

# **Cass City Yearly Planning Commission Meetings Report**

## **Introduction**

A yearly Cass City Planning Commission report is to be prepared and presented to the Village Council. This report is called for by the Michigan Planning Enabling Act.

The template for this document was recommended to the Planning Commission by the Redevelopment Ready Communities Certification Program of the Michigan Economic Development Corporation (MEDC).

**Cass City Planning Commission Members, December 2021**

**Jennifer Gray, Board Chairman**

**Dan Delamarter, Ex Officio, Village President**

**Gary Barnes**

**Colleen Langenburg**

**Joe Leeson**

**Heather Severance**

**Joseph Sweet, Resigned November 19, 2021**

**Erik Tamlyn**

**Village Staff**

**Debbie Powell, Village Manager**

**Nanette Walsh, Village Clerk/Treasurer**

**Josh Prusik, CEDAM Fellow**

# **2021 Cass City Planning Commission Meetings Summary**

## **January 20, 2021**

Russ Biefer resigned from the Planning Commission.

Jennifer Gray had been appointed Chairperson of the Planning Commission.

Manager Powell gave a summary of Planning Commission Board Membership. A full board is nine members, inclusive of the Village President. Current membership is six individuals, leaving three seats vacant. Powell had vis-à-vis contact with individuals interested in joining the Planning Commission Board, and she awaits their completed application forms.

Josh Prusik, CEDAM Fellow, gave a brief summary of the proposed Cass City Economic Development Plan, requesting comment and feedback. He also reported that Rawson District Library has obtained "Strong Towns", a book in print and audio, with other Governmental/Economic Development books arriving shortly.

## **February 17, 2021**

Gary Barnes, Heather Severance, and Erik Tamlyn were recommended to be appointed by the Village Council to the Planning Commission.

Ed Knight and Joe Leeson were recommended to be re-appointed to a three year term by the Village Council to the Planning Commission.

Josh Prusik, CEDAM Fellow, gave a brief overview of the proposed Zoning Amendments previously presented by the Ad hoc committee. Due to changes in the RRC (Redevelopment Ready Communities) certification requirement, Prusik will be meeting with Jill Bahm, Giffels Webster, Planning Consultants, to move forward with the proposed zoning amendments and satisfy RRC expectations.

Knight requested the Planning Commission address parking accommodations for Golf Carts and ORVs (Off Road Vehicles), now allowed with recently adopted village ordinances. Sweet requested addressing modifications to the width of M-81, allowing for a more walkable downtown. Delamarter suggested designated downtown space for golf carts and ORVs and researching options. Leeson commented that the new ordinance "was a start, and now let's tweak it."

Delamarter reminded the Commission that one of the 2021 Village Strategic Goals was Anti-Blight, and that this was our chance to incorporate anti-blight measures into the Zoning Ordinance.

## **March 17, 2021**

Joe Leeson gave a quick overview of Outdoor Dining Ordinances adopted recently in many Michigan Communities. He detailed potential guidelines for outdoor dining in the front and rear of downtown businesses. Discussion began on the right-of-way requirements on M-81, and whether there was enough sidewalk space in Cass City for outdoor dining while respecting local zoning requirements and MDOT requirements.

The approval of the Outdoor Dining Ordinance was postponed, and this agenda item will be on the next Planning Commission Meeting Agenda.

Manager Powell presented the Commercial Redevelopment Act, and gave examples of Cass City businesses who applied and received tax abatements while improving their real properties. A future venture could be to establish a Commercial Redevelopment District, which would be an overlay of the DDA (Downtown Development Authority) District. With the Commercial Redevelopment District established, Cass City would have an incentive for investors, entrepreneurs and current owners could offer an incentive to renovate and enhance the Downtown Business Area. She is looking to take this venture to the Village Council in the near future.

## **April 21, 2021**

Public Hearings were held for the proposed amended ordinances:

- #1– 46-4.7 Home Occupations
- #2– 46-5.3.D Accessory Buildings and Structures: Recreational Equipment
- #3– 46-4.8 Bed and Breakfast
- #4– 46-5.7 Fences in Residential Districts
- #5– 46-2.2.C-E and 46-5.3.C.4 Dumpsters
- #6– 46.4.2 Farms (Rescind)
- #7– 46-2.2.M and 46-5.3.G Membrane Structures (Define and Add)

All of the above proposed ordinances were approved by the Planning Commission, and recommended to the Village Council for adoption.

Manager Powell addressed new amendments to tackle, which are recommended by RRC. Recommended ordinances include transportation issues and green space initiatives. She recommended keeping this topic as a standing item on future agendas.

Manager Powell gave an update that the Village Attorney is working on District Boundaries and preparing a public notice and notice to the property owners in the proposed district (via Certified U.S. Mail). It is likely that notices will be done in June 2021, at the earliest.

Recent news is Coachlight Pharmacy shall close its business on May 1, 2021. The pharmacy has been sold to Ben's SuperCenter, and its pharmacy should be operational on May 3, 2021, with Coachlight employees to be hired by Ben's. Powell suggested to keep close tabs on the potential sale of the building, that it may be an opportunity for an investor to utilize the Commercial Redevelopment tax incentives to renovate and improve the building and spark redevelopment in the downtown.

## **May 19, 2021**

Joseph Sweet presented drawings on the Cass City Main Street Corridor showing concepts of narrowing Main Street with ballooning corners to help slow traffic, allow sidewalk dining, pedestrian walk lanes, and bicycle lanes. This Main Street Corridor would be zoned for multi-use property and provide more housing within walking distance of downtown, and home occupation businesses. This concept moves us closer to RRC Certification. We are currently exchanging downtown economic activity for truck traffic. Since we are currently working with Giffels Webster, it was suggested we have them write up planning and zoning codes for this proposal.

Erik Tamlyn will send Manager Powell a trunk line document for discussion at the June Meeting. It was suggested we have MDOT fund a traffic study to explore our options.

Joseph Sweet recommended some free publications available to anyone at: [AARP.org/livable](https://www.aarp.org/livable)

Proposed Outdoor Dining Ordinance on Main Street was amended in Section 46-4.31 B, after comma to read "and any applicable permits" and to completely delete D.

Proposed Outdoor Dining in the Rear of Main Street Buildings was amended in Section 46-4.32 to amend G. to read: "The outdoor dining area shall provide a setback from the alleyway of not less than 10 feet. The setback shall not be used for any customer or employee parking. Such setback may be reduced contingent on Planning Commission approval of sufficient protective barrier."

The Commission set Public Hearings to receive public comments on 46-4.31 Outdoor Dining on Main Street and 46-4.32 Outdoor Dining in the Rear of Main Street Buildings.

Manager Powell presented the Notice of Public Hearing document from the Tuscola County Board of Commissioners stating there is a Public Hearing scheduled for June 24, 2021 at 9:00 a.m. to consider amendments to the Tuscola County ORV Ordinance.

## **June 16, 2021**

Public Hearings were held for the proposed amended ordinances:

- #1 - 46-4.31 Outdoor Dining on Main Street
- #2– 46-4.31 Outdoor Dining in the Rear of Main Street Buildings

All of the above proposed ordinances were approved by the Planning Commission, and recommended to the Village Council for adoption.

David Fuelleman, General Manager and Anthony Kueffner, gave a brief presentation of a proposed expansion of Walbro, LLC, which would include construction of an addition to the south side of the current facility, and the purchase and installation of a new Co-ex Blow Molder, assembly downline, material feeding equipment, robotics, welding and infrastructure upgrades. The proposed investment of \$11,400,000 would potentially be completed in Spring, 2022. A zoning variance would be needed to allow for building setback and height variances per the current building plan.

The Planning Commission referred Walbro LLC request for variances to the Zoning Board of Appeals, prior to any proposed construction.

During Citizen's Comments, Rob Piaskowski, inquired how long before the Zoning Board of Appeals could meet to discuss these variances. Manager Powell responded that to properly notice the Public and adjacent landowners would take 4 – 6 weeks after ZBA Application for Variance is received by Village Personnel.

Proposed updates to the Ordinance 46-3.1.8 B-1 Community Business was distributed and was recommended to read prior to the next meeting for discussion.

## **July 21, 2021**

Josh Prusik gave the following proposed Zoning Ordinance Updates.

46-2.1.8 B-1 COMMUNITY BUSINESS, Under B. Permitted Uses item 6. Change from "Medical offices" to "Professional and medical offices," Item 7. Change from "Restaurants (without drive-in)" to "Restaurants (without drive-in or drive-through)", Maximum Height of Structures in feet change from "30" to "35"

The Planning Commission set a public hearing for the proposed amended Zoning Ordinance 46-3.1.8 B-1 COMMUNITY BUSINESS at the August 18, 2021 meeting.

46-3.8 Community Business (B-1) Additional Standards under 2. Parking: eliminate section i. and ii., Under Item 8. Add "Planters shall be maintained in good condition year-round."

The Planning Commission set a public hearing for the proposed amended Zoning Ordinance 46-3.8 Community Business (B-1) Additional Standards at the August 18, 2021 meeting.

46-3.1.1 RA-1 – Change from "One-Family Residential" to "One-Household Residential", Change Maximum number in stories from "2" to "3" and change Height of Structures in feet from "25" to "35"

The Planning Commission set a public hearing for the proposed amended Zoning Ordinance 46.3.1.1 RA-1 One-Family Residential at the August 18, 2021 meeting.

46-3.1.5 RC Multiple-Family Residential, Change from “Multiple-Family Residential” to “Multiple-Household Residential” and Change Maximum Height of Structures In stories from “2” to “3” and change feet from “25” to “35”

The Planning Commission set a public hearing for the proposed amended Zoning Ordinance 46.3.1.5 Multiple-Family Residential at the August 18, 2021 meeting.

The Proposed RA-1 Residential District – Accessory Dwelling Units Ordinance, Under Proposed RA-1 Residential District Section 46-2.2A Definitions change “servant” to “domestic worker”, was introduced. More discussion on this proposed zoning change at the August 18 Meeting.

Manager Powell mentioned the new proposed Huntington Bank Signage will need zoning variances because they do not conform to the current zoning regulations. She will keep us informed.

Trustee Tamlyn presented the MDOT Guidance for Trunkline Main Streets packet. Page 24 of this presentation stresses the importance of collaboration and partnerships between the community and MDOT to have success in implementation of the development plans. MDOT is booked years in advance, so it is extremely important to have a working relationship with MDOT and have short, mid-term, and long-term project goals. With an established working relationship with MDOT you may be able to leverage costs with current road projects. Erik has names of contacts at MDOT he will provide to the Planning Commission. It is important to have an initial meeting with them once we have a plan.

The 2021 Cass City Planning Commission Training Strategy was approved.

## **August 18, 2021**

Public Hearings were held for the proposed amended ordinances:

- #1– 46.3.1.8 Community Business
- #2– 46.3.8 Community Business (B-1) Additional Standards
- #3– 46.3.1 RA-1 One-Family Residential
- #4– 46.3.1.5 Multiple-Family Residential

All of the above proposed ordinances were approved by the Planning Commission, and recommended to the Village Council for adoption.

Gray introduced a plan to continue the work of amending the Cass City Zoning Ordinances, in the absence of the Ad Hoc Committee. As a group, the Planning Commission would offer suggestions and revisions to recommended ordinances, (as listed by Josh Prusik, CEDAM Fellow) for review. Gray recommended Sign Ordinance (Sec 46-479) to be reviewed, distributed a printed copy of the ordinance, and instructed that a full copy of the ClearZoning Ordinance be printed and distributed to the Planning Commission members.

The Planning Commission set a public hearing for the proposed amended Zoning Amendment 46-2.2A, 46-3.1.1, 46-3.4, Multiple-Family Residential, ADU Amendment at the September 15, 2021 meeting.

The Planning Commission set a public hearing for the proposed amended Zoning Amendment 46-5.4 Off Street Parking at the September 15, 2021 meeting.

The Planning Commission set a public hearing for the proposed amended Zoning Amendment 46-5.5 Plant Materials at the September 15, 2021 meeting.

Joseph Sweet asked for a moment to thank Josh Prusik for his excellent work with the Village of Cass City Village Council, DDA, Planning Commission, his exceptional rapport with Village Staff, and his diligence working on RRC Certification projects. "Prusik has been very helpful, very knowledgeable and has done a fantastic job."

## **September 15, 2021**

Public Hearings were held for the proposed amended ordinances:

- #1– 46-3.1.8 Community Business
- #2– 46-3.8 Community Business (B-1) Additional Standards
- #3– 46-3.1 RA-1 One Family Residential
- #4– 46-3.1.5 Multiple-Family Residential
- #5– 46-2.2.A, 46-3.1.1 and 46-3.4, RA-1 One-Family Residential, Accessory Dwelling Units (ADUs)
- #6– 46-5.4, Off Street Parking
- #7– 46-5.5 Plant Materials

All of the above proposed ordinances were approved by the Planning Commission, and recommended to the Village Council for adoption.

The following sections of the Zoning Ordinance were approved to be rescinded and reserved by the Planning Commission, and recommended to the Village Council for adoption.

- Section 46-3.1.2, RA-1B, One Family Residential
- Section 46-3.1.3, RA-2, One Family Residential

The Signs Ordinance and the Addition of a District for Adjacent Neighborhoods was table for the October meeting. A brief discussion was held on updating the heights, square footage, and setback minimum and/or maximum requirements. The board was asked to review the current ordinance and return with recommendations at the next meeting.



## October 22, 2021

Board began discussions on the following proposed changes to the sign ordinance:

- Page 5-30, 46-5.11.G.1.b, , Signs, B-2 districts.  
In the B-2 districts, signs shall be permitted subject to the following:
  1. One ground sign shall be permitted for each zoning lot subject to the following:
    - a. Additional ground signs may be permitted when the following conditions exist:
      - I. Two signs may be permitted on a corner lot that has at least 200 feet of frontage on each of two thoroughfares, provided that only one sign is oriented toward each thoroughfare.
      - II. Two signs may be permitted where the zoning lot, not a corner lot, has frontage on two major thoroughfares and has vehicular access via both such thoroughfares, provided that only one sign is oriented toward each thoroughfare.
      - III. For each lot having a frontage of 300 feet or more, one additional sign shall be permitted, provided that such signs are at least 200 feet apart.
    - b. Ground signs shall not be more than ~~30~~ **10** feet in height and shall have a minimum setback of ten feet from any future right-of-way line. Such signs may be multi-faced but shall not exceed 32 square feet in surface display area per face.
- Page 5-26, 46-5.11.C-10, Signs, General Exceptions, Flags, not more than three per zoning lot and not more than four feet by six feet in dimension, **and a maximum height not more than 30 feet.**
- Page 5-30, 46-5.11.F.1, Signs, B-1 districts  
F. B-1 districts. In the B-1 districts, signs shall be permitted subject to the following:
  1. One nameplate sign for each exterior building entrance shall be permitted. Such sign shall not exceed four square feet in area.
  2. Wall signs shall be permitted subject to the following:
    - a. For each zoning lot, one wall sign shall be permitted on each building facade that fronts on an adjacent street. Such signs shall be limited in area to 100 square feet.
    - b. For each zoning lot, one wall sign shall be permitted on each building facade that fronts on an adjacent alley. Such signs shall not exceed ~~15~~ **32** square feet in area.
    - c. The total area of all wall signs on any one facade shall be limited to an area no greater than ten percent of the area of that facade.
  3. One ground sign shall be permitted for each zoning lot subject to the following:
    - a. Ground signs shall not be more than ~~20~~ **10** feet in height and shall have a minimum setback of ~~10~~ **50** feet from any future right-of-way

line. Such signs may be multi-faced but shall not exceed ~~32~~ **48** square feet in surface display area per face.

b. A minimum setback of 100 feet to any adjacent residential district.

- Page 5-27, 46-5.11.C-14.e, Signs, Administration and Enforcement

e. A fee schedule shall be set by the village council which shall be collected with each application for a sign permit, unless otherwise waived by the village council. **The fee schedule shall be adopted by the Village Council annually in the Village of Cass City Financial Budget.**

- Page 5-29, 46-5.11.E.5.d, Signs, OS-1 Districts

2. One ground sign for each zoning lot, subject to the following:

a. A maximum area of ~~18~~ **32 -50** square feet.

b. A maximum height of six feet.

c. A minimum setback of ten feet from any future road right-of-way.

d. A minimum setback of ~~100~~ **50** feet to any adjacent residential district.

3. For each use occupying a building, one wall sign, each with a maximum of ~~18~~ **32** square feet, shall be permitted.

- Additional Items to add to Zoning Ordinance:

- Monument Signs, Entrance Signs, Subdivision Signs
- Sidewalk Sandwich Boards, Portable Weighted Signage, with a maximum height of 48", a maximum width of 36", and a limit of one sign per business front and/or back
- Temporary Vertical Flag Signs, "Now Hiring", "Coffee"
- LED Signage requiring Planning Commission review
- Industrial Park Signs placed on parcel not owned by Sign Owner

Joseph Sweet introduced Proposed Ordinances 46-5.11, Signs, Definitions, and 46-2.2 and 46-3.12 Adjacent Neighborhoods. The board will review and forward comments at the next meeting.

## **November 17, 2021**

As listed in the October 20, 2021 minutes, many proposed changes were suggested for the Sign Ordinance. These changes are to be crafted into ordinance format, reviewed by legal, and forwarded to the Planning Commission for approval.

The zoning map will need to be updated with recent ordinance changes. Funds will need to be allocated in the 2022 Financial Budget to allow for professional assistance with this project.

Sweet gave a brief summary of a proposed Adjacent Neighborhoods Ordinance, which would allow for future opportunities for development adjacent to Main Street properties. Alleys could provide to parking, to potentially less expensive housing units/multi-level buildings. RRC is in support of Adjacent Neighborhoods.

The board was asked to review the proposed ordinance, draft the language into ordinance form, and present at the next Planning Commission Meeting.

Manager Powell asked Planning Commission Members to invite interested citizens to join the Planning Commission Board, to fill current vacancies.

Elkland Township is accepting public input for their 5-year Master Plan. All are encouraged to participate in the local survey.

## **December 15, 2021**

Due to potential lack of a quorum, the meeting was cancelled. The next meeting is scheduled for January 19, 2022.

### Note:

Throughout this summary, the Zoning Ordinances are referenced. To access the adopted Clearzoning Ordinance in full, go to:

<https://casscity.org/images/Ordinances/CassCity2021-02-15.pdf>