning Department. A formalized Guide to Development with a flowchart will be developed in the coming months.	Winter 2017
3.1	The community has a method to track development projects	Create a formal tracking mechanism for development projects	A draft of this document has been completed and the AEDC and the City will be communicating about the best platform for this document for sharing information.	Winter 2017
3.1	The community annually reviews the successes and challenges with the site plan review and approval procedures	Develop a formal customer feedback mechanism; integrate changes in process where applicable  Hold joint site plan review team meetings, including permitting and inspections staff	Feedback mechanism is being developed alongside the Guide to Development.	Winter 2017
3.2	The community maintains an online guide to development that explains policies, procedures and steps to obtain approvals.	Collect and assemble all "Guide to Development" components	In progress – City/AEDC	Winter 2017
4.1	The community sets expectations for board and commission positions	Outline desired skill sets for board and commission members	In progress – City	Fall 2017
4.1	The community provides orientation packets to all appointed and elected member of development-related boards and commissions	Provide orientation packets to all appointed and elected members of development related boards and commissions.	"	Fall 2017



4.2	The community identifies training needs and tracks attendance of the governing body, boards, commissions and staff	Create a simple tracking mechanism to log training needs and attendance	“	Fall 2017
4.2	The community encourages the governing body, boards, commissions and staff to attend trainings.	Implement consistent processes to consistently notify elected and appointed officials and staff about training opportunities	“	Fall 2017
4.2	The community shares information between the governing body, boards, commissions and staff.	Implement consistent processes for training participants to share information with those not in attendance  <del>Prepare planning commission annual report, as required by the Michigan Planning Enabling Act</del>	Planning Commission Report was sent to City Council in Q2 of 2017.	Fall 2017
5.1	The community has developed a vision for the priority redevelopment sites	Utilizing public input, articulate a vision for the priority redevelopment sites	Public input gathered for three redevelopment sites on June 28 <sup>th</sup> from approx. 150 residents.	Winter 2017
5.1	The community identifies potential resources and incentives for prioritized redevelopment sites.	Verify that all negotiable resources and incentives for priority redevelopment site(s) are identified, including those offered by partner entities	In progress - AEDC	Fall 2017
5.1	A property information package for the prioritized redevelopment site(s) is assembled.	Assemble a property information package, per Best Practice 5.1	Currently researching lease rates and preparing PIPs.	Fall 2017
5.1	Prioritized redevelopment sites are actively marketed.	Develop and market property information package(s) online in collaboration with partner entities	Some information packages are online. More polished PIPs will be added as they are completed.	Fall 2017
6.1	The community has approved an economic development strategy.	Develop an economic development strategy as outlined in RRC Best Practice 6.1	Economic Development Strategic Plan (EDSP) is in draft phase and is awaiting approval from the AEDC Economic	September 2017



			Development Strategic Plan Steering Committee and then the AEDC Board.	
6.1	The community annually reviews the economic development strategy.	Annually report progress made on the economic development strategy to the governing body	See above. Annual reports will be made after completion of EDSP.	Winter 2017
6.2	The community has developed a marketing strategy.	Create a unified marketing strategy as outlined in RRC Best Practice 6.2	Community Marketing Group is moving forward with developing a brand for the community	Spring 2018
6.2	The community has an updated, user-friendly municipal website.	Add missing planning, zoning and development items to website as they are completed  Better group planning, zoning and development items on the website	This will be done as the Guide to Development is created and zoning is updated.	Mid-2018

### Additional Questions

1. Describe technical assistance needed by your community to achieve RRC certification. Does your community have funds available to complete these projects?

The two areas that we are in need of assistance with are the zoning ordinance update and the marketing and branding strategy. The AEDC, City, and Albion College do not have sufficient funds to create a brand at this point. We are exploring options of working with design students from Kellogg Community College and Black Lab Five in Kalamazoo to develop a brand and brand guidelines for the City's major economic development and tourism entities. Some funding may become available through the Calhoun County Visitors Bureau for this type of work but that funding won't be available until after the hotel is finished in Albion. There are many moving pieces that would require a longer conversation and explanation.

2. Has your community used any of the [RRC Resource Guides](#)?

Yes. We have used the Marketing and Branding Strategy Guide and the Economic Development Strategy Guide. Both have been very helpful in guiding the work that our steering committees are doing.

3. How is your community using materials/resources developed as a result of the RRC process?

Yes, the VISTA Team that is serving in Albion in addition to the City and AEDC are using the Community Engagement Statement to guide their public outreach efforts. The Comprehensive Plan is also being used to guide the City's and AEDC's work. The Economic Development Strategic Plan lines up with the goals outlined in the Comprehensive Plan.



4. Has your community been provided any technical assistance from RRC Team or Community Assistance Team (CATEam) members? Please be specific.

Yes, Karen Wieber and Michelle Parkkonen have helped us with the zoning rewrite process. With their help, we were able to get a better understanding of the process and are working on an RFP for the work that has to be done.

5. Please include any additional information concerning community successes, lessons learned, or redevelopment challenges since the last progress report.

A major success that we had was the Community Visioning Celebration on June 28<sup>th</sup>. The City had over 150 participants at this community planning event that was combined with the weekly farmers market, kids' activities, and food trucks. The City, AEDC, and Marshall Public Schools were able to gather input on redevelopment sites that they and the Calhoun County Land Bank hold, future land use, and ideas for future businesses in Albion. The overwhelming attendance and support for the City's future was reassuring and inspiring. It was a great reminder of how much Albion's residents care about the future of their community and it gave us the input that we needed to take action on making their hopes for the community a reality.

6. My community has identified additional prioritized redevelopment sites since the last progress report.

	<b>Site #1</b>	<b>Site #2</b>	<b>Site #3</b>
Address:	Click here to enter text.	Click here to enter text.	Click here to enter text.
Current owner:	Click here to enter text.	Click here to enter text.	Click here to enter text.
Former use:	Click here to enter text.	Click here to enter text.	Click here to enter text.
Present status:	Click here to enter text.	Click here to enter text.	Click here to enter text.

7. The following sites are in process or have been redeveloped since the last progress report:

Address:	Click here to enter text.
Developer:	Click here to enter text.
Current or proposed use:	Click here to enter text.
Time vacant or underutilized:	Click here to enter text.
Proposed/approved incentives?	Click here to enter text.



Address:	Click here to enter text.
Developer:	Click here to enter text.
Current or proposed use:	Click here to enter text.
Time vacant or underutilized:	Click here to enter text.
Proposed/approved incentives?	Click here to enter text.

Address:	Click here to enter text.
Developer:	Click here to enter text.
Current or proposed use:	Click here to enter text.
Time vacant or underutilized:	Click here to enter text.
Proposed/approved incentives?	Click here to enter text.

8. Please provide any additional comments to improve the RRC program.

Guidelines and procedures for using the \$20,000 technical assistance funding.
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\*Regarding Best Practice 1.1

Future Land Use and Zoning Plan Timeline	
Drafting the Plan - John, Danielle, Sheryl, and Caitlyn meet with members of Planning Commission to discuss draft	July 20 – August 4 *Caitlyn’s deadline for FLU Maps is August 8th
Planning Commission Meeting to approve draft for City Council review and public comment	August 15 <sup>th</sup>
City Council Meeting to approve draft and release for public comment - Beginning of 60 public comment period	August 21 <sup>st</sup>
City Council holds public meeting and submits final comments and edits to Planning Commission	November 6 <sup>th</sup>
Final edits are incorporated into FLU/Zoning Plan	November 7 <sup>th</sup> – November 10 <sup>th</sup>
Planning Commission holds public hearing and approves final draft to send to City Council	November 21 <sup>st</sup>
City Council reviews final draft, holds public hearing, and approves the final document	December 4 <sup>th</sup>



# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

	Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
1	Retain and attract jobs to Albion by supporting business growth, development, and attraction			
	Encourage broader participation with local stakeholders (public, private, non-profit, higher education, civic, and business) in the formulation of Albion's economic diversification strategy	1-3 years	A Steering Committee has been established for the Economic Development Strategic Plan (EDSP) and is meeting 7/24 to determine goals and objectives for the EDSP.	The AEDC has developed a Strategic Direction that will be fleshed out into a full plan by 9/30/2017.
	Work with the EDC to strengthen Albion's workforce development network and connect Albion's talent base with employment opportunities (e.g. partnering with Michigan Works, Albion College Career & Internship Center, etc.)	1-3 years		Working with MDOT on summer youth employment program. AEDC Partner with Michigan Works on workforce assistance programs and resources.
	Continue support for programs and initiatives that foster entrepreneurship (e.g. promote Albion business incubators and encourage entrepreneurship among all segments of the population, including minorities, women, youth)	1-10 years		AEDC has sponsored a series of small business and entrepreneurial workshops for 2017. AEDC partners with SBDC for free 1 on 1 counseling in Albion.

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
Work closely with the Albion EDC, Chamber and other partner entities to support local businesses with a proactive business retention and development strategy	1-3 years	Chamber of Commerce has sponsored a series of email marketing courses for local business owners.	AEDC has sponsored a series of small business and entrepreneurial workshops for 2017. AEDC implemented a Business Retention calling program.
Work with the Albion EDC, businesses, developers, and others to encourage reuse and redevelopment of brownfield sites	1-10 years	AEDC is working on the EDSP	The City and AEDC are planning a public input mechanism and programming for brownfield sites in Albion.
Highlight the progress of Albion's economic development strategy within the framework of the City's comprehensive marketing strategy	1-10 years	Marketing Committee has reached out to Black Lab Five in Kalamazoo to develop brand and website templates for Chamber of Commerce	Marketing Committee has been organized to begin marketing strategy.
Take all of the necessary steps to have Albion certified by the Michigan Economic Development Corporation as a Redevelopment Ready Community	1-2 years	See RRC QPR 3	See RRC QPR 1 and 2
2 Deliver high-quality municipal services that improve the quality of life in Albion			
Take all of the necessary steps to have Albion certified by the Michigan Economic Development Corporation as a Redevelopment Ready Community	1 - 2 years	See RRC QPR 3	See RRC QPR 1 and 2

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
Develop/formalize a Public Services Plan to determine needed enhancements in city administration, public safety, community health, and overall municipal services.	1 - 5 years		SAW Grant in process. CIP created and approved by Planing Commission on 3/21/2017. Adopted by City Council on 4/3/17.
Develop a Capital Improvements Plan to enhance and maintain quality technological and physical infrastructure. Infrastructure includes: Roads and sidewalks; parking; water, sewer, and storm sewer utilities, dam and millrace removal	1 year	<b>COMPLETED - should begin update in fall 2017</b>	<b>COMPLETED</b> Capital Improvements Plan 2017-2022 drafted by Planning Commission on 3/21/2017. Adopted by City Council on 4/3/2017
Evaluate and implement appropriate fiber optic communications and other emerging technology infrastructure in order to address the current and future needs of the community's diverse array of stakeholders	1 - 5 years		Initial conversations with MERIT regarding downtown fiber optic network. Also written into AmeriCorps VISTA position description with AEDC.
<b>3</b>	Achieve consistency between the existing zoning code and the City's long-term goals for housing, commercial, and industrial development		
Evaluate and implement changes in the zoning code and map that are necessary to achieve desired land use patterns and align with the goals of the Comprehensive Plan	1 - 2 years	Public input event drew in approx. 150 people who gave input on future land use	Written into AmeriCorps VISTA position description for July '17 - June '18.
Adopt and update standards in the zoning ordinance to improve non-motorized transportation and promote and encourage green infrastructure	1 - 2 years		

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
Take all of the necessary steps to have Albion certified by the Michigan Economic Development Corporation as a Redevelopment Ready Community	1 - 2 years	See RRC QPR 3	See RRC QPR 1 and 2
4 Strengthen and beautify Albion's neighborhoods			
Develop and implement a neighborhood revitalization strategy to eliminate blight, improve public safety and environmental health, and strengthen residential areas as well as former industrial sites that are in close proximity to neighborhoods	1 - 10 years		Adopted Community Development Plan 4/3/2017
Work with private and nonprofit housing developers and others to encourage infill forms of development and the redevelopment of vacant, underutilized and brownfield sites	1 - 10 years	Public input event drew in approx. 150 people who gave input on brownfield sites	
Expand, diversify and market housing options to meet the needs of residents of varying life stages, life styles and income levels (e.g. Senior/retirement living, College corridor neighborhood, downtown lofts, affordable and low income housing, etc.)	1 - 10 years		
Develop and implement a certification/registration program for rental and vacant properties	1 - 2 years		Draft ordinance developed. Next step: work with Landlord Association to draft final version.
Identify neighborhood groups who can serve as ambassadors and champions for their respective areas	1 - 3 years		Written into AmeriCorps VISTA position description for July '17 - June '18.

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
Highlight progress and achievements as part of the City's comprehensive marketing strategy	1 - 10 years		Marketing Committee has been organized to begin marketing strategy.
5 Stabilize the downtown, enhance its historic character, and support its economic growth			
Find creative ways to increase the number of Downtown Development Authority (DDA) initiatives	1 - 3 years		
Explore the establishment of a Local Historic District study committee	1 year		Planning Commission discussed the creation of a Local Historic District study committee on 9/20/16.
Analyze and evaluate the City's parking situation and create a plan for improving parking management and balancing parking space supply with demand	1 - 3 years		

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
<p>Maintain a robust nonprofit sector, while monitoring the balance between nonprofit and revenue generating development in the downtown district, in order to expand and build the tax base</p>	<p>1 - 3 years</p>		<p>Current for-profit developments and new businesses in the downtown district: Albion Malleable Brewing Co., Courtyard Hotel, Brown's Home Furnishings, Yesterdays News, and others. The Bohm Theatre has expanded and added a second screen so that it can offer more movie showings and live programming.</p>
<p>Attract commercial development to the downtown that will serve the needs of the community and complement the existing mix of businesses (e.g. restaurants, retail, entertainment, etc.)</p>	<p>3 - 5 years</p>		<p>AEDC defined a commercial business development process. AEDC partners with SBDC to offer free 1 on 1 business counseling in Albion.</p>
<p>Continue to create incentives and attractions for residents, college students and tourists to visit the downtown (e.g. Hotel, Bohm Theater, Kids N Stuff, the Ludington Center)</p>	<p>1 - 5 years</p>		

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
Highlight progress of downtown development efforts within the context of the City's comprehensive marketing strategy	1 - 10 years		Stakeholders group formulating community-wide marketing strategy. Led by AEDC.
6 Support and strengthen a Pre K-16 education system for the community			
Continue joint meetings with Marshall Public Schools, Albion College, other area schools and community partners to assess, document and support a comprehensive, "post-annexation" K-16 education strategy	ongoing		Dr. Randy Davis , Superintendent for Marshall Public Schools made presentation to City Council on 3/20/2017. MPS establishing a Community Advisory Committee. City Council extended an invitation for a meeting with MPS.

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
Strengthen and promote City programs (summer and after school tutoring, the arts, recreational programs, etc.) that support youth in and around Albion	1 - 5 years		Meeting held 3/23/2017 with organizations that hold summer youth programs to coordinate activities and promote events. Next meeting scheduled for 4/27/2017.
Utilize Albion College and other institutions of higher education to support college preparation and access. Strengthen the Albion College Access Network.	1 - 3 years		MPS partnership with KCC for early college program has been brought to Albion through the annexation.
Highlight progress and successes in the educational arena as part of the City's comprehensive marketing strategy	1 - 10 years		Marketing Committee led by AEDC is working to create comprehensive marketing strategy.

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
7 Build capacity and a network of organizations and services to address poverty and meet the needs of residents who cannot afford basic services	1 - 2 years		Community Marketing Strategy group developed asset map. AmeriCorps VISTA conducting Community Needs Assessment survey 3/31/2017.
8 Improve Albion's transportation network to accommodate and promote various modes, including walking, biking, automobiles, passenger rail and public transportation	1 - 5 years		City Manager met with new director of Albion-Marshall Connector. Meeting scheduled with MDOT to ID funding options. Calhoun County is seeking grant funding to conduct feasibility study for a county-wide transit system.
Develop a non-motorized travel plan	1 - 5 years		Written into AmeriCorps VISTA position description for July '17 - June '18.

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
Encourage walking, biking and other recreation by strengthening Albion's non-motorized trail network within the city as well as its connections with the region's non-motorized network (e.g. Iron-Belle Trail, North Country Trail, Kalamazoo River Water Trail, etc.)	1 - 3 years		Submitted MDNRT fund grant for expansion of Albion River Trail heading west. Calhoun County submitted MDNRT fund grant for acquisition of property connecting trail to Equestrian Center
Establish Albion as a "Trail Town"	1 - 2 years		Current MDNR Trail Expansion Project and applied for another MDNR Trust Fund Grant to add another expansion to Albion's River Trail in 2019.
Fortify relationships with MDOT, AMTRAK, Greyhound and regional transportation partners and authorities to coordinate improvements to major streets and public transit systems	1 - 5 years		Superior Street/M-99 reconstruction begins April 2017. CDBG-ICE grant submitted for Irwin St. project.
Highlight progress, achievements, and testimonials as part of the City's comprehensive marketing strategy	1 - 10 years		Community Marketing Group has been established

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
9 Focus planning and resources to enhance and transform the city's major corridors			
Develop a Corridor Improvement Plan that strengthens the visual and physical connections between the Downtown Commercial District, Albion College, the I-94 Business Corridor, and Austin Avenue, and the south entrance on M-99.	1 - 5 years		Albion EDC identified as a project the improvement of the Eaton/Austin Corridor into town. The City to focus on the M-99 Corridor improvements. Has been written into AmeriCorps VISTA position description for July '17 - June '18.
Enhance the City's major gateways (as described above) with appropriate landscaping, streetscaping, and signage	1 - 10 years		MDOT Summer Youth Program will help with cleaning and beautifying state trunklines. Citizens to Beautify Albion plant flowers each year along corridors.
Explore the possibility of establishing a Corridor Improvement Authority	1 - 2 years		

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
Work with surrounding communities to extend/connect Albion's major corridors to the region (e.g. establishing an MLK corridor between Albion and Marshall, and complementing corridors with non-motorized, regional trail systems)	1 - 5 years		Submitted MDNRT fund grant for Albion River Trail Expansion including improvements along Austin Ave. City to begin work on developing a non-motorized plan.
Highlight progress and achievements as part of the City's comprehensive marketing strategy	1 - 10 years		Community Marketing Group has been established.
10 Forge local, regional and global collaborations that support the City of Albion -- its people, its needs and its opportunities.			
Work in collaboration with local and regional partners and AmeriCorps VISTA volunteers to assess community needs, increase organizational capacity and expand access to education, health care, quality food, economic opportunity and the overall quality of life for all residents	1 - 3 years		AmeriCorps VISTA is working in conjunction with the Albion Food Hub on new initiatives and partnering with new community organization on expansion of community gardens. City Planning Commission approved 5 community garden applications. Rural Health grant application submitted to establish an Urgent Care Center in Albion.

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
<p>Develop a local food culture through increased access to healthy food and nutrition education that utilizes community resources including businesses, farms, community gardens, farmers market, food hub, and other organizations</p>	<p>1 - 5 years</p>	<p>*ask Caitlyn Berard for update on Food Hub and Farmers' Market</p>	<p>AmeriCorps VISTA is working in conjunction with the Albion Food Hub on new initiatives. Also, partnering with new community organization on expansion of community gardens. City Planning Commission approves 5 community garden applications.</p>
<p>Strengthen and increase the number of strategic collaborations with global partners (e.g. Noisy-le-Roi and Bailly, France, the Albion College/Global Liberal Arts Alliance, etc.) that bring international perspective and attention to Albion</p>	<p>1 - 5 years</p>		<p>Sister City Committee is hosting events. Plans for French Market and trip to France in June 2017.</p>

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
Develop and utilize a Partnership & Collaboration Agreement with appropriate community partners (tbd) to further define goals, objectives and roles	1 - 3 years		Prof. Patrick McLean volunteers his services to assist Albion City Council is defining their goals and objects. Michigan Municipal League provide council and commissions/boards with training. AEDC defined a Strategic Direction for 2017-2019.
Develop a comprehensive marketing strategy, working in collaboration with partner entities, to promote Albion as a desirable place in which to live, play, study, and invest	1 - 5 years	Marketing Committee has reached out to Black Lab Five in Kalamazoo	Community Marketing Strategy group established to identify brand and promote community.
11 Support networks and systems that promote healthy living			
Partner with the Food Hub and other local organizations to increase access to healthy, affordable, and nutritious food	1 - 3 years		

# CITY OF ALBION

## 2017 Comprehensive Plan Goals and Objectives

### Progress Tracking

Goals and Objectives	Timeline	Status as of 7/1/2017	Status as of 4/1/2017
Partner with the Food Hub and other local organizations to promote food security and public health by encouraging and supporting locally-based food production and distribution, e.g. the Farmers Market and community gardens	1 - 5 years	*ask Caitlyn Berard for update on Food Hub and Farmers' Market	AmeriCorps VISTA is working in conjunction with the Albion Food Hub on new initiatives and partnering with new community organization on expansion of community gardens. City Planning Commission approved 5 community garden applications.
Partner with various healthcare providers, patient advocacy groups, transportation services, AmeriCorps VISTA, and other stakeholders to support healthcare access and wellness programming in Albion	1 - 3 years	*ask Andrew French for update	
Enhance safe walking and cycling routes for citizens through transportation, land use, and design decisions	1 - 5 years		

# CITY OF ALBION

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Lead Individuals or Orgs
City of Albion AEDC
City of Albion AEDC
AEDC

# CITY OF ALBION

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Lead Individuals or Orgs
City of Albion AEDC Greater Albion Chamber
City of Albion AEDC / BRA
City of Albion AEDC
City of Albion AEDC
City of Albion AEDC

# CITY OF ALBION

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Lead Individuals or Orgs
City of Albion -Public Safety -Dept. Public Services
City of Albion Planning Commission <b>COMPLETED</b>
City of Albion
City of Albion -Planning, Bldg, Code Albion EDC
City of Albion -Planning, Bldg, Code Albion EDC

# CITY OF ALBION

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<b>Lead Individuals or Orgs</b>
City of Albion -Planning, Bldg, Code Albion EDC
City of Albion AEDC CCLBA
City of Albion AEDC
City of Albion AEDC DDA
City of Albion - Planning. Bldg., Code/CM - City Council - Planning Commission
City of Albion AmeriCorps VISTA AEDC

# CITY OF ALBION

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Lead Individuals or Orgs
AEDC City of Albion Greater Albion Chamber & Visitors Bureau Albion College Local media & social media outlets
DDA City of Albion AEDC
Planning Commission City of Albion
DDA City of Albion AEDC Downtown Businesses

# CITY OF ALBION

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Lead Individuals or Orgs
DDA City of Albion
AEDC City of Albion Greater Albion Chamber
Greater Albion Chamber & Visitors Bureau Albion College DDA AEDC City of Albion

# CITY OF ALBION

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Lead Individuals or Orgs
AEDC City of Albion Greater Albion Chamber & Visitors Bureau Albion College Starr Commonwealth Marshall Public Schools
City Council Marshall Public Schools Albion College

# CITY OF ALBION

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Lead Individuals or Orgs
Albion College - Virginia Kivel -Suellyn HenkeCity of Albion - Recreation Dept. AmeriCorps VISTA 4-H / Creative Arts Big Read Albion District Library Harrington Elem. School Bohm Theatre White House Nature Center Harry Bonner
Albion College Harry Bonner - College Access KCC
Marshall Public Schools Albion College KCC City of Albion

# CITY OF ALBION

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Lead Individuals or Orgs
AEDC AmeriCorps VISTA City of Albion Community Marketing Strategy group
rtation
City of Marshall City of Albion Albion-Marshall Connector Calhoun County
City of Albion

# CITY OF ALBION

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<b>Lead Individuals or Orgs</b>
City of Albion Albion College Calhoun County Trail
City of Abion Albion College AEDC Greater Albion Chamber & Visitors Bureau
City of Albion MDOT AMTRAK Greyhound AMC
City of Albion Community Marketing Strategy Group Local media & social media

# CITY OF ALBION

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Lead Individuals or Orgs
AEDC City of Albion DDA
Citizens to Beautify Albion MDOT Summer Youth Program AEDC City of Albion
AEDC City of Albion DDA

# CITY OF ALBION

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<b>Lead Individuals or Orgs</b>
City of Albion AmeriCorps/Vista AEDC Calhoun County Trailway Alliance
City of Albion Community Marketing Strategy Group Local media & social media
City of Albion AmeriCorps VISTA AEDC / Food Hub Albion Farmer's Market CCLBA Starr Commonwealth Albion Healthcare Alliance Albion Community Gardens Albion College BCCF Albion Community Foundation

# CITY OF ALBION

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<b>Lead Individuals or Orgs</b>
City of Albion AmeriCorps VISTA AEDC / Food Hub Albion Farmer's Market Calhoun County Land Bank Starr Commonwealth Albion Healthcare Alliance Albion Community Gardens Albion College Battle Creek Community Foundation Albion Community Foundation
Sister City Committee City of Albion Noisy-le-Roi and Bailly, France

# CITY OF ALBION

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Lead Individuals or Orgs
City of Albion Planning Commission Albion College Albion EDC MML
City of Albion AEDC Albion College Greater Albion Chamber & Visitors Bureau

# CITY OF ALBION

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Lead Individuals or Orgs
AmeriCorps VISTA Food Hub Albion Community Gardens
AmeriCorps VISTA
City of Albion Planning Commission AEDC

## ALBION HISTORICAL DISTRICT COMMITTEE

Name	Email Address	Phone
Wesley Dick	<a href="mailto:wdick@albion.edu">wdick@albion.edu</a>	
Leslie Dick	<a href="mailto:lesliedick1@gmail.com">lesliedick1@gmail.com</a>	
Patrick Mclean	<a href="mailto:pmclean@albion.edu">pmclean@albion.edu</a>	
Some of Patrick's college students		
Jim Dean	<a href="mailto:jimdean44@hotmail.com">jimdean44@hotmail.com</a>	517.554.1068
William S Rafoill	<a href="mailto:wrafoill@rafoill.com">wrafoill@rafoill.com</a>	517-554-0178
Celeste Connamacher		517-629-3276

**Michigan Department of History, Arts and Libraries**  
**Michigan Historical Center**  
**State Historic Preservation Office**

**Criteria for Evaluating Resources for  
Inclusion in Local Historic Districts**

**Legal Authority**

Section 3(1) of Michigan's *Local Historic Districts Act*, 1970 PA 169 (MCL 399.203) states that counties, cities, villages and townships may, by ordinance, establish one or more local historic districts. The section further states that before a district is created, the legislative body of the local unit of government must appoint a historic district study committee. The section says that in evaluating the significance of historic resources to be included in districts, a committee shall:

"be guided by the selection criteria for evaluation issued by the United States secretary of the interior for inclusion of resources in the national register of historic places, as set forth in 36 C.F.R. part 60, and criteria established or approved by the department (of history, arts, and libraries), if any."

**Applicable Definitions**

The United States Secretary of the Interior promulgated a definition of the word "district" at 36 C.F.R. § 60.3, as follows:

"A district is a geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history."

Section 1a(i) of the *Local Historic Districts Act* (MCL 399.201a) indicates that the term "historic district" means:

“an area, or group of areas not necessarily having contiguous boundaries, that contains 1 resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture.”

### **Criteria for Historic District Boundary Determinations**

The criteria that a historic district study committee must apply when determining the historic significance of historic resources and the boundaries of historic districts are the criteria and considerations developed by the U.S. Secretary of the Interior for the creation of historic districts, as set forth in *National Register Bulletin 15: How to Apply the National Register Criteria* (pp. 5-6), *National Register Bulletin 16A: How to Complete the National Register Registration Form* (pp. 56-57), and *National Register Bulletin 21: Defining Boundaries for National Register Properties* (p. 2) [see Appendix].

### **Criteria for Establishing Single Resource Districts**

The criteria that a historic district study committee must apply when establishing a single resource district are those set forth in the preceding paragraph, plus the criteria set forth below.

A single resource historic district in Michigan is one in which the single resource individually meets the criteria for eligibility established by the U.S. Secretary of the Interior for inclusion in the National Register of Historic Places on its own merit for:

- Criterion A: Association with a significant person
- Criterion B: Association with a significant event or pattern of history
- Criterion C: Design and construction
- Criterion D: Information potential

In other words, boundary selection is based on the nature of the resource’s significance, integrity, and physical setting. However, a district is seldom defined by the limits of current parcels of ownership, management, or planning boundaries. The boundaries must be based upon a shared relationship among the properties constituting the district.

Examples of single resource historic districts would be: a county courthouse; a fire station; an armory; an isolated, intact farmstead; a house designed by Frank Lloyd Wright; the summer cottage of Ernest Hemmingway; or the first automobile plant where Henry Ford utilized mass production techniques.

Accordingly, a single resource historic district must be distinguishable from the surrounding resources in the immediate vicinity by virtue of geography, historic significance, or integrity.

Therefore, a single resource historic district **cannot**:

- share its significance of historic development or association with surrounding resources. If the resource does share those characteristics with surrounding resources, then the single resource district cannot stand alone and must be included as part of a larger district. Examples of inappropriate and thus impermissible single resource districts include one bungalow in the middle of a neighborhood of bungalows, or one Queen Anne or Italianate house in a larger neighborhood of Victorian style homes.
- be a commercial building, separated from a larger commercial district by demolition or new infill, if the building does not meet the National Register criteria on its own merit.
- be one contributing resource in a National Register of Historic Places designated district, if the resource does not individually meet the criteria for inclusion in the National Register.
- be based solely on property ownership.
- be based solely on the consent of property owners.

Single resource historic districts that the Michigan Historical Center determines to be inappropriately designated will not qualify for the state historic preservation tax credit.

### **Boundary Description**

Each historic district study committee must issue reports. The historic district study committee report must include a written boundary description that is a legal description. Examples include: a legal parcel number; block and lot number; metes

and bounds; or the dimensions of a parcel of land, reckoning from a landmark, such as a natural or cultural feature.

### **Boundary Justification**

A historic district study committee report must also include a boundary justification statement. The boundary justification statement shall be a brief and concise explanation of the reasons for selecting the proposed historic district boundaries. Each directional boundary shall be individually addressed in the boundary justification statement. A boundary's justification must be based on physical geography, historic significance, or physical integrity.

### **Photographic Documentation for Single Resource Districts**

Streetscape photographs showing the resources located on both sides of the block on which a single resource district is being designated must be included with the historic district study committee report.

### **Additional Information and Questions**

Requests for additional information, as well as questions about the criteria listed here, may directed to:

Ms. Amy Arnold  
Preservation Planner  
State Historic Preservation Office  
Michigan Historical Center  
Department of History, Arts and Libraries  
717 W. Allegan Street  
P.O. Box 30740  
Lansing, MI 48909-8240

Ms. Arnold may also be reached by e-mail: [arnolda@michigan.gov](mailto:arnolda@michigan.gov) and by telephone: (517) 335-2729.

### **Approvals and Issuance\***

*Approved:* June 24, 2002  
Brian D. Conway, State Historic Preservation Officer

*Established and Issued:* August 19, 2002  
Sandra S. Clark  
Director, Michigan Historical Center  
Department of History, Arts and Libraries

\*Signed copy on file: State Historic Preservation Office, Michigan Historical Center

## Appendix

*National Register Bulletin 15: How to Apply the National Register Criteria* states:

"A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development."

A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a district results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. " (p. 5)

"A district . . . is seldom defined, however, by the limits of current parcels of ownership, management, or planning boundaries. The boundaries must be based upon a shared relationship among the properties constituting the district." (p. 6)

*National Register Bulletin 16A: How to Complete the National Register Registration Form* discusses in detail how criteria are to be applied, and states:

"A district must be a definable geographic area that can be distinguished from surrounding properties by changes such as density, scale, type, age, style of sites, buildings, structures, and objects or by documented differences in patterns of historic development or associations. It is seldom defined, however, by the limits of current parcel ownership, management, or planning boundaries. The boundaries must be based upon a shared relationship among the properties constituting the district." (p. 56-57)

*Bulletin 21: Defining Boundaries for National Register Properties* states that boundary selection is "based on the nature of the property's significance, integrity and physical setting." Therefore, an individual property located within a larger area that meets the criteria for a multi-resource district, should not be singled out for designation as a single resource district. (p. 2)

## **DRAFT 12/2002**

### **“How to Write a Historic District Study Committee Report”**

#### **Purpose of the Report**

The purpose of the historic district study committee report is to establish the legal basis for the creation of a local historic district. Historical data about a proposed district is collected, analyzed, summarized and presented in the report in a clear and concise manner to illustrate the historic significance of a district. The report should justify why a local historic district is being created and establish the boundaries for the district. The report serves as a source of information for a variety of audiences including:

- the historic district commission as it fulfills its duties as the regulatory body for the district
- planners when decisions on development projects are made within the community;
- professional consultants hired to do historic reviews for federally funded projects; and
- teachers and others in the community interested in using the information to create educational programs about a community's heritage.

#### **Components of the Report**

Section 399.203 of Public Act 169 of 1970 (PA 169), as amended, *Michigan's Local Historic Districts Act*, requires that a historic district study committee report contain, at a minimum, six (6) items: 1) the charge of the committee; 2) the composition of the committee membership; 3) the name of the proposed historic district(s); 4) the written and visual boundaries of the district; 5) the history of the proposed district; 6) the significance of the district highlighted by information on a number of the individual resources within the district that relate to that significance. Over the years, the State Historic Preservation Office has found it appropriate to include additional information in the report and in August 2002, the Michigan Historical Center established criteria that requires the following information to be included in the historic district study committee report: a boundary justification, a list of historic and a list of non-historic resources in the district, photographs of the resources highlighted in the report, the total count of the number of resources in the proposed district and percentage of historic to non-historic resources. Below is an explanation of the type of information it would be helpful to include in each component of the report.

#### **Charge of the Committee**

The local unit of government, through a resolution, must appoint the members of the historic district study committee. In the study committee report, the charge should contain the following information:

- Name of the municipal body that appointed the historic district study committee
- Date the resolution to appoint the historic district study committee was adopted

- A short verbal description of the general geographic area the committee was asked to study

### **Composition of Committee Membership**

The name of each study committee member should be listed in the report. Because PA 169 requires that the majority of study committee members have a “demonstrated interest” in historic preservation, it is a good idea to show how committee members fulfill this requirement by listing their historic preservation interests and affiliations. This need not be a lengthy description. For example, the study committee member list could look something like this:

John Doe, member, Elk County Historical Society  
LeeAnn Pratt, architect, Smith and Wells, Inc.  
Tom Baker, property owner, Lincoln Heights Historic District  
Sue Richards, planner, Elk City  
Eileen Jones, compiled a comprehensive history of Elk City for the city’s Centennial celebration  
Brian Harris, member, Elk County Historic District Commission  
Todd Baron, archaeologist, Elk College

### **The Historic District(s) Studied**

This is simply the name(s) given to the proposed district(s) that result from the study. For example, “Elk Park Historic District” or the “Adolph Stephenson Farmstead Historic District.” District names are typically based on the historic name associated with the property or area.

### **The Boundaries of the Proposed District(s)**

PA 169 requires that the study committee report include both a written boundary description and a visual depiction of the boundary on a map. The purpose of the maps is to enable readers of the report to determine which individual properties in a given area are or are not included in the district. Thus, the maps should be of a level of detail and quality where this can clearly be seen. Sometimes, more than one map may need to be included in the report.

#### **Verbal Boundary Description**

The verbal boundary description should be a legal description of the district boundary. The description should be written so that federal, state, and city planning agencies or a property owner can clearly identify the district’s limits and what properties are included in it. Depending on the size of the district the verbal description of the district could be:

- Legal parcel number
- Block and lot number
- Metes and bounds, or
- Dimensions of a parcel of land, reckoning from a landmark, such as a natural or cultural feature. The description should begin at a fixed reference point and then follow the perimeter of the district, including dimensions and directions.

While parcel numbers can be used, we do not recommend that they be the sole source of identification for the district. Parcels can be merged or eliminated which can cause confusion when trying to identify a district's boundaries in the future. If parcel numbers are used, we recommend also including a metes and bounds description of the district's boundaries.

### **Visual Boundary Description**

The visual boundaries of the proposed district should be clearly and boldly drawn on a map so they are easily distinguishable in the original report and on any copies that are made of the map(s). The final map should be of a size and format that will allow it to be bound within the body of the report: 8 ½ by 11 inches for most districts or 11 x 17 inches with 2 vertical folds for larger districts. Each map should include all of the following:

- Name of the proposed district
- Name of the community and county
- Date the map was created
- Key identifying any symbols used on the map
- North arrow
- All streets in the proposed district with their names clearly labeled
- Street addresses for all properties in the proposed district
- Lot Lines
- Footprints or an outline representation (rectangles or squares) of the individual resources surveyed in the proposed district
- The boundary of the proposed district clearly drawn in a bold line on the map.

For larger districts, a series of maps may be required, one that shows the location of the proposed district within the community and others that show smaller areas of the district in more detail. For example, if you are designating a large district that includes 200 residential properties and a park, you would include an overview map of the whole district that shows its location within the larger community; a series of maps each showing a portion of the district and enabling the reader to see street addresses and number, until the entire district has been depicted; and a site map of the park indicating the location of existing historic features, such as paths, fountains, historic plantings, and monuments. For a farmstead, it may be necessary to draw a site plan to indicate where historically significant features such as orchards, farm fields, silos, barns and outbuildings are located in relation to the farmhouse.

### **Boundary Justification**

The report should include a boundary justification that addresses each directional boundary of the proposed district. Boundaries should be justified by using three guidelines: geographical features, the historic significance of the district, and/or the integrity of the resources in the proposed district. An example:

"The northern district boundary is the Bendy River; the eastern boundary is I-59 which, when it was constructed in 1957, bisected the original plat for the neighborhood; Elm Street was chosen as the southern boundary because it marks a change in housing types from a concentration of early 20<sup>th</sup> century two-story frame houses to the north and a neighborhood of post-World War II brick ranch houses to the south; Green Street was chosen as the western

boundary as there is a significant loss of material integrity in the resources beyond this point.”

For a single resource property you may simply state something like, “The boundaries are those of the original lot platted in 1882.”

### **History of the Proposed District**

The purpose of the history is to place the district and its resource(s) within its historic context at the local, state, and national level, as need be. The historic context is simply a compilation of the significant time periods, the significant people, and the important trends that shaped the development of the proposed district. The history should be based on facts that can be documented through primary and secondary sources. Beware of including oral traditions that have been passed down for generations but that cannot be substantiated. When writing the report, existing resources in the district should be linked directly to the district’s historic significance. Here is a shortened example of a history statement for a residential district.

“In the early 1900’s Middletown became a center for the development of the early automobile. Travis Jones, who’s Jonesmobile became the most popular car in America between 1910 and 1930, built a factory at 915 Washington Boulevard in 1910 (demolished 1977). The construction of the factory resulted in a boom in population for Middletown as workers left the surrounding farms to take advantage of the high wages offered in the Jones factory. To house these workers, the Oakdale neighborhood was constructed by Dorian Blue, a prominent real estate agent in the city. The Oakdale neighborhood is made up of single story, gable front frame houses that line Oak, Elm, Water and Front Streets between Washington Boulevard and the Green River at the southeastern corner of the district. The homes have little ornamentation but are distinguished by their pressed tin roofs. This was the first subdivision developed in Middletown in response to the needs of the rapidly expanding automobile industry.

In addition to the Jones factory, two other car manufacturers built plants in Middletown between 1904 and 1930. The Casey Steam-Powered automobile was only in production for two years (1904-1906) and did not have a big impact on the development of the automobile or the city of Middletown. However, its founder, James Casey, become Vice President of Jones Automobile in 1912 and was responsible for the design of the company’s most popular car, the Model B. Casey was also a founding member of the Good Roads Movement in Michigan and worked to develop a paved highway between Middletown and Detroit. While the Casey factory building no longer exists, James Casey’s commanding stone Colonial Revival home designed by Grand Rapids architect Samuel Osgood, is located at 12 Addison Street. Addison Street is the stately avenue of estate homes that fronts the Bendy River on the western edge of the district. Casey Park, located in the northeast section of the district was created on land donated to the city of Middletown by James Casey in 1923. Casey hired the nationally known landscape architect, Jens Jensen, to develop the plan for the park.”

If individual properties in the district are significant because of a specific architectural style, they should be discussed in terms of similar resources in the proposed district or in the community overall. You do not need to write lengthy descriptions of

architectural styles. Instead, provide the distinguishing characteristics of the specific property that shows how it is representative of the style. An example:

“The Ira George House at 15 Lincoln Avenue is an excellent example of the Italianate style. The 2-story structure has a square floor plan and is distinguished by its decorative full-length front porch, cupola, round arch windows and large, ornamental roof brackets. This high style structure is one of only 6 Italianates found in the district and the only one constructed of brick. ”

Do not fall into the trap, as many communities do, of only explaining the significance of the proposed district in terms of its architecture. It is important to include information on the significant people and events that shaped the district as well.

PA 169 states that the report must highlight individual resources within the proposed district. We recommend that you include a representative example of *all* the property types found in the district. For example, if a predominately residential district includes a school, church, park or commercial structure, these resources should be highlighted in the report along with a variety of the residential homes. Be sure that you include representative examples of the property type found in the majority in the district—don’t just concentrate on the unique or special properties. For example, if the majority of the homes are bungalows or simple upright and wing homes, include one or more as representative examples in addition to highlighting the high style or more unusual resources--don’t just focus on the district’s high style architecture.

### **Statement of Significance**

Each resource needs to be evaluated using the evaluation criteria for the National Register of Historic Places. There are four primary criteria:

- Criterion A: Association with Significant Events
- Criterion B: Association with Significant People
- Criterion C: Design/Construction Significance
- Criterion D: Information Potential

In the report, state the criteria that the district meets (it may be more than one) and how it meets the criteria. For example, “The Oakville District is significant under National Register Criterion A for its association with the developing automobile industry; Criterion B for its association with early automobile pioneer and former Michigan Governor John Doe who lived there from 1897 to 1922 and Criterion C as a representative example of late 19<sup>th</sup> century vernacular architecture.”

### **Photographs**

Remember when taking photographs of resources in the district that you are documenting the way the district looks at the time it was established. This visual record will become a useful tool for the historic district commission when they are reviewing proposed work to a property. They will be able to tell what alterations already existed at the time the district was created. Be sure the resource is unobstructed by trees or cars and that architectural details are clearly visible in the photograph. Photographs should be oblique shots that encompass 2 sides of the building. For multiple resource districts, take at least one photograph of each individual resource. If there are other features on a property that contribute to its historic significance such as a carriage barn, entry gateposts, a historic fence or

garden, photographs should be taken of each feature, if possible. Representative streetscape shots should also be taken to show how the resources relate to each other in terms of set back, vegetation, etc. For single resource districts, we recommend documenting all exterior elevations of the building as well as any special or outstanding features.

### **Resource Count and Percentage**

Historic resources are typically those that are 50 years of age or older, unless the resource is proven to have exceptional significance. Historic resources must retain their integrity—the physical features that represent the period in which the property was built and/or its period of historic significance. Integrity is determined by looking at seven qualities: location (is the property on its original location), design, setting, materials, workmanship, feeling, and association (with people and events).

Each resource in the proposed district should be evaluated to determine if it is a historic (contributing) or non-historic (non-contributing) resource. To make that determination look at the resource in terms of how it relates to the historic context that was developed, the National Register Criteria for Eligibility and the resource's integrity. PA 169 requires that a percentage of historic to non-historic properties be developed. It is a good idea to include this in the study committee report to show the study committee has met this obligation.

### **Lists of Historic and Non-Historic Properties**

It is recommended that a list of the historic properties by street name and address and a list of the non-historic properties by street name and address in the district be included in the report. This will greatly facilitate the use of the report by the historic district commission, building officials, and local planners. It will also enable residents to know if a particular property qualifies for preservation tax credit incentives.

### **Bibliography**

Each report should include a bibliography of the historic resources used to develop the history of the district. The bibliography can be presented in any standard, accepted format such as the *Chicago Manual of Style*.

**LOCAL HISTORIC DISTRICTS ACT**  
**Act 169 of 1970**

AN ACT to provide for the establishment of historic districts; to provide for the acquisition of certain resources for historic preservation purposes; to provide for preservation of historic and nonhistoric resources within historic districts; to provide for the establishment of historic district commissions; to provide for the maintenance of publicly owned resources by local units; to provide for certain assessments under certain circumstances; to provide for procedures; and to provide for remedies and penalties.

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1986, Act 230, Imd. Eff. Oct. 1, 1986;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

*The People of the State of Michigan enact:*

**399.201 Short title.**

Sec. 1. This act shall be known and may be cited as the “local historic districts act”.

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

**399.201a Definitions.**

Sec. 1a. As used in this act:

(a) “Alteration” means work that changes the detail of a resource but does not change its basic size or shape.

(b) “Certificate of appropriateness” means the written approval of a permit application for work that is appropriate and that does not adversely affect a resource.

(c) “Commission” means a historic district commission created by the legislative body of a local unit under section 4.

(d) “Committee” means a historic district study committee appointed by the legislative body of a local unit under section 3 or 14.

(e) “Demolition” means the razing or destruction, whether entirely or in part, of a resource and includes, but is not limited to, demolition by neglect.

(f) “Demolition by neglect” means neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.

(g) “Denial” means the written rejection of a permit application for work that is inappropriate and that adversely affects a resource.

(h) “Department” means the department of history, arts, and libraries.

(i) “Fire alarm system” means a system designed to detect and annunciate the presence of fire or by-products of fire. Fire alarm system includes smoke alarms.

(j) “Historic district” means an area, or group of areas not necessarily having contiguous boundaries, that contains 1 resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture.

(k) “Historic preservation” means the identification, evaluation, establishment, and protection of resources significant in history, architecture, archaeology, engineering, or culture.

(l) “Historic resource” means a publicly or privately owned building, structure, site, object, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of this state or a community within this state, or of the United States.

(m) “Local unit” means a county, city, village, or township.

(n) “Notice to proceed” means the written permission to issue a permit for work that is inappropriate and that adversely affects a resource, pursuant to a finding under section 5(6).

(o) “Open space” means undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.

(p) “Ordinary maintenance” means keeping a resource unimpaired and in good condition through ongoing minor intervention, undertaken from time to time, in its exterior condition. Ordinary maintenance does not change the external appearance of the resource except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for purposes of this act.

(q) “Proposed historic district” means an area, or group of areas not necessarily having contiguous boundaries, that has delineated boundaries and that is under review by a committee or a standing committee

for the purpose of making a recommendation as to whether it should be established as a historic district or added to an established historic district.

(r) "Repair" means to restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes work for purposes of this act.

(s) "Resource" means 1 or more publicly or privately owned historic or nonhistoric buildings, structures, sites, objects, features, or open spaces located within a historic district.

(t) "Smoke alarm" means a single-station or multiple-station alarm responsive to smoke and not connected to a system. As used in this subdivision, "single-station alarm" means an assembly incorporating a detector, the control equipment, and the alarm sounding device into a single unit, operated from a power supply either in the unit or obtained at the point of installation. "Multiple-station alarm" means 2 or more single-station alarms that are capable of interconnection such that actuation of 1 alarm causes all integrated separate audible alarms to operate.

(u) "Standing committee" means a permanent body established by the legislative body of a local unit under section 14 to conduct the activities of a historic district study committee on a continuing basis.

(v) "Work" means construction, addition, alteration, repair, moving, excavation, or demolition.

**History:** Add. 1992, Act 96, Imd. Eff. June 18, 1992;—Am. 2001, Act 67, Imd. Eff. July 24, 2001;—Am. 2004, Act 67, Imd. Eff. Apr. 20, 2004.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

### **399.202 Historic preservation as public purpose; purpose of ordinance.**

Sec. 2. Historic preservation is declared to be a public purpose and the legislative body of a local unit may by ordinance regulate the construction, addition, alteration, repair, moving, excavation, and demolition of resources in historic districts within the limits of the local unit. The purpose of the ordinance shall be to do 1 or more of the following:

(a) Safeguard the heritage of the local unit by preserving 1 or more historic districts in the local unit that reflect elements of the unit's history, architecture, archaeology, engineering, or culture.

(b) Stabilize and improve property values in each district and the surrounding areas.

(c) Foster civic beauty.

(d) Strengthen the local economy.

(e) Promote the use of historic districts for the education, pleasure, and welfare of the citizens of the local unit and of the state.

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1986, Act 230, Imd. Eff. Oct. 1, 1986;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

### **399.203 Historic districts; establishment; study committee; duties; public hearing; notice; actions; availability of writings to public.**

Sec. 3. (1) A local unit may, by ordinance, establish 1 or more historic districts. The historic districts shall be administered by a commission established pursuant to section 4. Before establishing a historic district, the legislative body of the local unit shall appoint a historic district study committee. The committee shall contain a majority of persons who have a clearly demonstrated interest in or knowledge of historic preservation, and shall contain representation from 1 or more duly organized local historic preservation organizations. The committee shall do all of the following:

(a) Conduct a photographic inventory of resources within each proposed historic district following procedures established or approved by the department.

(b) Conduct basic research of each proposed historic district and the historic resources located within that district.

(c) Determine the total number of historic and nonhistoric resources within a proposed historic district and the percentage of historic resources of that total. In evaluating the significance of historic resources, the committee shall be guided by the selection criteria for evaluation issued by the United States secretary of the interior for inclusion of resources in the national register of historic places, as set forth in 36 C.F.R. part 60, and criteria established or approved by the department, if any.

(d) Prepare a preliminary historic district study committee report that addresses at a minimum all of the following:

(i) The charge of the committee.

- (ii) The composition of the committee membership.
  - (iii) The historic district or districts studied.
  - (iv) The boundaries for each proposed historic district in writing and on maps.
  - (v) The history of each proposed historic district.
  - (vi) The significance of each district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.
- (e) Transmit copies of the preliminary report for review and recommendations to the local planning body, to the department, to the Michigan historical commission, and to the state historic preservation review board.
- (f) Make copies of the preliminary report available to the public pursuant to subsection (4).
- (2) Not less than 60 calendar days after the transmittal of the preliminary report, the committee shall hold a public hearing in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the hearing shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Written notice shall be mailed by first-class mail not less than 14 calendar days before the hearing to the owners of properties within the proposed historic district, as listed on the tax rolls of the local unit.
- (3) After the date of the public hearing, the committee and the legislative body of the local unit shall have not more than 1 year, unless otherwise authorized by the legislative body of the local unit, to take the following actions:
- (a) The committee shall prepare and submit a final report with its recommendations and the recommendations, if any, of the local planning body to the legislative body of the local unit. If the recommendation is to establish a historic district or districts, the final report shall include a draft of a proposed ordinance or ordinances.
  - (b) After receiving a final report that recommends the establishment of a historic district or districts, the legislative body of the local unit, at its discretion, may introduce and pass or reject an ordinance or ordinances. If the local unit passes an ordinance or ordinances establishing 1 or more historic districts, the local unit shall file a copy of that ordinance or those ordinances, including a legal description of the property or properties located within the historic district or districts, with the register of deeds. A local unit shall not pass an ordinance establishing a contiguous historic district less than 60 days after a majority of the property owners within the proposed historic district, as listed on the tax rolls of the local unit, have approved the establishment of the historic district pursuant to a written petition.
- (4) A writing prepared, owned, used, in the possession of, or retained by a committee in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1980, Act 125, Imd. Eff. May 21, 1980;—Am. 1992, Act 96, Imd. Eff. June 18, 1992;—Am. 2001, Act 67, Imd. Eff. July 24, 2001.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

### **399.204 Historic district commission; establishment; appointment, qualifications, and terms of members; vacancy; commissions previously established by charter or ordinance.**

Sec. 4. The legislative body of a local unit may establish by ordinance a commission to be called the historic district commission. The commission may be established at any time, but not later than the time the first historic district is established by the legislative body of the local unit. Each member of the commission shall reside within the local unit. The membership of the historic district commission in a local unit having a population of 5,000 or more individuals shall consist of not less than 7 or more than 9 members. The membership of the historic district commission in a local unit having a population of less than 5,000 individuals shall consist of not less than 5 or more than 7 members. A majority of the members shall have a clearly demonstrated interest in or knowledge of historic preservation. The members shall be appointed by the township supervisor, village president, mayor, or chairperson of the board of commissioners, unless another method of appointment is provided in the ordinance creating the commission. Initial members shall be appointed within 6 months after the ordinance establishing the commission is enacted. Members shall be appointed for 3-year terms except the initial appointments of some of the members shall be for less than 3 years so that the initial appointments are staggered and that subsequent appointments do not recur at the same time. Members shall be eligible for reappointment. A vacancy on the commission shall be filled within 60 calendar days by an appointment made by the appointing authority. The ordinance creating the commission may provide procedures for terminating an appointment due to the acts or omissions of the member. The appointing authority of a local unit having a population of 25,000 or more individuals shall appoint at least 2

members from a list of citizens submitted by 1 or more duly organized local historic preservation organizations. A local unit having a population of more than 5,000 individuals but less than 25,000 individuals shall appoint at least 1 member from a list of citizens submitted by 1 or more duly organized local historic preservation organizations. The commission of all local units shall include as a member, if available, a graduate of an accredited school of architecture who has 2 years of architectural experience or who is an architect registered in this state. This section does not apply to historic district commissions established by charter or to historic district commissions established by ordinance before August 3, 1970.

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1971, Act 30, Imd. Eff. May 25, 1971;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

**399.205 Permit required; completed application; certificate of appropriateness or notice to proceed; issuance; permit fee; appeal to review board and circuit court; plan review standards, guidelines, and considerations; scope of review; preservation plan; approval; conditions; public meeting; availability of writings to public; rules of procedure; approval of minor work; finding of demolition by neglect; restoration or modification of work done without permit.**

Sec. 5. (1) A permit shall be obtained before any work affecting the exterior appearance of a resource is performed within a historic district or, if required under subsection (4), work affecting the interior arrangements of a resource is performed within a historic district. The person, individual, partnership, firm, corporation, organization, institution, or agency of government proposing to do that work shall file an application for a permit with the inspector of buildings, the commission, or other duly delegated authority. If the inspector of buildings or other authority receives the application, the application shall be immediately referred together with all required supporting materials that make the application complete to the commission. A permit shall not be issued and proposed work shall not proceed until the commission has acted on the application by issuing a certificate of appropriateness or a notice to proceed as prescribed in this act. A commission shall not issue a certificate of appropriateness unless the applicant certifies in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531. A local unit may charge a reasonable fee to process a permit application.

(2) An applicant aggrieved by a decision of a commission concerning a permit application may file an appeal with the state historic preservation review board within the department. The appeal shall be filed within 60 days after the decision is furnished to the applicant. The appellant may submit all or part of the appellant's evidence and arguments in written form. The review board shall consider an appeal at its first regularly scheduled meeting after receiving the appeal, but may not charge a fee for considering an appeal. The review board may affirm, modify, or set aside a commission's decision and may order a commission to issue a certificate of appropriateness or a notice to proceed. A permit applicant aggrieved by the decision of the state historic preservation review board may appeal the decision to the circuit court having jurisdiction over the historic district commission whose decision was appealed to the state historic preservation review board.

(3) In reviewing plans, the commission shall follow the United States secretary of the interior's standards for rehabilitation and guidelines for rehabilitating historic buildings, as set forth in 36 C.F.R. part 67. Design review standards and guidelines that address special design characteristics of historic districts administered by the commission may be followed if they are equivalent in guidance to the secretary of interior's standards and guidelines and are established or approved by the department. The commission shall also consider all of the following:

(a) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.

(b) The relationship of any architectural features of the resource to the rest of the resource and to the surrounding area.

(c) The general compatibility of the design, arrangement, texture, and materials proposed to be used.

(d) Other factors, such as aesthetic value, that the commission finds relevant.

(e) Whether the applicant has certified in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale single state construction code act, 1972 PA

230, MCL 125.1501 to 125.1531.

(4) The commission shall review and act upon only exterior features of a resource and, except for noting compliance with the requirement to install a fire alarm system or a smoke alarm, shall not review and act upon interior arrangements unless specifically authorized to do so by the local legislative body or unless interior work will cause visible change to the exterior of the resource. The commission shall not disapprove an application due to considerations not prescribed in subsection (3).

(5) If an application is for work that will adversely affect the exterior of a resource the commission considers valuable to the local unit, state, or nation, and the commission determines that the alteration or loss of that resource will adversely affect the public purpose of the local unit, state, or nation, the commission shall attempt to establish with the owner of the resource an economically feasible plan for preservation of the resource.

(6) Work within a historic district shall be permitted through the issuance of a notice to proceed by the commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the commission to be necessary to substantially improve or correct any of the following conditions:

(a) The resource constitutes a hazard to the safety of the public or to the structure's occupants.

(b) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.

(c) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.

(d) Retaining the resource is not in the interest of the majority of the community.

(7) The business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. A meeting agenda shall be part of the notice and shall include a listing of each permit application to be reviewed or considered by the commission.

(8) The commission shall keep a record of its resolutions, proceedings, and actions. A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(9) The commission shall adopt its own rules of procedure and shall adopt design review standards and guidelines for resource treatment to carry out its duties under this act.

(10) The commission may delegate the issuance of certificates of appropriateness for specified minor classes of work to its staff, to the inspector of buildings, or to another delegated authority. The commission shall provide to the delegated authority specific written standards for issuing certificates of appropriateness under this subsection. On at least a quarterly basis, the commission shall review the certificates of appropriateness, if any, issued for work by its staff, the inspector, or another authority to determine whether or not the delegated responsibilities should be continued.

(11) Upon a finding by a commission that a historic resource within a historic district or a proposed historic district subject to its review and approval is threatened with demolition by neglect, the commission may do either of the following:

(a) Require the owner of the resource to repair all conditions contributing to demolition by neglect.

(b) If the owner does not make repairs within a reasonable time, the commission or its agents may enter the property and make such repairs as are necessary to prevent demolition by neglect. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. The commission or its agents may enter the property for purposes of this section upon obtaining an order from the circuit court.

(12) When work has been done upon a resource without a permit, and the commission finds that the work does not qualify for a certificate of appropriateness, the commission may require an owner to restore the resource to the condition the resource was in before the inappropriate work or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply with the restoration or modification requirement within a reasonable time, the commission may seek an order from the circuit court to require the owner to restore the resource to its former condition or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply or cannot comply with the order of the court, the commission or its agents may enter the property and conduct work necessary to restore the resource to its

former condition or modify the work so that it qualifies for a certificate of appropriateness in accordance with the court's order. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. When acting pursuant to an order of the circuit court, a commission or its agents may enter a property for purposes of this section.

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1980, Act 125, Imd. Eff. May 21, 1980;—Am. 1986, Act 230, Imd. Eff. Oct. 1, 1986;—Am. 1992, Act 96, Imd. Eff. June 18, 1992;—Am. 2001, Act 67, Imd. Eff. July 24, 2001;—Am. 2004, Act 67, Imd. Eff. Apr. 20, 2004.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

### **399.206 Grants, gifts, and programs.**

Sec. 6. The legislative body of a local unit may accept state or federal grants for historic preservation purposes, may participate in state and federal programs that benefit historic preservation, and may accept public or private gifts for historic preservation purposes. The legislative body may make the historic district commission, a standing committee, or other agency its duly appointed agent to accept and administer grants, gifts, and program responsibilities.

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

### **399.207 Historic resource; acquisition by local legislative body.**

Sec. 7. If all efforts by the historic district commission to preserve a resource fail, or if it is determined by the local legislative body that public ownership is most suitable, the local legislative body, if considered to be in the public interest, may acquire the resource using public funds, public or private gifts, grants, or proceeds from the issuance of revenue bonds. The acquisition shall be based upon the recommendation of the commission or standing committee. The commission or standing committee is responsible for maintaining publicly owned resources using its own funds, if not specifically designated for other purposes, or public funds committed for that use by the local legislative body. Upon recommendation of the commission or standing committee, the local unit may sell resources acquired under this section with protective easements included in the property transfer documents, if appropriate.

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

### **399.208 County historic district commission; coordination with township and municipality.**

Sec. 8. The jurisdiction of a county shall be the same as that provided in Act No. 183 of the Public Acts of 1943, as amended, being sections 125.201 to 125.232 of the Michigan Compiled Laws, or as otherwise provided by contract entered into between the county and a city, village or township. If a county historic district commission is in existence, coordination between the county historic district commission and township and municipality historic district commissions shall be maintained. The overall historic preservation plans of cities, villages and townships shall be submitted to the county historic district commission for review, and county plans submitted to cities, villages, and townships having historic district commissions. Day-to-day activities of a commission shall not be reviewed unless the activities affect resources of importance to another commission.

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

### **399.209 Historic district commission; filings with delegated authority; duties of local public officials, employees, and department.**

Sec. 9. (1) The commission shall file certificates of appropriateness, notices to proceed, and denials of applications for permits with the inspector of buildings or other delegated authority. A permit shall not be issued until the commission has acted as prescribed by this act. If a permit application is denied, the decision shall be binding on the inspector or other authority. A denial shall be accompanied with a written explanation by the commission of the reasons for denial and, if appropriate, a notice that an application may be

resubmitted for commission review when suggested changes have been made. The denial shall also include notification of the applicant's rights of appeal to the state historic preservation review board and to the circuit court. The failure of the commission to act within 60 calendar days after the date a complete application is filed with the commission, unless an extension is agreed upon in writing by the applicant and the commission, shall be considered to constitute approval.

(2) Local public officials and employees shall provide information and records to committees, commissions, and standing committees, and shall meet with those bodies upon request to assist with their activities.

(3) The department shall cooperate with and assist local units, committees, commissions, and standing committees in carrying out the purposes of this act and may establish or approve standards, guidelines, and procedures that encourage uniform administration of this act in this state but that are not legally binding on any individual or other legal entity.

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992;—Am. 2001, Act 67, Imd. Eff. July 24, 2001.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

### **399.210 Construction of act.**

Sec. 10. Nothing in this act shall be construed to prevent ordinary maintenance or repair of a resource within a historic district, or to prevent work on any resource under a permit issued by the inspector of buildings or other duly delegated authority before the ordinance was enacted.

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

### **399.211 Appeal of decisions.**

Sec. 11. Any citizen or duly organized historic preservation organization in the local unit, as well as resource property owners, jointly or severally aggrieved by a decision of the historic district commission may appeal the decision to the circuit court, except that a permit applicant aggrieved by a decision rendered under section 5(1) may not appeal to the court without first exhausting the right to appeal to the state historic preservation review board under section 5(2).

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

### **399.212 Effect of act as to existing legislation and historical commissions.**

Sec. 12. This act does not affect any previously enacted legislation pertaining to historical preservation and does not affect historical commissions appointed by local governing bodies to foster historic preservation. An existing local historical commission organized under Act No. 213 of the Public Acts of 1957, as amended, being sections 399.171 and 399.172 of the Compiled Laws of 1948, may be designated as a historic district commission, if its membership and structure conform, or are revised to conform, to the provisions of section 4.

**History:** 1970, Act 169, Imd. Eff. Aug. 3, 1970.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

### **399.213 Powers and duties of historic district commission.**

Sec. 13. The local legislative body may prescribe powers and duties of the historic district commission, in addition to those prescribed in this act, that foster historic preservation activities, projects, and programs in the local unit.

**History:** Add. 1986, Act 230, Imd. Eff. Oct. 1, 1986.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

### **399.214 Local units; establishing, modifying, or eliminating historic districts; study**

**committee; considerations; review of applications within proposed historic district; emergency moratorium.**

Sec. 14. (1) A local unit may at any time establish by ordinance additional historic districts, including proposed districts previously considered and rejected, may modify boundaries of an existing historic district, or may eliminate an existing historic district. Before establishing, modifying, or eliminating a historic district, a historic district study committee appointed by the legislative body of the local unit shall, except as provided in subsection (2), comply with the procedures set forth in section 3 and shall consider any previously written committee reports pertinent to the proposed action. To conduct these activities, local units may retain the initial committee, establish a standing committee, or establish a committee to consider only specific proposed districts and then be dissolved.

(2) If considering elimination of a historic district, a committee shall follow the procedures set forth in section 3 for issuing a preliminary report, holding a public hearing, and issuing a final report but with the intent of showing 1 or more of the following:

- (i) The historic district has lost those physical characteristics that enabled establishment of the district.
- (ii) The historic district was not significant in the way previously defined.
- (iii) The historic district was established pursuant to defective procedures.

(3) Upon receipt of substantial evidence showing the presence of historic, architectural, archaeological, engineering, or cultural significance of a proposed historic district, the legislative body of a local unit may, at its discretion, adopt a resolution requiring that all applications for permits within the proposed historic district be referred to the commission as prescribed in sections 5 and 9. The commission shall review permit applications with the same powers that would apply if the proposed historic district was an established historic district. The review may continue in the proposed historic district for not more than 1 year, or until such time as the local unit approves or rejects the establishment of the historic district by ordinance, whichever occurs first.

(4) If the legislative body of a local unit determines that pending work will cause irreparable harm to resources located within an established historic district or a proposed historic district, the legislative body may by resolution declare an emergency moratorium of all such work for a period not to exceed 6 months. The legislative body may extend the emergency moratorium for an additional period not to exceed 6 months upon finding that the threat of irreparable harm to resources is still present. Any pending permit application concerning a resource subject to an emergency moratorium may be summarily denied.

**History:** Add. 1992, Act 96, Imd. Eff. June 18, 1992.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

**399.215 Violation; fine; payment of costs.**

Sec. 15. (1) A person, individual, partnership, firm, corporation, organization, institution, or agency of government that violates this act is responsible for a civil violation and may be fined not more than \$5,000.00.

(2) A person, individual, partnership, firm, corporation, organization, institution, or agency of government that violates this act may be ordered by the court to pay the costs to restore or replicate a resource unlawfully constructed, added to, altered, repaired, moved, excavated, or demolished.

**History:** Add. 1992, Act 96, Imd. Eff. June 18, 1992.

**Compiler's note:** For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.