

Village of Bellaire

PLANNING COMMISSION

Commissioners:

Patrick Boyd

Butch Dewey

Fred Harris

Don Seman

Christine Langdon

Posted: Tuesday October 8th at 11:00 AM

PLANNING COMMISSION MEETING MINUTES

October 1st, 2024

5:00 PM

I. Call to Order: The meeting was called to order at 5:00 PM.

II. Roll Call – Attendance:

Present: Butch Dewey, Fred Harris, Don Seman, Christine Langdon

Absent: Patrick Boyd

Staff Present: Angela St. Pierre, Clerk / Zoning Administrator

Public Present: Larry Baumchen, Thomas Dempsey

III. Approval of Agenda: The agenda was approved as amended with the additions of item e. Short Term Rental Ordinance DRAFT Review.

Motion by Harris, seconded by Seman to approve the agenda as amended. Motion passed by unanimous voice vote. Boyd- Absent.

IV. Approval of Minutes - August 6, 2024: The minutes of the August 6, 2024 meeting were approved as presented.

Motion by Dewey, seconded by Seman to approve the minutes of the August 6, 2024 meeting as presented. Motion passed by unanimous voice vote. Boyd- Absent.

V. Conflict of Interest: None presented.

VI. Public Comment: None presented.

VII. Old Business: None presented.

VIII. New Business

- a. Marihuana Master Plan Discussion-** With recommendation of the Village Attorney, the Planning Commission reviewed the current Master Plan of the Village of Bellaire to see if there were any changes that needed to be made in regard to allowing marihuana retail businesses in the Village limits. Chairperson Dewey spoke about the Economic Environment Goals/Objective section stating item 1) Strengthen efforts to retain existing businesses and attract new businesses, particularly helping startup businesses, and 2) Improve the economy by attracting good-paying, specialty jobs that meet local needs and interests. The Planning Commission members agreed that they do not feel as though the Master Plan needs any changes as it clearly spells out that we are encouraging new businesses and good-paying jobs in the current Master Plan. Zoning Administrator, Mrs. St. Pierre spoke about how she had reviewed other Master Plans from other communities that have allowed marihuana

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businesses, and none of them state anything relating to allowing or prohibiting marihuana businesses except for sections stating the revenue and other information from operational marihuana businesses.

Motion by Dewey, seconded by Harris to recommend to the Village Council that there is no need to change the Master Plan to adapt it to marihuana dispensaries. Motion passed by roll call vote. Langdon, Dewey, Harris, Seman- Yes. Boyd – Absent.

- b. Marihuana Overlay District-** With the recommendation from the Village Attorney, the Planning Commission discussed an overlay district of where to allow marihuana retail businesses if an ordinance were to be drafted. It was discussed to allow all of the Commercial District, all of the Manufacturing District, and a few individual parcels which are zoned as Village Commons.

Motion by Dewey, seconded by Langdon to include for the overlay district for marihuana all of the Commercial district, including the parcels identified as parcel numbers 05-41-030-010-00, 05-41-030-011-10, 05-41-030-007-00. Motion passed by unanimous voice vote. Boyd- Absent.

- c. Reviewing Zoning Ordinance and Fee Schedule-** In the members packets was a comparison of the current fee schedule of the Village of Bellaire compared to neighboring municipalities. A general discussion was held concerning the comparisons. Mrs. St. Pierre spoke about the comparison of the General Land Use fee of \$150 for things such as buildings being erected or structurally altered, while there is a Major Accessory Building fee of \$200 for garages and decks. It costs more for a deck than it is for a house to be built. It was then discussed the cost of the Recreational Vehicle permit and if that needs to be lowered. It was determined that the cost should stay as is at \$50. While on the topic, Mrs. St. Pierre brought up the group gathering section of the zoning ordinance for RV's and that there is no maximum number allowed for these group gatherings and if the members would like to address this. There was a brief discussion on if there have been any issues with large gatherings of RV's. The topic discussion was discontinued. The fee for land division was then discussed and determined to be dropped to \$250.

Motion by Dewey, seconded by Harris to change 1.b) Major Accessory Building fee from \$200 to \$100, to change 7) Land Division fee from \$500 to \$250, and to include decks without roofs to 1.a with fences for a fee of \$50.

It was then discussed the requirements for signs and how the current maximum height does not allow for the snow blower to pass under hanging signs on M-88 or other buildings located in the Central Business District.

Motion by Dewey, seconded by Seman to change the sign height for Central Business District from a maximum of ten (10) feet to a maximum of twelve (12) feet.

Mrs. St. Pierre then brought to attention that any Zoning Board of Appeals applications do not require a site plan or proposed drawing for the appeal process. This limits the needed information in determining if the variance should be granted. It was discussed that it will need to be looked into if the

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Planning Commission application requirements would fit for the Zoning Board of Appeals applications.

No action was taken.

- d. Mobile Food Vending Application Form and Fees-** Mrs. St. Pierre brought to attention that Mobile Food Vending was approved to be changed from special use to permitted by the Village Council. In the ordinance, section 4.02.E.2 needs to be altered to show this change to permitted.

Motion by Dewey, seconded by Harris to move section 4.02.E.2. of the Zoning Ordinance from special use to permitted use. Motion passed by unanimous voice vote. Boyd – Absent.

The members were presented with a draft application with fees for Mobile Food Vending in their packets. This draft application included the necessary components from the Planning Commission site plan application and the current rules and regulations per section 8.18 on Mobile Food Vending.

Motion by Dewey, seconded by Harris to approve the draft Mobile Food Vending application and fees as presented. Motion carried by voice vote. Boyd – Absent.

- e. Short Term Rental Ordinance DRAFT Review:** The Village Council requested the Village Attorney draft a Short-Term Rental Ordinance based off of Elmwood Township. That draft ordinance was provided in the packet for review. Mrs. St. Pierre spoke with Elmwood Townships clerk who recommended we take out the section prohibiting signs as she has been running into amendment right issues, especially during the election season. In speaking with the Elmwood Township clerk, they used a company called Granicus to help inventory the operating short-term rentals in the township to come up with a percentage of dwellings to determine a cap on how many licenses to issue. They continue to use this company to monitor the short-term rentals and keep them in compliance of the ordinance. Mrs. St. Pierre will speak with the Granicus company to get a quote price on their services. Member Harris asked about the non-conformity status on the licenses as the Village Attorney had said in the joint meeting that any licenses issued would be grandfathered in, whereas in the draft ordinance it says that with the sale of the property the license will be discontinued and would need to be re-applied for if allowed in that zoning district. The draft ordinance was provided the day prior to the meeting and the members discussed needing more time to review it. It was discussed to add to the next Planning meeting.

No action was taken.

IX. Correspondence/Reports: None presented.

X. Member/Public Comment: None presented.

XI. Adjourn: The meeting was adjourned at 6:13 PM to the call of the call of the chair.

Minutes compiled by:

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PLANNING COMMISSION

Commissioners:

Patrick Boyd

Butch Dewey

Fred Harris

Don Seman

Christine Langdon

Angela St. Pierre, Zoning Administrator

Minutes are subject to approval.

Approved: _____

Date: _____