



## PUBLIC NOTICE

Per the March 2, 2021 emergency order, MCL 333.2253 – Gatherings and Face Masks order, the district is limited to 25 people for in person gatherings.

Planning Commission meetings will now allow 25 individuals to be gathered at the meeting venue. Boards may conduct hybrid meetings, where some or all board members meet together in person, but the meeting must also be conducted virtually under the Open Meetings Act.

The Planning Commission meeting to be held March 15, 2021 will be held in person, at 118 Orchard Street, Morenci, MI 49256, at 6:30 p.m., with a limit of 25 people (14 community members), and virtually via Zoom.

For remote attendance, please click the Zoom link above to join and participate in the meeting. If you need assistance joining the meeting, have questions regarding the meeting or agenda items, or if you require an accommodation to participate, please contact City Superintendent / City Clerk Michael Sessions in advance at (517) 458 – 6828.

Michael S. Sessions  
City Superintendent / City Clerk



*"One Team, One Town, One Family"*

Morenci City Offices  
118 Orchard Street  
Morenci, MI 49256  
(517) 458-6828

**PLANNING COMMISSION  
MEETING AGENDA**

**REGULAR MEETING FOR  
MONDAY, MARCH 15, 2021  
AT THE MORENCI CITY OFFICES  
(MEETING WILL ALSO BE ON ZOOM)  
6:30 P.M.**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**ROLL CALL AND RECOGNITION OF VISITORS**

**APPROVAL OR AMENDMENT TO AGENDA**

**PUBLIC COMMENT ON AGENDA ITEMS**

**APPROVAL OF MINUTES**

1. February 8, 2021 Planning Commission Meeting Minutes

**SCHEDULED PUBLIC HEARINGS**

1. None

**CORRESPONDENCE RECEIVED**

1. None

**AGENDA ITEMS**

1. Fence Ordinance
2. Information from Marihuana Additional Land Uses Committee
3. Joint-meeting of the Downtown Development Authority & Morenci Planning Commission  
Regard Future Land Uses
4. Legal Information on Private Clubs in Community
5. Master Plan

**GENERAL PUBLIC COMMENT**

**ADJOURNMENT**



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Special Meeting of the  
City of Morenci Planning Commission  
February 8, 2021

**Call to Order and Pledge of Allegiance**

Chairperson Art Erbskorn opened the meeting at 6:30 P.M.

**Roll Call**

The following Planning Commissioners were present at roll call: Commissioners Ron Apger, Sean Seger, Kathy Schiermyer, Jerome Bussell, Jeff Bell, and Erbskorn. Commissioner Chipper Connin was absent.

**Approval of Agenda**

Motion made by Commissioner Seger, seconded by Commissioner Schiermyer, to approve the agenda as presented.

All ayes, motion carried.

**Public Comment Regarding Agenda Items**

No public comment.

**Approval of Past Meeting Minutes**

Motion made by Commissioner Bell, seconded by Commissioner Seger, to approve the meeting minutes from the January 11, 2021 Planning Commission Meeting Minutes.

All ayes, motion carried.

**Public Hearing(s)**

No public hearing(s).

**Correspondence Received**

None received.

**Agenda Items**

A motion was made by Commissioner Schiermyer, seconded by Commissioner Apger, to elect Art Erbskorn as Chairperson, Chipper Connin as Vice-chairperson and Sean Seger as Secretary of the Morenci Planning Commission.

All ayes, motion carried.

A motion was made by Commissioner Bussell, seconded by Commissioner Schiermyer, to hold a public hearing on March 15, 2021 on the fence ordinance for the Skyline Industrial Park.

All ayes, motion carried.

Further discussion:

- It was agreed that a legal opinion would be gathered from City Attorney Fred Lucas on whether public and private clubs could be opened in Morenci for the sake of smoking marihuana or that allow the smoking of marihuana.
- It was agreed that a date would be put together for a joint-Downtown Development Authority (DDA) and Morenci Planning Commission meeting.
- It was agreed to discuss a committee for the Master Plan Update at next month's meeting.

**Public Comment**

No public comment.

**Adjournment**

Motion made by Commissioner Schiermyer, seconded by Commissioner Seger, to adjourn the meeting at 7:29 P.M.

The meeting was adjourned at 7:29 P.M.

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Art Erbskorn, Chairperson

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Sean Seger, Secretary



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Morenci City Offices  
118 Orchard Street  
Morenci, MI 49256  
(517) 458-6828

TO: Planning Commission Members

FROM: Michael S. Sessions, City Superintendent / *MS* City Clerk

DATE: 3/10/2021

SUBJECT: Fence Ordinance

Enclosed is a copy of the fence ordinance that a public hearing was set for on March 15, 2021. I would ask that the Morenci Planning Commission hold a public hearing on the fence ordinance and then recommend it's approval to the Morenci City Council.

ORDINANCE NO. 21-~~<<number to be determined>>~~

## Amendment to Chapter 22 of the City Code

*An ordinance to amend Chapter 22 of the City Code of the City of Morenci regarding fences in the Skyline Industrial Park (I-2 zoning district).*

### **CITY OF MORENCI, LENAWEE COUNTY, MICHIGAN, HEREBY ORDAINS:**

#### **Section 1. Amendment.**

Chapter 22 of the City of Morenci municipal code is amended to the following:

#### **Sec. 22-281. – Additional industrial performance standards for I-2 zoning district**

(n) Fences in I-2 zoning district:

i. Location.

A. Except as otherwise permitted in this section for industrial facilities, fences shall be permitted in the rear or side yards of nonresidential districts, provided that no fence shall extend closer toward the front of the lot than any portion of the principal structure.

B. A fence may also be installed in the front yard of a lot located in the I-2 zoning district for the purpose of providing security for goods, supplies and vehicles stored on the industrial lot.

C. Fences located along the side lot line abutting a street on a corner lot shall be located no closer than one foot to the edge of the sidewalk or on the lot line if there is no sidewalk adjacent to the lot line.

D. Fences on corner lots shall provide adequate clearance for traffic as determined by the Zoning Administrator.

ii. Height. Fences in commercial and industrial districts shall be between eight feet (8') and ten feet (10') in height.

iii. Signs attached to fences. Signs advertising the availability of services or products shall not be attached to any fence. Signs attached to a fence can only contain the company name and the address. Signs cannot be more than 12 square feet.

iv. Barbed Wire. If barbed wire is attached to the top of a fence in an industrial or commercial district, the barbed wire shall be at least a minimum of eight feet (8') above the ground and the total fence height including the barbed wire may not exceed ten feet (10').

**Section 2. Repeal of Conflicting Provisions.**

All other City ordinances, City Council resolutions, and parts thereof that conflict with provisions of this Ordinance are hereby repealed and shall be of no further force or effect.

**Section 3. Severability.**

All sections, terms, provisions or clauses of this Ordinance shall be deemed independent and severable. Should a court of competent jurisdiction hold any section, term, provision or clause void or invalid, all remaining sections, terms, provisions and clauses not held void or invalid shall continue in full force and effect.

**Section 4. Publication and Effective Date.**

Publication of this ordinance shall be made by causing a true copy thereof to be inserted once in the Daily Telegram, a newspaper circulating within the City of Morenci. This ordinance shall take effect ten (10) days after the ordinance is published.

YEAS:

NAYS:

ABSENT:

Ordinance declared adopted on <<date of adoption>>.

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Sean D. Seger, Mayor  
City of Morenci

**CERTIFICATION OF ADOPTION AND PUBLICATION**

I, Michael S. Sessions, the City Clerk, certify that the foregoing ordinance was properly enacted by the City Council of the City of Morenci, Lenawee County, Michigan on and that a summarize was published in the Daily Telegram.

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Michael S. Sessions, City Superintendent / City Clerk  
City of Morenci



TO: Planning Commission Members

FROM: Michael S. Sessions, City Superintendent / City Clerk

DATE: 3/10/2021

SUBJECT: Information from Marihuana Additional Land Uses Committee

Chairperson Art Erbskorn has asked me to include this as an agenda item for the meeting on Monday, March 15, 2021. He would like the Morenci Planning Commission to review the validity of the current committee. I will let him discuss this at the meeting.

I have attached the Briefer that the City of Morenci put out on March 9, 2021 regarding the allowance of additional marihuana additional land uses.





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118 Orchard Street  
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(517) 458-6828

TO: Planning Commission Members

FROM: Michael S. Sessions, City Superintendent / *City Clerk*

DATE: 3/10/2021

SUBJECT: Information from Marihuana Additional Land Uses Committee

Chairperson Art Erbskorn has asked me to include this as an agenda item for the meeting on Monday, March 15, 2021 despite the committee not meeting since January or early February. He would like the Morenci Planning Commission to review the validity of the current established committee and decide if additional land uses for marihuana should be studied. I will let him discuss his ideas more at the meeting.

I have attached the Briefer that the City of Morenci put out on March 9, 2021 regarding the allowance of additional marihuana additional land uses.



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## **City of Morenci Briefer on Borchardt Brothers Market Sale**

### Background

On Monday, March 8, 2021, the City of Morenci's Administration was made aware that the Borchardt Brothers Market building would be sold on Thursday, March 11, 2021 to a group out of the Detroit-area that would like to have marijuana-related land uses in that building. The City of Morenci Administration has been informed that the purchase is a speculative purchase in the event that marijuana-related land uses would be allowed for that building.

### Question and Answer on Rezoning / Allowance of Building for Marijuana-related Land Uses

**Question:** Is this building or any other downtown building zoned for marijuana-related land uses?

**Answer:** The answer to this question is NO. The City of Morenci's Administration has been made aware that this is a speculative purchase in the hopes that the minds of the Morenci City Council and Morenci Planning Commission change and rezone this building for such land uses.

**Question:** Where are marijuana-related land uses allowed?

**Answer:** Marijuana-related land uses are only allowed in the eastern commercial district of the community and the Skyline Industrial Park. No other locations in the City of Morenci.

**Question:** What is the process to rezone the downtown for marijuana-related land uses?

**Answer:** It is quite a lengthy process to rezone the downtown for marijuana-related land uses. In order for this to occur, the following must happen:

1. Introduction of Zoning Ordinance: A zoning ordinance must originate with the Morenci Planning Commission or be referred to the Planning Commission by the City Council.
2. A properly noticed public hearing must to be held by the Planning Commission on the zoning amendment before the Planning Commission can vote on its recommendation.
3. After the public hearing the Planning Commission votes on whether to recommend approval or denial of the requested amendment.
4. After the Planning Commission makes its recommendation the matter is sent to the Morenci City Council which has the ultimate say on whether the amendment is approved or denied.

From the time of introduction of a zoning ordinance to its final passage is about three (3) to four (4) months. This is not a fast process to change land use. No zoning ordinance has been introduced, nor is a zoning ordinance under consideration at this time.

**Question:** What types of marijuana-related land uses are allowed in the City of Morenci?

**Answer:** The City of Morenci allows adult-use and medical marihuana land uses that are growers, processors, retailers, provisioning centers, secure transporters, and safety compliance centers.

Marijuana consumption lounges are not allowed in the City of Morenci, although, at the request of two (2) Morenci Planning Commissioners there was a study committee put together to look at this possibility. No decision has been made either way, though, on the allowance of marihuana consumption lounges.

**Question:** Isn't the City of Morenci limited in the number of permits that can be issued for these types of land uses?

**Answer:** Yes, the City of Morenci is limited in the number of permits that can be issued for these types of land uses and the Morenci City Council reserves the right to change those number at any time. The City of Morenci currently has issued five (5) permits for retailers and provisioning centers and this is the cap that the Morenci City Council established for such. For more to be available, the Morenci City Council would have to change the ordinance on the amount of permits available. The Morenci City Council has previously decided not to do so.

**Question:** But what about the downtown? Why all of a sudden are people speculating on the downtown?

**Answer:** There has been some discussion amongst the Morenci Planning Commission about required updates to the Master Plan. In these discussions, there is the possibility of a potential combined Downtown Development Authority (DDA) and Morenci Planning Commission meeting to discuss land use in the downtown. The groups did agree to discuss marijuana-related uses in the downtown, however, the real focus being on what is in the Master Plan for future land use in the downtown area.

**Question:** How do we voice our support or opposition to these land uses in the downtown?

**Answer:** Many Morenci City Councilors and Morenci Planning Commissioners have expressed to the City of Morenci's Administration that they would like to hear from residents. Those members are urging you to contact them, so they know your opinion. A list of those members is the following:

Morenci City Council

- |                                |                               |
|--------------------------------|-------------------------------|
| Mayor Sean Seger               | City Councilor Jeff Lampson   |
| City Councilor Diane Moliterno | City Councilor Dave Lonis     |
| City Councilor Kandice Jarrell | City Councilor Jerome Bussell |
| City Councilor Sandra Emmons   |                               |

Morenci Planning Commission

- |                             |                               |
|-----------------------------|-------------------------------|
| Chairperson Art Erbskorn    | Commissioner Chipper Connin   |
| Commissioner Jeff Bell      | Commissioner Ron Apper        |
| Commissioner Jerome Bussell | Commissioner Kathy Schiermyer |
| Commissioner Sean Seger     |                               |

Contact information for all members is on the City of Morenci website or you may call the City of Morenci at (517) 458 – 6828 for such.



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118 Orchard Street  
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TO: Planning Commission Members

FROM: Michael S. Sessions, City Superintendent / *City Clerk*

DATE: 3/11/2021

SUBJECT: Joint-meeting of Downtown Development Authority (DDA) and Morenci Planning Commission to Discuss Future Land Uses

It appears that Tuesday, April 6, 2021 at 6:00 p.m. would work for a joint-meeting of the Downtown Development Authority (DDA) and the Morenci Planning Commission to discuss future land uses in the downtown area. I would ask for a motion to move forward with the scheduling of this meeting.



TO: Planning Commission Members

FROM: Michael S. Sessions, City Superintendent / City Clerk

DATE: 3/10/2021

SUBJECT: Legal Information on Public and Private Clubs in Community

At the February 8, 2021 Morenci Planning Commission meeting, Morenci Planning Commissioner Ron Apger brought up that if consumption lounges aren't allowed, then people could just create a public or private club in areas throughout the City of Morenci where people could just be part of the club and smoke marihuana.

I asked City Attorney Fred Lucas about this, as the Morenci Planning Commission as a whole asked that I inquire him with him about it. His response to me is that this is not true. He said that you have to have areas properly zoned for these types of things and allowances.

City Attorney Lucas will be at the Morenci Planning Commission to discuss further.



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TO: Planning Commission Members

FROM: Michael S. Sessions, City Superintendent / City Clerk

DATE: 3/10/2021

SUBJECT: Master Plan

Enclosed is a copy of my memorandum to the Morenci Planning Commission in February. I would ask that a committee be put together to start updating the Master Plan.



TO: Planning Commission Members

FROM: Michael S. Sessions, City Superintendent / City Clerk

DATE: 2/7/2021

SUBJECT: Master Plan

In October of 2016, the City of Morenci enacted its first Master Plan in the history of the community. This was a huge step, as it allowed the City of Morenci to *finally* be in compliance with the Michigan Planning Enabling Act and the Zoning Enabling Act, which were both revised and approved in the later half of the 2000s.

These acts call on the City of Morenci to revisit the enacted Master Plan every five (5) years. It's crazy to think this, but it's almost been five (5) years. I have gone ahead and enclosed a copy of the Master Plan to this memorandum. I am suggesting an approach to updating the Master Plan like this:

- *Form a Committee:* I would like to have the Planning Commission appoint a committee to review the current Master Plan and come up with updates to it. This would include updating the Master Plan to include cannabis areas, along with taking a deeper look into the information presented for each zoning district.
- *Formalize Updates:* Have the committee formalize the updates into the document with presentation to the Planning Commission.
- *Planning Commission Review:* Have the Planning Commission review the formalized document with changes. If they agree to it, then a joint-meeting between the Morenci City Council would be scheduled to review the document with them.
- *Joint-meeting with Morenci City Council:* Present document to the Morenci City Council in a joint-meeting. If the Morenci City Council has no changes, then proceed with the approval process of the new Master Plan. The approval process would go back to the Planning Commission and then the Morenci City Council for formal approval.

If the Planning Commission agrees to this plan, I would ask that the Planning Commission appoint the necessary committee.