



CITY OF OWOSSO PLANNING COMMISSION
Regular Meeting
Monday, February 28, 2022 at 6:30 p.m.
AGENDA

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. APPROVAL OF AGENDA – February 28, 2022**
- E. APPROVAL OF MINUTES – January 24, 2022**
- F. ELECTION OF OFFICERS – *if necessary (due in July 2022)***
- G. PUBLIC HEARINGS: None**
- H. SITE PLAN REVIEWS: None**
- I. ITEMS OF BUSINESS:**
 - 1. Redevelopment Ready Communities Program - Citizen Participation Plan 2022. Consider adoption of the Citizen Participation Plan required by the MEDC
 - 2. Review of proposed amendment to Chapter 38 Zoning Ordinance Article XIII.- I-1 Light Industrial Districts Sec. 38-292. - Principal Uses Permitted (7) and (12)b.
- J. COMMISSIONER/CITIZEN COMMENTS:**
- K. ADJOURNMENT**

Next regular meeting will be on Monday, March 28, 2022 at 6:30 p.m.

The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and recordings of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours' notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500. The City of Owosso website is: www.ci.owosso.mi.us

MINUTES
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION
Monday, January 24, 2022 – 6:30 P.M.

CALL TO ORDER: Chairman Wascher called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE: Recited

ROLL CALL: Recording Secretary Molly Hier

MEMBERS PRESENT: Secretary Fear, Commissioner Law, Vice-Chair Livingston, Commissioners Morris, Robertson, Chairman Wascher

MEMBERS ABSENT: Commissioner Jenkins, Commissioner Taylor

OTHERS PRESENT:

APPROVAL OF AGENDA:
MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY COMMISSIONER ROBERTSON TO APPROVE THE AGENDA FOR January 24, 2022.

YEAS ALL. MOTION CARRIED.

APPROVAL OF MINUTES:
MOTION BY VICE-CHAIR LIVINGSTON SUPPORTED BY COMMISSIONER LAW TO APPROVE THE MINUTES FOR THE December 13, 2021 MEETING.

YEAS ALL. MOTION CARRIED.

PUBLIC HEARINGS:

1. Terry & Georgia Gregoricka, Rezoning Request - 701 S. CHESTNUT STREET

Opened the Public Hearing at: 6:32pm

The following commented:

Terry Gregorika briefly explained the intended use of the storage units to be for RV/Campers and a storage area for small businesses in town. The existing building will be used as an office. The units would be 20' X 50'.

Commissioner Morris asked about the rear yard setback to the residential area. Mr. Gregorika stated it would be at least the 50' minimum requirement.

Vice-Chair Livingston confirmed that the storage for RV/Campers is indoor.

Patrick Marrah of 623 S. Chestnut expressed concern for property values if industrial zones continue to expand in the neighborhood.

Ray Farley of 716 Nafus Street expressed concern of possible drainage issues that could be caused by the development.

Closed the Public Hearing at 6:55pm

The following review is from Justin Sprague, City Planner with CIB Planning:

Terry and Georgia Gregoricka request to rezone 3 acres from R-1 Residential to I-1, Light Industrial. The property currently has a structure and a parking lot, and the applicant would like to develop an indoor storage facility for recreational and other vehicles. The applicant will need to submit a full site plan for review and approval prior to any new development on the property.

The subject parcel is located along the east side of S. Chestnut Street, north of the intersection of Stewart Street. The parcel is shaped like a rectangle and is surrounded by commercial and industrial uses on three sides. The property is identified in the master plan as a “District” for industrial uses.

	Existing Land Use	Zoning	Master Plan
Subject Site	Existing structure with 20 space parking lot	R-1 Residential	District - Industrial
North	Industrial & Office	Industrial and Office	District - Industrial
South	Industrial	Industrial and Multi-Family	District – Industrial
East	Residential	R-1	Residential
West	Industrial	Industrial	District – Industrial

In considering any petition for an amendment to the official zoning map, the planning commission and city council shall consider the following criteria in making its findings, recommendations and decision:

1. Consistency with the goals, policies, and future land use map of the City of Owosso Master Plan. If conditions upon which the master plan was developed (such as market factors, demographics, infrastructure, traffic and environmental issues) have changed significantly since the master plan was adopted, as determined by the city, the planning commission and council shall consider the consistency with recent development trends in the area.

Finding – This rezoning would be consistent with both the intent of the Zoning Ordinance and the recently adopted Master Plan which shows this area a future industrial district.

2. Compatibility of the site's physical, geological, hydrological, and other environmental features with the host of uses permitted in the proposed zoning district.

Finding – While this site would be compatible with the host of uses permitted under the I-1 Zoning Classification, it should be noted that there are residential properties to the east of this site, so any new development will need to be screened and buffered appropriately.

3. Evidence the applicant cannot receive a reasonable return on investment through developing the property with at least one (1) use permitted under the current zoning.

Finding – To our knowledge, no evidence exists showing that the applicant could not receive a reasonable return on investment through developing the property as residential; the rezoning would be compatible with the Master Plan.

4. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

Finding – As noted above, there is residential properties to the east of this site, however property to the north, south and west are all either existing commercial or industrial uses.

5. The capacity of the city's infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety, and welfare."

Finding – There should be no issues with existing infrastructure being able to accommodate and service this site.

6. The apparent demand for the types of uses permitted in the requested zoning district in relation to the amount of land currently zoned and available to accommodate the demand.

Finding – We find that the proposed use is more commercial in nature than industrial; however, the proposed use fits in the industrial district. There is some land available for industrial development in the city, however not much.

7. The request has not previously been submitted within the past one (1) year, unless conditions have changed, or new information has been provided.

Finding – This application has not been previously before the City.

RECOMMENDATION

Based upon the above comments, we recommend approval of the rezoning request for 701 S. Chestnut based on the following items:

1. That the request is not in conflict with the Master Plan or the Zoning Ordinance;
2. The site is compatible with uses in the proposed I-1 Zoning District;
3. The applicant is not rezoning to increase the return on investment of the property;
4. That the Planning Commission understands that the proposed use may be more compatible with surrounding land uses;
5. Infrastructure to the site is appropriate for the proposed use; and
6. The request has not been previously submitted to the City for consideration.

MOTION BY COMMISSIONER MORRIS SUPPORTED BY VICE-CHAIR LIVINGSTON TO APPROVE THE REZONING REQUEST FROM R-1 SINGLE FAMILY DISTRICT TO I-1 LIGHT INDUSTRIAL DISTRICT FOR 701 S CHESTNUT STREET

ADDRESS	PARCEL ID NUMBER	APPROVED ZONING
701 S CHESTNUT ST	050-546-000-026-00	I-1 LIGHT INDUSTRIAL DISTRICT

YEAS: SECRETARY FEAR, COMMISSIONER LAW, VICE-CHAIR LIVINGSTON, COMMISSIONER MORRIS, COMMISSIONER ROBERSTON, CHAIRMAN WASCHER

NAYS: NONE

RCV: 6-0 MOTION CARRIED

SITE PLAN REVIEWS: NONE

ITEMS OF BUSINESS:

1. PLANNING COMMISSION ANNUAL REPORT 2021

Discussion held on the contents of report noting additional changes and requirements from the MEDC.

MOTION BY COMMISSIONER ROBERTSON SUPPORTED BY VICE-CHAIR LIVINGSTON TO APPROVE THE 2021 PLANNING COMMISSION ANNUAL REPORT AND REFER TO CITY COUNCIL FOR REVIEW AND APPROVAL.

YEAS: SECRETARY FEAR, COMMISSIONER LAW, VICE-CHAIR LIVINGSTON, COMMISSIONER MORRIS, COMMISSIONER ROBERSTON, CHAIRMAN WASCHER
NAYS: NONE
RCV: 6-0 MOTION CARRIED

2. CAPITAL IMPROVEMENT PLAN (CIP) 2022-2028

Discussion held on the contents of report. The plan requires approval from both the Planning Commission and City Council prior to the beginning of the budget process.

MOTION BY VICE-CHAIR LIVINGSTON SUPPORTED BY COMMISSIONER LAW TO APPROVE THE 2022 – 2028 CAPITAL IMPROVEMENT PLAN (CIP) AND REFER TO CITY COUNCIL FOR REVIEW AND APPROVAL.

YEAS: SECRETARY FEAR, COMMISSIONER LAW, VICE-CHAIR LIVINGSTON, COMMISSIONER MORRIS, COMMISSIONER ROBERSTON, CHAIRMAN WASCHER
NAYS: NONE
RCV: 6-0 MOTION CARRIED

3. MOBILE FOOD VENDING DRAFT ORDINANCE

This proposed ordinance is being presented as a standalone ordinance and not a part of the City of Owosso's Zoning Ordinance due to language involving City parking lots and parks. This draft is being presented to the Planning Commission, the DDA and the Park and Recreation Commission for review, opinion and any recommendations for City Council.

COMMISSIONER COMMENTS:

Commissioner Robertson expressed concern about potential impact on brick and mortar businesses. Chairman Wascher requested further research and information on how the food trucks may impact events such as the Farmers Market and Curwood.

CITIZEN COMMENTS: NONE

ADJOURNMENT:

MOTION BY SECRETARY FEAR SUPPORTED BY VICE-CHAIR LIVINGSTON TO ADJOURN AT 7:21 PM UNTIL THE NEXT MEETING ON FEBRUARY 28, 2022.

YEAS ALL, MOTION CARRIED

Janae Fear, Secretary

DRAFT



Citizen Participation Plan Planning and Development Projects

City of Owosso
301 W. Main Street
Owosso, MI 48867

TABLE OF CONTENTS	PAGE
1. Participation Goals and Objectives	3
2. State and Local Regulations	4
3. Key Stakeholders	4
4. Development Review Bodies	5
Boards and Commissions	6
5. Methods for Community Participation	6
Inform – Provide information to assist public understanding	7
Consult – Obtain public feedback	7
Involve – Work directly with public throughout the process	7
Collaborate – Partner with public in decision making	7
6. Process for Development	7
7. Additional Outreach Strategies	9
Master Plan Update	9
Zoning Ordinance Update	9
Downtown Development Plan	9
Parks and Recreation Plan	9
Low Engagement Development Plan	9
High Engagement Development Plan	9
Citizen Participation Plan Update	10
8. Communicating Results	10
9. Evaluation and Improvement	10
10. Community Event Satisfaction Survey – Public Attendees	11
11. Internal Public Participation Evaluation – Participants	12

1. PARTICIPATION GOALS AND OBJECTIVES

Owosso strives to involve the community in the decision making process and recognizes its citizens as “key stakeholders” in the future development of the City. City staff draws on a variety of methods of communication and outreach in order to understand what citizens want. The goals of the Citizen Participation Plan are outlined below.

- **Solicit public participation in each phase of planning processes.**
Throughout the planning process, the goal is to foster public participation in important policy or project decisions before they are finalized. Many opportunities exist for the public to play a role in shaping short- and long-term needs, solutions, and funding priorities. The earlier the public is involved in the process, the greater the opportunity to influence important land - use decisions.
- **Effective and attentive communication with residents.**
Every resident has a voice and many techniques are available to ensure that a diverse public is well informed and able to play a role in the planning process. Recognizing that no single technique or mechanism will work in all cases, it is up to the municipality to consider the communication needs of the public and use the most effective approaches to accomplish this objective.
- **Educational and participation initiatives to engage residents.**
The City of Owosso will provide educational materials to aide in the decision-making process and help residents understand land-use issues for making local investment decisions. Planning professionals and officials will use visualization techniques that increase public understanding of issues and concepts for specific sites or areas considered for redevelopment.
- **Develop and maintain staff expertise in all aspects of participation.**
This includes techniques for bridging language, cultural, and economic differences that affect participation; ways to convey issues and information in meaningful ways to various cultural groups; and means for ensuring equal representation for all segments of the population and sectors of the economy.
- **Provide information to the public.**
The City of Owosso is committed to seeking new and innovative ways to engage and keep the public informed throughout the process.
- **Report results.**
Record results of resident or citizen engagement and report these results back to the public. To properly capture the concerns, priorities, and vision of the public, the municipality tracks the various techniques and mechanisms of public input. To maintain transparency and consistency, information shall be made available in a timely manner, so as to enable citizens to be involved in important decisions at various stages of the review and approval process.

2. STATE & LOCAL REGULATIONS

<ul style="list-style-type: none"> • Owosso City Charter 	<ul style="list-style-type: none"> • Owosso City Code of Ordinances
<ul style="list-style-type: none"> • Michigan Open Meetings Act (PA 267 of 1976) 	<ul style="list-style-type: none"> • Michigan Planning Enabling Act (PA 33 of 2008)
<ul style="list-style-type: none"> • Home Rule City Act (PA 279 of 1909) 	<ul style="list-style-type: none"> • Downtown Development Authority Act (PA 197 of 1975)
<ul style="list-style-type: none"> • Brownfield Redevelopment Financing Act (PA 381 of 1996) 	<ul style="list-style-type: none"> • Tax Increment Finance Authority Act (PA 450 of 1980)
<ul style="list-style-type: none"> • Obsolete Property Rehabilitation Act (PA 146 of 2000) 	<ul style="list-style-type: none"> • Section 508 of the Housing and Community Development Act of 1974, as amended
<ul style="list-style-type: none"> • Title I of the Housing and Community Development Act of 1974, as amended 	<ul style="list-style-type: none"> • National Historic Preservation Act of 1966, as amended
<ul style="list-style-type: none"> • Neighborhood Enterprise Zone (PA 147 of 1992) 	<ul style="list-style-type: none"> • Other local, state and federal regulations

3. KEY STAKEHOLDERS IN THE CITY OF OWOSSO

In the City of Owosso, each project will be evaluated on an individual basis to ensure inclusion for all stakeholders in the community. Stakeholders will vary according to the project being reviewed. Possible key stakeholders may include, but are not limited to, the following:

<ul style="list-style-type: none"> • City Council 	<ul style="list-style-type: none"> • City Boards and Commissions
<ul style="list-style-type: none"> • Residents 	<ul style="list-style-type: none"> • Business Owners
<ul style="list-style-type: none"> • Neighboring jurisdictions 	<ul style="list-style-type: none"> • Municipal employees
<ul style="list-style-type: none"> • Emergency personnel 	<ul style="list-style-type: none"> • Michigan Department of Transportation
<ul style="list-style-type: none"> • Baker College 	<ul style="list-style-type: none"> • Commercial business owners and employees
<ul style="list-style-type: none"> • Memorial Healthcare 	<ul style="list-style-type: none"> • Neighborhood groups
<ul style="list-style-type: none"> • Board of Realtors 	<ul style="list-style-type: none"> • Churches
<ul style="list-style-type: none"> • Schools 	<ul style="list-style-type: none"> • Senior groups
<ul style="list-style-type: none"> • Community visitors and tourists 	<ul style="list-style-type: none"> • Service clubs
<ul style="list-style-type: none"> • Citizen volunteer groups 	<ul style="list-style-type: none"> • Shiawassee County Community Foundation
<ul style="list-style-type: none"> • Shiawassee Regional Chamber of Commerce 	<ul style="list-style-type: none"> • Shiawassee Economic Development Partnership

4. DEVELOPMENT REVIEW BODIES

The City encourages citizen participation in local government planning and policy decisions. Therefore, all citizens are invited to apply for appointments to the various City boards and commissions. Some boards or commissions are state-mandated while others are purely a local creation; however, they all make significant contributions to the community and its betterment, providing recommendations to City Council on a variety of issues. Vacant positions are advertised on the city's Website at www.ci.owosso.mi.us

Several Boards and Commissions review proposed plans and land use projects. They function in two capacities: 1. the public policy process and 2. Advisory and administrative roles. They have regularly scheduled meetings in place during which they review projects, deliberate on issues, and make recommendations, which include a public comment period during each of the regularly scheduled public meetings

Listed below are the Boards and Commissions in the City of Owosso that work on the planning and development review process.

➤ **City Council**

Owosso's City Council is comprised of seven members, the mayor and six representatives from the City. For many processes (excluding site plan reviews and variances), Council is the final approving body. The City Council is the legislative authority and governing body for the City. It is responsible for hiring and overseeing the City Manager, setting policy and adopting ordinances and resolutions. One of the most important policies is budgetary which is carried out through reviewing and adopting the annual budget that funds the City's operations, capital projects and council's priorities. Fiscal year begins every July 1.

➤ **Brownfield Redevelopment Authority**

Owosso's Brownfield Redevelopment Authority was formed to facilitate the sensible redevelopment of numerous underutilized or vacant commercial and industrial properties throughout the City.

➤ **Historic District Commission**

Owosso's Historic District Commission is charged with overseeing the City's historic district. The establishment of the Historic District allows property owners with contributing properties the opportunity to apply for both federal and state tax credits.

➤ **Main Street / Downtown Development Authority**

Owosso's Main Street/Downtown Development Authority is charged with overseeing the orderly development of the downtown. It is funded by taxpayer dollars through a tax increment financing arrangement. This board also oversees the Main Street program.

➤ **Planning Commission**

Owosso's Planning Commission is a nine-member body, including one member of City Council. All members are appointed by the Mayor for three-year terms. Planning Commissioners deal with development issues in the City such as rezoning, special land uses, and site plans. They are responsible for writing/amending the Zoning Ordinance and updating the City's Master Plan. Many of their recommendations go before Council for final approval and adoption.

➤ **Zoning Board of Appeals (ZBA)**

Owosso's Zoning Board of Appeals has five members, with two alternate members, including one member of Planning Commission and one member of City Council. Each member is appointed by the Mayor for a three-year term. When a resident of the City cannot meet the Zoning Ordinance requirements, an application for variance is filed with this body.

- There are many other boards and committees throughout the city. Agendas, minutes and meeting packets (along with dates and times of meetings) can be found on the City of Owosso’s website at www.ci.owosso.mi.us.

BOARDS/COMMISSIONS	MEMBERS
• City Council	7
• Board of Review	5
• Building Authority	3
• Building Board of Appeals	5
• Downtown Development Authority	9
• Firemen’s Memorial Steering Committee	7
• Downtown Historic District Commission	7
• Historical Commission	7
• LDFA/Brownfield Redevelopment Authority	7
• Parks and Recreation Commission	7
• Planning Commission	9
• Zoning Board of Appeals	5
COUNTY-WIDE BOARDS SUPPORTED	
Joint Trail Authority	Mid-County Wastewater Treatment Plant Review Board
Owosso Community Airport – Shiawassee Airport Board of Trustees	Shiawassee Area Transportation Agency
Shiawassee Council on Aging	Shiawassee District Library

➤ **Open Meetings**

All meetings of the City Council, and its various Boards and Commissions, are open to the public in accordance with the “Open Meetings Act,” PA 267 of 1976 as amended, except Closed Session Meetings as provided for in the Act. Public notices for these meetings are posted on the website at www.ci.owosso.mi.us and at City hall, 301 West Main Street, Owosso

5. METHODS FOR COMMUNITY PARTICIPATION

There are many situations in which the City will solicit public input for a plan or project. Public participation in the planning process not only satisfies political and public need, it also increases the likelihood of plan success by making a more durable document. When residents are involved in the planning process, they are more likely to stay involved afterwards by partaking in the action plan to better their community with a sense of ownership. Broad engagement in the planning process also helps to prevent delays caused by unforeseen issues. Engagement efforts will vary depending upon the type, intensity, and location of a project or plan.

The following are methods that may be used to reach the appropriate level of public participation when taking action on land use or development applications. The City of Owosso will always attempt to use more than one tool or method, depending on the specific project and target audience. This list is flexible and can change based on each project’s needs and circumstance.

➤ **Inform – provide information and assist public understanding**

- ✓ **Website** – www.ci.owosso.mi.us announces meetings, posts packets and agendas, minutes, and periodically will contain pages or links for topics of major interest.
- ✓ **Newspaper** – The Argus Press and Owosso Independent are the City of Owosso’s

- newspaper outlets. The Argus is printed daily while the Independent is printed weekly.
- ✓ **Internet** – City Council meetings are recorded and posted on the city website.
- ✓ **Printed postings** – Available for viewing at the city hall 1st floor lobby bulletin board.
- ✓ **Announcements** – Announcements during meetings of the City Council and other boards and commissions.
- ✓ **Postal mail** – Postal mailings to neighbors within 300 feet of a given project, according to statute.

➤ **Consult – obtain public feedback**

- ✓ **Social Media** – The City utilizes Social Media to announce meetings, street closures, water main breaks, storm news, etc.
- ✓ **Surveys** – Utilizing online and paper surveys allows for the collection of large amounts of data and opinions from the public.
- ✓ **Public Hearings** – Public attendance at meetings is strongly supported and allows for an appropriate venue for public input.

➤ **Involve – work directly with public throughout the process**

- ✓ **Open Houses** – In order to create two-way communication, the City will hold open house events for projects and initiatives as needed.

➤ **Collaborate – partner with public in decision making**

- ✓ **Focus Groups** – Bringing together stakeholders to discuss and brainstorm decision-making options.
- ✓ **Community workshops** – Issues that require community feedback can benefit from a noticed workshop.
- ✓ **Charrettes** – Meetings in which all stakeholders in a given project gather to resolve conflicts and map solutions to issues facing the community.

Various times exist in the planning process when the City Council, the Planning Commission, and/or the Zoning Board of Appeals request public input. These processes include public hearings for rezoning of land, amendments to the Zoning Ordinances, the Master Plan, requested variances and special land uses.

6. PROCESSES FOR DEVELOPMENT

The following processes require that neighbors within 300 feet of a property be personally notified:

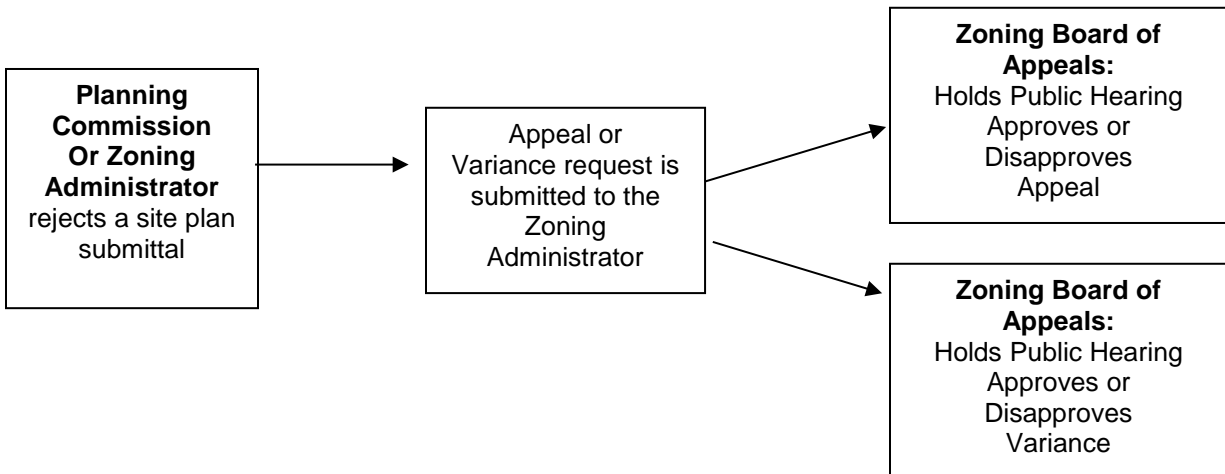
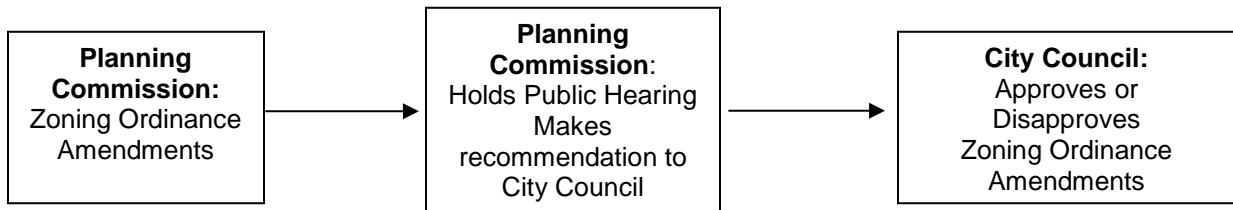
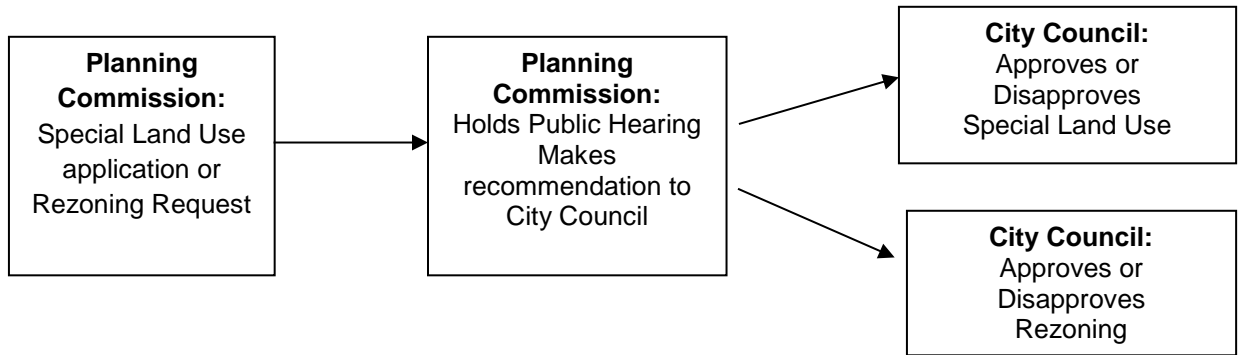
- Rezoning of property
- Special land use
- Variance requests

Statutes require these processes be noticed in a newspaper of general distribution in the City as well as mailed to neighbors within 300 feet at least 15 days prior to the meeting.

All meetings are held in a facility accessible to persons with disabilities, and the City shall provide reasonable accommodations. Individuals with disabilities requiring reasonable accommodations or services should contact the City Clerk's office, 989-725-0500.

Interested persons are encouraged to contact the City Clerk or to check the city's website at www.ci.owosso.mi.us in order to be kept informed of any meeting schedule, agendas, variations, or location changes. Meeting agendas and packets are available on the City's website in advance of the meeting.

The flowchart below outlines the time lines for these processes:



7. ADDITIONAL OUTREACH STRATEGIES

➤ **Master Plan Update**

The Master Plan is the visioning document for the City by which future developments and policies are created from. Therefore, it is integral in the planning process to get the broadest engagement and most public input. A variety of communication tools are used with an effort to gain attention and involvement from the broadest cross section of residents, representative of the entire City.

At least two workshops or visioning forums are held. Notice is given to all residents when the planning process begins and when a draft plan has been created. A public forum is held to review the draft document. Various other input methods are used as well, including, but not limited to, web surveys, interactive mapping projects, electronic updates, focus groups and soliciting input from business leaders and neighboring community leaders.

➤ **Zoning Ordinance Update**

The Zoning Ordinance is the regulating document that helps forward the vision of the City as well as promote public health, safety and general welfare. Since this document establishes comprehensive zoning regulations and provides for the administration, enforcement and amendment of those regulations, it is important that the public is informed of and can give input about updates. Zoning regulations are based off the Master Plan and therefore do not need as extensive of an input process. However, informing and educating the public about updates or revisions of the ordinance is important. Traditional communications methods are utilized.

➤ **Downtown Development Plan**

The Downtown Development Plan is the guiding document for the vision and success of the downtown. Downtown development planning is key to the success of a city and its economic development. Public input and engagement in this process is crucial. Education on topics such as Tax Increment Financing (TIF), make this process easier and visioning techniques can help the public understand various planning concepts.

Owners can be useful in bridging any misunderstandings. Public visioning sessions, websites, interactive mapping, and focus groups can all be useful in creating the Downtown Development Plan.

➤ **Parks and Recreation Plan**

Workshops, focus groups, surveys, websites, and/or alternative methods are useful in recreation planning. The last update of the Owosso Parks and Recreation Plan had a public input process that included a community survey and multiple public meetings.

➤ **Low Engagement Development Plan**

Low Engagement Development plans require review by city staff and may be approved administratively. If there are any questions, it may be forwarded to the Planning Commission for review and approval.

➤ **High Engagement Development Plan**

A high engagement development plan will most likely require one or more focus groups of relevant residents, business owners, and/or organization leaders. Proactive notification and timely education can prevent some controversy. Mailings, media, websites, and other methods can keep residents informed to prevent misinformation and misunderstanding. Public hearings can allow developers, residents and officials to work through development plans and solicit input.

➤ **Citizen Participation Plan Update**

Like all documents, the City of Owosso understands that the Citizen Participation Plan will need to be reviewed and updated on a routine basis. This plan will be updated as needed, at a minimum of every five years, in conjunction with the City's Master Plan. Updates to this plan will be drafted by staff, reviewed and recommended by the Planning Commission, and approved through the City Council.

8. COMMUNICATING RESULTS

The City of Owosso will:

- Publicly communicate all results of community input on planning and development issues.
- Utilize one or more of the "Inform" methods to relay results back to the public.
- Provide for a formal written procedure that will accommodate a timely written response to written complaints and grievances, within 15 days where practicable.

9. EVALUATION AND IMPROVEMENT

Continuous review of our public input processes is the only way that Owosso will remain a thriving and connected community. The residents are what make Owosso such a great community to live in; their creativity and talent are irreplaceable in the planning processes. Therefore, reflection on communication and involvement efforts is needed to verify that optimal methods are used.

A Communication Event Satisfaction Survey will be used at each event (see page 11). Results can be analyzed by keeping records of participation, including the types of communication used, the quality and quantity of comments received, and the number of participants involved. The hired consultant or staff will be in charge of recording participation.

Each plan and project shall include a Public Participation Review (see page 12). Documentation will contribute to a public participation process that is continuously evolving to efficiently obtain public input. To insure that methods are effective, the plan will be reviewed annually and updated when necessary. Methods that have failed will not be removed from the Citizen Participation Plan, but will be reviewed and documented so that the same mistakes will not be made in the future.

10. COMMUNITY EVENT SATISFACTION SURVEY – PUBLIC ATTENDEES

Please take a moment before you leave to complete the following:
Date:
What Event/Meeting did you attend today?
How did you hear about this Event/Meeting?
Was this Event/Meeting held at a convenient location and time? What time or location would have been more ideal?
Are you glad you came to the Event/Meeting? How would you improve it?

The City of Owosso thanks you for your attendance. This survey will assist city personnel to learn from attendees the success of the public input process.

11. INTERNAL PUBLIC PARTICIPATION EVALUATION - PARTICIPANTS

Please take a moment before you leave to complete the following:
Type of public participation:
Date and Time:
How was the Event/Meeting advertised?
Where was the Event/Meeting held?
How many people attended?
Was there a group under-represented? Over-represented?
Who facilitated the Event/Meeting?
How could the Event/Meeting have been improved?

Please return this form to the Planning and Zoning Department. Thank you!



MEMORANDUM

301 W. MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

DATE: February 21, 2022

TO: Planning Commission

FROM: Tanya Buckelew, Planning & Building Director

SUBJECT: Zoning Ordinance Amendment – Elimination of Greenhouses from the I-1 Light Industrial District

RECOMMENDATION:

Per the request from City Staff, we are recommending you proceed with an amendment to the Zoning Ordinance to remove greenhouses. This has been a topic area recently for marijuana grow facilities and the extent to which they cause light pollution. It is of the staff's opinion, that if we do not allow greenhouses we can avoid any issues with light pollution.

Chapter 38 Zoning – Article XIII. – I-1 Light Industrial Districts – Sec. 38-292. – Principal uses permitted. (7) remove “Greenhouses” and (12) b. remove “or greenhouse”.

Tonight your plan of action includes setting a public hearing for the March 28, 2022 meeting to allow for public input, your discussion and motion to forward this to City Council or leave the Zoning Ordinance as is.

Sec. 38-292. Principal uses permitted.

In an I-1 district, no building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses unless otherwise provided in this chapter and subject further to the review and approval of the site plan by the planning commission in accordance with section 38-390:

- (1) Any use charged with the principal function of basic research, design and pilot or experimental product development when conducted within a completely enclosed building;
- (2) Any of the following uses when the manufacturing, compounding or processing is conducted wholly within a completely enclosed building. That portion of the land used for open storage facilities for materials or equipment shall meet the requirements of section 38-389 or section 38-393;
 - a. Warehousing and wholesale establishments, and trucking facilities;
 - b. The manufacture, compounding, processing, packaging or treatment of such products such as, but not limited to, bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware and cutlery, tool, die, gauge and machine shops;
 - c. The manufacture, compounding, assembling, or treatment of articles or merchandise from previously prepared materials: bone, canvas, cellophane, cloth, cork, elastomers, feathers, felt, fibre [fiber], fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious metals or stones, sheet metal, shell, textiles, tobacco, wax, wire, wood and yarns;
 - d. The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas;
 - e. Manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other molded rubber products;
 - f. Manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs;
 - g. Laboratories—Experimental, film or testing;
 - h. Manufacturing and repair of electric or neon signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like;
 - i. Central dry cleaning plants or laundries provided that such plants shall not deal directly with consumer at retail;
 - j. All public utilities, including buildings, necessary structures, storage yards and other related uses.
- (3) Warehouses, storage and transfer and electric and gas service buildings and yards; public utility buildings, telephone exchange buildings, electrical transformer stations and substations, and gas regulator stations; water supply and sewage disposal plants; water and gas tank holders; railroad transfer and storage tracks; railroad rights-of-way; freight terminals;
- (4) Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies, provided such is enclosed within a building or within a solid wall or fence that meets the requirements of section 38-389 or section 38-393;
- (5) Municipal uses such as water treatment plants, and reservoirs, sewage treatment plants, and all other municipal buildings and uses, including outdoor storage;
- (6) Commercial kennels;

~~.(7) Greenhouses;~~

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- (8) Other uses of a similar and no more objectionable character to the above uses;
 - (9) Accessory buildings and uses customarily incident to any of the above permitted uses;
 - (10) Residential structures existing as of January 1, 2012;
 - (11) A marijuana provisioning center, grower, processor, safety compliance facility or secure transporter as authorized by the city's medical marijuana facilities licensing—Police power authorizing ordinance;
 - a. Any uses or activities found by the state or a court with jurisdiction to be unconstitutional or otherwise not permitted by state law may not be permitted by the city. In the event that a court with jurisdiction declares some or this entire article invalid, then the city may suspend the acceptance of applications for medical marijuana facilities licenses pending the resolution of the legal issue in question.
 - b. The use or facility must be at all times in compliance with all other applicable laws and ordinances of the city and state.
 - c. The city may suspend or revoke a medical marijuana facilities license based on the finding that the provisions of the Medical Marijuana Facilities Licensing Act, all other applicable provisions of this zoning ordinance, the city's police power authorizing ordinance, or the approved site plan are not met.
 - d. A marijuana facility, or activities associated with the licensed growing, processing, testing, transporting, or sales of marijuana, may not be permitted as a home business or accessory use nor may they include accessory uses except as otherwise provided in this chapter.
 - e. Signage requirements for marijuana facilities, unless otherwise specified, are as provided in chapter 26, signs.
 - (12) Marijuana growers, processors, safety compliance facilities or secure transporters as authorized by the city's medical marijuana facilities licensing—Police power authorizing ordinance shall be subject to the following standards:
 - a. *Minimum yard depth/distance from lot lines.* Minimum yard depth/distance from lot lines shall adhere to measurement requirements as listed in article XVI—Schedule of regulations for each zoning designation as listed.
 - b. *Indoor growing and processing.* In the I-1 light industrial district, marijuana growing shall be located entirely within a fully enclosed, secure, indoor facility ~~or greenhouse~~ with rigid walls, a roof, and doors. Marijuana processing shall be located entirely within one (1) or more completely enclosed buildings.
 - c. *Maximum building floor space.* The following maximum building floor space shall apply in the I-1 light industrial district:
 1. If only a portion of a building is authorized for use in marijuana growing or processing, a partition wall at least seven (7) feet in height, or a height as required by the applicable building codes, whichever is greater, shall separate the marijuana growing or processing space from the remainder of the building. A partition wall must include a door, capable of being closed and locked, for ingress and egress between the marijuana growing or processing space and the remainder of the building.
 - d. *Lighting.* Lighting shall be regulated as follows:
 1. Light cast by light fixtures inside any building used for marijuana growing or marijuana processing shall not be visible outside the building from 7:00 p.m. to 7:00 a.m. the following day.

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2. Outdoor marijuana grow lights shall not be illuminated from 7:00 p.m. to 7:00 a.m. the following day.
- e. *Odor.* As used in this subsection, building means the building, or portion thereof, used for marijuana growing or marijuana processing.
1. The building shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter.
 2. The filtration system shall consist of one (1) or more fans and activated carbon filters. At a minimum, the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three (3). The filter(s) shall be rated for the applicable CFM.
 3. The filtration system shall be maintained in working order and shall be in use. The filters shall be changed a minimum of once every three hundred sixty-five (365) days.
 4. Negative air pressure shall be maintained inside the building.
 5. Doors and windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.
 6. An alternative odor control system is permitted if the applicant submits and the municipality accepts a report by a mechanical engineer licensed in the state demonstrating that the alternative system will control odor as well or better than the activated carbon filtration system otherwise required. The municipality may hire an outside expert to review the alternative system design and advise as to its comparability and whether in the opinion of the expert it should be accepted.
- f. *Security cameras.* Security cameras must be used and shall be directed to record only the subject property and may not be directed to public rights-of-way as applicable, except as required to comply with licensing requirements of the state. Recordings shall be kept for ninety (90) days.
- g. *Buffer zones.* A marijuana grower, processor, safety compliance facility, or secure transporter may not be located within the distance specified from the uses below as determined by the city. Distance shall be measured as stipulated in the Michigan Liquor Control Act as follows:
1. A marijuana grower, processor, safety compliance facility, or secure transporter may not be located within two hundred (200) feet of the real property comprising or used by a public or private elementary, vocational, or secondary school. The distance between the school building and the marijuana grower, processor, safety compliance facility, or secure transporter must be measured along the center line of the street or streets of address between two (2) fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the part of the school building nearest to the marijuana grower, processor, safety compliance facility, or secure transporter and from the part of the marijuana grower, processor, safety compliance facility, or secure transporter nearest to the school building.
 2. A marijuana grower, processor, safety compliance facility, or secure transporter may not be located within one hundred (100) feet of a residentially zoned structure. The distance between the residential zoned structure and the marijuana grower, processor, safety compliance facility, or secure transporter must be measured along the center line of the street or streets of address between two (2) fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the part of the residentially zoned structure nearest to the marijuana grower, processor, safety compliance facility, or

secure transporter and from the part of the marijuana grower, processor, safety compliance facility, or secure transporter nearest to the residentially zoned structure.

3. A marijuana grower, processor, safety compliance facility, or secure transporter may not be located within one hundred (100) feet of a vacant residentially zoned parcel. The distance between the residential zoned vacant parcel and the marijuana grower, processor, safety compliance facility, or secure transporter must be measured along the center line of the street or streets of address between two (2) fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the intersection of the minimum front or rear yard and side yard setback requirement nearest to the marijuana grower, processor, safety compliance facility, or secure transporter and from the part of the marijuana grower, processor, safety compliance facility, or secure transporter nearest to the intersection of the minimum front or rear yard and side yard setback requirement.

(Code 1977, § 5.58; Ord. No. 499, 2-16-93; Ord. No. 721, § 5, 4-18-11; Ord. No. 729, § 1, 2-6-12; Ord. No. 793, § 7, 7-2-18; Ord. No. 795, § 5, 3-18-19; Ord. No. 796, § 1, 3-18-19; Ord. No. 798, § 1, 4-15-19)