

## AGENDA REPORT

TO: Mayor Pat Humphrey & the Clare City Commission  
FROM: Jeremy Howard, City Manager  
DATE: November 30, 2022  
RE: Second Reading & Adoption of Ordinance 2022-003 – Request for Rezoning – Clare IDC

For the Agenda of December 5, 2022

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Background. As you remember from your last meeting, the Clare Industrial Development Corporation has requested that the City rezone three parcels of property from Commercial-1 to Industrial to facilitate the expansion of the City's South Industrial Park (*see att'd GIS map*). A public hearing and a first reading of the proposed Ordinance 2022-003, which includes amendments to our existing ordinance codes, was conducted by the City Commission at the scheduled meeting of November 21, 2022. No public comment was offered or received during the course of the public hearing regarding the proposed Ordinance amendment. The City Commission is now asked to consider approving Ordinance 2022-003. The Ordinance amendment is attached for final review (*att'd*).

The Commission now has the option of allowing a Second Reading of the proposed Ordinance 2022-003 or denying the conduct of a Second Reading, thereby rejecting the proposed new ordinance. The Commission is now asked to allow a Second Reading and either approve or deny the adoption of the proposed Ordinance.

Issues & Questions Specified. Should the City Commission approve Ordinance 2022-003 to change the zoning of three parcels of property from Commercial-1 to Industrial within the City of Clare as requested by the Clare Industrial Development Corporation?

Alternatives.

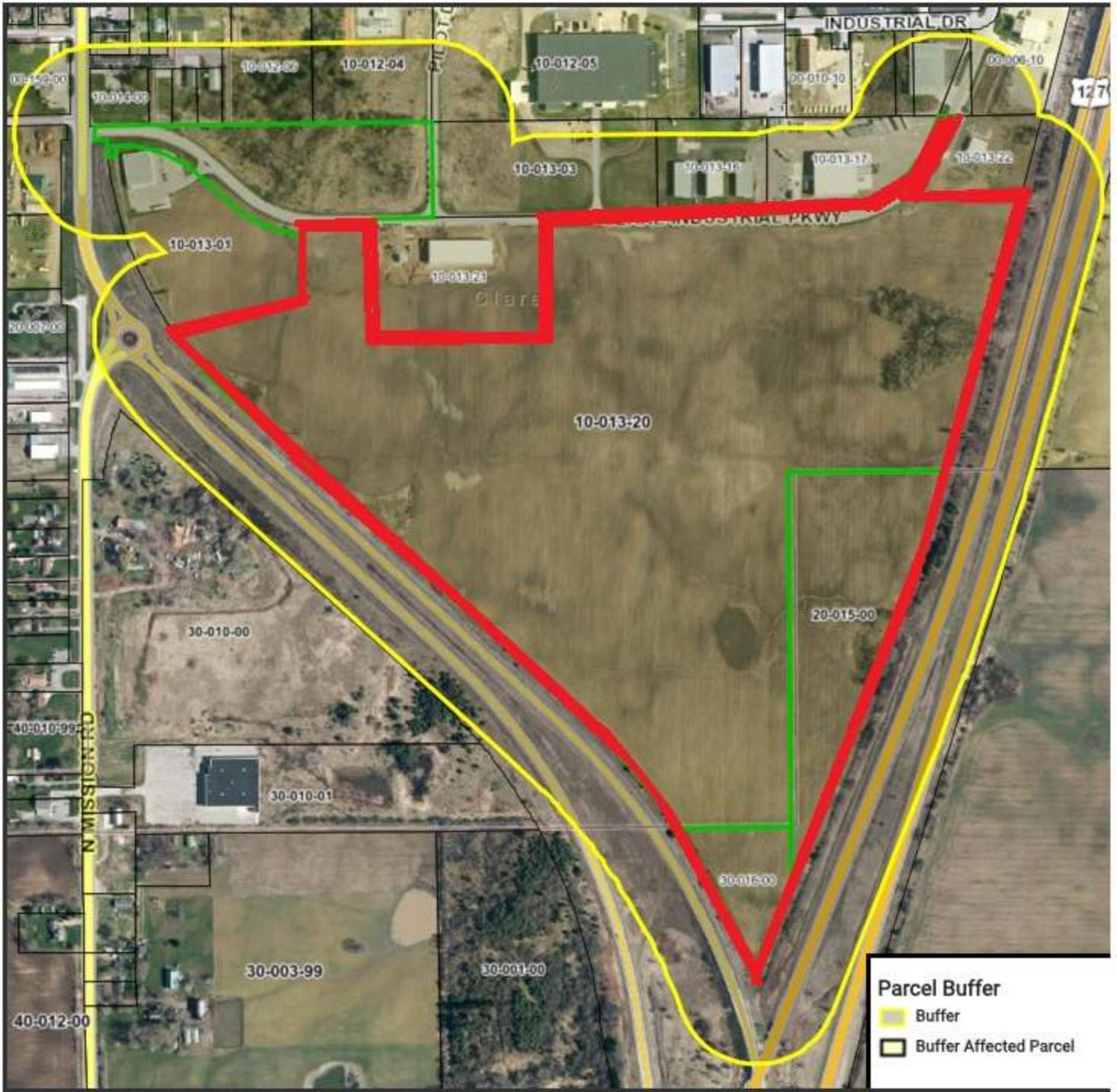
1. Approve the proposed ordinance in its entirety.
2. Approve the proposed ordinance with aforementioned minor corrections or changes.
3. Remove specific elements of the proposed ordinance and approve the remainder.
4. Do not approve the proposed ordinance.
5. Defer or delay decision on this matter to a subsequently scheduled City Commission meeting.

Financial Impact. There is no immediate, direct fiscal impact to the City. However, there are potential long-term fiscal implications associated with this request (potential cost for infrastructure and also increased tax revenue from development).

Recommendation. I recommend the City Commission allow a Second Reading and approve proposed Ordinance 2022-003 by adoption of Resolution 2022-102.

Attachments.

1. GIS Map.
2. Ordinance 2022-003.
3. Resolution 2022-102.



ORDINANCE NO. 2022-003

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF CLARE BY reference of the City Code of Ordinances, Chapter 52-102.

Short Title: CITY OF CLARE- ORDINANCE AMENDMENT – ZONING MAP. An ordinance to amend the City of Clare Zoning Map.

**The Zoning Map of the City of Clare is hereby amended as follows:**

Section 1. The following parcels of property described herein shall be rezoned from Commercial-1 (C-1) to Industrial (I): 18-002-30-016-00, 18-002-20-015-00, and the section of parcel 18-002-10-013-02 located on the south side of Clare Industrial Parkway.

Affirmed to be recommended for rezoning to Industrial by the Planning Commission of the CITY OF CLARE on November 9, 2022 at a scheduled meeting with \_\_\_ commissioners in attendance, \_\_\_ voting aye, \_\_\_ voting nay.

I hereby certify that the foregoing was duly affirmed and recommended by the Planning Commission of the CITY OF CLARE, Michigan, at a regularly scheduled meeting on the 9<sup>th</sup> day of November, 2022, that of \_\_\_\_\_ members of the City Commission, \_\_\_\_\_ were in attendance and \_\_\_\_\_ voted for the adoption of the Ordinance. I further certify that the above and foregoing ordinance is recorded in Ordinances for the CITY OF CLARE.

Passed by the City Commission of the CITY OF CLARE on \_\_\_\_\_, at its regular meeting with \_\_\_\_\_ commissioners in attendance, \_\_\_\_\_ voting aye, \_\_\_\_\_ nay. Adopted by the City Commission of the City of Clare this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Signed: \_\_\_\_\_, Mayor.

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I hereby certify that the foregoing was duly adopted by the CITY COMMISSION of the CITY OF CLARE, Michigan, at its regular meeting on the \_\_\_\_\_ of \_\_\_\_\_, 2022, that of \_\_\_\_\_ members of the City Commission, \_\_\_\_\_ were in attendance and \_\_\_\_\_ voted for the adoption of the Ordinance. I further certify that the above and foregoing ordinance is recorded in Ordinances for the CITY OF CLARE.

Effective Date: \_\_\_\_\_

This Ordinance shall take effect thirty (30) days following date of publication as required by law. All Ordinances or part Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

\_\_\_\_\_  
Diane Lyon, Clerk

**RESOLUTION 2022-102**

**A RESOLUTION OF THE CLARE CITY COMMISSION APPROVING ORDINANCE AMENDMENT 2022-003, CHAPTER 52, REZONING SEVERAL PARCELS FROM COMMERCIAL-1 TO INDUSTRIAL.**

**WHEREAS**, the Clare City Staff, City Attorney, and the City of Clare Industrial Development Corporation have recommended a change to the existing zoning of three city-owned parcels to facilitate the expansion of the City's South Industrial Park; and

**WHEREAS**, the Clare City Commission, at a scheduled public meeting on the 21<sup>st</sup> day of November 2022, held an appropriately noticed public hearing related to said change request; considered the comments offered at the aforementioned public hearing; and directed the first reading of City Ordinance 2022-003, an ordinance to amend the Chapter 52 of the Code of Ordinances of the City of Clare; and

**WHEREAS**, the Clare City Commission again considered said request to amend said Ordinance at a scheduled public meeting on the 5<sup>th</sup> day of December 2022 and subsequently directed the second reading of Ordinance 2022-003.

**NOW THEREFORE BE IT RESOLVED THAT** the Clare City Commission hereby approves Ordinance 2022-003, thereby amending Chapter 52 of the City's Codes of Ordinance and rezoning the requested parcels.

**BE IT FURTHER RESOLVED THAT** said Ordinance shall become effective on the 8<sup>th</sup> day of January 2023.

**ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INSOFAR AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME ARE HEREBY RESCINDED.**

**This Resolution was introduced by Commissioner Murphy and supported by Commissioner Loomis. The Resolution declared adopted by the following roll call vote:**

**YEAS:**

**NAYS:**

**ABSENT:**

Resolution approved for adoption on this 5<sup>th</sup> day of December, 2022.

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Diane Lyon, City Clerk