

**MINUTES
MARSHALL CITY PLANNING COMMISSION
WEDNESDAY, December 9, 2015**

In a regular meeting session, Wednesday, December 9, 2015 at 7:02 p.m. at City Hall, Council Chambers, 323 W. Michigan Ave., Marshall, MI, the Marshall Planning Commission was called to order by Chair Davis.

ROLL CALL

Members Present: Commissioners Banfield, Collins, Dyer, Meservey, Zuck, Rodgers, Davis, and Council Liaison Miller.

Members Absent: Commissioners Burke-Smith and McNiff.

Staff Present: Natalie Dean, Assistant City Manager/Director

MINUTES

MOTION by Collins, supported by Rodgers, to accept the minutes of the September 16, 2015 regular meeting as presented. On a voice vote; **MOTION CARRIED.**

AGENDA

MOTION by Zuck, supported by Banfield, to accept the agenda for the December 9, 2015 regular meeting as presented. On a voice vote; **MOTION CARRIED.**

AUDIENCE PARTICIPATION

None

PUBLIC HEARINGS

Public Hearing on Draft Zoning/Sign Ordinance

Public Hearing Open

No public comments were made.

Public Hearing Closed

NEW BUSINESS

Discuss changes and pass recommendation on Draft Zoning/Sign Ordinance to City Council.

MOTION by Banfield, supported by Zuck, to discuss changes and pass recommendation on Draft Zoning/Sign Ordinance to City Council.

Joe Tangari, representative of Clearzoning, gave a summary of the re-organization of the ordinance. He explained that several uses that were not previously addressed in the Zoning Ordinance now appear in the Clearzoning format such as: electric vehicle charging stations, group adult day care, mobile food vending, and recycling collection and processing centers. Tangari mentioned that other sections were updated to fit federal and state statutes such as: wireless communications, landscaping, lighting, signs, and sidewalks. Other changes included clarifying permitted and special land uses in districts and refining definitions.

Tangari addressed concerns that had been brought from Commissioners about different sections of the ordinance.

- Questions arose about child-care policies in the ordinance. Tangari explained that after the adoption of the ordinance, some of these policies could be further researched by the Planning Commission.
- Tangari also commented on signage questions brought forth by the commissioners.
 - Firstly, Commissioners inquired as to who or what determines whether or not content is pornographic. The sign provisions include that a sign cannot be obscene or pornographic; Tangari explained that Commissioners would have to lean on case law for instances that sign-content is perceived as inappropriate.
 - Secondly, the topic of window signage was discussed. Tangari reported these signs may occupy a total of 25% of all ground-floor window areas. There would also be a permit required for such signs. Specifically, Commissioners inquired as to whether the window sign on BluFish Consulting, LLC downtown does not meet this requirement. Tangari explained that it is not actually a sign, but rather a window-art element. The only part that is considered a sign on their window is around the logo on their window, which does not take up more than 25% of the window. Commissioners commented that blocking off the windows with either signs or shades downtown is less than ideal and that it would cause shoppers to avoid the blocked store-fronts and surrounding areas. Tangari commented that a window opacity standard would be an option is Commissioners were concerned about blocked store-fronts.
 - Lastly, Tangari discussed that sandwich boards must be approved by the owner of the establishment for permitting purposes. He commented that if the Planning Commission wanted property owner's involvement in the permitting of sandwich boards, it could be handled administratively with a signature on the permit application.

- Tangari addressed Commissioners questions about “Tiny Houses” in the ordinance. He explained that there could be potential discussion of Tiny Houses being introduced into the ordinance, but for now it would have to be handled on a case-to-case basis. Tangari explained that policies would have to be discussed due to footprint regulations, but that could cause other uses to fit the regulations for the Tiny Houses that the City would not normally approve. If a Tiny House development were to be proposed in the City, it could be potentially zoned under a Planned Unit Development. Tangari reported that there would not have to be many standards for each individual unit, but there would need to be regulations set forth for the overall development.
- Commissioners discussed that the regulations in the mobile food vending section of the ordinance were unclear. Tangari explained that it would be a temporary land use that would also require licensing. Food Vendors would be permitted in non-residential districts and the mixed-use downtown district. Permission from the property owner would be required, and if parking in the right-of-way, there would be other regulations.

Commissioners expressed concern about the need for policy changes in the new draft of the Zoning/Sign Ordinance. It was expressed by Commissioners that a work-session in which the new Zoning/Sign Ordinance from Clearzoning would be analyzed for any necessary changes would be beneficial before passing recommendation to the City Council.

MOTION AMENDED by Banfield, supported by Collins, to table the discussion of changes and possible passing of recommendation on Draft Zoning/Sign Ordinance to City Council until next meeting. On a voice vote; **MOTION CARRIED.**

Receive and set Public Hearing for January 13, 2016 for Planning Commission Draft Capital Improvements Plan 2016-2022.

MOTION by Banfield, supported by Collins, to receive and set Public Hearing for January 13, 2016 for Planning Commission Draft Capital Improvements Plan 2016-2022.

On a voice vote; **MOTION CARRIED.**

Receive and set Public Hearing for January 13, 2016 for #RZ15.02 “Udell Property” to change from Fredonia Township Zoning of Agricultural to City Zoning of I-1 Research and Technical District.

MOTION by Banfield, supported by Zuck, to receive and set Public Hearing for January 13, 2016 for #RZ15.02 “Udell Property” to change from Fredonia Township Zoning of Agricultural to City Zoning of I-1 Research and Technical District. On a voice vote; **MOTION CARRIED.**

Approve Planning Commission Submission Dates for 2016.

MOTION by Zuck, supported by Rodgers, to approve Planning Commission Submission Dates for 2016. On a voice vote; **MOTION CARRIED.**

Elect Officers for 2016 and appoint JPC members.

MOTION by Collins, supported by Zuck, to elect Commissioner Banfield as Chair.

MOTION by Dyer, supported by Zuck, to close nominations for Chair and cast a unanimous ballot.

On a voice vote; **MOTION CARRIED.**

MOTION by Davis, supported by Banfield, to elect Commissioner Collins as Vice-Chair.

MOTION by Banfield, supported by Dyer, to close nominations for Vice-Chair and cast a unanimous ballot.

On a voice vote; **MOTION CARRIED.**

MOTION by Banfield, supported by Collins, to reappoint Commissioner Davis as a Joint Planning Commission Board Member. On a voice vote; **MOTION CARRIED.**

OLD BUSINESS

None

PUBLIC COMMENTS

None

REPORTS

None

ADJOURN

The Planning Commission adjourned at 8:35 pm.

Submitted by,

Elizabeth Renaud