

The regular meeting of the Clare City Planning Commission was called to order at 6:30 p.m. by Planning Commission Chair Jason Lowe, at Clare City Hall, 202 W. 5th Street, Clare, Michigan. The Chair led the meeting with the Pledge of Allegiance. Present were: Commissioners Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Jason Lowe, Stacy Pechacek & Nick Wyman. Absent: Brett Moser & John Myers. Also, present were Jeremy Howard, City Manager; Diane Lyon, City Clerk; Terry Acton, Zoning and Code Enforcement Officer; and Gary Todd, Airport Manager.

APPROVAL OF CONSENT AGENDA:

Moved by Commissioner Pechacek second by Commissioner Carmoney to approve the Consent Agenda items listed with an asterisk (*) (Agenda, Minutes, Communications, and Professional Development) that are considered to be routine by the Planning Commission. Roll call vote: Yeas: Commissioners Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Jason Lowe, Stacy Pechacek & Nick Wyman. Absent: Brett Moser & John Myers. *Motion Carried.*

PUBLIC COMMENT: None.

APPROVAL OF AGENDA: *approved by consent agenda.

APPROVAL OF MINUTES: *approved by consent agenda.

OLD BUSINESS: None.

NEW BUSINESS:

A. Approval of Updated Master Plan

The City has received a site plan application and supporting documents from Mr. Donald Nevill to add a 960' square foot addition to his airplane hangar at the Clare Municipal Airport on Lot 207 Taxi St. #2 to allow for storage and construction of a second airplane. The Planning Commission is asked to consider the application and render a site plan decision.

Prior to formally considering the site plan proposal, the Planning Commission is required to hold a public hearing to receive comments regarding the site plan application. The City has published notice of the public hearing and notified all property owners within 300' of the proposed hangar. The Planning Commission is asked to hold the requisite public hearing related to the site plan request and subsequently consider approving the site plan application.

The city's administrative staff have reviewed the site plan and unanimously recommend that the Planning Commission approve the proposed site plan.

Mr. Donald Nevill provided a brief overview of the project.

Motion by Commissioner Carmoney second by Commissioner Wyman to open the Public hearing. Roll call vote: Yeas: Commissioners Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Jason Lowe, Stacy Pechacek & Nick Wyman. Absent: Brett Moser & John Myers. *Motion Carried.*

Public Comment: None.

Motion by Commissioner Clark second by Commissioner Wyman to close the Public hearing. Roll call vote: Yeas: Commissioners Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Jason Lowe, Stacy Pechacek & Nick Wyman. Absent: Brett Moser & John Myers. *Motion Carried.*

Motion by Commissioner Pechacek second by Commissioner Wyman to approve the Site Plan by the adoption of Resolution 2022-015PC. Roll call vote: Yeas: Commissioners Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Jason Lowe, Stacy Pechacek & Nick Wyman. Absent: Brett Moser & John Myers. *Motion Carried.*

B. Ordinance 2022-003 Amendment-Request to Rezone Property

The Clare Industrial Development Corporation has requested that the City rezone three parcels of city-owned property to facilitate the expansion of the City's South Industrial Park. The properties are immediately adjacent to the current boundaries of the South Industrial Park. The city has owned the two smaller, landlocked parcels (18-002-20-015-00 & 18-002-30-016-00) for a number of years and the larger, contiguous parcel was recently purchased from the Russell family and deeded to the city for the intended purpose of industrial development. The requested zoning changes are consistent with the City's Future Land Use Map of the City Master Plan.

All zoning changes within the City of Clare are accomplished by ordinance change. Prior to consideration, the Planning Commission is required to hold a public hearing to receive comments regarding the rezoning request. The City has published notice of the public hearing and notified all property owners within 300'. To date, the City has received no stated objections to the proposed use.

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 change.

Subsequent to the respective hearing, the Planning Commission is asked to formally consider the Rezoning Request and to render a decision with respect to approval or disapproval. If approved, the rezoning recommendation will be forwarded to the City Commission for consideration.

MMDC Representative Sarah Adkins was present to provide information regarding the request for rezoning.

Motion by Commissioner Clark second by Commissioner Wyman to open the Public hearing. Roll call vote: Yeas: Commissioners Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Jason Lowe, Stacy Pechacek & Nick Wyman. Absent: Brett Moser & John Myers. *Motion Carried.*

Public Comment: None.

Motion by Commissioner Demasi second by Commissioner Clark to close the Public hearing. Roll call vote: Yeas: Commissioners Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Jason Lowe, Stacy Pechacek & Nick Wyman. Absent: Brett Moser & John Myers. *Motion Carried.*

Motion by Commissioner Clark second by Commissioner Pechacek to recommend approval of the Request for Rezoning by the adoption of Resolution 2022-016PC. Roll call vote: Yeas: Commissioners Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Jason Lowe, Stacy Pechacek & Nick Wyman. Absent: Brett Moser & John Myers. *Motion Carried.*

C. Discussion Topic-Ordinance 52-308-Camper/Boat/Trailer Parking and Storage

The City contracts with Clare County to manage Code Enforcement. It has been the desire of the Commission to continue, as well as increase, enforcement of existing ordinances and zoning regulations previously adopted. Our process of starting with education and asking for compliance before moving to tickets and more stringent code enforcement measures has made a positive impact on many compliance and blight issues.

However, the City Commission, Code Enforcement Officer, and city staff, have received letters, comments and questions regarding the enforcement of Section 52-308 (specifically the second half of the paragraph that deals with parking and storage of campers/boats/trailers/etc. in the driveway or in the front yard). Consequently, this matter was placed on the Commission's Agenda as a discussion topic at their October 17, 2022 meeting to receive direction and recommendations from the City Commission for changes to the Ordinance to begin the process of drafting an ordinance amendment that will address the concerns of both the residents and the City Commission as well as clean up some of the "holes" that we have found in the Ordinance.

Zoning and Code Enforcement Officer Terry Acton was in attendance at the October 17 meeting. Mr. Acton informed the Commission that after October 1, 75-80% of the trailer/camper/boat Ordinance violations cease because the summer season ends and for the most part, this particular zoning violation it isn't a big problem in this community. However, for those individuals who continue to violate the Code following a verbal advisement of the regulation and/or written notices, it may be more effective and less cumbersome to start civil fines at a higher amount (\$250 rather than \$75) and have only two levels of fines (\$250 & \$500) rather than four levels (\$75 1st Offense \$150, 2nd Offense, \$325 3rd Offense, \$500 4th Offense) to get more compliance with code regulations in a timely manner. Clare City Police Chief Saad was in agreement with Mr. Acton in changing the civil fine levels.

Mr. Acton further offered that some communities allow parking and storage of seasonal trailers/campers/boats from May 15 – October 15 annually, while other communities allow off-season storage behind the home. There are also some communities that provide specific side yard setbacks to address corner lot issues.

Commissioners leaned toward authorizing the parking of recreational equipment (boats/trailers/campers/snowmobiles) in the driveway during the season that they are typically in use, but then the equipment should be parked in a rear or side yard when it is out of season.

The City Commission directed the City Manager to pose the recreational vehicle/trailer parking issue on the City Manager's listserv for feedback and to present the list of Ordinance issues to the Planning Commission so that the Planning Commission can work through some of these issues and provide recommendations to draft an Ordinance amendment. The City Commission further requested that Code Enforcement Officer Terry Acton be an active participant in this process of developing an Ordinance amendment with the Planning Commission.

Section 52-308 of the Code is provided below for reference.

- Sec. 52-308. - Vehicle storage and parking.

No vehicle shall be parked in any portion of a front yard within the city unless in a prepared driveway or parking area of aggregate or hard surfaced material. The parking or storage of a commercial vehicle, excluding an emergency vehicle, of more than two-ton capacity is prohibited within any residential district. The parking and storage of a recreational vehicle, including a trailer, camper, boat or other similar object shall be permitted only in a required side or rear yard.

(Code 1985, § 5.108; Ord. No. 2008-01, 3-3-2008)

Here is a bulleted list of the items that we have been keeping track of (in no particular order):

- Ordinance doesn't address corner lots.
- Ordinance doesn't address house address on a street without a driveway but a driveway on the other street.
- Ordinance does address vacant lots.
- Ordinance does not define front yard and back yard for lakefront and riverside lots.
- Trailers that come and go. What constitutes moving?
- Option to set a specific timeframe (i.e., Labor Day to Memorial Day) that driveway storage would be allowed?
- If boats/campers allowed during those set months, would enclosed trailers, open trailers, or flatbed trailers also be allowed or would that exception only apply to things like boats and campers?
- Should tickets/fines be incremental or just one "higher" amount so that enforcement is streamlined rather than drug out for months?
- If storage of these types of things are allowed, should we address "on blocks", on ground (boats), etc.
- If allowed during a timeframe, does all storage need to be in the driveway or can it be in the "yard" in the front yard.
- How do unlicensed ATV's fit into this picture?

Terry Acton was present at Wednesday night's meeting to answer questions and provide information to the Planning Commission.

Following an extensive discussion amongst the Planning Commission and city staff, the Planning Commissioners were asked to review the information provided at tonight's meeting and to take a closer look at the neighborhoods as they drive thru Clare to allow them to develop and contemplate their own suggestions/recommendations for an Ordinance amendment (if any) at their December 14, 2022 meeting.

EXTENDED PUBLIC COMMENT: None.

COMMISSION DISCUSSION TOPICS:

Verizon Tower: Consumers Energy has marked the location for the new power pole so boring for the electric line to the tower should soon be taking place.

Lake Shamrock: The city is still waiting for the go-ahead from EGLE to commence dredging.

Ideal Theater: The Planning Commission desires to take a tour of the Ideal Theater which is currently under renovation.

Aldi's: The city has been contacted by Aldi's regarding the annexation of a parcel (adjacent to Culver's) to the city and for the submittal of a Site Plan.

Willow: The Willow (now Cardinal & Clover) clothing store was purchased recently and may soon be redeveloped into a multi-business facility.

McEwan Street Fudge & Ice Cream Shop: John Gross had intended to complete the approved upgrades to this project but progress was held up. This project and Cardinal & Clover's redevelopment were the two projects selected for submission to the Match on Main grant program.

Ideal Theater: The Ideal Theater is currently under renovation. The Planning Commission desires to take a tour of the Theater to view the progress.

Doherty Hotel: The Doherty Hotel is listed for sale at \$6.25 M.

Community Health and Recreation Center: While this is not a city project, Speaker of the House Wentworth announced in July that the City will be the site for a new Community Health & Recreation Center. The complex plans include a community pool.

MidMichigan Health Hospital: While there has been no official word, it seems likely and logical that the MMH will build its new hospital at the north end of Clare near the proposed Community Health and Recreation Center; there is not enough property available to accommodate their expansion and the cost to remodel the existing facility for their current and future needs would be astronomical. A few thoughts for the redevelopment of the existing facility would be for a developer to purchase both the Doherty and the hospital, build a pedestrian walkway over McEwan Street and turn the facility into a small but phenomenal convention center. Another concept is to turn the hospital into condos or apartments to fill the current housing gap and employees at the new hospital and other new developments will require housing.

PROFESSIONAL & EDUCATIONAL TRAINING OPPORTUNITIES: *Approved by Consent Agenda.

COMMUNICATIONS: *Approved by Consent Agenda.

ADJOURNMENT

Moved by Commissioner Demasi second by Commissioner Wyman to adjourn at 8:30 p.m. Roll call vote: Roll call vote: Yeas: Commissioners Glenda Carmoney, Josh Clark, Angie Cozat, Elaine Demasi, Jason Lowe, Stacy Pechacek & Nick Wyman. Absent: Brett Moser & John Myers. *Motion Carried.*