

The regular meeting of the Clare City Planning Commission was conducted via remote attendance in compliance with the Michigan Open Meetings Act and was called to order at 6:34 p.m. by Planning Commission Chair Jason Lowe, who led with the Pledge of Allegiance. Present were: Commissioners **Darren Acton**, Clare County, City of Clare, MI; **Elaine Demasi**, Clare County, City of Clare, MI; **Glenda Carmoney**, Clare County, City of Clare, MI; **Jason Lowe**, Clare County, City of Clare, MI; **John Myers**, Clare County, City of Clare, MI; and **Nick Wyman**, Clare County, City of Clare, MI. Absent: Angie Cozat, Brett Moser and Stacy Pechacek. Also present were Jeremy Howard, City Manager; and Diane Lyon, City Clerk.

Rules for Public Comment during the conduct of a remote electronic meeting were read to the audience by Clerk Lyon.

APPROVAL OF CONSENT AGENDA:

Moved by Commissioner Acton second by Commissioner Demasi to approve the Consent Agenda items listed with an asterisk (*) (Amended Agenda (to allow for items of new business to be considered prior to items of unfinished business), Minutes and Professional Development) that are considered to be routine by the Planning Commission. Roll call vote: Yeas: Commissioners Darren Acton, Glenda Carmoney, Elaine Demasi, Jason Lowe, John Myers and Nick Wyman. Absent: Angie Cozat, Brett Moser and Stacy Pechacek. *Motion Carried.*

PUBLIC COMMENT: None.

APPROVAL OF AGENDA:

*approved by consent agenda.

APPROVAL OF MINUTES:

*approved by consent agenda.

NEW BUSINESS:

A. PRESENTATION OF PROPOSAL TO ALLOW OUTDOOR MARIHUANA CULTIVATION

The City currently allows Medical (all types) and Recreational (excluding retail) marihuana facilities as designated and regulated in the current ordinances. Outdoor growing of any kind is currently prohibited by ordinance.

One of our current licensed vendors (THC) has approached the city with a proposal to have the city consider allowing outdoor cultivation activities in areas already approved for indoor growing facilities. City staff have recommended that they begin the conversation at the Planning Commission level to gauge if they would consider amending the current ordinance to allow outdoor cultivation.

If the Planning Commission comes to the consensus that they are open to the proposed ordinance change, city staff would then take the conversation to the IDC for their recommendation of approval or denial. A draft ordinance amendment would be developed and presented to the Planning Commission for approval or denial, then presented with the recommendations of both the Planning Commission and IDC to the City Commission for their final decision. City Attorney Jaynie Hoerauf was present to answer questions regarding the current Ordinance and take note of the Commissioner's input in the event they desire the development of a draft Ordinance amendment.

Attorney Jordan Rasaam, who represents the licensed vendor THC Group, was in attendance to provide an update on current operations and to present the proposal for outdoor cultivation.

THC's facility is state licensed and operational. Their 6-million-dollar investment is presently running at 25% capacity and they employ five full time employees. Within the next 90 days they anticipate hiring 15-20 additional employees.

The THC Group are requesting that the Planning Commission consider allowing outdoor cultivation on three of the six acres they currently own. The reason for the proposed outdoor growing is that there is a lesser cost involved to grow outside during the growing season and it would provide a supplemental revenue stream which would

provide additional investment capital. The cultivation field would run contiguous to the current facility; locked and enclosed with solid fencing; the fencing would be built to a height as to prevent visibility from all roadways, with the height and building materials to be determined by the Planning Commission; a comprehensive, high tech security surveillance would be employed on the outdoor area as it is on the current facility; armed security staff would be present on site 24 hours a day, seven days a week; and all trimming and processing would take place indoors once the plants are harvested.

The current Ordinance regulating fencing in industrial areas would likely also require amendment if the Planning Commission desires to consider an amendment.

One of the concerns addressed by the Commission was that of odor emanating from the outdoor plants. Weather and wind play a factor in how far the odor will travel and it cannot be controlled.

The Planning Commission worked long and hard to develop the current Ordinance and while they desire to support business and economic growth, they are not inclined to backtrack on the work they've accomplished.

While the Commission understands why the request is being made, the group consensus is that they oppose an Ordinance amendment.

Planning Commissioners expressed a desire to tour THC's facility and THC is open to providing a tour. CM Howard will coordinate that effort once MDHHS guidelines for COVID-19 are relaxed or lifted.

UNFINISHED BUSINESS:

A. REVIEW OF SIGN ORDINANCE REVISION

At the September 9, 2020 meeting, the Planning Commission was presented with revisions to the current sign ordinance for review and consideration. At that meeting, Planning Commissioners provided feedback and recommendations for amendments to the proposed ordinance amendment. At the next meeting held on October 14, 2020 the Planning Commission was scheduled to hold a public hearing and make a recommendation to the City Commission regarding the adoption of the amended ordinance. Following discussion, the Planning Commission determined that more revisions were necessary. At the November 11, 2020, the ordinance was again reviewed and additional revisions were recommended.

Jill Bahm of Giffels Webster has now provided an updated memo outlining the changes recommended by the Planning Commission, City Attorney, and City Staff following the last Planning Commission Meeting. Jill has outlined items that require additional discussion and consideration by the Planning Commission.

The Commission cited concerns regarding regulation of the height of new construction pole signs as provided in the new Ordinance in the overlay district because existing signs exceed the new height limits and the Commission does not desire to discourage new business from receiving the same benefit of advertising as businesses with grandfathered signs. They prefer to provide an equal advantage to new businesses however, they do have the option of amending the Ordinance at a later date if it is determined to be too prohibitive to new businesses.

Glenda asked city staff to find out why the lights are not working on the Marathon gas station sign at the north end of Clare.

Following the review of the draft sign ordinance presented, the Planning Commission agreed to schedule a public hearing at the March meeting to consider a recommendation for Ordinance adoption.

EXTENDED PUBLIC COMMENT: None.

COMMISSION DISCUSSION TOPICS: The City Manager has been approached by a local business owner about building a tiny home (385 sq ft) on a parcel within the city. Our current ordinances do not provide for tiny homes due to the current minimal dimensions required and other factors (utility hookup, removal of wheels & tongue, etc).

The Planning Commission was asked if they would consider addressing the topic of amending our ordinances to provide for tiny homes. The Commission has engaged in discussion on this topic at previous meetings and came to the consensus that they would prefer to discuss the matter with a full commission at the next scheduled meeting.

APPROVAL OF PROFESSIONAL & EDUCATIONAL TRAINING OPPORTUNITIES:

*approved by consent agenda.

ADJOURNMENT

Moved by Commissioner Acton second by Commissioner Carmoney to adjourn at 8:14 p.m. Roll call vote: Yeas: Darren Acton, Glenda Carmoney, Elaine Demasi, Jason Lowe, John Myers and Nick Wyman. Absent: Angie Cozat, Brett Moser and Stacy Pechacek. None. Nays: None. *Motion Carried.*

Diane Lyon, City Clerk