

**MINUTES
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL
MONDAY, FEBRUARY 26, 2018 – 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: Tanya Buckelew

MEMBERS PRESENT: Chairman Wascher, Vice-Chair Livingston, Secretary Janae Fear, Commissioners Jake Adams, Tara Jenkins, and Dan Law.

MEMBERS ABSENT: Commissioners Tom Cook and Tom Taylor

OTHERS PRESENT: Assistant City Manager Susan Montenegro, City Attorney Scott Gould, Mark Hanna, Hilary Dulany, Jackie Langworth.

APPROVAL OF AGENDA:
MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY SECRETARY FEAR TO APPROVE THE AGENDA FOR FEBRUARY 26, 2018.

YEAS ALL. MOTION CARRIED.

APPROVAL OF MINUTES:
MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY SECRETARY FEAR TO APPROVE THE MINUTES FOR THE JANUARY 22, 2018 MEETING.

YEAS ALL. MOTION CARRIED.

- COMMUNICATIONS:**
1. Staff memorandum.
 2. PC minutes from January 22, 2018
 3. Sign ordinance, section 26-19
 4. Paula Givens email – presentation materials
 5. Draft ordinance for Medical Marihuana

COMMISSIONER/PUBLIC COMMENTS:
None

PUBLIC HEARING:
None

SITE PLAN REVIEW:
None

- BUSINESS ITEMS:**
1. ZBA recommendation to review section 26-19 of the sign ordinance and consider returning to former five foot clearance from the right-of-way.

ZBA heard a case from Agnew Graphics regarding the new sign he would like to install but does not meet the revised sign ordinance 10 foot setback. The previous ordinance had the setback at 5 feet and due to MDOT widening Shiawassee Street two times in the past 18 years, created this additional hardship. The current setback of 10 feet from the public right-of-way would also create hardships for many business owners in town who have signs that meet the former setback requirements but not the current.

MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY SECRETARY FEAR TO HOLD A PUBLIC HEARING AT THE MARCH 26, 2018 PLANNING COMMISSION MEETING TO AMEND SECTION 26-19 OF THE SIGN ORDINANCE CHANGING THE CURRENT 10 FOOT SETBACK REQUIREMENT FROM PUBLIC RIGHT-OF-WAYS TO A 5 FOOT SETBACK REQUIREMENT.

RCV YEAS ALL MOTION CARRIED

ITEMS OF DISCUSSION:

1. Presentation by Paula Givens, attorney with Cannabis Legal Group.

Ms. Givens presented the Planning Commission options on how to handle the issue of provisioning center licenses. First come first serve, scoring criteria or being pre-qualified with the State before applying to the city. She stated that first come first serve is not a good idea as with the prequalified with the State, as State may take too long on their paperwork. She presented option for scoring criteria. Also discussed the buffer zone and to try not to set too far away from schools, as it could prohibit economic growth in certain areas of the city.

2. Draft ordinance language for Medical Marihuana Facilities Licensing. Continued the discussions of the proposed ordinance language.

- A revised draft from the January 2018 meeting was discussed.
- Ms. Montenegro will restructure the ordinance as to keeping it uniform as in the 5 types of licenses run in order throughout the ordinance.
- Page 3 Sec 1004 – B 1-8: List out details of the information needed on application. It was questioned if this needed to be spelled out in the ordinance. If a change was made to the application, then the ordinance would have to be amended. Attorney Gould will check into this.
- Page 7 E 3: Some discussion regarding the wording of the sentence.
- Page 7 A 1: Minimum Yard Depth/Distance from Lot Lines: Remove and use wording to refer to the Zoning Ordinance.
- Page 8 B 6: Buffer Zones: Wording was added based on the Michigan Liquor Control guidelines. The word church is to be removed. Attorney Gould suggested keeping the language but reducing distance.
- Page 8 B 6: Buffer Zones: a. change 500 feet to 200 feet and b. change 500 feet to 100 feet.
- Discussion was held on the application selection. Suggested an open application period with an ending date, then use scoring criteria to pick license.
- At the March 26, 2018 meeting, the Planning Commission will work on developing the process.

COMMISSIONER/PUBLIC COMMENT:

Mark Hanna suggested some changes. Page 7 A 1: change setbacks to match zoning ordinance.

Page 4 C – provisional wording is possibly incorrect? Page 3 Sec 1004: suggested removing #1-#8.
How do you recognize someone who is truly a viable candidate?

Jackie Langworth spoke of the changes that were missed from the last meeting regarding setback requirements to mirror the Zoning Ordinance. Does not recommend using the scoring system.

Hillary Dulany spoke about the application process. Difficult to grade an applicant subjectively. Applicants need experience, previous licensed issued, good track record on growth and bringing in jobs. Planning Commission has control on how to set standards on exterior of the buildings.

ADJOURNMENT:

**MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY COMMISSIONER ADAMS TO ADJOURN
AT 8:34 P.M. UNTIL THE NEXT MEETING ON MARCH 26, 2018.**

YEAS ALL, MOTION CARRIED.

Janae L. Fear, Secretary