

**CITY OF MT. MORRIS
PLANNING COMMISSION AGENDA
February 19th, 2024
6:30 p.m.**

- 1. MEETING CALLED TO ORDER:** City Clerk Spencer Lewis
- 2. ELECTION OF CHAIRPERSON AND OATH OF OFFICE**
- 3. ELECTION OF VICE CHAIRPERSON AND OATH OF OFFICE**
- 4. ELECTION OF SECRETARY AND OATH OF OFFICE**
- 6. ROLL CALL**
- 7. APPROVAL OF AGENDA**
- 8. APPROVAL OF MINUTES:** Approval of October 16th, 2023 regular meeting minutes.
- 9. COMMUNICATIONS:**
None.
- 10. PUBLIC COMMENT:**
- 11. UNFINISHED BUSINESS:**
 - a. None
- 12. NEW BUSINESS:**
 - a. RESOLUTION 24-01A: 2024 Meeting Dates**
 - b. Public Hearing; Ordinance 2024-01:** Amending the zoning ordinance (appendix D) by the addition of definitions, amending section 3.20.
 - c. Action on Ordinance 2024-01.**
 - d. Public Hearing; Ordinance 2024-02:** Amending the code of ordinances (appendix D) by the addition of section 3.21, Outdoor parking or storing of recreational vehicles and trailers in a residential district.
 - e. Action on Ordinance 2024-02.**
- 13. PUBLIC COMMENT:**
- 14. UPDATES:**
- 15. PLANNING COMMISSION COMMENTS:**
- 16. ADJOURNMENT:**

**PLEASE BE COURTEOUS TO OTHERS
SILENCE ALL CELL PHONES & OTHER DEVICES PRIOR TO THE MEETING**

**CITY OF MT MORRIS
PLANNING COMMISSION
October 16th, 2023**

At 6:36 p.m., Chairperson Sara Black called the Planning Commission Meeting to order.

PRESENT: Sara Black, Chris Vogt, Melissa Neuwirth, Andrew Sorensen, Yusef Harrold, Eric Calcut, City Manager/Treasurer Vicki Corlew and Mayor Sara Dubey.

ABSENT: None.

OTHERS: City Clerk Spencer Lewis.

ROLL CALL:

None.

APPROVAL OF AGENDA:

A motion was made by Chris Vogt, seconded by Eric Calcut to approve the agenda.

All Ayes

Motion carried.

APPROVAL OF MINUTES:

A motion was made by Mayor Sara Dubey, seconded by Chris Vogt to approve the regular meeting minutes from September 18th, 2023.

All Ayes

Motion carried.

COMMUNICATIONS:

None.

PUBLIC COMMENT:

Jenny Lindemann, 6110 Deland Rd., Flushing – Jenny stated she was here to give her input on the marijuana ordinance regulating caregiver operations. She spoke on the DeRuiter v. Byron Township case and gave some background information.

UNFINISHED BUSINESS:

- a. **Action on Ordinance 2023-03:** Amending the zoning ordinance to regulate caregiver operations within the city.

City Clerk Spencer Lewis stated that he had spoke with the City Attorney and she stated that everything within the ordinance is permissible under DeRuiter. Also, that the Michigan Supreme Court had issued its unanimous opinion in DeRuiter v Twp of Byron, stating that registered medical marijuana caregivers, are subject to municipal zoning ordinance provisions that regulate the location of such operations.

Yusef Harrold stated that he believes that the ordinance is going to be beneficial for the city.

Sara Black stated that the letter (e) in our proposed ordinance, would be beneficial if it were changed to something similar to the example ordinance stating no traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood...

A motion was made by Chris Vogt, seconded by Yusef Harrold to recommend to city council to approve Ordinance 2023-03: Amending the zoning ordinance to regulate caregiver operations within the city, as amended; removing letter (e), and replacing it with “No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking,

generated by the conduct of such home occupation, shall be provided by an off-street area, located other than in a required front yard and traffic to and from the property for purposes of the home occupation shall only occur between 09:00 a.m. and 09:00 p.m.” Also, remove letter (h) and adjust letter (i) to a 500-foot distance.

Roll call: ___ 8 ___ Ayes ___ 0 ___ Nays ___ 0 ___ Absent

Motion carried.

b. Action on Ordinance 2023-04: Amending the code of ordinances to prohibit signs for primary caregiver home occupations.

A motion was made by City Manager/Treasurer Vicki Corlew, seconded by Yusef Harrold to recommend to city council to approve Ordinance 2023-04: Amending the code of ordinances to prohibit signs for primary caregiver home occupations.

Roll call: ___ 8 ___ Ayes ___ 0 ___ Nays ___ 0 ___ Absent

Motion carried.

c. Action on site plans: 11360 N. Saginaw – Biggby Coffee.

A motion was made by City Manager/Treasurer Vicki Corlew, seconded by Eric Calcut to approve the requested site plan at 11360 N. Saginaw Street based on the requested conditional use meeting all the requirements in Section 7.06.

Chris Vogt stated that since there is not a designated fire lane behind the building, that the city, by law, would need to install a couple “Do Not Block – Fire Lane” signs on the alley behind the building.

City Manager/Treasurer Vicki Corlew stated that we will make that happen with the signs in the alley.

Roll call: ___ 8 ___ Ayes ___ 0 ___ Nays ___ 0 ___ Absent

Motion carried.

NEW BUSINESS:

None.

PUBLIC COMMENT

Mike Cummings, Biggby Coffee – Mike extended his gratitude to the planning commission members for approving the site plans.

UPDATES:

None.

PLANNING COMMISSION COMMENTS:

Andrew Sorensen questioned if we were able to look at any regulations for recreational growing, since we are putting constraints on medical caregivers?

Sara Black stated that when Jenny Lindemann was speaking on recreational growing she was talking about recreational like anyone can grow 12 plants for themselves, and the only recreational ordinance we have is about recreational businesses such as retail centers, processing, etc.

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Mayor Sara Dubey congratulated Mike Cummings on the approval of his plans, and she is looking forward to seeing it here in the city.

ADJOURNMENT:

With no further business, the meeting was adjourned at **7:13 p.m.**

City Clerk, Spencer Lewis

**CITY OF MT. MORRIS
PLANNING COMMISSION
RESOLUTION 24-01A**

WHEREAS: Public Act No. 267 of 1976, Michigan’s Open Meeting Act, requires that within ten (10) days of the first meeting of a public body in each calendar year the body must publicly post a list stating the dates, times and places of all it’s regular meetings.

NOW THEREFORE BE IT RESOLVED:

That the Planning Commission of the City of Mt. Morris will meet for regularly scheduled Planning meetings on the third (3rd) Monday of each month at 6:30 p.m. in the City Council Chambers, 11649 N. Saginaw Street, Mt. Morris, unless that day conflicts with a holiday.

Specifically, the meeting dates in 2024 shall be:

Tuesday	January 16
Monday	February 19
Monday	March 18
Monday	April 15
Monday	May 20
Monday	June 17
Monday	July 15*
Monday	August 19*
Monday	September 16
Monday	October 21
Monday	November 18

*Planning Commission will meet only if needed

Moved by Planning Commission member _____, seconded by Planning Commission member _____ and thereafter adopted at a regular meeting held Monday, February 19, 2024 at 6:30 p.m.

_____ Yeas

_____ Nays

_____ Absent

Sara Dubey, Mayor

Spencer Lewis, City Clerk

**CITY OF MT. MORRIS
COUNTY OF GENESEE, MICHIGAN**

ORDINANCE 2024 – 01.

AN ORDINANCE AMENDING THE MT. MORRIS CITY
ZONING CODE OF ORDINANCES (APPENDIX D) BY
THE ADDITION OF DEFINITIONS, AMENDING
SECTION 3.20

THE CITY OF MT. MORRIS HEREBY ORDAINS:

SECTION I

The Mt. Morris City Zoning Ordinance, APPENDIX D, the Zoning Ordinance, Section 3.20 is hereby amended by the addition of a second paragraph, Definitions, which shall read as follows:

The following definitions shall apply:

Commercial Vehicle shall mean any vehicle or trailer that exceeds 1-ton in cargo carrying capacity, which includes vehicles or trailers used for the purpose of business or for private use.

Recreational Vehicle shall mean any motorized or non-motorized vehicle or trailer used for the purpose of recreation, which includes but not limited to travel trailers, motor homes, boats, snowmobiles, and vehicles designed and manufactured as off-road vehicles. Vehicles originally designed and manufactured for on-road use are not considered off-road vehicles.

Trailer shall mean any vehicle that is designed to be pulled or towed on a public way by a motorized vehicle, which includes but not limited to travel trailers, utility trailers and cargo trailers.

SECTION II

All other provisions of this Chapter shall be and are hereby ratified.

SECTION III - SEVERABILITY

If any part of this ordinance shall be determined to be unenforceable by a court of competent jurisdiction, that part shall be deemed to be severed and removed from the body of this ordinance, and the rest shall remain in full force and effect.

SECTION IV – PRIOR ORDINANCES

All City ordinances and resolutions or a part thereof, insofar as the same may be in conflict herewith, are hereby repealed.

SECTION V

This Ordinance shall be published in a newspaper of general circulation within the City of Mt. Morris, Genesee County, Michigan, and shall become effective on the 7th day after publication.

SECTION VI

A copy of this Ordinance may be inspected at the City Hall, 11649 N. Saginaw St., Mt. Morris, Michigan, during regular business hours.

CITY OF MT. MORRIS,

By: SARA DUBEY, MAYOR

By: SPENCER LEWIS, CITY CLERK

Ordinance introduced on:

Second Reading:

Publication date:

Effective date:

**CITY OF MT. MORRIS
COUNTY OF GENESEE, MICHIGAN**

ORDINANCE 2024 – 02.

AN ORDINANCE AMENDING THE MT. MORRIS CITY
ZONING CODE OF ORDINANCES (APPENDIX D) BY
THE ADDITION OF SECTION 3.21, OUTDOOR
PARKING OR STORING OF RECREATIONAL VEHICLES
AND TRAILERS IN A RESIDENTIAL DISTRICT

THE CITY OF MT. MORRIS HEREBY ORDAINS:

SECTION I

The Mt. Morris City Zoning Ordinance, APPENDIX D, the Zoning Ordinance, ARTICLE 3 is hereby amended by the addition of Section 3.21, Outdoor Parking or Storing of Recreational Vehicles and Trailers in a Residential District, which shall read as follows:

3.21 Parking and Storage of Recreational Vehicles and Trailers in a Residential District

Recreational Vehicles and Trailers may be parked or kept on any lot or parcel in any residential zoning district, subject to the following requirements:

- A. Recreational Vehicles parked or stored shall not have a fixed connection to electricity, gas, water, or sanitary sewer, and at no time shall such recreational vehicles be used for living or housekeeping purposes. A non-fixed electrical connection is allowed as a shoreline to maintain on board batteries and electrical systems.
- B. Any recreational vehicle or trailer shall be parked or stored in the rear yard, side yard, or unrequired front yard provided that a minimum of five feet of side yard, or rear yard shall be maintained between the recreational vehicle or trailer and the lot line.
- C. Recreational vehicles and trailers may be parked in the front yard for the purpose of loading and unloading for no more than 24 hours. The recreational vehicle or trailer must not obstruct the view of driveways or vehicular and pedestrian traffic of adjoining properties or public ways.
- D. The storage of recreational vehicles and trailers on a residential lot or parcel shall be limited to only those vehicles and trailers owned by the, and currently licensed and registered to the occupant of the residential lot or parcel on which the recreational

vehicle or trailer is stored. Recreational vehicles and trailers shall be maintained and kept mold and mildew free. Recreational vehicles and trailers designed and constructed to operate on public ways shall meet the requirements of the State of Michigan for safe use.

- E. The storage of recreational vehicles and trailers shall be limited to a maximum of two recreational vehicles and or trailers combined per parcel. The storage of recreational vehicles and trailers shall be used as a factor in total lot maximum coverage as defined in section 6.13 Table of District Regulations.

SECTION II

All other provisions of this Chapter shall be and are hereby ratified.

SECTION III - SEVERABILITY

If any part of this ordinance shall be determined to be unenforceable by a court of competent jurisdiction, that part shall be deemed to be severed and removed from the body of this ordinance, and the rest shall remain in full force and effect.

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CITY OF MT. MORRIS,

By: SARA DUBEY, MAYOR

By: SPENCER LEWIS, CITY CLERK

Ordinance introduced on:

Second Reading:

Publication date:

Effective date: