

The combined meeting of the Clare City Commission and Clare City Planning Commission was called to order in the lower level of the Pere Marquette District Library, 185 E. Fourth Street, at 6:33 p.m. by Mayor Pat Humphrey and Planning Commission Chair Josh Clark who led with the Pledge of Allegiance. Present were: Commissioners Bob Bonham, Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Kristin Heintz, Pat Humphrey, Jason Lowe, Brett Moser, Carolyn (Gus) Murphy, Karla Swanson, and Nick Wyman. Absent: Darren Acton and Jean McConnell. Also present were Ken Hibl, City Manager; Jaynie Hoerauf, City Attorney; and Diane Lyon, City Clerk.

**APPROVAL OF JOINT AGENDA:**

Moved by Commissioner Wyman second by Commissioner Lowe to approve the agenda. Ayes: All. Nays: None. Absent: Darren Acton and Jean McConnell. *Motion approved.*

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:****CLARE 2018 PROJECT LIST**

Commissioners were provided a list of the primary projects that the Clare City Staff anticipates will be worked on during the Calendar Year 2018. The list was formulated for use by the City Commission and Planning Commission for the purpose of generating discussion and providing a framework to set short-term and long-term goals, objectives, and priorities during the conduct of the Annual Combined Meeting of the two Commissions.

- Continue Multiple Tasks Associated with Redevelopment Ready Community (RRC) Status
- Expand DDA Boundaries
- Preliminary Work Associated with Completion of Pere-Marquette Rail-Trail
- ICE Grant (tentative) – Approx. 1.5 miles of Street Environment (asphalt, curb, sidewalk) and Water Main Upgrades
- Street Projects – John R & E Seventh (if no ICE Grant)
- Complete Detail Work on New Sports Complex
- Skate Park @ New Sports Complex
- Water System Upgrade & Rehabilitation (New Public Water Well, Iron Removal Filters, etc.)
- Preliminary Work Associated with Dredging Lake Shamrock?
- Complete Tasks Required for Occupancy of Railroad Depot; Continue Next Phase of Depot Project (Move 2<sup>nd</sup> Caboose to Site, Landscaping, Parking, Trail-Head)
- Rental Rehabilitation Ordinance??
- Employee Manual
- Complete Airport Taxiway Project
- Request Jurisdiction Transfer of Pinecrest Street

**TINY HOMES**

Mr. Aaron Kipfmiller and wife Brandi of Great Lakes Tiny Homes, LLC. founded in 2013, are currently based in Mt. Pleasant, Michigan and are passionate about their business. They will be opening a new facility in Midland, Michigan. The Kipfmiller's presented information regarding the recent "tiny house movement" (TH). These homes are for a niche market and are typically suited to retirees, singles, and individual couples. International Building Codes Appendix Q was adopted in 2016 to address and provide for tiny house building standards. This is the first guiding and widely accepted document for TH construction. Up until now there were no guidelines for construction, zoning, or building inspections. Michigan has not yet adopted the code and is considered conservative when it comes to the tiny house movement. The biggest challenge encountered is the minimum square foot requirements of municipalities. TH's typically range in the 100-500 sq ft range. Most of the individuals interested in tiny homes have a transient lifestyle however tiny homes can also be set on a foundation as a more permanent structure. The demographic groups who seem to have the most interest in this current fad are childless millennials with the desire to travel and forego a huge mortgage, and seniors who wish to simplify their lives and living quarters, and lower their living expenses.

The City of Clare would have to address the current minimum square foot requirement, 750 sq. ft., for residential housing and minimum lot size in order to provide for THs. Some municipalities provide for Planned Unit Developments with a mixed use allowing a smaller percentage (25%) of

the area for tiny homes on trailers with a larger percentage (40%) are on a permanent foundation. Some municipalities require tiny homes on trailers to have permanent decking to make it a semi-permanent structure so that the PUD doesn't look like a campground. In most cases there are anchoring systems out there to make them safe in high wind situations. Most tiny homes have architectural style, character, and are custom built separating them from the cookie cutter style mobile home type structure. THs are built like a traditional, stick built home and in some cases they are built better due to the additional wind bracing utilized in construction to prevent the roof from blowing off and keep the home in place on the trailer when travelling down the highway, and to withstand category 1 hurricane winds.

Mr. Kipfmiller was unsure where the market value of these homes will be in the future because there is not enough data out there to make that determination. Right now there is a lot of interest in THs however there are quite a few tiny homes on the market and speculated most people will likely prefer to customize their home to their own specifications.

In Michigan, THs are titled in one of three ways utility trailer, recreational vehicle, or homemade trailer; and they are viewed as a trailer by the Department of Transportation. Most tiny homes are built with the flexibility of a 30 or 50 amp electrical service so that they can hookup in a campground or wherever service is available but it depends on what the customer wants built in to the home. If they are living off the grid they may want a composting toilet, a solar grid, etc., those who desire a more permanent setting will require permits and a meter so that they can connect to electric and to hook up to a water and/or sewer system or septic system. They typically operate on propane but some do operate on electric. Propane hookup can be changed to natural gas if moving to an area that provides natural gas.

Typically tiny homes fit within an 8'6" wide area and would not require a wide load permit. The Kipfmiller's explained that the difference between an RV and a tiny house is that a tiny house is "a home". Brandi Kipfmiller is a Postal Worker by trade. She states that she sees many dilapidated trailer homes. She suggested that communities might be able to transition these to PUD's to bring in tiny homes to replace the worn out trailers.

The State has established a tax for mobile home parks to offset municipal costs but they have not yet established the same type of tax for tiny home PUD's and it is not yet known how the assessor would assess these properties. It is not known if a luxury tax is assessed on these homes.

There are individuals who wish to place a TH on their lot as a mother-in-law suite so that their aging relatives are close by yet retain their independence. There are concerns about what happens with the TH when the aging relative passes (would it be allowed to become a rental property? Would we require it be removed from the lot? If so, what timeline would be allowed? etc.)

Individuals that place these tiny homes on acreage out of town typically build an accessory structure to house vehicles and/or lawn equipment, etc.

The City of Detroit, through Cass Social Services, is utilizing vacant city lots off I-94 for the purpose of providing a place for THs for homeless individuals.

There are other states that may have addressed some of these issues so as city staff obtains more information on this topic they will forward it on to the Planning Commission so that they can make zoning recommendations to the City Commission.

### **Mother-In-Law Homes**

The discussion on THs lead in to discussion on the topic of Mother-In-Law homes (MILH) which was discussed at a Planning Commission meeting last year. There is a necessity for this type of housing due to the aging baby boomer population. One concern regarding the MILs discussed at a prior Planning Commission meeting was that if someone builds a nice home for their MILH, then sells their house and the MILH becomes a rental under the new property owner.

Attorney Hoerauf offered that it is difficult differentiating a tiny home community from an RV park and in her opinion an RV park is not an appropriate use in an R1 district. The Commission was asked to think about what they would like to do in relation to zoning for THs and MILHs in the future so that the city knows what direction to take when formulating an ordinance.

The topics of tiny homes and mother-in-law suites segwayed into a discussion on the need for a rental ordinance. Unfortunately, a full-time employee would be needed in order to enforce a rental ordinance and the city does not currently have the funds to employ a full-time code enforcer.

While the City has assigned the Assessor to keep up with code enforcement she only does it part time so it hasn't been very successful. The City Manager suggested that we might be able to contract part-time with a Code Enforcement Officer from another municipality. Commissioners had concerns that sharing an Enforcement Officer may not be very effective because they wouldn't be able to keep up with the demands of the job.

### **Future Land Use Map**

The commissions were asked to consider the following information. We only have approximately 13 acres of property remaining available in our Northern Industrial Park. We have someone interested in purchasing those 13 acres. If they purchase that property we will be out of industrial property since the South Industrial Park is also at capacity. North Ten is in the process of building a continuation of the roadway in the North Industrial Park through their adjoining commercial property to the west to Clare Avenue. North of that roadway is a 60 acre parcel which adjoins our Industrial Park on the northwest corner. In agreement with the property owners, we would like the commission to consider turning that 60 acre parcel from commercial to industrial zoning on our Future Land Use map, that way if a business comes to us requesting a 30 acre parcel we will have one available. Commercial businesses could still operate in that 60 acre parcel. C/M Hibi stated that it may be an option, if the owners are amenable, to change zoning on the entire 120 acre parcel to industrial. The property is located within the UCA. Mayor Humphrey pointed out that more businesses (commercial) are conducting business online so unless there is an anchor store that comes in there may not be any commercial development coming in to that area. Commissioner Demasi wished to take another look at the Ordinances to see if we need to add anything to the northern district of the city.

Since the southern end of the city seems to be less successful and slow to recover in terms of future growth, City Attorney Hoerauf noted that we need to attract an assisted living facility developer for the southern sector of the city. While the northern sector of the city has a complete interchange highway access and is traffic oriented (allows travel to and from both the north and the south), the southern sector of the city has traffic that is more destination oriented (because there is limited highway access; south bound only) which lends itself to integrating assisted living and medical facilities. There is an example of a wonderful facility on Bay Road near Three Mile Road near Saginaw.

### **Upcoming Staff Project List**

We believe that we will be eligible for the next round Ice Grants (2018); up to \$2M is available for infrastructure enhancements. The City Commission chose to accelerate the street project to upgrade water mains from 4" to 8" if we receive an ICE Grant this year. Gourdie Fraser provided an updated map for streets improvements today and we will forward that map to the Commissions. If we are successful in our application the grant would cover 82% of the cost with the city paying the remaining 18% and it would pay for the upgrade of 80% of our 4" water mains and upgrade the entire street environment. 20% of the 4" mains are on McEwan and it would take coordination with MDOT to complete.

### **Shamrock Lake Dredging**

Shamrock Lake needs improvement (dredging) because it has been filling in over the course of time. Commissioner Demasi, who lives on Shamrock Lake, noted that they (lakefront owners) have known for a long time that the lake needs improvements. The City paid for a lake study a few years back which provided options for dredging. Those options included assessment payback options. There are residents who live on the lake who are willing to pay the special assessment to

have the dredging completed; recently, there has been pushback by some of the lake front property owners who oppose dredging. Elaine stated that when they last met (lakefront property owners) the majority of property owners (according to a survey) were in favor of dredging and she would hate to see the project stopped because some owners oppose dredging. Since then, one of the property owners who oppose dredging conducted his own survey showing that a near majority oppose dredging.

CM Hibl offered that there are three ways that the lake can be dredged: if the State directs it, if the City's governing body directs it, or by a petition of the lakefront property owners. The City Commission agreed that there is a necessity for dredging and they declared a necessity, tasking the Lake Board with determining the scope and cost of the project. Lakefront property owners who oppose dredging only do so because they feel that the city should pay for it rather than the lakefront property owners. The problem with assessing the entire city for dredging is that all of the benefit would go to the lakefront property owners; it would disproportionately benefit only a few. The Lake Board will have to go back to the City Commission and inform them of the most recent survey. The City Commission will have to decide to either move ahead as planned or hold off.

CM Hibl offered that the bigger question is how important is the lake to the residents of the city. We need to know what the city's legal liability is if we pull the plug on the dam.

Mayor Humphrey pointed out that the DEQ may not even issue a permit to allow dredging. He also noted that if the dam broke it would not be replaced.

Jaynie pointed out that as far as the environmental people of the State are concerned the dam could go away and the body of water return to its natural state as a river noting that the lakefront property owners don't realize how tenuous the situation with the lake really is.

Commissioner Clark offered that if the lake goes away property owners home values will go down and the smelly silt area under the lakebed will become their backyards. He also pointed out that as a resident of the city he can see some value to having such close access to the lake and that it is an asset to the city.

The city cannot assess all residents for any portion of the cost unless it was petitioned to be placed on the ballot. There have been successful for other petitions such as the airport and the streets millage. There are several steps that have to take place before we can move forward with dredging. We plan to put the spoils from dredging on the airport property but we don't know if the DEQ or the FAA will allow us to do so.

#### **Medical Marijuana:**

The City Attorney & City Manager attended a medical marijuana educational session today. There was a DEA agent present from the Detroit office on the panel. He was asked about the federal government's position on Jeff Session's latest memo to US Attorney's regarding enforcement of medical marijuana laws. He answered that they (feds) will enforce anything outside of the State's law. He also provided numerous stats from Colorado before and after they approved recreational marijuana. California learned from Colorado's mistakes in approving recreational marijuana and added more regulations. LARA is purposely moving slowly to issue licenses in Michigan. CM Hibl asked Commissioners to think about what regulations should be in place if Michigan approves recreational marijuana.

**Public Comment:** None.

#### **ADJOURNMENT**

Moved by Commissioner Wyman seconded by Commissioner Heintz to adjourn. Ayes: All. Nays: None. Absent: Darren Acton and Jean McConnell. *Motion approved.* Meeting adjourned at 8:06 p.m.

