



Wade Trim Associates, Inc.

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August 27, 2020

St. James Township
P.O. Box 85
37830 King's Highway
Beaver Island, MI 49782-0085

Attention: Patrick McGinnity, Chairman
St. James Township Planning Commission

Re: Zoning Ordinance Update Proposal

Dear Mr. McGinnity:

As requested, we are pleased to submit this Scope of Work and Cost Estimate to assist St. James Township in the preparation of an update to the Beaver Island Zoning Ordinance, which was adopted jointly by St. James Township and neighboring Peaine Township. At your request, we are proposing a two phased approach to align the Beaver Island Zoning Ordinance with the Beaver Island Master Plan that was approved in 2017.

Wade Trim, a fully licensed Michigan corporation, is a full-service consulting firm serving local and regional governments. Established in 1926, we have grown to over 450 professionals and support staff with 20 offices in ten states. Our local Michigan offices include Traverse City, Gaylord, Bay City, Flint, Grand Rapids, Taylor, and Detroit. Wade Trim has provided community planning, landscape architecture, urban design, and recreation design/planning services since 1972.

To implement the island's image and vision, as outlined in the Master Plan, both the physical and nonphysical elements of the community fabric must be understood. We believe we can accomplish this for you. Important elements include, but are not limited to, the form of land use, open space, natural features, landscape, buildings, and roads, in concert with the history, culture, values, and human activity of St. James Township.

We have completed work in many Northern Michigan communities that desire a balance between preserving the community character while respecting local property rights. When drafting zoning ordinances, it is important to recognize potential threats and concerns before developing solutions that are both reasonable and enforceable with existing resources. We are proud of our recent zoning ordinance development work in communities you may find comparable to St. James Township. These include the City of Mackinac Island, Weldon Township in Benzie County and Moran Township in Mackinac County.

We suggest the project begin with a zoning ordinance audit, which will serve as the baseline phase and will set the stage for the zoning ordinance revisions. For the ordinance revisions, we understand that the Township would like to employ a two-phased approach. The first phase would address mostly minor administrative changes, including those required by the Michigan Zoning Enabling Act (adopted 2006), and a couple issues of immediate community concern. The second phase would focus on more substantive changes to encourage thoughtful development within the downtown district, including better marine/waterfront operations within Paradise Bay, improve walkability, add reasonable zoning rules designed to preserve the environment and island way of life, and other items. The community's goals are well described in the Action Plan and Future Land Use sections of

the Master Plan, and the substantive changes would seek to address many of these goals.

As planners, we advocate for collaboration and processes that will preserve and enhance communities over time. In light of that overarching goal, we recommend that St. James Township partner with Peaine Township to jointly work on revising the Zoning Ordinance that currently governs both municipalities. Our proposal assumes that all meetings would be conducted jointly with both townships, who will both adopt the revised ordinance at the conclusion of our work.

We are confident that our team will be able to distill the recommendations of the Master Plan down into an ordinance that will help the Beaver Island community to achieve its short- and long-term goals.

Zoning Ordinance Audit – Baseline Phase

We propose to provide the following scope of services for the zoning ordinance audit, which will identify sections of the zoning ordinance that will require modification.

Task 1: Zoning Audit

A thorough review of the Beaver Island Joint Townships Zoning Ordinance, created in 2004, will be undertaken. Once completed, Wade Trim will prepare a report providing recommended changes based on sound land use principles, statutory requirements, community desires, the Action Plan, the Future Land Use Chapter, and Zoning Plan as set forth in the Master Plan.

The technical audit will: ensure compliance with the Michigan Zoning Enabling Act of 2006; compliance with various State and Federal Statutes (Michigan Right-to-Farm, Federal Religious Land Use and Institutionalized Persons Act, etc.); ensure consistency with recent court cases; identify fragmented or inconsistent language; identify incorrect or irrelevant cross references; recognize contradictory or redundant policies; illustrate effectiveness, or lack thereof of, of the ordinance in addressing emerging technologies (wind energy conversion systems, solar energy systems, wireless communications, electronic messaging signs, etc.); verify effectiveness of the ordinance in addressing emerging planning trends; and ensure effectiveness in addressing local issues and concerns.

Task 2: Technical Report

The technical report will provide an enumeration of identified shortcomings in the zoning ordinance and a strategy for incorporating changes into the ordinance; however, the audit report will not introduce actual zoning ordinance amendment language. Our technical report will divide the items into those that are either administrative or substantive in nature.

Task 3: Presentation of Results and Joint Work Study Session with both Planning Commissions

After the initial draft of the technical audit is prepared, we propose to attend a joint work-study session with the Planning Commissions, both Townships' officials, and the Zoning Administrator to present our findings.

Zoning Ordinance Update – Two Phases

We propose to update the zoning ordinance following a two-phased approach, which will comply with the procedural requirements of the Michigan Zoning Enabling Act (PA 110 of 2006) and assist with implementation of the recommendations found within the 2017 Beaver Island Master Plan:

Phase 1: Administrative Changes

Task 1A: Ordinance Amendment Language Development

Upon review and approval of the recommended changes to the Townships' zoning ordinance (from the zoning audit) and results of the work study session with the Planning Commissions, Wade Trim will proceed with developing zoning amendment language for the proposed administrative changes. We will submit the proposed amendments to the Planning Commissions at a joint meeting for review and comment. To limit costs, we will participate remotely with the Planning Commissions. Based on comments received, necessary revisions to the administrative amendment report will be prepared by Wade Trim.

Task 1B: Public Hearing and Adoption Process

The proposed administrative zoning ordinance text amendments will be presented to the Planning Commissions for review at a joint public hearing in compliance with the Michigan Zoning Enabling Act. Wade Trim will participate remotely at this hearing. After the public hearing, the Planning Commissions may forward the recommended administrative changes to their respective Township Board of Trustees for adoption.

Phase 2: Substantive Changes

Task 2A: Joint Work Session with Planning Commissions

For the substantive changes to the Zoning Ordinance, we will attend a second joint work study session with the Planning Commissions and the Zoning Administrator to discuss the substantive issues and decide upon appropriate and reasonable zoning approaches to address them.

Task 2B: Ordinance Amendment Language Development

We will draft proposed language to address the desired substantive changes. We will present these changes to the Planning Commissions via electronic video communication to confirm the desired concepts have been incorporated into the proposed zoning ordinance text. Any suggested changes will be made to the draft text at that time.

Task 2C: Public Hearing and Adoption Process

The proposed substantive zoning ordinance text amendments will be presented to the St. James Township and Peaine Township Planning Commissions for review at a joint public hearing in compliance with the Michigan Zoning Enabling Act. Wade Trim will participate remotely at this hearing. After the public hearing, the Planning Commissions may forward the recommended substantive amendments to their respective Township Board of Trustees for adoption.

Task 2D: Final Deliverables

After adoption of both the administrative and substantive amendments, Wade Trim will provide one (1) electronic copy (Microsoft Word and Adobe PDF formats) of the final amended zoning ordinance into each Township. This electronic copy may then be posted to the Township's respective websites and utilized for printing (this task does not include the printing of hard copies of the report). For cost estimating purposes, we assume that an electronic version (Microsoft Word or similar) of the currently adopted Beaver Island Zoning Ordinance is available and will be provided to Wade Trim.

Cost Estimate

Wade Trim proposes to complete the above-described scope of work for the zoning ordinance audit for a lump-sum fee of **\$4,000**. We propose to complete the two zoning ordinance amendment phases (administrative and substantive) for a lump sum fee of **\$14,500**. In an effort to limit the costs, we only propose to attend two meetings in person, while participating in up to four meetings via remote video.

These fees are broken down below and are inclusive of all project related expenses, including project management, travel expenses, shipping, etc.

<u>Zoning Ordinance Audit – Baseline Phase</u>	<u>Cost</u>
Task 1: Zoning Ordinance Audit	\$ 2,000
Task 2: Prepare Zoning Ordinance Technical Report	\$ 500
Task 3: Joint Work Session with Planning Commissions	\$ 1,500
<i>Total:</i>	<i>\$ 4,000</i>

<u>Zoning Ordinance Update Task</u>	<u>Cost</u>
<i>Phase 1: Administrative Changes</i>	
Task 1A: Ordinance Amendment Language Development	\$ 2,500
Task 1B: Public Hearing and Adoption Process	\$ 1,250
<i>Phase 2: Substantive Changes</i>	
Task 2A: Joint Work Session with Planning Commissions	\$ 3,500
Task 2B: Ordinance Amendment Language Development	\$ 5,250
Task 2C: Public Hearing and Adoption Process	\$ 1,250
Task 2D: Final Deliverables	\$ 750
<i>Total:</i>	<i>\$ 14,500</i>

Project Schedule

We can begin work upon receiving a notice to proceed from the Township. We anticipate the baseline audit and two-step zoning ordinance update process taking approximately 11 months to complete. A tentative schedule is outlined below:

<u>Event</u>	<u>Timeframe</u>
Zoning Ordinance Audit	October 2020
Joint Work Session with the Planning Commissions	November 2020
Zoning Ordinance Language Development – Administrative Changes	December 2020 & January 2021
Zoning Ordinance Public Hearing – Administrative Changes	March 2021

Adoption by the Townships' Boards of Trustees	April 2021
Joint Work Session with the Planning Commissions – Substantive Changes	May 2021
Zoning Ordinance Language Development – Substantive Changes	June – July 2021
Zoning Ordinance Public Hearing and Adoption	August 2021
Adoption by St. James and Peaine Townships' Boards of Trustees	September 2021

The following are two references who can attest to our quality of work and client service:

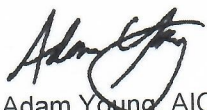
Weldon Township
Master Plan and Zoning Code Updates
Sue Meredith, PC Vice Chair/Trustee
231-639-1728

City of Mackinac Island
Master Plan & Zoning Code Updates
Anneke Meyers, PC Member/City Councilor
Dennis Dombroski, Zoning Administrator
906-847-4035

We look forward to working with the Township on this important project. If you have any questions, or need additional information, please feel free to reach out to us.

Very truly yours,

Wade Trim Associates, Inc.



Adam Young, AICP
Senior Project Manager



Arthur F. Mullen, AICP
Professional Planner

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Enclosures