

The regular meeting of the Clare City Planning Commission was called to order in the city commission chamber of Clare City Hall, 202 W. Fifth St., Clare, MI, at 6:30 p.m. by Commission Chair Josh Clark, who led the Pledge of Allegiance. Present were: Commissioners Darren Acton, Josh Clark, Angie Cozat, Glenda Carmoney, Elaine Demasi, Jason Lowe, Brett Moser and Nick Wyman. Absent: Kristin Heintz. Also present were Ken Hibl, City Manager; and Sarah Schumacher, Deputy Clerk.

APPROVAL OF AGENDA:

Moved by Commissioner Demasi second by Commissioner Acton to approve the agenda. Ayes: All. Nays: None. Absent: Kristin Heintz. *Motion approved.*

APPROVAL OF MINUTES:

Moved by Commissioner Carmoney second by Commissioner Wyman to approve the Minutes. Ayes: All. Nays: None. Absent: Kristin Heintz. *Motion approved.*

UNFINISHED BUSINESS: None.

NEW BUSINESS:

A. SPECIAL USE PERMIT – TOBACCO RANCH (KEEPING OF HORSES)

The City has received a verbal request from Mr. Jim Paetschow, the proprietor of the Tobacco Ranch, to allow him to retain Clydesdale Horses on the premises of the Tobacco Ranch. The request mandates that he be issued a Special Use Permit by the City Planning Commission. The horses will be used to pull a special 20-passenger carriage he has purchased for the purpose of transporting guests to and from the Tobacco Ranch during the course of events at the Ranch, e.g., transport wedding guests from the Doherty Hotel to the Ranch, etc.

The criteria for keeping of horses within the City of Clare are outlined in Section 52-340 of the City's zoning codes. The keeping of horses requires a minimum of four acres; Mr. Paetschow has in excess of 60-acres at the Ranch. The City Staff met with Mr. Paetschow on November 8th to review all the remaining criteria mandated for issuance of a Special Use Permit in respect to the keeping of horses; Jim satisfied all the stated requirements and satisfactorily responded to all the City Staff queries regarding fencing, feeding & caring of the animals, disposal of waste, etc. The Staff unanimously recommends approval of the request.

The City published the requisite notice of the Special Use Permit request; to date we've received no stated objection(s). The City also mailed notice to all property owners within 300-feet and directed affected by the retention of horses on this property; to date no adverse responses have been received from any of those property owners.

The Planning Commission is the approval authority of the Special Use Permit. A public hearing is required prior to the Commission's formal action to approve or disapprove the Special Use request.

Jim Paetschow was present to answer questions of the Commission and present his plans to the Commission. A local horse caretaker has been contracted to care for and feed the Clydesdales. Horses will be contained with a wooden horse fence that will run north and south along the western edge of the property (adjacent to McEwan) for easy viewing and a taller solid fence on the southern edge of the property near the river for private events. Horse waste will be picked up on a timely basis and removed to the rear of the property.

Motion by Commissioner Lowe second by Commissioner Carmoney to open the public hearing. Ayes: All. Nays: None. Absent: Kristin Heintz. *Motion approved.*

Public Comment: None.

Motion by Commissioner Moser second by Commissioner Acton to close the public hearing. Ayes: All. Nays: None. Absent: Kristin Heintz. *Motion approved.*

Motion by Commissioner Demasi second by Commissioner Carmoney to approve the Special Use Permit by adoption of 2018-029PC. Roll call vote: Ayes: Darren Acton, Josh Clark, Angie Cozat, Glenda Carmoney, Elaine Demasi, Jason Lowe, Brett Moser and Nick Wyman. Nays: None. Absent: Kristin Heintz. *Motion approved.*

INFORMATIONAL ITEMS – CITY ATTORNEY MEMO (RLUIPA)

Our City Attorney has provided a memo related to the Federal Religious Land Use & Institutionalized People Act (RLUIPA). She has advised us that the provisions of the Act must be incorporated in the next revision of our Zoning Ordinance Codes.

DISCUSSION TOPIC – CITY ATTORNEY MEMO (ORDINANCE 2019-01)

We've received a memo from our City Attorney related to a proposed ethics ordinance that she is recommended be adopted, to address ethical codes and standards for the members of the City's Planning Commission, the City Commission, and the City's Staff members. We are presenting the proposed ordinance to the Planning Commission with a request to review it prior to the scheduled November 14th meeting to provide us comments/questions, suggestions, and recommendations for changes at that scheduled meeting. We will provide those comments to our City Attorney, who will address them and incorporate the comments & recommendations in the final draft version of the proposed ordinance - which will be presented to the Planning Commission for final review and recommendation of approval at the December 12th meeting to allow it to be presented to the City Commission for a First Reading on December 17th.

The Commissioners asked to be provided with paper copies of the sample ordinance for review and marking. Staff will notify them when copies are ready to be picked up. Commissioners will present their comments and recommendation at the December 12th meeting.

DISCUSSION TOPIC – ZONING CODE REVISION

As part of the Redevelopment Ready Community certification process with the Michigan Economic Development Corporation, we've discovered a possible means to receive grant funds to revise our Zoning Ordinance Codes. If approved, we may receive up to \$20K in grant assistance. But a condition of the grant is that we are required to utilize the services of a vendor designated by MEDC; consequently, we would not be able to use the services of McKenna Associates, whom we have solely used for the past two decades. I've attached the most recent proposal from MEDC's vendor. As reflected in the proposal, the cost is nearly \$50K if we go thru all three phases of their proposal. We've also asked them if we could spread the payments across two fiscal years, thus making it more palatable for us to use the services.

The Commission was asked to review the proposal and provide comments, suggestions, and concerns. We intend to discuss the matter with the City Commission at the scheduled November 19th meeting, so we'd like to have any input you offer to present to the City Commission before a final decision is made. The available third phase to the zoning code would give it a whole new look, but may be unaffordable. The financial impact could be as much as \$30K cost to the City and \$20K in grant funds - total for code revision of approx. \$50K.

PUBLIC COMMENT: None.

INTRACOMMISSION COMMUNICATIONS:

Site Plan – Next month, the Planning Commission can expect to see a site plan for Mercantile Bank for the construction of their new bank on their current property. The old bank will remain open during the construction of the new facility.

Vacation Rentals - The City has received two queries regarding vacation rentals which are currently un-regulated under our current zoning code. One homeowner will likely make a request to convert his/her home into a bed and breakfast which will require rezoning. After some discussion, the Planning Commission decided that rather than enacting a zoning ordinance now for vacation homes, it should be addressed at a later if and when it is determined that there is more interest in this type of activity in Clare's city limits.

Recreational Marijuana – City Manager, Ken Hibl, shared with the commission recent news and statistics regarding recreational marijuana – additional information will be forwarded to commissioners via email.

Joint Meeting - We have asked Ray Stover, CEO of Mid Michigan Medical Center, to share with us the hospital's capital plan over the next five years. We will plan this for the joint city/planning commission meeting in January

City Manager, Ken Hibl, also shared with the commission the State's new composting requirement for marijuana cultivation facilities. City staff has reviewed and approved submitted plans of the compost building additions for the two cultivation facilities located within our industrial park.

ADJOURNMENT

Moved by Commissioner Wyman second by Commissioner Moser to adjourn. Ayes: All. Nays: None. Absent: Kristin Heintz. *Motion approved.*

Meeting adjourned at 7:16 p.m.

Sarah Schumacher, Deputy Clerk