



**CITY OF OWOSSO PLANNING COMMISSION**  
**Regular Meeting**  
**Monday, January 23, 2023 at 6:30 p.m.**  
**AGENDA**

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. APPROVAL OF AGENDA – January 23, 2023**
- E. APPROVAL OF MINUTES – November 28, 2022**
- F. ELECTION OF OFFICERS (DUE in July of 2023)**
- G. PUBLIC HEARINGS: None**
- H. SITE PLAN REVIEWS: None**
- I. ITEMS OF BUSINESS:**
  - 1. Planning Commission Annual Report 2022
  - 2. Zoning Ordinance Full Re-Write/Amendments – Review and Discussion
- J. COMMISSIONER/CITIZEN COMMENTS:**
- K. ADJOURNMENT**

**Next regular meeting will be on Monday, February 27, 2023 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](http://www.ci.owosso.mi.us)*

**MINUTES**  
**REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION**  
**Monday, November 28, 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:** Tanya Buckelew

**MEMBERS PRESENT:** Secretary Fear, Commissioner Law, Vice-Chair Livingston, Commissioners Martin, Robertson, Schlaack, Taylor and Chairman Wascher

**MEMBERS ABSENT:** Commissioner Jenkins

**OTHERS PRESENT:** Tanya Buckelew, Planning & Building Director & Justin Sprague, CIB Planning

**APPROVAL OF AGENDA:**  
**MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY COMMISSIONER ROBERTSON TO APPROVE THE AGENDA FOR November 28, 2022.**

**YEAS ALL. MOTION CARRIED.**

**APPROVAL OF MINUTES:**  
**MOTION BY SECRETARY FEAR SUPPORTED BY VICE-CHAIR LIVINGSTON TO APPROVE THE MINUTES FOR THE August 22, 2022 MEETING.**

**YEAS ALL. MOTION CARRIED.**

**PUBLIC HEARINGS:**

**1. Zoning Ordinance Text Amendments to allow for drive-thru window service at marihuana retail locations**

The City received a request from JARS Cannabis at 200 E. Main Street to amend the Zoning Ordinance to allow for drive-thru window service at marihuana retail locations.

Chairman Wascher opened the Public Hearing at 6:32 p.m.

The following spoke during the Public Hearing:

Tom Manke spoke about alcohol not being allowed via drive-thrus so marijuana should not be either. He stated he has been approached to purchase marijuana in the downtown area from a local business.

Jason Abro with JARS Cannabis spoke about the addition of a drive-thru window to their building to better serve their customers.

Justin Sprague, CIB Planning, offered the following comments per his review letter:

CIB has reviewed the application from Hani Kassab Jr. to consider amending the Zoning Ordinance text in Sections 38-197 (11.a.2), 38-217 (4.a.2), 38-242 (9.a.2) and 38-267 (10.a.2) to allow for drive-thru window services at marihuana provisioning centers.

The Planning Commission and City Council shall consider the following criteria to determine the appropriateness of amending the text, standards and regulations of the zoning ordinance:

1. Documentation has been provided from city staff, or the zoning board of appeals indicating problems and conflicts in implementation of specific sections of the ordinance.

**Finding –** There is currently no issues, problems or conflicts with implementation of existing ordinances, however the city has been permitting curb-side delivery of marihuana during the Covid- 19 Pandemic.

2. Reference materials, planning and zoning publication, information gained at seminars or experiences of other communities that demonstrate improved techniques to deal with certain zoning issues, or that the city's standards are outdated

**Finding –** As noted above the state has changed rules to allow for the use of drive-thru services. Those rules can be seen below.

Rule 7a.

- 1) A marihuana sales location may designate an area for contactless or limited contact transactions unless prohibited by an ordinance adopted by the municipality where the marihuana sales location is located.
- 2) Contactless or limited contact transaction include, but are not limited to the following:
  - a) Curbside service.
  - b) Drive through window service.
- 3) A marihuana sales location may accept online or telephonic orders for marihuana product and payment for the order that will be picked up at the marihuana sales location.
- 4) The designated area for contactless or limited contact transactions must be identified in the marihuana business location plan.
- 5) A marihuana sales location operating a contactless or limited contact transaction must have a written standard operating procedure in place and be made available to the agency upon request.
- 6) Contactless or limited contact transactions must be completed during normal business hours.

- 7) A marihuana sales location using a designated area for contactless or limited contact transactions must have in place an anti-theft policy, procedure, or automatic capability.
  - 8) The designated area for contactless or limited contact transactions must comply with R 420.209.
  - 9) The contactless and limited contact transaction must comply with R 420.505 and R 420.506.
  - 10) Marihuana being transferred during a contactless or limited contact transaction must be in an opaque bag and the contents must not be visible to the general public upon pick up.
3. The city attorney recommends an amendment to respond to significant case law.

**Finding** – The city attorney is not opposed to the proposed amendments but is not recommending approval as a result of significant case law.

4. The amendment would promote implementation of the goals and objectives of the city's master plan.

**Finding** – The amendment would not promote the goals and objectives in the downtown where auto- oriented uses are intended for other commercial areas of the city.

5. Other factors deemed appropriate by the planning commission and city council.

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

## **RECOMMENDATION**

Based upon the above comments, **the Planning Commission will need to consider a number of factors to determine if this amendment is most appropriate for the city and its residents and businesses as follows;**

1. That the request is not in overwhelming conflict with the Master Plan or the Zoning Ordinance;
2. The rules have changed at the state which now allow for these services;
3. That a change in the ordinance will not lead to public safety issues or a nuisance to the city and its residents and businesses.

Public Hearing closed at 7:00 p.m.

**MOTION BY COMMISSIONER MARTIN SUPPORTED BY COMMISSIONER LAW TO RECOMMEND TO THE CITY COUNCIL TO APPROVE THE TEXT AMENDMENTS TO THE FOLLOWING ARTICLES OF CHAPTER 38 ZONING ORDINANCE –**

- **ARTICLE IX. B-1 LOCAL BUSINESS DISTRICT – SEC. 38-197. PRINCIPAL USES PERMITTED (11) a. 2.**
- **ARTICLE X. B-2 PLANNED SHOPPING CENTER DISTRICTS – SEC. 38-217. PRINCIPAL USES PERMITTED (4) a. 2.**
- **ARTICLE XI. B-3 CENTRAL BUSINESS DISTRICT – SEC. 38-242. PRINCIPAL**

**USES PERMITTED (9) a. 2.**

- **ARTICLE XII. B-4 GENERAL BUSINESS DISTRICTS – SEC. 38-267. PRINCIPAL USES PERMITTED (10) a. 2.**

**THE AMENDMENT IS AS FOLLOWS – REMOVE**

**a. 2. INDOOR ACTIVITIES TEXT FOR THE B-1, B-2, B-3 AND B-4 DISTRICTS.**

**REPLACE WITH**

**a. 2. CONTACTLESS OR LIMITED CONTACT TRANSACTIONS. A MARIHUANA PROVISIONING CENTER MAY DESIGNATE AN AREA FOR CONTACTLESS OR LIMITED CONTACT TRANSACTIONS EITHER BY CURBSIDE SERVICE OR A DRIVE THROUGH WINDOW SERVICE. CONTACTLESS OR LIMITED CONTACT TRANSACTIONS MUST BE COMPLETED DURING NORMAL BUSINESS HOURS. MARIHUANA BEING TRANSFERRED DURING A CONTACTLESS OR LIMITED CONTACT TRANSACTION MUST BE IN AN OPAQUE BAG AND THE CONTENTS MUST NOT BE VISIBLE TO THE GENERAL PUBLIC UPON PICK UP.**

**YEAS: SECRETARY FEAR, COMMISSIONER LAW, VICE-CHAIR LIVINGSTON, COMMISSIONER MARTIN, ROBERTSON, SCHLAACK, TAYLOR AND CHAIRMAN WASCHER**

**NAYS: NONE**

**RCV: 8-0 MOTION CARRIED**

**ITEMS OF BUSINESS:**

**1. Zoning Ordinance Full Re-Write Review and Discussion**

Justin Sprague commented on the current chapters in review -

Article I. Title, Purpose and Authority

Article XVI. Rezoning, Zoning and Master Plan Amendment Review

Article VEII. Nonconforming uses, Structures and Lots

Articles XXI. Landscape Standards and Tree Replacement

Article XXIII. Administration and Enforcement

Articles XXIV. Zoning Board of Appeals (ZBA)

Article XIX. Off-Street Parking and Loading Standards

Discussion was held regarding making parking a standalone chapter and reducing parking requirements on private property.

Additional chapters are forthcoming in the next few weeks.

**COMMISSIONER/CITIZEN COMMENTS:**

The garage on the St. Paul's parking lot is in need of repairs.

The hospital fencing along Ada Street does not conceal the mechanical units. The plantings along the parking lot have died. The parking lots across the street are dirt. Justin Sprague and Tanya Buckelew will reach out to the hospital to discuss corrections.

The next meeting is scheduled for December 12, 2022. This is earlier in the month due to the holidays. Discussion was held on whether there would be a meeting or not. Tanya Buckelew stated she has not received any applications and the deadline has passed. Therefore, she

would not be scheduling a meeting in December. Commissioners were asked to continue reviewing the zoning ordinance amendments for the January meeting.

**ADJOURNMENT:**

**MOTION BY SECRETARY FEAR SUPPORTED BY COMMISSIONER TAYLOR TO  
ADJOURN AT 7:40 PM UNTIL THE NEXT MEETING ON JANUARY 23, 2023.**

**YEAS ALL, MOTION CARRIED**

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**Janae Fear, Secretary**

DRAFT



**2022  
PLANNING COMMISSION  
ANNUAL REPORT**

# PLANNING COMMISSION

## 1. MEMBERSHIP

MEMBER	TITLE	TERM EXPIRES
William Wascher	Chair	06-30-2024
Francis Livingston	Vice Chair	06-30-2024
Janae Fear	Secretary	06-30-2024
Tara Jenkins	Commissioner	06-30-2025
Daniel Law	Council Rep	11-12-2024
Allan Martin	Commissioner	06-30-2023
Linda Robertson	Commissioner	06-30-2025
Stephen Schlaack	Commissioner	06-30-2025
Thomas Taylor	ZBA Rep.	06-30-2023

## 2. ATTENDANCE (X = PRESENT)

	Wascher	Fear	Jenkins	Law	Livingston	Martin	Robertson	Schlaack	Taylor
Jan	X	X		X	X	N/A	X	N/A	
Feb	X		X	X	X	N/A		N/A	
Mar	X	X		X	X	N/A	X	N/A	X
Apr	No Meeting – Lack of agenda items								
May	X	X		X	X	N/A		N/A	X
Jun	No Meeting – Lack of agenda items								
Jul	X	X		X	X	X appointed		N/A	X
Aug	X	X		X	X	X	X	appointed	X
Sept	No Meeting – Lack of agenda items								
Oct	No Meeting – Lack of agenda items								
Nov	X	X		X	X	X	X	X	X
Dec	No Meeting – Lack of agenda items								

## 3. MEETINGS (4<sup>th</sup> Monday of each month at 6:30 p.m.)

Meeting Date	Agenda Items		
January 24	<ul style="list-style-type: none"> <li>Rezoning</li> </ul>	701 S Chestnut St	Approved
	<ul style="list-style-type: none"> <li>2021 Planning Commission Report</li> </ul>	Review	Approved
	<ul style="list-style-type: none"> <li>2022-2028 Capital Improvement Plan (CIP)</li> </ul>	Review	Approved
	<ul style="list-style-type: none"> <li>Mobile Food Vending Draft Ordinance</li> </ul>	Review	No objections
February 21	<ul style="list-style-type: none"> <li>Citizen Participation Plan</li> </ul>	Review	Approved
	<ul style="list-style-type: none"> <li>Proposed amendment to the Zoning Ordinance to remove greenhouses from being allowed for marijuana</li> </ul>	Review	Approved to hold Public Hearing on 03/28/2022
March 22	<ul style="list-style-type: none"> <li>Proposed amendment to Zoning Ordinance to remove greenhouses from being allowed for marijuana</li> </ul>	Public Hearing	Approved and approved by City Council
April 25	<ul style="list-style-type: none"> <li>No Meeting</li> </ul>	Lack of agenda items	
May 23	<ul style="list-style-type: none"> <li>Site Plan Review – Addition of storage units</li> </ul>	701 S Chestnut St	Approved

	<ul style="list-style-type: none"> <li>• Site Plan Review – Addition to building</li> </ul>	1015 S Washington St	Approved
June 27	<ul style="list-style-type: none"> <li>• No Meeting</li> </ul>	Lack of agenda items	
July 25	<ul style="list-style-type: none"> <li>• Site Plan Review – Parking lot</li> </ul>	702 W Main St	Approved
August 23	<ul style="list-style-type: none"> <li>• Site Plan Review – Renovations former middle school for 50 apartments</li> </ul>	219 N Water	Approved
September 26	<ul style="list-style-type: none"> <li>• No Meeting</li> </ul>	Lack of agenda items	
October 24	<ul style="list-style-type: none"> <li>• No Meeting</li> </ul>	Lack of agenda items	
November 28	<ul style="list-style-type: none"> <li>• Proposed text amendment to Zoning Ordinance to allow drive thrus at marijuana provisioning centers</li> </ul>	Public Hearing	Approved and approved by City Council
December 12	<ul style="list-style-type: none"> <li>• No Meeting</li> </ul>	Lack of agenda items	

#### **4. MASTER PLAN REVIEW**

The Master Plan was adopted by the Planning Commission and the City Council in June 2021. Following the plan’s adoption, the City hired a consultant to lead City Council and staff through three strategic planning sessions centered on the Master Plan. One of the outcomes from these sessions was staff correlating Council agenda items with Master Plan Goals. Each agenda item now clearly states which Master Plan goals it will work toward. This keeps the Master Plan and the identified goals front and center as the City moves forward.

Although it is too soon to assess Master Plan progress in-depth, the City has made several significant strides. CIB Planning was hired to assist with a Zoning Ordinance rewrite. Having the Zoning Ordinance aligned with the Master Plan will be instrumental in helping the City achieve its goals. We anticipate final adoption of the new Zoning Ordinance in Spring of 2023.

The City has received Safe Routes to School funding to enhance walkable neighborhoods.

##### **Master Plan Goals:**

- Goal 1: Protect health, safety, and general wellbeing of the community
- Goal 2: Provide excellent customer service to residents and investors
- Goal 3: Maintain fiscal responsibility and sustainability
- Goal 4: Identify, preserve, and enhance the community’s character
- Goal 5: Increase quality of life and quality of place for all
- Goal 6: Boost local economy
- Goal 7: Strengthen public and private partnerships

#### **5. ECONOMIC DEVELOPMENT STRATEGY REVIEW**

The Economic Development Strategy was adopted as part of the Master Plan by the Planning Commission and City Council in June 2021.

##### **Steps the City has taken towards achieving economic development goals include:**

- Continuing to work toward Redevelopment Ready Community Certification
- The City is in the process of a Zoning Ordinance rewrite
- The City has hired a second code enforcement staff member
- The City has created and maintains an online Guide to Development
- The City continues to partner with the Shiawassee Economic Development Partnership

#### **6. ZONING ORDINANCE AMENDMENTS**

##### **a. Zoning Ordinance:**

June 2021 – the City contracted with CIB Planning to rewrite the zoning ordinance. This is about a 15-18 month process. We anticipate the final adoption in the Spring of 2023.

**b. Rezoning Requests:**

<b>Address:</b>	<b>Rezoning Request:</b>	<b>Status:</b>
701 S Chestnut St	R-1 to I-1	Approved

**ZONING BOARD OF APPEALS**

**1. MEMBERSHIP**

MEMBER	TITLE	TERM EXPIRES
Matthew Grubb	Chair	06-20-2024
Justin Horvath	Vice-Chair	06-30-2023
Thomas Taylor	Secretary	06-30-2024
Robert Teich	Alternate	06-30-2025
Charles Suchanek	Alternate	06-30-2023

**2. ATTENDANCE (X = PRESENT)**

	Grubb	Horvath	Taylor	Teich	Suchanek
<b>Jan</b>	No Meeting – Lack of agenda items				
<b>Feb</b>	No Meeting – Lack of agenda items				
<b>Mar</b>	No Meeting – Lack of agenda items				
<b>Apr</b>	X	N/A	X	X	N/A
<b>May</b>	No Meeting – Lack of agenda items				
<b>June</b>	No Meeting – Lack of agenda items				
<b>July</b>	No Meeting – Lack of agenda items				
<b>Aug</b>	No Meeting – Lack of a quorum				
<b>Sept</b>	X			X	X
<b>Oct</b>	No Meeting – Lack of agenda items				
<b>Nov</b>	No Meeting – Lack of agenda items				
<b>Dec</b>	No Meeting – Lack of agenda items				

**3. MEETINGS (3<sup>RD</sup> Tuesday of each month at 9:30 a.m.)**

Meeting Date	Agenda Items		
January 18	No Meeting – Lack of agenda items		
February 15	No Meeting – Lack of agenda items		
March 16	No Meeting – Lack of agenda items		
April 20	Variance Request	Front yard setbacks	Approved
May 18	No Meeting – Lack of agenda items		
June 15	No Meeting – Lack of agenda items		
July 20	No Meeting – Lack of agenda items		
August 17	No Meeting – Lack of a quorum		
September 21	Variance Request	Drive thru setback	Approved
October 19	No Meeting – Lack of agenda items		
November 16	No Meeting – Lack of agenda items		
December 21	No Meeting – Lack of agenda items		

**TRAINING**

November and December 2022 – Zoning Ordinance rewrite workshops

**JOINT MEETINGS**

None held in 2022. Beginning in 2023, there will be an annual joint meeting held each February

## **PUBLIC PARTICIPATION PLAN**

The City's Public Participation Plan was adopted October 2017 and was updated in March of 2022.

In 2022, the City approved an updated the Parks and Recreation Master Plan. This planning process followed recommendations laid out in the Participation Plan. The Parks and Recreation Commission held numerous public meetings to gather public feedback. They held public meetings in City parks to gain knowledge on the state of the City parks. Staff conducted a presentation to the Owosso Rotary Club regarding the plan and reached out directly to key stakeholders for feedback. There was also a public survey.

Following COVID-19, the City resumed in-person public meetings however the City has installed equipment in the Council Chambers so public meetings can be live streamed, offering a hybrid participation option of in-person and online.

The City's social media presence includes Facebook, Instagram and Twitter.

In 2020, the City started using an email-marketing platform to send out monthly newsletters, bid notifications, employment opportunities, and emergency alerts. The mailing list has grown to over 400 individuals.

Staff continues to use traditional methods of communication as well, such as newspaper postings, mailing letters, and using door hangers when applicable.

## **SURVEY REVIEW AND DEVELOPMENT PROCESS ASSESSMENT**

This section of the annual report is for the Commission to discuss and review the development process. Some helpful questions to cover include:

- Did the Commission receive any surveys regarding the development process?
- Is there anything the Commission can do to receive more surveys?
- Are there changes the Commission can make to address concerns mentioned in the surveys?
- How does the Commission feel the process is working?

As of December 2022, the forms have been reviewed by staff and updated in terms of readability and process flow. Now having one dedicated employee to complete the review process, there seems to be fewer issues in communication and obtaining the appropriate department feedback required for the Planning Commission. This in turn puts a full packet together for the Planning Commission members to make educated decisions.

## **REDEVELOPMENT READY COMMUNITIES**

Based on feedback from communities and partners, the MEDC redesigned the Redevelopment Ready Communities (RRC) program in February 2021. The new program has two paths, the Essentials Path and the Certified Path. Owosso has selected the Certified Path, which will have more requirements but will also offer enhanced benefits to the community.

The largest task to complete prior to RRC certification is the updated Zoning Ordinance.

Additionally the City needs to complete a Marketing Plan, host joint meetings, clearly document the internal review process, update its Board and Commission recruitment process, and complete a training strategy for Boards and Commissions.