



**CITY OF OWOSSO PLANNING COMMISSION**  
**Regular Meeting**  
**Monday, April 24, 2023 at 6:30 p.m.**  
**AGENDA**

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. APPROVAL OF AGENDA – April 24 2023**
- E. APPROVAL OF MINUTES – March 27, 2023**
- F. ELECTION OF OFFICERS (DUE in July of 2023)**
- G. PUBLIC HEARINGS: None**
- H. SITE PLAN REVIEWS:**
  - 1. 200 S Washington Street – Food Truck Park
- I. ITEMS OF BUSINESS:**
  - 1. Amendments to By-Laws
  - 2. Zoning Ordinance Updates
- J. COMMISSIONER/CITIZEN COMMENTS:**
- K. ADJOURNMENT**

**Next regular meeting will be on Monday, May 22, 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, March 27, 2023 – 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:** Commissioner Law, Vice-Chair Livingston, Commissioners Martin, Schlaack, Taylor and Chairman Wascher

**MEMBERS ABSENT:** Secretary Fear, Commissioners Jenkins and Robertson

**OTHERS PRESENT:** Tanya Buckelew, Planning & Building Director

**APPROVAL OF AGENDA:**

**MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY COMMISSIONER LAW TO APPROVE THE AGENDA FOR March 27, 2023 WITH CHANGES TO THE DATE FOR APPROVAL OF MINUTES TO REFLECT JANUARY 23, 2023, NOT 2022.**

**YEAS ALL. MOTION CARRIED.**

**APPROVAL OF MINUTES:**

**MOTION BY VICE-CHAIR LIVINGSTON SUPPORTED BY COMMISSIONER SCHLAACK TO APPROVE THE MINUTES FOR THE January 23, 2023 MEETING.**

**YEAS ALL. MOTION CARRIED.**

**ITEMS OF BUSINESS:**

**1. Capital Improvement Plan (CIP) 2023-2029**

Discussion held on the contents of the report.

**MOTION BY COMMISSIONER MARTIN SUPPORTED BY COMMISSIONER LAW TO APPROVE THE CAPITAL IMPROVEMENT PLAN (CIP) 2023-2029 AND REFER TO CITY COUNCIL FOR REVIEW AND APPROVAL.**

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

**NAYS: NONE**

**RCV: 6-0 MOTION CARRIED.**

**COMMISSIONER/CITIZEN COMMENTS:**

Chairman Wascher discussed not having a quorum at the February meeting and to always contact Tanya if you cannot attend a meeting.

**ADJOURNMENT:**

**MOTION BY COMMISSIONER TAYLOR SUPPORTED BY COMMISSIONER LAW TO  
ADJOURN AT 6:35 PM UNTIL THE NEXT MEETING ON APRIL 27, 2023.**

**YEAS ALL, MOTION CARRIED**

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**Janae Fear, Secretary**

DRAFT

P2023-003

04/10/2023

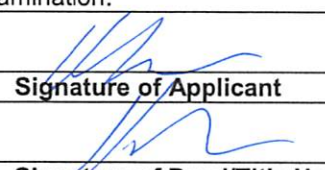
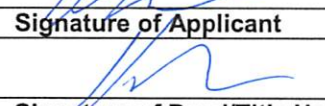
## SITE PLAN REVIEW APPLICATION AND CHECKLIST

CITY OF OWOSSO  
 301 W MAIN STREET OWOSSO, MI 48867  
 989-725-0535  
 building@ci.owosso.mi.us

- Site plan required for all commercial, industrial and multi-family residential
- Application must be filed at least 25 days prior to a scheduled Planning Commission meeting for staff review and proper notices (see page 4 for submittal deadlines).
- This application is submitted with one (1) copy of the complete site plan and appropriate fees.
- Applicant shall also submit a digital version of the site plan.

<b>Approval of the site plan is hereby requested for the following parcel of land in the City of Owosso.</b>		
<b>Property Details:</b>		
Name of Proposed Development: <u>STREETS Foodtruck &amp; event lot</u>		
Property Street Address: <u>200 S Washington St.</u>		
Legal Description of Property: <u>see attached</u>		
Site Area (in acres):	Parcel ID #: <u>050-470-029-001-00</u>	Zoning: <u>B-3</u>
<b>Ownership:</b>		
Name: <u>H&amp;M Assets LLC - Kevin &amp; Heidi Maurer</u>		
Address: <u>4662 Waugh Rd. Owosso, MI 48867</u>		
Telephone No: <u>989-666-1236</u>	Email: <u>kevin@maurerheating.com</u>	
<b>Applicant:</b>		
Applicant (If different from owner above): <u>as above</u>		
Address:		
Telephone No:	Email address:	
Interest in Property (potential buyer/lease holder/potential lessee/other):		
<b>Architect/Surveyor/Engineer preparing site plan:</b>		
Name: <u>Jeff Poltier</u>		
Address: <u>1888 Ketaawn Rd Owosso, MI 48867</u>		
Telephone No: <u>989-413-7916</u>	Email: <u>teamdesignarch@gmail.com</u>	
<b>Construction Proposed:</b>		
<input type="checkbox"/> Residential	<input type="checkbox"/> Multi-family	<input type="checkbox"/> Number of units
<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	
Current use <u>vacant lot</u>	Proposed use <u>food truck park</u>	
Existing building(s) square footage <u>n/a</u>	Proposed building(s) square footage <u>n/a</u>	



APPLICATION FEES:	
• Apartment/townhouse	• \$575.00 + \$5.00/unit
• Commercial/Industrial	• \$525.00 + \$50.00/acre
• Institutional (Schools, Public Services, Hospitals)	• \$500.00 + \$40.00/acre
• Mobile home park	• \$600.00 + \$5.00/unit
• Planned Unit Development/Mixed use development	• \$575.00 + \$50.00/acre
• Preliminary site plan review	• 75% of site plan review fee
• Single family site condo (prelim or final)	• \$700.00 + \$5.00/lot
• Site plan revision/review	• 75% of site plan review fee + any needed consulting fees determined by administration
• Site plan requiring review by city engineer	• all costs by owner/applicant via escrow
• Special meetings with planner/engineer	• all costs by owner/applicant via escrow
• <b>Escrow Fee (Consultant fees for planning, zoning)</b>	• <b>\$1,500</b>
❖ A cash deposit of \$1,500 shall be placed with the City of Owosso	
❖ The City will let the applicants know when additional funds are needed (typically when about 25% is remaining)	
❖ Should there be funds remaining in the account after completion of the project, the balance will be returned	
1. The attached checklist has been completed to certify the data contained on the site plan. If the required data has not been provided, the appropriate box has been checked with a statement of explanation on why the data has not been provided.	
2. I understand that if my site plan is deemed incomplete, it may be returned by the City for revisions without being forwarded to the Planning Commission for consideration, until the requirements have been adequately met.	
3. By signing this application, the applicant hereby grants full authority to the City of Owosso, its agents, employees, representatives, and/or appointees to enter upon the undersigned lands/parcels for the purposes of inspection and examination.	
	4/1/2023
Signature of Applicant	Date
	4/1/2023
Signature of Deed/Title Holder	Date

#### SITE PLAN REVIEW CHECKLIST:

Check the appropriate box. If item is marked as 'not provided', attach detailed explanation.		
	Provided	Not Provided
1. <b>Site Plan</b>		
❖ Location Map	X	
❖ Scale of not less than one (1) inch equals fifty (50) feet if subject property is less than three (3) acres and one (1) inch equals one hundred (100) feet if three (3) acres or more		
❖ North point		
❖ Scale and area of the site in acres and square feet		
❖ Dates (including revision dates)		
2. <b>Property lines</b>		
❖ Dimensions of all lots, showing the relationship of the subject property to the abutting properties.	X	
❖ Boundary of the property line outlined in solid line		
❖ Required setbacks from property line and adjacent parcels		
3. <b>Zoning designation and uses</b>		
❖ Of subject property		
❖ Of adjacent properties		
4. <b>Names and addresses</b>		
❖ Of the architect, planner, designer, engineer, or person responsible for the preparation of the site plan (including signature and seal)	X	
5. <b>Structures</b>		
❖ Location and layout of existing and proposed	+	
❖ All existing structures within one hundred (100) feet to the subject property		
6. <b>Drives and parking areas</b>		

❖ Layout of existing/proposed parking lot, with space and aisle dimensions ❖ Parking calculations per ordinance ❖ Surface material		
<b>7. Dumpsters</b> ❖ Location ❖ Details of enclosure ❖ Trash removal plan	X	
<b>8. Elevations</b> ❖ Architectural elevations of building (all facades) ❖ Identifying height, materials used and colors ❖ Parking lot areas ❖ Drives		
<b>9. Flood hazard area</b> ❖ Elevation of the site in relation to the identified flood hazard area ❖ All proposed construction, reconstruction or demolition shall be in compliance with local, state and federal ordinance, laws or regulations		
<b>10. Floor plans</b> ❖ Existing and proposed	N/A	
<b>11. Landscaping</b> ❖ Existing walls, fences and screening – location and height ❖ Proposed walls, fences and screening – location and height ❖ Landscape plan indicating existing/proposed trees and plantings along frontage and on the site ❖ Notation of landscape maintenance agreement ❖ Notation of method of irrigation	X	
<b>12. Lighting</b> ❖ Plan indicating existing/proposed light poles/fixtures on site, along site's frontage and any wall mounted lights		
<b>13. Mechanical Units</b> ❖ Roof mounted equipment and screening ❖ Ground equipment and screening	N/A	
<b>14. Residential multi-family development</b> ❖ Schedule indicating number of dwelling units, number of bedrooms, gross and usable floor area, parking provided, total area of paved and unpaved surfaces		
<b>15. Rights-of-ways</b> ❖ Location and width of existing easements, alleys and drives ❖ Location and width of all public sidewalks along the front street right-of-way and on the site, with details	N/A	
<b>16. Signs</b> ❖ Location/type of existing ❖ Location/type of proposed		
<b>17. Soil erosion and sedimentation control</b> ❖ Permit from the local enforcing agency - Shiawassee County - on soil erosion and sedimentation control - IF the earth change activity involves more than one (1) acre or is within five hundred (500) feet of a lake or stream ❖ Soil erosion and sedimentation control measures during construction	X	
<b>18. Utilities</b> ❖ Location and layout of existing and proposed ❖ Including but not limited to gas, water, sanitary sewer, electricity, telephone	X	
<b>19. Water</b> ❖ Direction of surface water drainage ❖ Grading plan ❖ Plans for storm water retention/detention on site	X	

*Additional data deemed necessary to enable to completion of an adequate review might be required by the Planning Commission, City, and/or its Consultants.*



CITY OF OWOSSO  
301 WEST MAIN STREET  
OWOSSO, MI 48867  
989-725-0515

### PROPERTY INFORMATION

Property Assessed To:

HKM ASSETS LLC  
4662 WAUGH RD  
OWOSSO, MI 48867

OWOSSO PUBLIC SCHOOL

Prop #: 050-470-029-001-00

School: 78110

Prop Addr: 200 S WASHINGTON ST

### Legal Description:

COM AT NE COR OF BLK 29, ORIGINAL PLAT, TH S 90.55 FT, TH S90°00'00"W,  
61.02 FT TO THE NELY LN OF LOT D, J.H. CALKINS SUBDIV OF RESERVE 7 OF  
ORIG PLAT, TH N42°49'08"W, ALNG SAID LN, 122.97 FT TO N LN BLK 29 & S LN  
OF COMSTOCK ST, TH N89°51'41"E OF SAID N LN 144.60 FT TO POB.

### OPERATING FISCAL YEARS

The taxes on bill will be used for governmental  
operations for the following fiscal year(s):

County:	01/01/22	-	12/31/22
Twn/Cty:	07/01/22	-	06/30/23
School:	07/01/22	-	06/30/23



FOOD TRUCK & EVENT LOT



**STREET EATS**

200 S. WASHINGTON ST.  
OWOSSO, MI.

















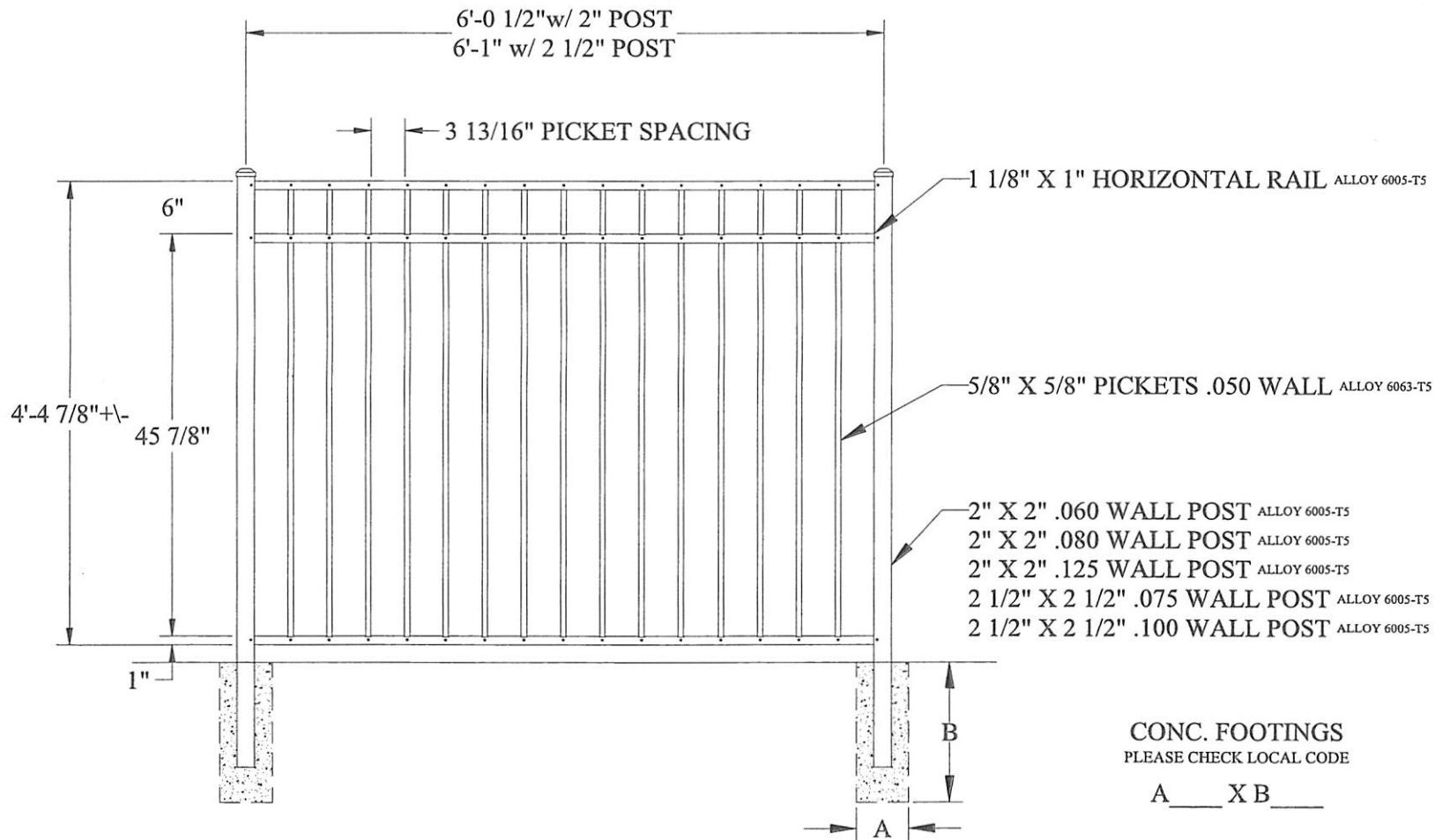












NOTE: DRAWING NOT TO SCALE. ALL SECTIONS COME FULLY ASSEMBLED.

This drawing is the property of Elite Fence Products, Inc.. It is not to be reproduced, copied, or traced in whole or part without written permission. See product specifications for installation requirements.

**EFF-20**  
RESIDENTIAL

4 1/2' HIGH 3-RAIL  
ALUMINUM FENCE PANEL  
2-21-16 V.1.0 | KS | KS | STD DRWING

CONTRACTOR:

PROJECT:

COLOR:

DATE:



50925 RICHARD W. BLVD  
CHESTERFIELD TOWNSHIP, MI 48051  
WWW.ELITEFENCE.COM  
1-800-783-1331

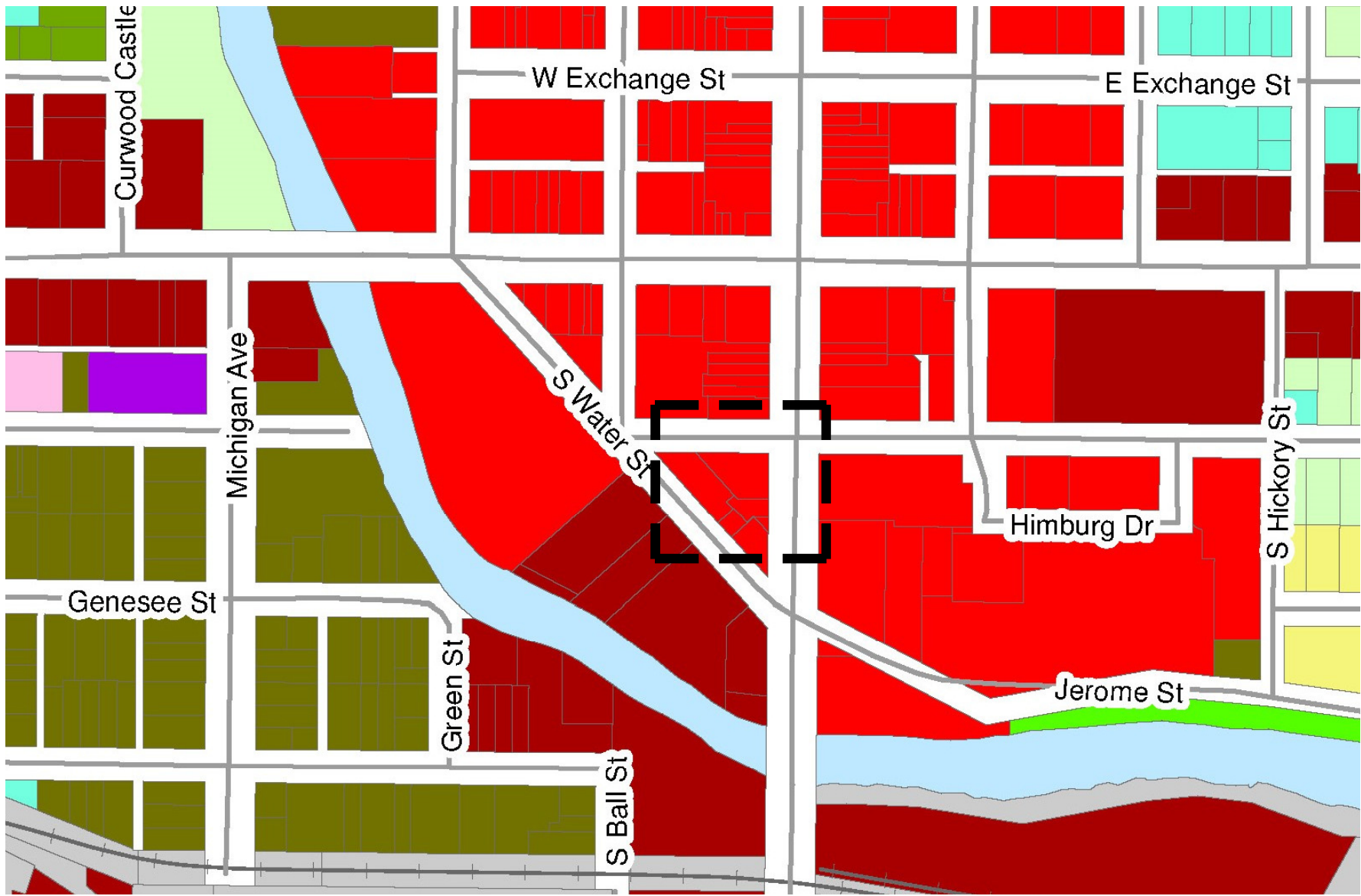






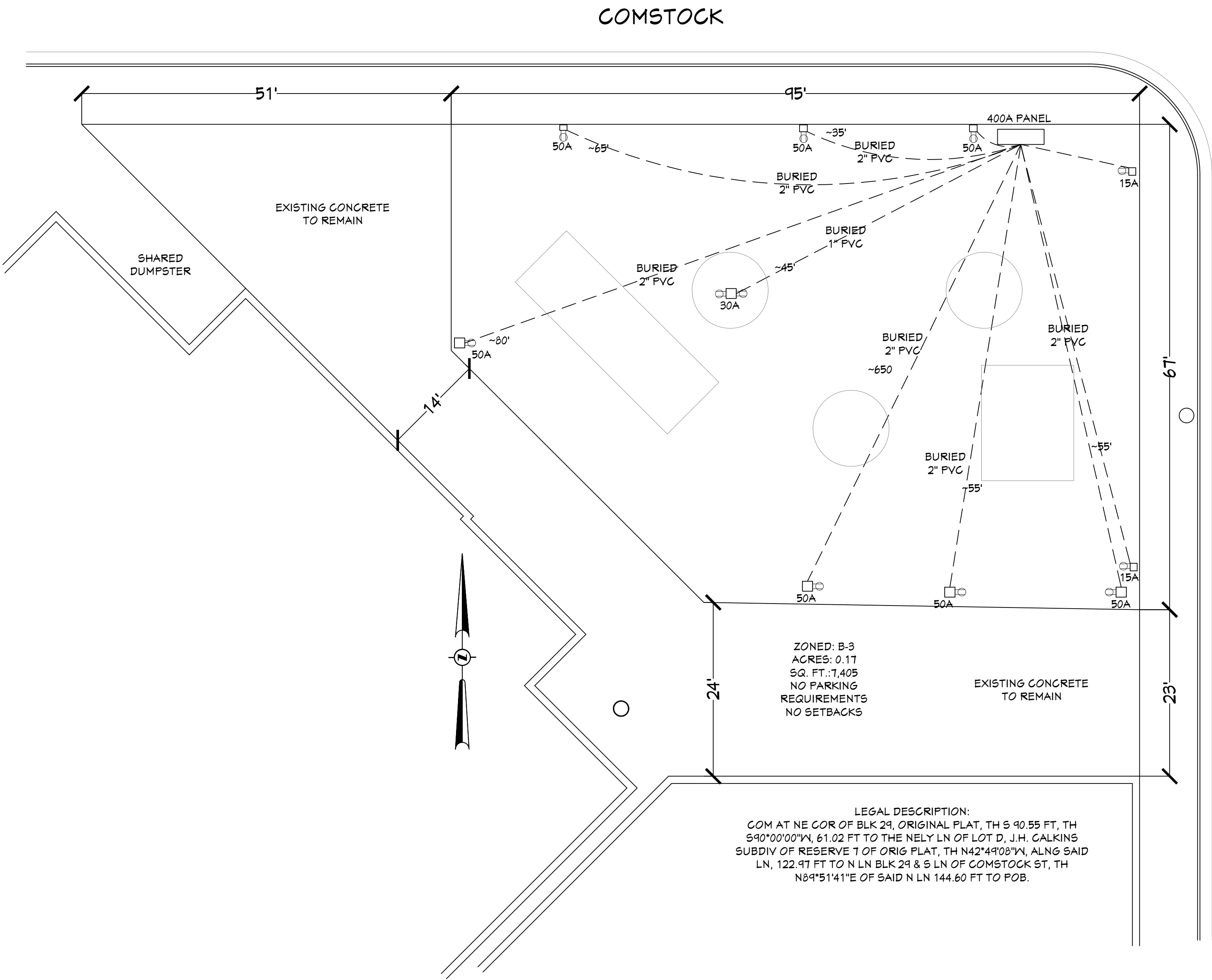






Location / Zoning Plan

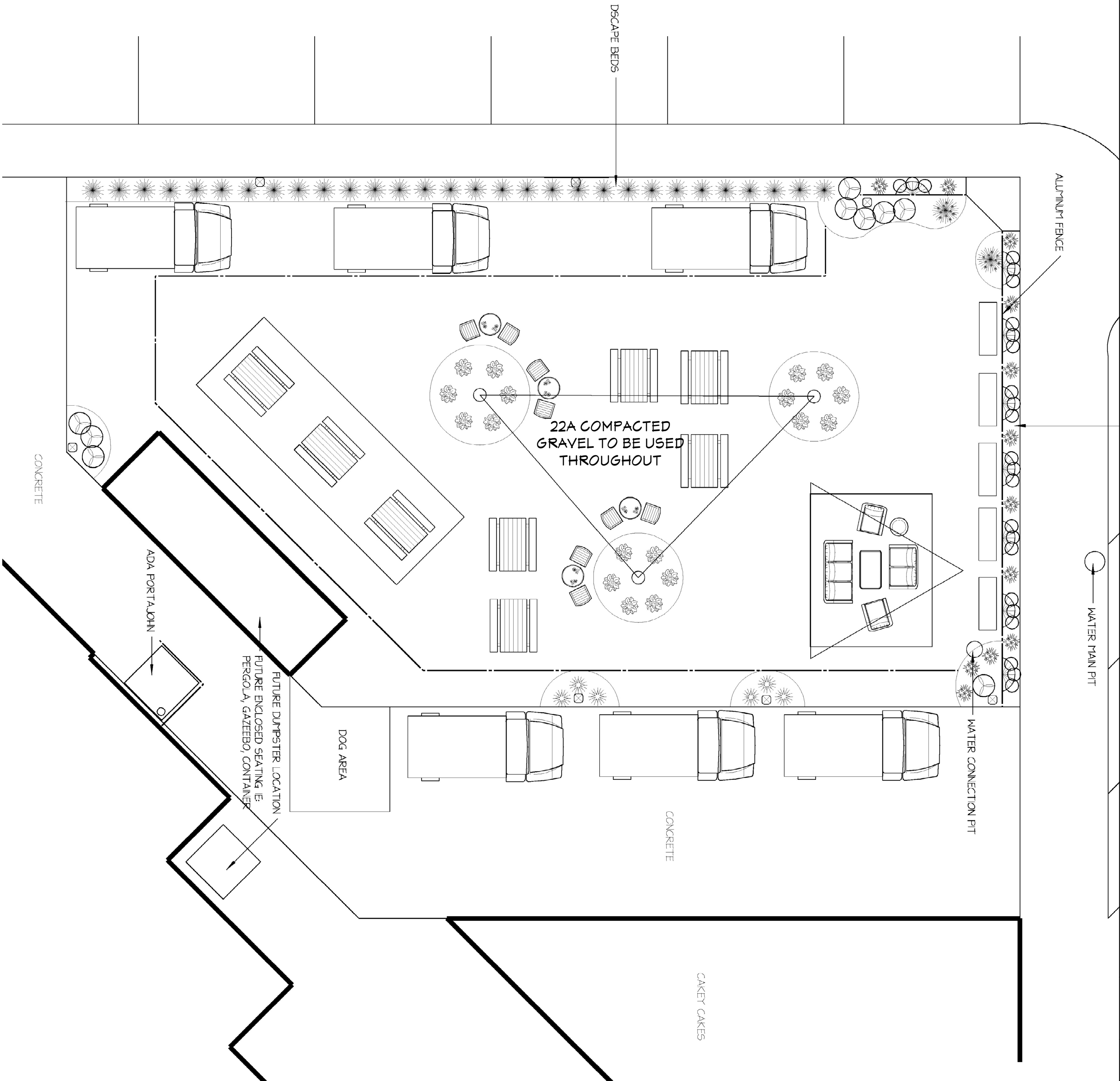
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Site / Electrical Plan

1" = 10'-0"

StrEATS.  
200 S. Washington  
Owosso Mi 48867



Landscape Plan

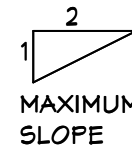
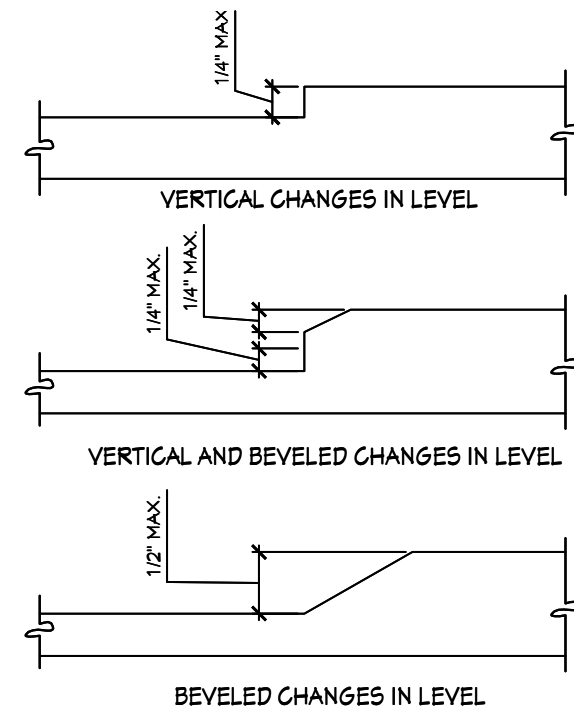
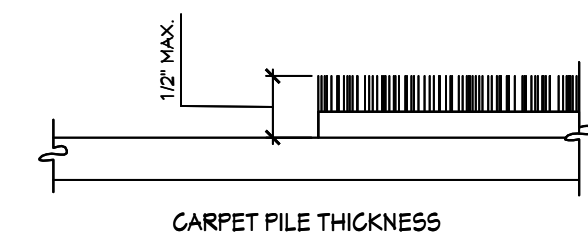
NTS

Jeff Peltier Architect 1888 Ketegawn Owosso, Mi 48867 989-413-7916	
Project	StrEATS. 200 S. Washington Owosso Mi 48867
Drawing	Plans
ALL DIMENSIONS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO DEMOLITION OR CONSTRUCTION. THE CONTRACTOR IS ULTIMATELY RESPONSIBLE FOR THE COORDINATION OF ALL EXIST. AND PROP. DIMENSIONS.	
THIS SITE SHALL ALSO COMPLY WITH ANY LOCAL CITY, TOWNSHIP OR COUNTY ORDINANCES OR REGULATIONS THAT ARE REQUIRED BY LAW.	
Scale	NTS
Date	04/10/2023
Sheet	EL1
1 of 2	



NOTES:

1. CHANGES IN LEVEL OF 1/4" MAX. SHALL BE PERMITTED TO BE VERTICAL.
2. CHANGES IN LEVEL OF 1/4" IN HEIGHT AND NOT MORE THAN 1/2" MAX. IN HEIGHT SHALL BE BEVELED WITH A SLOPE NOT STEEPER THAN 1:2 (50%).
3. CHANGES IN LEVEL GREATER THAN 1/2" SHALL COMPLY WITH RAMP REQUIREMENTS (REFER TO DETAIL 4)



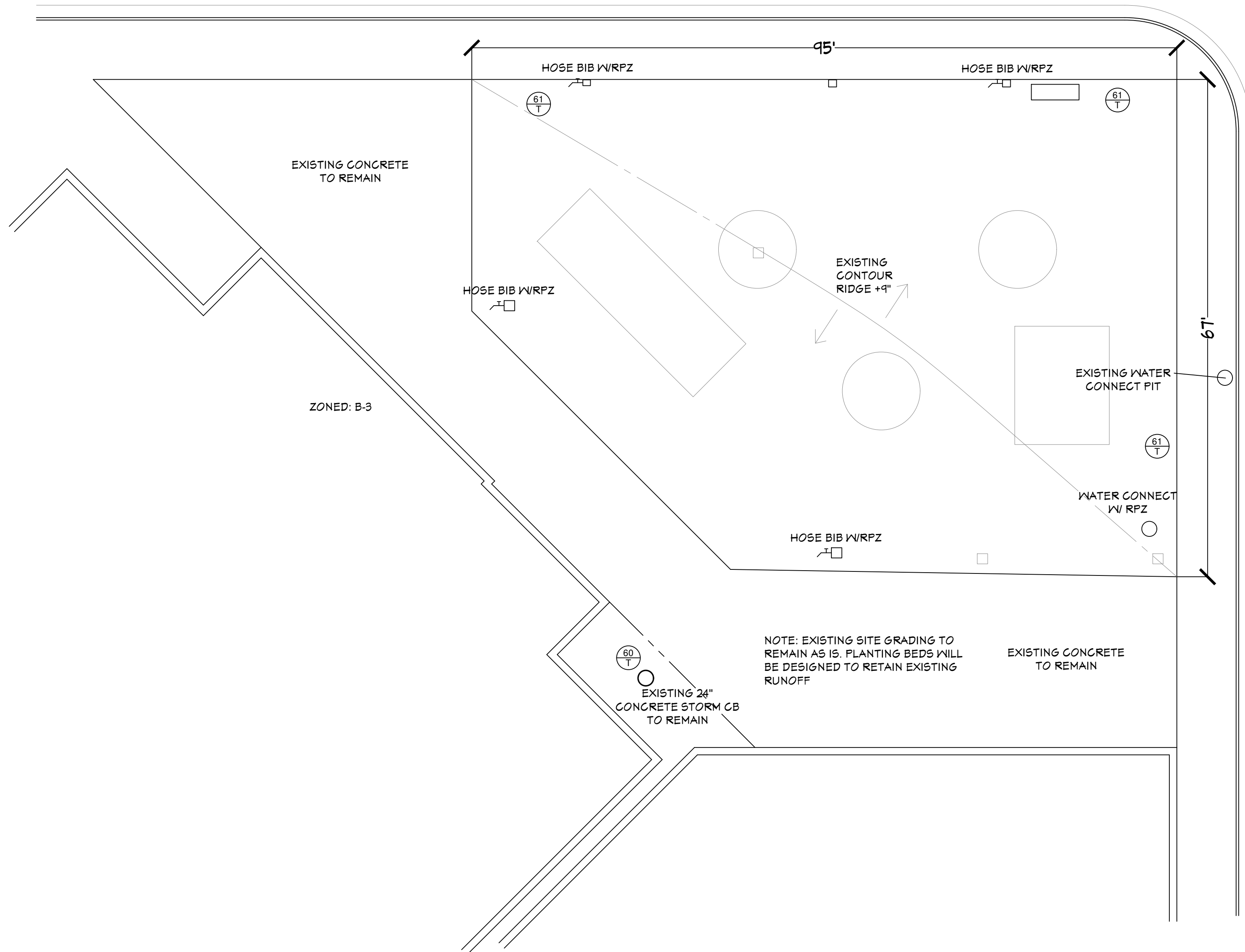
ALL PAVING MATERIALS IN ACCESSIBLE AREAS SHALL BE COMPATIBLE WITH WHEEL CHAIR USE.

VERTICAL LEVEL CHANGE ON ACCESSIBLE ROUTE DETAIL

## ADA Detail

1" = 10'-0"

COMSTOCK



## Plumbing / Water Plan

1" = 10'-0"

### EROSION CONTROL MEASURES (CONTINUED)

KEY	SESC MEASURE	SYMBOL	WHERE USED
26	DUST CONTROL		As a temporary measure on exposed and unstabilized areas that must be protected from wind or water erosion.
27	LIVE STAKING		Slopes and drain banks, wetland buffer and reservoir drawdown areas. In areas requiring stabilization but with limited access for equipment or when little site disturbance is required.
28	WATTLES		Where a slope or streambank requires stabilization and minimal disturbance is preferred or the site has limited access.
29	CELLULAR CONFINEMENT SYSTEMS		On steep slopes and stream or drain banks and in high velocity vegetated channels.

### EROSION AND SEDIMENT CONTROL MEASURES

KEY	SESC MEASURE	SYMBOL	WHERE USED
40	CHECK DAM		In constructed and existing flow corridors to reduce flow velocities.
41	CATCH BASIN		Where surface water accumulates and needs an outlet or an open drain discharges to a stream or drain at erosive velocities. Within an enclosed drain system to provide an inlet and a sump.
42	VEGETATED BUFFER STRIPS		Along stream and drain corridors, sensitive areas, and shorelines when earth changes will occur during a drain maintenance or improvement project or when an eroding bank or drain easement area needs to be stabilized.
43	DIVERSION DIKE		Runoff needs to be diverted around sensitive areas, unstable or easily eroded soils, bare soils, away from steep banks, or around earth change activities.
44	DIVERSION DITCH		Runoff needs to be intercepted and or diverted around sensitive areas, unstable or easily eroded soils, bare soils, away from steep banks, or around earth change activities.
45	DIVERSION DITCH AND DIKE		Within existing flow corridors to divert runoff, temporarily or permanently, around sensitive areas, unstable or easily eroded soils, steep banks, along narrow drain easements or around maintenance or improvement activities.
46	STONE FILTER BERM		When runoff must be filtered prior to entering a lake, stream, drain or wetland. Never use in place of a check dam in a flowing stream.
47	SAND FENCE		In areas susceptible to wind erosion, particularly where the soil has not yet been stabilized by other means. To re-build a slope.
48	DEWATERING		When construction or maintenance activities are limited by the presence of water and a dry work area is required.
49	STRAW BALES		As a temporary diversion structure. Occasionally as an alternative to silt fence for projects that will be completed within a very short time period (less than one month).

### SEDIMENT CONTROL MEASURES

KEY	SESC MEASURE	SYMBOL	WHERE USED
60	STORM DRAIN INLET PROTECTION		Around the entrance to a newly constructed catch basin or an inlet that will capture runoff from an earth change activity.
61	SILT FENCE		As a temporary measure used to capture sediment from sheet flow. May also divert small volumes of sheet flow to protected outlets.
62	SEDIMENT BASIN		When working in the drain, or drain easement. In streams or drains where sediment sumps are inadequate.
63	SEDIMENT SUMP (TRAP)		When working in the drain, or drain easement and the soil disturbance and anticipated sediment is limited.
64	POLYMER FLOCCULANTS		Where turbid water can be collected and suspended sediments removed prior to discharging runoff to a lake, stream, drain, or a wetland or runoff leaves the drain easement.
65	TURBIDITY CURTAIN		Within a stream or drain parallel to flow when a slack water area is necessary to isolate earth change activities from a lake or channel.
66	STABILIZED CONSTRUCTION ACCESS		At locations where construction equipment will enter and exit the drain easement and tracking of soil is anticipated.

### ROUTINE MAINTENANCE ACTIVITY DETAILS

KEY	BEST MANAGEMENT PRACTICE
80	Debris Removal
81	Sediment Removal
82	Stormwater Basin Maintenance
83	Vegetation Removal Without Grubbing
84	Vegetation Removal With Selective Grubbing
85	Slope and Streambank Stabilization
86	Drain Crossing Maintenance
87	Enclosed Drain Maintenance
88	Culvert Repair

### CONSTRUCTION & RESTORATION ACTIVITY DETAILS

KEY	BEST MANAGEMENT PRACTICE
100	Stormwater Basin Construction
101	Drain Relocation
102	Drain Enclosure
103	Drain Crossing
104	Weir Installation
105	Beaver Dam Removal
106	Low Flow Channel
107	Floodway Shelf
108	Riffle Zones
109	Pools
110	Meanders
111	Cross-Vanes
112	J-Hook Vanes

DETAILED DRAWINGS AND SPECIFICATIONS ARE LOCATED IN THE MICHIGAN ASSOCIATION OF COUNTY DRAIN COMMISSIONERS SOIL EROSION AND SEDIMENTATION CONTROL AUTHORIZED PUBLIC AGENCY PROCEDURES MANUAL

SYMBOLGY FOR INSERTION INTO CONSTRUCTION DRAWINGS:

= PERMANENT MEASURE

= TEMPORARY MEASURE

ALL DIMENSIONS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO DEMOLITION OR CONSTRUCTION. THE CONTRACTOR IS ULTIMATELY RESPONSIBLE FOR THE COORDINATION OF ALL EXIST. AND PROP. DIMENSIONS

THIS SITE SHALL ALSO COMPLY WITH ANY LOCAL CITY, TOWNSHIP OR COUNTY ORDINANCES OR REGULATIONS THAT ARE REQUIRED BY LAW.

Scale

NTS

Date

04/10/2023

Sheet

P1

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## Soil Erosion Details

NTS

April 20, 2023

Planning Commission  
City of Owosso  
301 W. Main Street  
Owosso, Michigan 48867

**Subject: 200 S. Washington Street Site Plan Review.** Approximately 0.23 acres, located on the west side of S. Washington at the intersection of Comstock. The property is zoned B-4 where mobile food vending is a permitted use with an approved permit.

**Attention:** Ms. Tanya Buckelew, Planning and Building Director

Dear Planning Commissioners:

At your request, we have completed our review of the above site plan to utilize an existing vacant lot (former Jumbo's property) to develop a mobile food truck park. The site development will include pavement upgrades, water and electrical hookups, spaces for up to 6 food trucks, public seating areas, new landscaping and will utilize an existing refuse container located in the alleyway.

In conjunction with the City of Owosso Zoning Ordinance (Chapter 38), Mobile Food Vending is permitted and regulated by Chapter 16.8 of the Owosso City Code. Both chapters have been utilized for this site plan review.

The opinions in this report are based on a review of the site plan submitted by the applicant and conformance to ordinance standards. Please note that the applicant and their design professionals shall be responsible for the accuracy and validity of information presented with the application. In reaching a decision on the application, the Planning Commission should consider our comments along with those from other staff and consultants, additional information provided by the applicant, and your own findings based on ordinance standards as part of your deliberation.

## REVIEW COMMENTS

*Section 36-390* of the City of Owosso Zoning Ordinance lists the submittal requirements for site plan review. Based on our review of the proposal, discussions with the Planning and Building Director, meetings with the applicant and a visit to the site, we offer the following comments for your consideration:

- 1. Information items.** The site plan meets the informational requirements of the ordinance.

**2. Area and Bulk.** The proposed site was reviewed in accordance with *Article 16, Schedule of Regulations*, as described in the following table.

	Required	Provided	Comments
<b>200 S. Washington (B-4 Zoning)</b>			
<b>Front Yard Building Setback</b>	NA	NA	In compliance
<b>Side Yard Building Setback</b>	NA	NA	In compliance
<b>Rear Yard Building Setback</b>	NA	NA	In compliance
<b>Maximum Building Height</b>	NA	NA	In compliance

- 3. Building Design & Materials.** The ordinance states that durable building materials which provide an attractive, quality appearance must be utilized. As proposed, the applicant notes on the site plan that there will be a future structure on the site used for indoor seating and indicates that it could be a pergola, gazebo or container type structure. We are ok with this and would just recommend that the applicant provide plans to the Planning and Building Department for administrative review when they are prepared to add the structure.
- 4. Mechanical Units.** No new mechanical units are proposed on the plan.
- 5. Dumpster.** The existing dumpster meets ordinance requirements.
- 6. Parking Requirements.** This is a new use for the City of Owosso and is not formally classified within the existing ordinance. Given the location of the proposed development, the applicant is permitted to utilize on-street and public parking within 300-feet of the site as well as shared parking in private lots with permission from the private lot owner. This area of downtown has a more than adequate number of on-street and public parking available to support the proposed use.
- 7. Landscaping.** The site plan does indicate that new landscaping will be provided along S. Washington Street as well as along Comstock that will meet ordinance requirements.
- 8. Lighting.** Site lighting is not shown on the plan however the applicant has indicated that all lighting will be “garden style” and will conform to city lighting standards. A formal lighting plan will need to be submitted as a condition of approval.
- 9. Other Approvals.** The proposed site plan must be reviewed and approved by the appropriate city departments, consultants, and agencies.

**RECOMMENDATION**

Based upon the above comments, **we recommend approval of the 200 S. Washington Street Site Plan, conditioned upon the following:**

1. Any future structure or building on the site will need to be reviewed and approved by the Planning and Building Department administratively unless the proposed building or structure exceeds the size requirements for administrative approval;
2. That the applicant and/or any vendors utilizing this site are licensed, insured and have all appropriate city issued permits prior to operation;
3. That a formal lighting plan is required to be submitted for review and approval prior to commencement of any site development; and
4. Review and approval by the appropriate city departments, consultants, and agencies.

If you have any further questions, please contact us at 810-734-0000.

Sincerely,

**CIB Planning**



Justin Sprague  
Vice President

BYLAWS  
CITY OF OWOSSO, MICHIGAN  
PLANNING COMMISSION

ARTICLE I. ~~Bylaws of the City Planning Commission of the City of Owosso, Michigan.~~

~~Section 1.1—This document shall be known as the Bylaws of the City Planning Commission of the City of Owosso.~~

~~Section 1.2—For simplicity of presentation the words Chairman, Vice-Chairman or his shall be representative of either gender.~~

ARTICLE II. Purpose

~~Section 2.1~~ The purpose of the City Planning Commission shall be to oversee the orderly growth of the City, to perform the functions of a ~~p~~Planning ~~e~~Commission as set forth in the City of Owosso Zoning Ordinance, Chapter 38 of the Owosso City Code, Public Act No. 33 of 2008 and Public Act 110 of 2006, as amended, to perform other duties assigned to it by the City Council from time to time.

ARTICLE III. Membership

Section 3.1 Membership: As provided in the state statute, the Board shall consist of nine (9) members. theTwo (2) members of the Planning Commission Board shall may be a members of the Council other than the Mayor, as ex officio members, to be designated by the Council. One of the regular members of the Board shall be a member of the Zoning Board of Appeals and eight six (6) other persons who are not officers or employees of the City, having the qualifications of elective officers set forth in the Charter and representing in so far as is possible different professions or occupations to be appointed by the Mayor, subject to the confirmation of the Council.

All ex officio members appointed under this subsection shall have full voting rights.

There shall be no compensation for a member of the planning commission, except that reasonable expenses may be allowed in case of necessity with prior approval of the city council.

Section 3.2 Term of Office: ~~The Planning Commission shall consist of nine (9) members. One (1) of whom shall be a member of the legislative body to be selected by resolution of the legislative body to serve as a member ex officio, and eight (8) of whom shall be appointed by the mayor as provided in this subsection. An appointment by the mayor shall be subject to approval of the legislative body by majority vote. An appointed member shall not hold another municipal office, except that one (1) appointed member may be a member of the zoning board of appeals. The term of the ex officio member shall be determined by the legislative body and shall be stated in the resolution selecting the ex officio member, but the terms shall not exceed the member's term of office as a member of the legislative body. The term of each appointed member shall be three (3) years or until his or her successor takes office.~~

Section 3.3 Removal from Office. ;

After a public hearing, a member other than the member selected by the legislative body may be removed by the mayor for inefficiency, neglect of duty, or malfeasance in office. ~~The legislative body may for like cause remove the member selected by the legislative body. All ex officio members appointed under this subsection shall have full voting rights.~~

~~There shall be no compensation for a member of the planning commission, except that reasonable expenses may be allowed in case of necessity with prior approval of the city council.~~

#### ARTICLE IV. Officers

Section 4.1 A Chairperson, Vice-Chairperson and Secretary shall be elected by the Commissioners from their members at the first meeting of the commission for each fiscal year which begins July 1. ~~A nominating committee may be appointed by the Chairperson at the last meeting of each fiscal year for the purpose of proposing a new slate of officers for the next year. The Committee will contact, for acceptance of their nomination, each proposed nominee. Nominations from the floor are also in order.~~

Section 4.2 If a vacancy shall occur for the Vice-Chairperson or Secretary, Planning Commissioners shall nominate and elect a member of the Commission to serve the remainder of the term of office.

Section 4.3 The Chairperson shall preside at all meetings of the Planning Commission and shall appoint all committees.

Section 4.4 The Vice-Chairperson shall assume the duties and authority of the Chairperson in his absence or incapacity. If the Chairperson resigns or is removed from the Planning Commission, the Vice-Chairperson shall assume the position of the Chairperson for the remainder of the Chairperson's term of office.

Section 4.5 The Secretary shall keep the minutes and records, conduct correspondence and perform such other duties as may be assigned by the Chairperson.

#### ARTICLE V. Meetings

Section 5.1 The Planning Commission shall hold its regular monthly meetings in the City Council Chambers, located at 301 W. Main St., Owosso, Michigan on the fourth Monday of each month. All meetings shall begin at 6:30 p.m. and must end by 8:30 p.m., unless adjournment is postponed by action of the majority of the Commissioners present. Additional meetings may be scheduled on the city's annual calendar to reflect additional planning needs or conflicts with holidays and other meetings.

Section 5.2 Special meetings may be called by the Chairperson with prior notice to each Commissioner of the meeting's purpose and date; such notice must be made at least five (5) days in advance of the meeting.

Section 5.3 An agenda for each meeting shall be prepared at the direction of the Chairperson or his/her designee and sent to each Commissioner to be delivered in a predetermined format

not later than four (4) days before the meeting. This agenda shall indicate any parcels of land for which any action of the Commission is contemplated.

Section 5.4 A quorum of five (5) Commissioners must be present to officially transact business at any regular or Special Meeting of the Commission. A simple majority of Commissioners present and constituting a quorum, shall decide all issues.

Section 5.5 Commissioner's attendance records shall be reviewed as needed with no less than one review completed in each calendar year. The Chairman or his/her designees shall prepare a report, said report to be submitted to the Mayor and Commissioners. Action may be taken in accordance with state statute if attendance or duty becomes an issue of concern for the Chairman or the Mayor and City Council.

Section 5.6 Parliamentary procedure at all meetings of the Commission shall generally be in accordance with the Robert's Rules of Order.

Section 5.7 Order of Business. The secretary or ~~his~~ the designate shall prepare an agenda for each meeting and the order of business therein shall be as follows:

- ~~A.~~ Call to order.
- ~~B.~~ Roll call.
- ~~C.~~ Approval of agenda.
- ~~D.~~ Approval of minutes from previous meeting.
- ~~E.~~ Election of officers, if necessary.
- ~~F.~~ Public comments (not related to an agenda item).
- ~~G.~~ Public hearings. The Chair~~man~~ will declare a public hearing open and state its purpose.
  - ~~1) The Chairman shall summarize, provide copies, or conspicuously post the procedure for public hearing as outlined in Sections 5.7, and 5.8 of these Bylaws for any members of the public in attendance.~~
  - ~~2) Case Number \_\_\_\_\_ (numbered by year and sequence).~~
  - ~~i) 2) The Planning and Building Director and/or the City Planner presents the petitioner's request and factual information concerning the general location area of the case and section of the zoning ordinance that pertain to the petition for rezoning.~~
  - ~~ii) The 3) The~~ applicant, through himself or his agent, may present his case, including presenting witnesses on his behalf. No time limit will be imposed on the petitioner.
  - ~~iii) The Chair~~man~~~~ will then open the floor to public comments or questions. Based on nature of the hearing or number of those in attendance, the Chair~~man~~ may allow comments freely or direct an orderly approach through any means that expands the ability of all who are interested in expressing their opinion or asking questions.
  - ~~iv) Comments Out of Order. The Chair~~man~~ shall rule out of order: any irrelevant remarks, which are personal about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics; profanity; or any other remarks which are not pertinent to the petition.~~
  - ~~v) Rebuttal. Anyone may ask the Chair~~man~~ questions on presentations or information given at this hearing. The Chair~~man~~ will seek an answer to this question. No discussion shall take place between any two or more people except between the Chair~~man~~ and the individual who has the floor.~~

- ~~vii)~~ Close the public hearing. At this point all public participation on the issue ends.
- ~~viii)~~ Members of the Planning Commission may question or request clarification with any interested party on any matter related to the case.

~~H.~~ Business section of case

~~I)~~ Discussion: Commissioners review facts based on all information presented. Discussion continues until a member is confident enough to propose a motion that includes a “finding of fact” with those conclusion that are reached. The findings of fact, at a minimum shall answer the flowing questions as they may pertain to the petition:

~~i)~~ What, if any, identifiable conditions related to the petition have changed which justify the petitioned change in zoning?

~~ii)~~ What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?

~~iii)~~ What is the impact of the amendment on the ability of the City and other agencies to provide adequate public services and facilities that might reasonably be required in the future if the petition is approved?

~~iv)~~ Does the petitioned zoning change adversely affect the environmental conditions or value of the surrounding property?

~~v)~~ Does the petitioned zoning change generally comply with adopted Future Master Plan for the City of Owosso?

~~2)~~ Motion is proposed on the findings of facts. (Recess option – see Section 5.8) Support of the motion is required.

~~3)~~ Discussion on the motion.

~~4)~~ Action on the motion.

~~I.~~ Site plan reviews. The Planning Commission shall consider site plan reviews after all public hearings and associated actions on those hearings. If members of the public other than the applicant for the site plan review are in attendance, those persons may approach the Commission as provided for in the public hearing format. The Commission and Planning Director shall also follow their respective roles to maintain order during the meeting. The motion to pass on a site plan review must make a finding of conformance to all city ordinances and may attach conditions as provided for in the zoning ordinance. A site plan review may be postponed for cause without the necessity of public posting as required in a public hearing format.

~~J.~~ Items of business. This section of the meeting shall consider all items unrelated to elections, rezoning petitions, and site plan reviews.

~~K.~~ Commissioner/Citizen comments.

~~L.~~ Adjournment.

Section 5.8 Recesses. The Members, through a motion and support may recess a public hearing or a decision on an action of a petition for the lack of sufficient information, insufficient time to consider all viewpoints on a petition, the necessity for a site visit, or elapsed time of the meeting (see Section 5.1). For a recess to be in order, the time, day, month, date, year and location to reconvene shall be stated as part of the action to recess. If a meeting and/or public hearing reconvenes over 36 hours after the action to recess, the reconvened meeting shall be



posted at least 18 hours before the time of the reconvened meeting. Upon reconvening a roll call shall be taken as the first order of business.

## ARTICLE VI. General Provisions

Section 6.1 Ethical Principles for Public Planning Officials: The following statement of ethics applies to the practices of Owosso public planning officials.

1. **Serve the Public Interest.** The primary obligation of planners and public planning officials is to serve the public interest.
2. **Support Citizen Participation in Planning.** Because the definition of the public interest is continuously modified, the planner and public planning official must recognize the right of citizens to influence planning decisions that affect their well being. They should advocate a forum for meaningful citizen participation and expression in the planning process and assist in the clarification of community goals, objectives, and policies in plan-making.
3. **Recognize the Comprehensive and Long-range Nature of Planning Decisions.** The planner and public planning official must recognize and have special concern for the comprehensive and long-range nature of planning decisions. The planner and official must balance and integrate physical (including historical, cultural, and natural), economic, and social characteristics of the community or area affected by those decisions. The planner and official must continuously gather and consider all relevant facts, alternatives, and means of accomplishing them. The planner and official should explicitly evaluate all consequences before making a recommendation or decision.
4. **Expand Choice and Opportunity for All Persons.** The planner and public planning official must strive to expand choice and opportunity for all persons, recognize a special responsibility to plan for the needs of disadvantaged people, and urge changing policies, institutions, and decisions that restrict their choices and opportunities.
5. **Facilitate Coordination Through the Planning Process.** The planner and public planning official must facilitate coordination. The planning process should enable all those concerned with an issue to learn what other participants are doing, thus permitting coordination of activities and efforts and accommodation of interest. The planner and official must ensure that individuals and public and private agencies possibly affected by a prospective planning decision receive adequate information far enough in advance of the decision.
6. **Avoid Conflict of Interest.** To avoid conflict of interest and even the appearance of impropriety, the public planning official who may receive some private benefit from a public planning decision must not participate in that decision. The private benefit may be direct or indirect, create a material personal gain, or provide an advantage to relations, friends, groups, or associations that hold a significant share of the official's loyalty. An official with a conflict of interest must make that interest public, abstain from voting on the matter, and leave any chamber in which such deliberations are to take place. The official must not discuss the matter privately with any other official voting on the matter.

- ~~7.~~ **Render Thorough and Diligent Planning Service.** The planner and public planning official must render thorough and diligent planning service. Should the planner or official believe s/he can no longer render such service in a thorough and diligent manner, s/he should resign from the position. If the official has not sufficiently reviewed relevant facts and advice affecting a public planning decision, the official must not participate in that decision.
- ~~8.~~ **Not Seek or Offer Favors.** The public sector planner and public planning official must seek no favor. The planner and official must not directly or indirectly solicit any gift or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, promises, or in some other form) under circumstances in which it could be reasonably inferred that the gift was intended or could reasonably be of their duties or was intended as a reward for any recommendation or decision on their part.
- ~~9.~~ **Not Disclose or Improperly Use Confidential Information for Financial Gain.** The planner and public planning official must not disclose or improperly use confidential information for financial gain. The planner and official must not disclose to others confidential information acquired in the course of their duties or use it to further a personal interest. Exceptions to this requirement of non-disclosure may be made only when (a) required by process of law, or (b) required to prevent a clear violation of law, or (c) required to prevent substantial injury to the public. Disclosure pursuant to (b) and (c) must not be made until after the planner or official has verified the facts and issues involved, has exhausted efforts to obtain reconsideration of the matter and has sought separate opinions on the issue from other planners or officials.
- ~~10.~~ **Ensure Access to Public Planning Reports and Studies on an Equal Basis.** The public planning official must ensure that reports and records of the public planning body are open equally to all members of the public. All non-confidential information available to the official must be made available in the same form to the public in a timely manner at reasonable or no cost.
- ~~11.~~ **Ensure Full Disclosure at Public Hearings.** The public planning official must ensure that the presentation of information on behalf of any party to a planning question occurs only at the scheduled public hearing on the question, not in private, unofficially, or with other interested parties absent. The official must make partisan information regarding the question received in the mail or by telephone or other communication part of the public record.
- ~~12.~~ **Maintain Public Confidence.** The public planning official must conduct himself/herself publicly so as to maintain public confidence in the public planning body, the official's unit of government, and the official's performance of the public trust.
- ~~13.~~ **Respect Professional Codes of Ethics and Conduct.** The planner and public planning official must respect the professional codes of ethics and conduct established by the American Institute of Certified Planners (AICP) Commission and by several professions related to the practice of planning. Professional codes commonly establish standards of professional conduct and include provisions that protect the integrity of professional judgment and describe and professional's responsibility to the public, clients, employers, and colleagues.

## ARTICLE VII. Adoption and Amendments

Section 7.1 These Bylaws are to be adopted by a simple majority of a quorum of the Commission at a regularly scheduled meeting of the Commission. The proposed Bylaws must be presented to the full membership at least five (5) days prior to the meeting when adoption is scheduled on the agenda. Amendments of the original Bylaws may take place at the meeting(s) of their original adoption; thereafter amendments must follow the procedures outlined in Section 7.2 herein.

Section 7.2 These Bylaws must be amended by a majority affirmative vote of the quorum of Commissioners present at a regular or special meeting of the Commission. Proposed amendments must be ~~mailed-~~ presented to all Commission members ~~to be delivered at their address~~ not later than five (5) days before the meeting of the Commission.

Adopted: October 27, 1986

Amended: January 25, 1993

Amended: April 26, 1993

Amended: January 18, 2011

Amended: \_\_\_\_\_

Amended: October 24, 2016

Amended: May ,2023