

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 6:33 p.m. by Planning Commission Chair Jason Lowe, who led with the Pledge of Allegiance. Present were: Commissioners Glenda Carmoney, Clare County, City of Clare, MI; Angie Cozat Clare County, City of Clare, MI; Elaine Demasi, Clare County, City of Clare, MI; Jason Lowe, Clare County, City of Clare, MI; John Myers, Clare County, City of Clare, MI; Stacy Pechacek, Clare County, City of Clare, MI; and Nick Wyman, Clare County, City of Clare, MI. Absent: Brett Moser. 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 Demasi second by Commissioner Cozat to approve the Consent Agenda items listed with an asterisk (*) (Agenda, Minutes and Professional Development) that are considered to be routine by the Planning Commission. Roll call vote: Yeas: Commissioners Glenda Carmoney, Angie Cozat, Elaine Demasi, Jason Lowe, John Myers, Stacy Pechacek and Nick Wyman. Nays: None. Absent: Brett Moser. *Motion Carried.*

PUBLIC COMMENT: None.

APPROVAL OF AGENDA:

*approved by consent agenda.

APPROVAL OF MINUTES:

*approved by consent agenda.

NEW BUSINESS:

A. SELECT 2021 REPLACEMENT OF VICE CHAIRPERSON

The By-Laws of the City of Clare Planning Commission stipulate that the Planning Commission shall annually select its Vice Chairperson at the first scheduled meeting of the year. The Planning Commission did this selection at their January 13th 2021 meeting. After the recent passing of Planning Commissioner Darren Acton, it is now necessary for the Planning Commission to again designate a Vice Chair for the remainder of 2021.

With that said, a moment of silence was taken in memory of Commissioner Acton.

Motion by Commissioner Carmoney second by Commissioner Pechacek to nominate Nick Wyman. With no other nominations being made, Resolution 2021-005PC was approved by the following roll call vote: Yeas: Commissioners Glenda Carmoney, Angie Cozat, Elaine Demasi, Jason Lowe, John Myers, Stacy Pechacek and Nick Wyman. Nays: None. Absent: Brett Moser. *Motion Carried.*

B. TINY HOME DISCUSSION

City Ordinance currently does not allow for tiny houses inside the city. There are a number of ordinances that would prohibit the placement of one inside the city including minimum size, tires and tongues on houses, hookups, etc.

Amy Shindorf and spouse Gordie Risbridger have approached the city desiring to start a conversation regarding the possibility of changing our ordinances or creating a specific ordinance section to allow for the placement of tiny homes within the City of Clare. Staff have recommended that they begin with a discussion at the Planning Commission level to gauge if there is any interest in amending the current ordinances or creating a special ordinance to allow tiny homes.

Amy Shindorf and Gordie Risbridger introduced themselves to the Commission and provided some of their personal history. They have been offered a lot in the city to place their tiny home; aging relatives own a lot on Riverside Drive abutting the lot on which they reside. The location is in an out of the way area of the city; the owners (Mike & Vanessa Sargent) have given stipulations for them to place the home on the lot (those stipulations were not provided).

Amy & Gordy presented a tiny home powerpoint to the Planning Commission and offered to be involved in the ordinance development process.

The presentation touched on implementing an ordinance that will not have a negative effect on (traditional) home values; will keep neighborhood aesthetics; it must provide clear standards and fairness; and it can accentuate the positives. Amy & Gordy acknowledgement that the Commission is accountable for Ordinance approval and need to be well supported by the community. The presentation identified the types of individuals and couples looking to live in a tiny home and detailed reasons why tiny homes are better than other types of small homes like modular homes, RV's and mobile homes.

Audience member Taylor Woodyard, who recently moved to the area, expressed his support of the tiny home movement.

The Planning Commission offered that they are not against having tiny homes in the city and are open to considering the development of an ordinance but they do have some concerns. The Planning Commission spent many hours on developing the Accessory Dwelling Unit Ordinance and during those discussions they talked about designating an area for tiny homes rather than allowing them in established neighborhoods. They oppose having tiny homes set up for the purpose of adding more rental properties in the city.

One of the main areas of concern with allowing tiny homes is an issue of the homes being mobile; the Planning Commission is adamant that tiny homes must be a permanent structure. Amy and Gordy were asked if the home would be a permanent structure to which they assured the Planning Commission that their home will be a permanent structure. Amy and Gordy added that they intend to build attached patios to the permanent structure.

As an aside, the City Manager noted that County and City require a permanent connection to water and sewer lines as well as specific foundation requirements.

The Planning Commission set forth specific requirements that should be incorporated if the Commission is going to consider an ordinance:

- a. Must be owner occupied.
- b. Must be a permanent structure (not mobile).
- c. Must establish a minimum value.
- d. Stipulation on building material (must be constructed from standard building materials and not pre-made storage containers, etc.).

Amy & Gordie acknowledged that the review and consideration of information received by the Planning Commission followed by the potential development and consideration of an Ordinance can take many months to complete as was explained by the City Manager.

Jill Bahm of Giffels Webster offered to conduct research on some form-based codes to achieve the aesthetics desired by the Planning Commission. The Planning Commission will review the information as it becomes available.

C. ANNUAL RENEWAL OF MEDICAL MARIJUANA SPECIAL USE PERMITS FOR 535, 545 & 555 INDUSTRIAL DRIVE & TRANSFER OF PERMITS TO VAULT MI, LLC. (FORMERLY GREEN BRONCO, LLC)

The City of Clare previously approved special use permits for two Class C Medical Marijuana grow licenses, a processing license, and a Medical Marijuana retail license as allowed within the City to Green Bronco, LLC. The annual special use permits will be expiring soon and at this time the applicant has requested a transfer and early renewal of the approvals from the entity Green Bronco, LLC to Vault MI, LLC. Subsequent to the transfer, Vault MI, LLC (formerly Green Bronco) has requested renewal of the special use permits.

The requisite Special Use Checklist and Site Plan documents have been submitted. City Staff have reviewed the Checklist and Site Plan and have found no fault or error in these documents and takes no exception to the application.

Prior to consideration, deliberation, and decision regarding this matter, the Commission is required to hold a public hearing related to the proposal. Proper notice regarding the special use permit application has been made by the City. The City has also mailed notice to all property owners within a 300' radius of the site of Medical Marijuana facilities. To date we've received no objections to the request for renewal of the permits.

Subsequent to the hearing, the Planning Commission is asked to formally consider the Special Use Permit Application and render a decision in respect to approval or disapproval of the renewal of the special use permits.

Motion by Commissioner Carmoney second by Jon Myers to open the public hearing. Roll call vote: Yeas: Commissioners Glenda Carmoney, Angie Cozat, Elaine Demasi, Jason Lowe, John Myers, Stacy Pechacek and Nick Wyman. Nays: None. Absent: Brett Moser. *Motion Carried.*

Public Comment: None.

Motion by Commissioner Demasi second by Cozat to close the public hearing. Roll call vote: Yeas: Commissioners Glenda Carmoney, Angie Cozat, Elaine Demasi, Jason Lowe, John Myers, Stacy Pechacek and Nick Wyman. Nays: None. Absent: Brett Moser. *Motion Carried.*

Motion by Commissioner Carmoney second by Commissioner Pechacek to approve the transfer and renewal of the medical marijuana Special Use Permits by adoption of Resolution 2021-006PC. Roll call vote: Yeas: Commissioners Glenda Carmoney, Angie Cozat, Elaine Demasi, Jason Lowe, John Myers, Stacy Pechacek and Nick Wyman. Nays: None. Absent: Brett Moser. *Motion Carried.*

D. RECREATIONAL MARIJUANA SPECIAL USE PERMIT AND SITE PLAN FOR 555 INDUSTRIAL DRIVE VAULT MI, LLC.

The City has received a Special Use Permit Application from Vault MI, LLC., to operate a Recreational Marijuana Grow Class C Facility at 555 Industrial Drive within the City of Clare. The Clare City Planning Commission is the approval authority for the permit.

Vault MI, LLC., has completed the required Special Use Recreational Marijuana Zoning Permit Application and provided the related site plan documents. City Staff has reviewed the application and site plan provided and found no fault or error in these documents and takes no exception to the responses offered.

Prior to consideration, deliberation, and decision regarding this matter, the Commission is required to hold a public hearing related to the proposal. Proper notice regarding the special use permit application has been made by the City. The City has also mailed notice to all property owners within a 300' radius of the site of proposed Recreational Marijuana Grow facility. To date the City has received no stated objections to the proposed use.

The site plan and building layout are basically identical to the currently approved Medical Grow license in the existing building. No additional changes to the building or exterior are being proposed. The same building will be used to grow both medical and recreational plants.

Subsequent to the hearing, the Planning Commission is asked to formally consider the Special Use Permit Application and Site Plan and render a decision in respect to approval or disapproval.

Motion by Commissioner Myers second by Pechacek to open the public hearing. Roll call vote: Yeas: Commissioners Glenda Carmoney, Angie Cozat, Elaine Demasi, Jason Lowe, John Myers, Stacy Pechacek and Nick Wyman. Nays: None. Absent: Brett Moser. *Motion Carried.*

Public Comment: None.

Motion by Commissioner Carmoney second by Cozat to close the public hearing. Roll call vote: Yeas: Commissioners Glenda Carmoney, Angie Cozat, Elaine Demasi, Jason

Lowe, John Myers, Stacy Pechacek and Nick Wyman. Nays: None. Absent: Brett Moser.
Motion Carried.

Operations Manager, Taylor Woodyard and Attorney, Joey Kejbou were present to provide information on behalf of Vault MI, LLC.; Medical marihuana and recreational marihuana will be grown in separate rooms however, the only difference in the plants is in how they are tagged; there is no difference in the plant, the cultivation, the THC level, or in safety testing. Without the ability to cultivate recreational marihuana, the business will likely not survive. The way the market is going, there is a drastic decline in medical marihuana retail with the legalization of recreational marihuana. They expect to have all state licensing in place and the facility operational by the end of April and anticipate that they will be bringing 45-60 jobs when all of the facilities are operational. Starting wage will be \$14-\$15 per hour. They are looking at forgoing the medical marihuana dispensary all together and transitioning to recreational cultivation at all of the Clare facilities. Processing will likely be centralized to a location outside and south of Clare.

Motion by Commissioner Wyman second by Commissioner Myers to approve the recreational marihuana Special Use Permit and Site Plan by adoption of Resolution 2021-007PC. Roll call vote: Yeas: Commissioners Angie Cozat, Jason Lowe, John Myers and Nick Wyman. Nays: Glenda Carmoney, Elaine Demasi and Stacy Pechacek. Absent: Brett Moser. *Motion Carried.*

D. REVIEW OF SIGN ORDINANCE REVISION

Throughout the end of 2020 and the beginning of 2021, the Planning Commission held discussions and was provided with revisions to the current sign ordinance for the City of Clare. At those meetings, Planning Commissioners were asked to discuss and provide feedback and recommendations for amendments to the proposed ordinance amendment.

Jill Bahm of Giffels Webster has again provided a memo outlining the most recent changes recommended by the Planning Commission, City Attorney, and City Staff after the last Planning Commission Meeting. A markup version of the ordinance and a clean version have both been provided for the Planning Commission for review.

The approval authority for all ordinance changes in the City is the Clare City Commission. But in matters related to Chapter 52 (Zoning), the City Planning Commission is required to provide a formal recommendation to be considered by the City Commission in its discussions regarding the proposed ordinance changes.

The Planning Commission is required to hold a public hearing regarding the proposed ordinance/zoning changes at this time. Public notice has been accomplished. Subsequent to the public hearing, the Planning Commission is asked to consider, discuss, and render a formal recommendation, which will be forwarded to the City Commission for consideration in its actions related to the proposed ordinance/zoning change.

Commissioners reviewed the pole sign height as outlined in the amended Ordinance and have determined that the specs are sufficient and are in the "ball park" with other local, surrounding municipalities.

Motion by Commissioner Demasi second by Myers to open the public hearing. Roll call vote: Yeas: Commissioners Glenda Carmoney, Angie Cozat, Elaine Demasi, Jason Lowe, John Myers, Stacy Pechacek and Nick Wyman. Nays: None. Absent: Brett Moser.
Motion Carried.

Public Comment: None.

Motion by Commissioner Demasi second by Cozat to close the public hearing. Roll call vote: Yeas: Commissioners Glenda Carmoney, Angie Cozat, Elaine Demasi, Jason Lowe, John Myers, Stacy Pechacek and Nick Wyman. None: None. Absent: Brett Moser.
Motion Carried.

Motion by Commissioner Pechacek second by Commissioner Carmoney to recommend approval of Sign Ordinance amendment (2021-001) by adoption of Resolution 2021-008PC. Roll call vote: Yeas: Commissioners Glenda Carmoney, Angie Cozat, Elaine

Demasi, Jason Lowe, John Myers, Stacy Pechacek and Nick Wyman. Nays: None. Absent: Brett Moser. *Motion Carried.*

EXTENDED PUBLIC COMMENT: None.

COMMISSION DISCUSSION TOPICS: The Commission shared stories in memory of Darren Acton. Nick Wyman requested approval to place a granite bench in memory of Darren Acton at Imagination Gateway as Darren was very actively involved in that project. If others outside of the Wyman family are interested in participating, please let him know. Jeremy will ask Joy to reach out to the Wyman family so that she can take their idea to the Parks & Recreation Board for their recommendation. The Commission also discussed contributing toward a memorial for Ben Walters who we lost a few years back. Nick suggested community outreach as they were both well respected leaders in the community. Jason will be meeting with the Gateway Community Band members this weekend and will approach them about contributing towards a bench for Darren as he was involved with the group. The Gateway Community Band is also looking to set up a scholarship in honor of Darren.

Commissioner Demasi asked that Jeremy report the 4-3 vote regarding the recreational marihuana special permit in his report to the City Commission.

APPROVAL OF PROFESSIONAL & EDUCATIONAL TRAINING OPPORTUNITIES:

*approved by consent agenda.

ADJOURNMENT

Moved by Commissioner Carmoney second by Commissioner Demasi to adjourn at 8:30 p.m. Roll call vote: Yeas: Glenda Carmoney, Angie Cozat, Elaine Demasi, Jason Lowe, John Myers, Stacy Pechacek and Nick Wyman. Nays: None. Absent: Brett Moser. *Motion Carried.*

Diane Lyon, City Clerk