

Heather Hanover
Chair

James Eshelman
Vice-Chair

Commissioners

Scott Dzurka, *Mayor*
Eric Hufnagel, *City Commissioner*
Eric Harger
Mark Holden
Brian Mills
Melvin Renfrow
Vacant



Chad A. Gamble
City Manager

Mindy J. Seavey
City Clerk

Kristina Kinde
City Treasurer

Michael Homier
City Attorney

Christopher Khorey, AICP
Planning Consultant

PLANNING COMMISSION

March 13, 2024

The St. Johns Planning Commission will hold a regular meeting on March 13, 2024 at 5:30 pm in the County Commission Chambers located at the Clinton County Courthouse, 100 E. State Street, St. Johns, MI. (Please use Cass St. Entrance.)

AGENDA

1. **Call to Order (5:30 pm)**
2. **Approval of Agenda (5:31 – 5:32 pm)**
3. **Approval of Minutes (February 14, 2024 Meeting) (5:33-5:34 pm)**
4. **Public Hearings: (5:35-5:37 pm)**
5. **New Business:**
 - A. **Chicken Coop Allowable Materials – Potential Amendment (5:38-5:50 pm)**
 - B. **Sidewalk Requirements – Potential Amendment (5:51 – 6:00 pm)**
 - C. **Driveways – 1977 Paved Driveway Ordinance – Enforce or Update? (6:01 – 6:10 pm)**
6. **Old Business:**
 - A. **Golf Cart Pilot Program Policy Brainstorm (6:11 – 6:20 pm)**
7. **Committee Site Plan Approvals:**
 - A. **Cork and Bottle 801 S. Old US-27**
8. **Public comment for non-agenda items (6:21 – 6:31 pm)**
9. **Commissioner Comments. (6:32 – 6:42 pm)**
10. **Adjournment**

Please note that the Planning Commission will take up the following topics at future meetings, depending on available time:

- *Definition of “Permanent Foundation” – Potential Ordinance Amendment*

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PLANNING COMMISSION

FEBRUARY 14, 2024
REGULAR MEETING MINUTES

1. CALL TO ORDER

The meeting of the St. Johns Planning Commission was called to order by Chair Hanover at 5:30 p.m.

Members Present: Heather Hanover, Mark Holden, Eric Harger, Scott Dzurka, Eric Hufnagel, James Eshelman, Brian Mills

Members Absent: Melvin Renfrow

Staff Present: Chad Gamble, City Manager; Mindy Seavey, City Clerk; Chris Khorey, McKenna; Justin Smith, Director of Public Services

2. APPROVAL OF AGENDA

Motion by Commissioner Dzurka seconded by Commissioner Holden to approve the agenda as presented.

YEA: Hanover, Holden, Harger, Dzurka, Hufnagel, Eshelman, Mills

NAY: None

Motion carried.

3. APPROVAL OF MINUTES – JANUARY 10, 2024 MEETING

Motion by Commissioner Holden seconded by Commissioner Eshelman to approve the minutes as presented.

YEA: Hanover, Holden, Harger, Dzurka, Hufnagel, Eshelman, Mills

NAY: None

Motion carried.

4. PUBLIC HEARINGS

A. Zoning Amendments – Downtown Parking – Continued

The public hearing from last meeting continued at 5:32 p.m.

Chris Khorey, McKenna, discussed change to the way downtown parking works currently. In the downtown district, there are no parking requirements. He discussed: amendments creating a parking reduction district that expands beyond that;

bike racks; establishes a hard floor for parking; additional protections to provisions for providing parking on a different site.

Chairperson Hanover asked if anyone from the public wished to speak.

Lisa Kurncz, Siren's owner, was present. She said they are open until 2:30 in morning and they have no place for patrons to park after 1 a.m.

Chairperson Hanover said this has to do with when you are building a building. She said you can park downtown as long as the bar is open.

City Manager Gamble said you came in yesterday and staff provided me with your number. He discussed the hours and certain operation of the police department ticketing and doesn't think it will be an issue. He said we will be reviewing the downtown overall parking plan in 6-9 months with the city commission. He said he would give her a call.

Motion by Commissioner Hufnagel seconded by Commissioner Harger that the planning commission close the public hearing.

YEA: Holden, Harger, Dzurka, Hufnagel, Eshelman, Mills

NAY: None

Motion carried.

The public hearing was closed at 5:37 p.m.

Motion by Commissioner Mills seconded by Commissioner Harger that the planning commission amend the parking as presented.

YEA: Holden, Harger, Dzurka, Hufnagel, Eshelman, Mills

NAY: None

Motion carried.

B. Zoning Amendments – RV Parking Amendment

Chris Khorey said we will be holding a public hearing on the proposed changes to the RV parking. He discussed changes in the proposed amendments: definition of recreational vehicles, 2 categories, recreational vehicle equivalent, spectrum of lot size, between May 1 & October 15 parking, October 16 & April 30 must be parked on paved surface; in winter a zoning permit would be required, maintenance of RV's (light maintenance),

Mayor Dzurka said with the date difference, you can still park a trailer up front as long as it is on a cement surface.

Motion by Commissioner Dzurka seconded by Commissioner Mills that the planning commission open the public hearing.

YEA: Holden, Harger, Dzurka, Hufnagel, Eshelman, Mills

NAY: None

Motion carried.

The public hearing was opened at 5:42 p.m.

Chairperson Hanover asked if there were comments from the public.

Lee Langlois was present. He said part of it is saying the vehicle needs to be moved every 30 days. He said they only use their RV maybe two or three times throughout the year. What kind of situation does that create for me?

Mr. Khorey said that was removed and is no longer in the proposed amendment

Mr. Langlois said no servicing, maintenance on a vehicle.

Chairperson Hanover said light maintenance is allowed, but not tearing it apart.

Mr. Langlois asked if there is an equivalent for automobiles.

Mr. Khorey said that is the same in the ordinance.

Mr. Langlois asked who comes by and deals with it.

Mr. Khorey said it is complaint based, send out code enforcement.

Mr. Langlois said he had a neighbor who changed two engines and transmissions on a car on a gravel driveway. Neither the city or landlord seemed to do anything about it. If not going to be enforced, why bother.

City Manager Gamble said a year ago we brought in a full-time code enforcement officer and have taken a proactive stance. She can't be everywhere; we rely on eyes and ears of community to bring to us.

Marc Mercer, 601 S. Kibbee, was present. He said they will do nothing.

Mayor Dzurka said here to talk about the trailers.

Mr. Mercer discussed a neighbor.

Mayor Dzurka asked for point of order. He said these comments would fit better at the end in public comments.

Mr. Mercer said John Salemi said property values will go down allowing this. He said he would like you to look this over. He said he doesn't mind when people bring a camper home, but people abuse it. He said there is a resident down the street who is parking a trailer in the right of way. He said he is not buying another house in this town.

Tom Doppke was present. He asked if anyone has an RV.

Commissioner Eshelman said he does.

Mr. Doppke said does it fit in a garage? He said he has a 28' travel trailer and he cannot work on it in his driveway. He asked where do you propose I go work on my RV if I have to do a major repair. He said there is no reason for that. He said it took him a month to get repairs done on his camper.

Chairperson Hanover said we have to walk a line and come up with a reasonable compromise.

There was a discussion of:

- How long does it take for major repairs.
- Neighbors

Mr. Doppke said he found 48 violations around town and not a single one would be considered blight; they were neatly parked on their property.

Chairperson Hanover said what we are doing is becoming more lenient.

Commissioner Eshelman said with the repair ordinance we are not changing anything, that has been on the books for years. In general, the regulations open up to become more RV friendly. Right now, you are only allowed one RV.

Mike Wisniewski was present. He asked if he can park it on the side of his house in April?

Chris Khorey said May 1st. He said during winter months they have to be on a hard surface.

Mr. Wisniewski asked what is hard surface.

Mr. Khorey said it previously said concrete or asphalt, it does not include gravel. If you have a gravel driveway, you are going to have to pave in order to park an RV there in wintertime.

Wanda Gurski was present. She said she is confused about parking from May 1 – October 15. They have two motorhomes. She said one could be on the grass as long as I have pavers under the tires.

Mr. Khorey said in the summertime you don't need pavers underneath it.

Ms. Gurski said one goes to storage in the wintertime. She asked for a copy of those rules.

Mr. Khorey said the text and FAQs are on the website. In wintertime, the paved area has to be 180 s.f.

David Voss, was present. He said he and his wife moved here on November 1st and lived on Hampshire Drive. He said they have a second driveway. He asked if they have to apply for a zoning permit for the winter months.

Mr. Khorey said they can apply on line. He said the fee is \$40 and the permit is permanent. You do not have to renew it annually.

Commissioners Mills asked if the \$40 is in the ordinance.

Mr. Khorey said all zoning permits are a \$40 fee. He said it will make enforcement easier, we will have a list of approved addresses.

Motion by Commissioner Dzurka seconded by Commissioner Holden that the planning commission close the public hearing.

YEA: Holden, Harger, Dzurka, Hufnagel, Eshelman, Mills

NAY: None

Motion carried.

The public hearing was closed at 6:02 p.m.

Commissioner Mills said the \$40 really stumped me. He said the public comments were great. His support for this amendment has been that it is definitely a step in the right direction of moving towards greater property rights. He asked if normally anytime a person gets a zoning permit, is this the standard rate for all things?

Mr. Khorey said it is the same process and fee for building a fence or a shed where there is a zoning sign off. If the planning commission makes a recommendation, separately, to alter the fee schedule to make RV parking permits free.

Commissioner Mills asked city commission members to take that into account.

Commissioner Hufnagel said fee schedules are reviewed once a year. He said they can approach the next round looking at things with that lense. He said the fee schedules evolve over time.

Chairperson Hanover asked Mr. Khorey if the fee is on board with others.

Mr. Khorey said your fees are average to a little below average. He said some township fees are substantially higher than the city charges. One caveat, it is not that common to require a permit for RV parking, but it makes enforcement easier.

Motion by Eshelman seconded by Commissioner Hufnagel that the planning commission approve the changes in the RV amendment.

YEA: Holden, Harger, Dzurka, Hufnagel, Eshelman, Mills

NAY: None

Motion carried.

5. NEW BUSINESS:

A. Chicken Coop Allowable Materials – Potential Amendment

Chris Khorey, McKenna, discussed last year the commission passed an ordinance to allow backyard chickens. He read the section on the material. Since the ordinance been in effect, we are experiencing applications that are having to be rejected because of that language. He gave examples of chicken coops that are in violation. Should we consider changing the language for alternative designs?

Chairperson Hanover said option #1 is what we were trying to avoid.

There was a discussion of:

- Wintertime
- Roofing material that is in violation.
- Could allow material on the roof, but not on the sides.
- Tarps in wintertime and may or may not be flammable and could pose a problem due to heat lamps.
- Concern is flapping tarp; non-waterproof; brightly colored (subjective).
- Completing enclosing so other animals can't get in.
- Taking more time to evaluate the ordinance and our experience.
 - People are coming in with kits and are being denied now.
- Getting data on permits & percentage approved & denied.
- Language of the ordinance regarding tarps.

Ms. Gurski said we are allowing chicken coops in the city? She said she doesn't want chicken coops in her backyard. She said you are going to have a mess in this city and people are not going to abide by the ordinance.

Commissioner Harger left at 6:31 p.m.

B. Brush Street Re-Design – Update from Public Services Department

Director Smith was present. He said every year we look at streets to be in our annual street program. He said we need to address Brush Street and we need to add parking. Spring Street is downtown on the east and Brush Street is downtown on the west. He had a rough drawing and said when get approval from the city commission we will get a better drawing. He discussed parking and space and said we would get 14 parking spaces and they will include the bump outs. He said they wanted to bring the conceptual design to you. He said Cass Street between Ottawa and Oakland is also getting done. We are going to do some parking changes by the Wilson Center and add a drop-off zone.

There was a discussion of:

- Overnight parking on certain streets.
- Direction from the planning commission on the necessity of additional parking spaces.
- Parking on Brush Street; safety issue.
- Parking on Brush Street that is a private lot.
- Depot area and parking.
 - MSU planning practicum project.
- Review master plan in 2025.
- Parking over the right-of-way on Spring Street.

- Project includes streets, not lights.

6. OLD BUSINESS - NONE:

7. COMMITTEE SITE PLAN APPROVALS: JANUARY 26 MEETING – BOTTLE AND CORK CONDITIONALLY APPROVED

Mr. Khorey said this was conditionally approve and the expansion is moving forward. He said they did submit their plans to comply with conditions and it should get resolved within the next few days. He said it is an interesting site and very difficult to apply the rules of the ordinance to the site. We will be getting a new sidewalk on Sturgis Street; upgraded landscaping. He said it is great to see a local business investing. That corner is going to look a lot better when done. He said he could put the final approved site plan in the planning commission packets.

There was a discussion of sidewalk, paved driveways and paved approaches.

8. PUBLIC COMMENT FOR NON-AGENDA ITEMS

There were no public comments.

9. COMMISSIONER COMMENTS

Commissioner Mills said on chicken permits, this is an opportunity for enhanced public awareness. Who has applied for these things and give them notice of a public hearing. How do we log complaints?

City Manager Gamble said databases have all of that information. He said through the portal online, and emails and phone calls are entered into the database. He said he is happy with Ken and Jessica's efforts.

Commissioner Eshelman said with the RV, we still have an active communication gap. There is a perception we are tightening things down and it is the opposite. There are tons of visible cases where we are not enforcing. How can we communicate this positively?

City Manager Gamble said he agreed. He said a very similar situation came out because of the new parking plan downtown. He said the two-hour parking has been in effect for over 20 years. He said proactively through a Facebook post, being purposeful about it would be helpful.

Commissioner Hufnagel said agreed with what has been said. He said reality is, we had things on the books for many years and we made assumption that everybody knows that. People come in and observe non-compliance and they think it is compliant. Are we letting people know when they move here what they can expect? It is important to clarify ordinances with the purpose of making it better. A lot of people don't know what this body is.

Chairperson Hanover said we try to put information out, but no one pays attention until they have a problem.

11. ADJOURNMENT

Motion by Commissioner Eshelman seconded by Commissioner Dzurka that the Planning Commission adjourn the meeting.

YEA: Holden, Dzurka, Hufnagel, Eshelman, Mills

NAY: None

Motion carried.

The meeting was adjourned at 7:02 p.m.

CITY OF ST. JOHNS

CITY COMMISSION MINUTES

FEBRUARY 26, 2024

The special meeting of the St. Johns City Commission and St. Johns Planning Commission was called to order by Mayor Dzurka and Chairperson Heather Hanover at 4:04 p.m. at the Clinton County Courthouse, 100 East State Street, 2nd Floor, Suite #2200, St. Johns, Michigan.

CITY COMMISSIONERS PRESENT: Eric Hufnagel, Jean Ruestman, Brad Gurski, Scott Dzurka, Chris Hyzer
CITY COMMISSIONERS ABSENT: None
PLANNING COMMISSIONERS PRESENT: Heather Hanover, Mark Holden, Eric Harger, Scott Dzurka, Eric Hufnagel, Melvin Renfrow
PLANNING COMMISSIONERS ABSENT: James Eshelman, Brian Mills
STAFF PRESENT: Chad Gamble, City Manager; Kristina Kinde, City Treasurer; Justin Smith, Director of Public Services; David Kirk, Police Chief; Bill Schafer, Recreation Director; Jeremy Ritter, DPW Supervisor; Jordan Whitford, Fire Chief & Wastewater Supervisor; Calvin Galecka, Water Supervisor

Agenda

Mayor Dzurka asked if there were any additions or deletions to the agenda.

Motion by Commissioner Hufnagel seconded by Commissioner Ruestman that the city commission approve the agenda as presented.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

Chairperson Hanover asked if there were any additions or deletions to the agenda.

Motion by Commissioner Holden seconded by Commissioner Harger that the planning commission approve the agenda as presented.

YEA: Hanover, Holden, Harger, Dzurka, Hufnagel, Renfrow

NAY: None

**CITY COMMISSION & PLANNING COMMISSION MINUTES
SPECIAL JOINT MEETING**

FEBRUARY 26, 2024

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Motion carried.

Public Comments

Mayor Dzurka asked if there were any public comments.

There were none.

Welcome, Meeting Overview

Brief Review of 2020 City Master Plan & 2023/2024 City Action Plan

City Manager Gamble said we are excited about having the joint meeting between the planning commission and city commission. He discussed the CIP and how it works with the budget process.

Presentation of Capital Improvement Plan

a. Police Department – Chief David Kirk

Chief Kirk discussed: priorities for the police department: locker rooms, patrol vehicle parking & evidence garage, carport, building security, parking lot improvements, and visual improvements with murals throughout building.

There was a discussion of:

- Grants for murals.
- Parking spaces – regional trainings.
- Garage with utilities.

b. Parks and Recreation Supervisor – Bill Schafer

Director Schafer discussed: addition to the performance shell, re-roofing performance shell, park house improvements, depot floor improvements, adding drinking fountains in the park, softball field irrigation, Fantasy Forest, and spray park replace ground sprays.

There was a discussion of:

- Park house bathrooms.
- Historic floor in the depot.
- Work with the arts council on the performance shell.
- North side pocket park.

**CITY COMMISSION & PLANNING COMMISSION MINUTES
SPECIAL JOINT MEETING**

FEBRUARY 26, 2024

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c. Public Services Department – Supervisor Jeremy Ritter

Supervisor Ritter discussed: replacement of dump truck #81, hoist power unit, replacement of dump truck #78, mapping & televising of stormwater system, and public works building design.

There was a discussion of:

- Public works building.

d. Wastewater Division – Supervisor Jordan Whitford

Supervisor Whitford discussed: RBC (rotating biological contractor) now have taken this project off, lining of sanitary sewer, pickup #147 replacement, maintenance building overhead door, replacement of two RBC pillow blocks, sludge transfer pump replacement, boiler and blower building roof replacement, SCADA system improvements, lift station PLC improvements, Townsend Road service area flow monitoring, and pump building heat pump replacement.

e. Fire Department – Chief Jordan Whitford

Fire Chief Whitford discussed new SCBA's (self-contained breathing apparatus), and new cascade bottles.

f. Water Division – Supervisor Calvin Galecka

Supervisor Galecka discussed: new main power pole and meters at the water plant, replacement driveways at wells #2, #7 & #8, new service truck, new 8" water main on Cass Street, installation of AMR, AMI meters, upgrade to the water plant SCADA system, water main installation CIS Trail to Searles Estates Drive, and lead and copper service line replacement.

There was a discussion of:

- Lead and copper service line replacement – required to replace to 18" inside the house.
 - No cost to homeowner.
- Applied for grant.

City Manager Gamble discussed strategic considerations for the 2024/25 budget.

Approval of the CIP and Forwarding to the City Commission for their Approval

**CITY COMMISSION & PLANNING COMMISSION MINUTES
SPECIAL JOINT MEETING**

FEBRUARY 26, 2024

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Chairperson Hanover asked if there was a motion to approve the CIP and forward to the city commission.

Motion by Commissioner Renfrow seconded by Commissioner Holden that the planning commission to forward the CIP program to the City Commission for their approval.

YEA: Hanover, Holden, Harger, Dzurka, Hufnagel, Renfrow

NAY: None

Motion carried.

Adjournment

Motion by Commissioner Hyzer seconded by Commissioner Gurski that the city commission meeting be adjourned.

YEA: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAY: None

Motion carried.

Motion by Commissioner Renfrow seconded by Commissioner Harger that the planning commission meeting be adjourned.

YEA: Hanover, Holden, Harger, Dzurka, Hufnagel, Renfrow

NAY: None

Motion carried.

The meeting was adjourned at 4:55 p.m.



MCKENNA

Memorandum

TO: City of St. Johns, MI
FROM: Christopher Khorey, AICP
Paige Brodeur
SUBJECT: **Chicken Coop Ordinance Wording Issues**
DATE: January 31, 2024

Regarding ordinance section 155.200.C.2.c.vi.7, "The following materials shall not be used to construct the enclosure area: tarps, plastic, fabric, rubber, paper, cardboard, or other non-traditional building materials." To depict the stability of structures using some of these materials, our team has compiled some images of coops.

IMAGES OF CHICKEN COOPS USING NON-REGULATED MATERIALS

The following images depict chicken coops made with these non-regulated materials as mentioned within the ordinance regarding the keeping of chickens in the City of St. Johns.

The City of St. Johns has recently allowed the keeping of chickens in back yards. There are not many non-tarp or non-fabric options for more temporary or smaller-scale coops typically desired for backyard chickens.

1. Multi-level wire chicken coop with green tarp cover.



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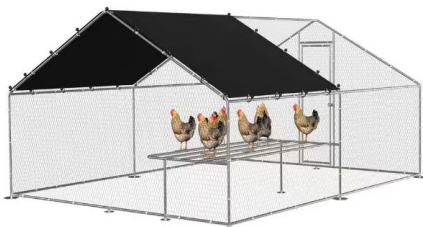
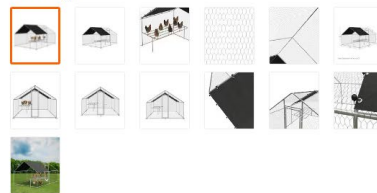
2. Open-space steel and wire chicken coop with rubber ropes holding the tarp in place. Found at Amazon [Amazon.com: Chicken Coop, Large Metal Chicken Coop Walk in Poultry Cage Hen Run House Rabbits Cage with Waterproof & Anti-UV Cover, Galvanized Steel Coops for Outdoor Backyard Farm Garden\(9.8' x 6.5' x 6.5'\) : Patio, Lawn & Garden](#)



3. Steel and wire chicken coop with zip ties holding the tarp in place. Found at Home Depot. [9.8' W x 13.1' L x 6.6' H Metal Chicken Coop Walk in Coop Galvanized Wire Poultry Waterproof UV Protection Cover KITTT-GGRE - The Home Depot](#)

9.8' W x 13.1' L x 6.6' H Metal Chicken Coop Walk in Coop
Galvanized Wire Poultry Waterproof UV Protection Cover
by Unbranded

Product Images





4. Walk-in steel and wire chicken coop with rubber rope holding the cloth in place. Found at Amazon.
[Amazon.com : Large Metal Chicken Coop Walk-in Poultry Cage Chicken Run Pen Dog Kennel Duck House with Waterproof and Anti-Ultraviolet Cover for Outdoor Farm Use\(9.8' L x 13.1' W x 6.4' H\) : Patio, Lawn & Garden](#)

LARGE CHICKEN COOP



Waterproof



Withcover



Quick-Connect
Frame



Fully
Galvanized

Chicken coop length: 13.1'

Chicken coop width: 9.8'

Chicken coop height: 6.4'



ALTERNATE MATERIALS IN PLACE OF NON-REGULATED MATERIALS

1. Wood
 - a. Wood can be used in place of steel and can be held more securely in place with nails. They can be used for siding as well as the roof to keep the chickens from in climate weather. However, wood does not allow the entrance of light.
2. Tin sheets
 - a. Metal can be used in place of tarps for roofing to keep chicken from in climate weather. However, metal does not allow for the entrance of light and can be more flimsy, sharp, and harder to nail down than tarps.



ALTERNATE WORDING TO ALLOW FOR MORE MATERIALS

1. “Materials not securely held in place.”
 - a. This would replace “plastic”, “tarps”, “fabric”, and “rubber” to allow for these materials as long as they are properly secured.
 - b. These would include materials that are either too light or flimsy to be held down such as thinner plastic that can rip too easily yet still allow for sturdier versions.
 - c. These would also include materials that cannot secure the structure well enough such as tapes or rubber bands yet still allow for more secure objects made from these materials such as zip ties.
2. “Non-waterproof materials.”
 - a. This would replace “fabric” to allow for these materials as long as they are waterproof.
3. “Brightly colored materials”
 - a. This would take care of any aesthetic concerns when it comes to the beforementioned materials that may distract from natural beauty or that displease fellow residents residing in the community.

We look forward to discussing potential revisions to the wording that could be used in place of “tarps”, “plastic”, “fabric” and “rubber” to allow for more flexibility in backyard chicken coops.

§ 155.200 KEEPING OF ANIMALS.

(A) Definitions. For the purpose of this section, the following definitions shall apply unless the context indicates or requires a different meaning.

DOMESTICATED ANIMALS. Animals taken care of in their day-to-day needs by humans.

EXOTIC OR WILD ANIMAL. Any animal not commonly domesticated in Michigan that is kept as a pet, raised for slaughter, or used for agricultural purposes, especially animals that pose a clear and present danger to humans. The following animals shall be considered EXOTIC OR WILD ANIMALS in all instances: big cats, venomous snakes, birds of prey, primates, deer, racoons, and opossums.

LIVESTOCK. A domesticated animal raised for slaughter or kept for the purposes of contributing to an agricultural use through labor, breeding, or the production of milk, eggs, manure, wool, or other animal-based products. The following animals shall be considered LIVESTOCK in all instances: cattle, horses, pigs, sheep, goats, turkeys, and chickens.

(B) All domesticated animals must be kept in safe and sanitary conditions appropriate to their species and in compliance with all county, state, and federal standards.

(C) The following domesticated animals may be kept on a residentially zoned lot:

(1) Livestock.

(a) A zoning permit shall be required to keep livestock on a lot. The Zoning Administrator shall have the jurisdiction to determine that an animal is considered livestock under this section, based on the definition in division (A). Appeals of the decision of the Zoning Administrator shall be to the Zoning Board of Appeals.

(b) Livestock with fur shall be prohibited within 500 feet of any dwelling unit. Examples include, but are not limited to: cattle, sheep, and horses.

(c) Chickens. Chickens shall only be permitted in the following circumstances:

1. Chickens shall only be permitted in the R-1, R-2, and R-3 Zoning Districts.
2. Lots under one acre shall be permitted to have up to four chickens. Lots over one acre shall be permitted to have up to six chickens.
3. Roosters shall not be permitted.
4. The slaughtering of any chicken is prohibited.
5. Chickens must be kept within a covered enclosure, including a coop and a run, at all times. Chickens shall not be allowed to roam the lot or any other property. The covered enclosure shall be exempt from the standards governing fences in § 155.187 and shall instead be subject to the regulations of this section.

6. The enclosed area where the chickens are kept, including the coop and the run, must meet the following standards:

A. It shall not be located in a front yard.

B. It shall be set back at least ten feet from any lot line and any residence on the same lot as the chicken enclosure.

C. It shall be set back at least 40 feet from any residence that is not on the same lot as the chicken enclosure.

D. It shall not exceed the maximum allowable height for a detached accessory structure in the zoning district it is located within.

E. It shall count as a structure for the purpose of calculating the maximum permitted lot coverage.

F. It shall be maintained in a clean and neat matter at all times.

G. The coop must be completely enclosed (exclusive of windows and doorways), with a roof and four walls of constructed of materials that are securely fastened together. One or more of the required walls may be the wall of an adjacent accessory building, provided that the coop is securely fastened to the adjacent accessory building. The following materials shall not be used to construct the enclosure area: tarps, plastic, fabric, rubber, paper, cardboard, or other non-traditional building materials.

H. Chicken feed must be kept in rodent-proof, sealed containers.

(d) Bees. Bees may be kept on any lot, provided the bee enclosure is located in the rear yard and is set back at least 20 feet from any lot line.

(D) Exotic or wild animals. Exotic or wild animals shall not be kept as domesticated animals anywhere in the city. See Chapter 92.

(E) Kennels. See § 155.437.

(Ord. 678, passed 8-28-2023)

§ 155.201 SIDEWALKS

- A. **Sidewalks Required.** Sidewalks, at least five feet in width and meeting the design and engineering requirements of the City of St. Johns shall be installed along the street frontage of a property whenever a Site Plan approval (of any type) is required under this Ordinance or whenever a new principal structure is constructed on any lot (including single family homes). Sidewalks shall also be installed along both sides of all new roadways constructed in the City of St. Johns.
- B. **Waiver Process.** The Planning Commission may waive the requirements of Subsection A based on the following criteria:
1. There is a legal, physical, or environmental impediment that makes the construction of a sidewalk meeting the City's design standards impossible, in the opinion of the Planning Commission.
 2. The granting of the waiver would not be detrimental to the public health, safety, or general welfare and would not create a precedent which would prevent the enforcement of the ordinance for similar conditions or situations in the area in which the property is located.
 3. A waiver not limited by a specific duration shall be deemed unspecified in length, but shall not be considered a permanent waiver of sidewalk requirements nor revoke in any way the right of the City to order, install, or assess for sidewalks in accordance with other sections of the Code of Ordinances upon a determination that conditions are necessary for the construction of sidewalk in accordance with public need, health, safety, and general welfare.
 4. In permitting a waiver, conditions of approval may be imposed that are necessary to meet the intent of this subsection or to preserve the public health, safety, and general welfare.

§ 95.44 DRIVEWAY APRONS; CONSTRUCTION REQUIRED.

Any existing driveway apron entering off of or onto a paved or tarred road which is not paved with concrete or approved bituminous asphalt shall be so paved within five years after the effective date of Ordinance 291 (September 14, 1977). If the owner or occupant of the property does not arrange for the paving and payment thereof himself, then the approach or driveway apron shall be paved by the city and the cost and expenses thereof shall be charged to such owner or occupant as part of a special assessment in the manner provided for special assessments by the City Charter. If the driveway aprons and approaches are not paved within five years of the effective date of Ordinance 291, the Zoning Administrator shall give the owner or occupant thereof 30 days notice to pave the same, and if such person, firm or corporation owning the property shall neglect or refuse to do so, then the Zoning Administrator shall cause the driveway apron or approach to be paved and he shall make a detailed report to the City Commission of the cost and expenses, which cost and expenses shall be charged to the owner or occupant in the manner provided by the Charter relative to special assessments. Any newly constructed driveway aprons or approaches shall be paved immediately after the cut is made into the traveled portion of the roadway and the base construction is completed.

(1990 Code, § 4.25)



February 21, 2024

Sunny Grewal
6085 Brook Lane
West Bloomfield, MI 48322
By Email

Subject: Cork & Bottle Liquor Expansion Site Plan Review #4

Dear Mr. Grewal,

As requested, we have reviewed the revised site plan received for the Cork & Bottle Liquor Store at 801 Old US-127. The applicant is proposing an expansion of the existing building on the East side of the structure. The site is zoned GC – General Commercial. Cork & Bottle Liquor is a permitted use that is not proposed to change.

Our comments regarding the criteria for approving the Site Plan follow.

- 1) **Dimensional Standards.** Below, we have analyzed the dimensional requirements for the lot. Cork & Bottle Liquor is situated on a corner lot, though Old US-127 is considered the front lot line because the parcel is addressed on Old US-127.

Standard Type	Ordinance Requirement (GC)	801 Old US-127 Proposed Conditions	Ordinance Compliance
Minimum Lot Area	10,000 sq. ft.	>10,000 sq. ft.	Yes
Minimum Lot Width	100 feet	>100 feet	Yes
Minimum Front Yard Setback (Old 127)	25 feet	>25 feet	Yes
Minimum Side Yard Setback (Sturgis Street)	0 OR at least 10 feet	16 feet, 1 inch	Yes
Minimum Side Yard Setback (South Lot Line)	0 OR at least 10 feet	>10 feet	Yes
Minimum Rear Yard Setback (East Lot Line)	None	>50 feet	Yes
Maximum Building Height	35 feet	19 feet, 10 inches (at greatest point)	Yes
Maximum Lot Coverage	70%	19.63%	Yes



2) Parking, Loading, and Access.

- a. **Number of Spaces.** Section 155.342 of the Zoning Ordinance states the parking requirement for a retail store use within the GC zone is one space per 500 square feet of gross floor area. The existing building and proposed expansion add up to approximately 5,874 square feet, for a requirement of 12 spaces. There are currently 27 proposed spaces on the site plan given, exceeding the requirements. As discussed at a previous Site Plan Review Committee Meeting, the applicant wishes to keep this excess parking to account for the parking needs of their customers and the separate restaurant within the building.
 - b. **Barrier-Free Spaces. At least one parking space out of every 25 must be barrier-free (i.e. reserved for people with disabilities).** With 27 parking spaces, two barrier-free spaces are required. There are three existing barrier-free spaces on the site plan given, so no additional spaces are required.
 - c. **Dimensions.** Most parking spaces have been dimensioned on the site plan. The dimensions shown for the proposed new parking spaces are 10 feet wide and 20 feet long, while the parallel parking spaces are approximately 10 feet wide and are 24 feet long, which complies with the Zoning Ordinance. The existing parking spaces may be considered existing nonconformities and are exempt from the current parking requirements.
 - d. **Paving and Striping.** The parking lot is proposed to be paved and new striping is planned for ingress and egress to the parcel, as discussed at a previous Site Plan Review Committee meeting.
 - e. **Loading Zone.** Section 155.344.C states: *“Each off-street loading and unloading space shall not be less than ten feet in width and 70 feet in length unless the Planning Commission determines during site plan review that a larger area is required based on the characteristics of the proposed use and its loading and unloading needs.”* The proposed loading zone shown on the site plan appears to meet these requirements, at approximately 10 feet and 7 inches wide and over 70 feet long, provided the area towards the proposed ramp and bollards counts towards this length.
 - f. **Sidewalks.** The revised site plan shows a new proposed sidewalk along Sturgis Street along the whole length of the parcel’s road frontage. As discussed at a previous Site Plan Review Committee meeting, a sidewalk will not be required along Old US-127, thus the additional sidewalk meets the requirements of the Zoning Ordinance.
- 3) **Trash Receptacles.** The revised site plan shows the dumpsters located at the eastern lot line with a screening fence of approximately 7 feet wide and 15 feet long. The location was agreed upon at the previous Site Plan Review Committee meeting. The location of the dumpster is aligned with the Southeastern corner of the proposed expansion along the East property line. The current landscape plan shows the dumpster located over the adjacent property line, but the site plan itself shows the correct location of the dumpster. **Please note that the Site Plan location for the dumpster is the one that is approved, not the Landscape Plan location.**



- 4) **Landscaping.** A landscaping plan has been included with the revised site plan, detailing the number and type of plantings proposed across 4 landscape islands. The site plan shows approximately 5 canopy trees and a multitude of shrubs and flowers. Section 155.296 allows the City to vary landscape requirements due to existing conditions on the site. Our recommendations below are an attempt to reconcile the landscape requirements with the realities of the site.
- a. **Buffer Zones.** The south side and rear (east) lot lines abut GC-zoned parcels, so no buffer zones are required. There is a residential use to the north along Sturgis Street. Section 155.297.B states that the City may require additional landscaping along the street frontage in order to screen a commercial use from a residential use across the street. Based on the discussion at a previous Site Plan Review Committee meeting, the Committee has agreed to waive additional landscaping due to the unusual circumstances of the property.
 - b. **Street Frontage Landscaping.** Along the right-of-way, 1 tree is required for every 30 feet of frontage. The front (Old 127) lot line is approximately 230 feet long, for a requirement of 8 trees. The Sturgis Street frontage is approximately 310 feet long, for a requirement of 11 trees. The current landscape plan does not contain the necessary amount of trees, though the number was reduced at the decision of the Site Plan Review Committee to allow for the new sidewalk to be implemented along Sturgis Street.
 - c. **Parking Lot Landscaping.** Section 155.298 of the Zoning Ordinance states that developments with more than 16 parking spaces must include parking lot islands with one (1) canopy tree per eight (8) spaces. With 27 proposed spaces, four (4) canopy trees must be included within parking lot islands. Islands are required to follow all the provisions of Section 155.298. The current landscape plan shows 5 canopy trees across 4 different landscape islands, meeting the requirements of the Zoning Ordinance.
 - d. **Landscaping Adjacent to Buildings.** Ornamental landscaping is required along the perimeter of buildings by Section 155.302. For commercial buildings like the one proposed, the landscape area must be 10% the size of the building. In this case, the requirement would be 565 square feet. Although the total area of landscaping is not clear, it appears that the 4 areas of landscaping will likely be sufficient.
 - e. **Tree Preservation.** There are no existing trees on the site. A street tree along Sturgis Street was removed in the past 2-3 years.
- 5) **Lighting.** A photometric plan was provided detailing the locations and illumination levels of all existing and proposed exterior light fixtures on the property. Section 155.191.E.7 states: *“The illumination projected from any property onto a non-residential use shall at no time exceed 1.0 footcandle, measured line-of-sight from any point on the receiving property.”* The current photometric plan shows two spots that illuminate greater than 1 footcandle of light at the property line. The first spot is at the property line adjacent to the proposed parallel parking spaces on the Southwest side of the property, measured at just 1.1 footcandles. The second spot is in the shared parking lot with the existing commercial use to the Southeast of the property, measured at 4.2 footcandles at its maximum. This would be considered an



existing nonconformity because of the shared parking lot lighting between the project parcel and the adjacent business.

- 6) **Signage.** One existing sign is labeled on the site plan given and is marked as “to be modified”. As discussed at the previous Site Plan Review Committee meeting, the applicant wishes to remodel the existing sign and provide additional landscaping. An additional sign is shown to be potentially located at the front entrance of the building, though it is yet to be determined if the sign will be implemented with this site plan. Further, we have been contacted by a billboard company wishing to locate a billboard on the site. All signage must meet the requirements of Chapter 153 of the Code of Ordinances, though they may be approved separately through a stand-alone sign permit application.

At this time, the application is **APPROVED**. A Zoning Permit will be issued by Zoning Administrator Ken Skunda, and the applicant may proceed to the Clinton County Building Department for a Building Permit.

As noted above, the dumpster must be placed where it is located on the Site Plan, not on the Landscape Plan.

We recommend that the proposed signage be submitted separately, for a stand-alone sign permit.

Please let us know if you have any questions.

Respectfully submitted,
McKENNA

Christopher Khorey, AICP
West Michigan Manager

Ethan Walthorn
Assistant Planner

**CITY OF ST. JOHNS, MICHIGAN
REQUEST FOR COMMISSION ACTION
January 15, 2024**

Department: Planning and Zoning	Attachments:
Subject: <i>Golf Cart Policy</i>	[X] Public Comments Received on Golf Carts [X] Comments from Public Safety on Golf Carts [X] Section 657a of the Michigan Vehicle Code, regarding Golf Carts
Prepared by: Chris Khorey	Approved by: City Manager, Chad A. Gamble, P.E.

SUMMARY/HIGHLIGHT: Because of the proliferation of golf cart usage on City streets, especially during events, the St. Johns Planning Commission has solicited public and expert comment regarding the topic. While golf carts are not “street legal” under State law and **are not currently permitted on St. Johns City streets**, the Michigan Vehicle Code permits cities with populations under 30,000 people to legalize and regulate them for use on city streets. Some nearby communities, such as Owosso and Elsie, have legalized golf cart usage on local roads.

The Planning Commission has heard advocacy in favor and against allowing golf carts on City streets, but has not established a clear consensus, and is seeking formal direction from the City Commission as to whether to continue their efforts.

BACKGROUND/DISCUSSION: While some community members has advocated for the legalization of golf carts, the City’s police department and Clinton County Ambulance have both advocated against.

Points made in favor of golf carts include efficiency during busy events, reduced carbon emissions, providing a healthy recreational outlet for families, and enhancing the City’s character and reputation.

The primary objection to golf carts is safety, particularly the potential for golf cart-automobile crashes, in which the golf cart driver and passengers would be at significant risk of injury or even death.

STRATEGIC PLAN OBJECTIVE: Master Plan Transportation Goal #1 States: “Preserve and enhance the level of service circulation and safety of the road network to support all users in the community.” However, “all users” does not necessarily mean all modes of transportation. While automobiles, pedestrians, trucks, emergency vehicles, and bicycles should clearly be accommodated in the transportation system, other types of vehicles are subject to the review and regulation of the City Commission.

FISCAL IMPACT: Legalizing golf carts would create new public safety costs, but could also produce revenue if the City decides to charge for registration. There could also be indirect economic development benefits.

RECOMMENDATION: The Planning Commission is seeking direction from the City Commission. Their motion included the following potential options:

- Instruct the Planning Commission to draft an Ordinance legalizing and regulating golf carts on City streets.
- Instruct the Planning Commission to cease its efforts in regards to golf carts, and maintain the status quo (which is that golf carts are not permitted on City streets).
- Instruct the Planning Commission to develop a pilot program, or other limited program of golf cart legalization (such as during events, or on summer weekends, only).
- Instruct the Planning Commission to take another course of action.

next planning commission meeting. There is no current committee. Do we think we should have a committee? He said he would request for the planning commission to appoint 3 members. He said one would be a city commission member.

Chairperson Hanover said that was used in the past.

Mr. Khorey said there is nothing in the ordinance that would prohibit the group from meeting virtually. He said it is not an official body and subject to any of the Michigan Zoning Enabling Act.

There was a discussion of:

- Transparency and who would otherwise approve the site plan.
 - Right now, they are brought here.
- A way to roll in decisions of this committee as a standing agenda item for this commission's purview.
 - Have a heading on the agenda and could put the approved site plan in the agenda.
 - All decisions are appealable to the ZBA (Zoning Board of Appeals) by the applicant and their neighbors.
- It would be for under 5,000 square feet, unless a single-family home or duplex, which goes to Mr. Khorey.
- A preliminary review for the mini commission.
 - McKenna would still provide a report.

Commissioner Mills said he was shocked these sorts of developments have to come for approval.

Mr. Khorey said you could recommend those go to administrative. He said you would have to do a public hearing, etc.

Commissioner Eshelman and Chairperson Hanover offered to be on the committee.

Mr. Khorey said we need one of the city commissioners also.

Motion by Commissioner Harger seconded by Commissioner Mills that the planning commission appoint 3 individuals to serve on the site plan committee (Hufnagel, Eshelman, Hanover).

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

Mr. Khorey said he would like a standing meeting time every two weeks and we can cancel if we don't need it.

7. OLD BUSINESS

A. Golf Cart Policies and Potential Amendment

Commissioner Eshelman said his focus was on people with limited mobility. He said for those people with electric wheelchairs, we can't prevent them from having golf carts. He said to take a step back and figure out what we do about people with golf carts at the Mint Festival. He said he lives on the same street as the police station and it appears there is no enforcement on this issue. Should we have a special access week for the Mint Festival? He said there have been a few garage sales since then and he noticed golf carts are out.

Chairperson Hanover said she doesn't like to make rules unless there is a need for rules.

Commissioner Eshelman said he was looking to make sure people with mobility issues had access. We can't overrule Federal law that allows it.

There was a discussion of:

- If there is a need for us to have a law.
 - If the community is under 30,000, you would have to make them street legal.
- ADA is a separate issue.

- Is there something to allowing them during Mint Festival.
- Is it a safety risk?
- Newer golf carts have headlights, brakes, turn signals, etc.
- Local municipalities that allow golf carts.
- Use of golfcarts with a boundary for their use or tied to a special event permit with street closures or a specific boundary.
- If golfcarts can be parked in the front and back yards.
- The police chief is opposed to allowing golf carts on the streets 365 days.
- Possibly allowing on Saturdays.
- Exemption for enforcement of trail system.
- Get a recommendation from the DDA from an economic development standpoint.
- Chris researching LTV.
- Taking a look at the chief's email and bullet points.
- Setting up appointment for the chief to discuss with and Owosso and Elsie.
- Moving forward cautiously on this.

B. Downtown Parking Policies and Potential Amendment

Chris Khorey discussed: the map; the Brush, State, Walker, and Ottawa area; avoids residential; Lansing Street is out right now, but could be added; could add the entire mixed-use district.

Chairperson Hanover discussed the purple area. She asked that we discuss this another evening.

Mr. Khorey said he can make a couple of edits to the map and bring it back next time.

Chairperson Hanover said she liked the idea of a fee.

8. COMMISSIONER COMMENTS

Commissioner Eshelman said we should take the time and follow-up on what the business community thinks about golf carts. He said they should get Scott and Eric's impressions as city commissioners also. He said it changes the aspect of the community. He said golfcarts are primarily around retirement communities. Do they want to see the city go in that direction?

9. ADJOURNMENT

Motion by Commissioner Holden seconded by Commissioner Mills that the Planning Commission adjourn the meeting.

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

The meeting was adjourned at 7:24 p.m.

Motion carried.

7. OLD BUSINESS

A. Golf Cart Policies and Potential Amendment

Chris Khorey, McKenna, said we have a first draft of a golf cart ordinance. He discussed what the first draft includes and the rules.

Chair Hanover said she talked to the downtown businesses and it didn't matter to them if people use a car or a golf cart.

Alex Shinabarger was present. He said he recently got a golf cart and loves riding around town and takes his niece. He said it has a horn, headlights, blinkers, and wipers.

Chair Hanover said right now golf carts aren't legal.

Mr. Shinabarger said he is good with the city coming up with a sticker that registers them and put that money towards a park. He said Gratiot County requires you to put an ORV sticker on it.

Mr. Khorey said it would require you to register your golf cart and you get a sticker, but at no cost.

Commissioner Eshelman asked if he got a golf cart preliminarily because of limited mobility.

Mr. Shinabarger said no.

There was a discussion of:

- State law says we have to pass something to make them legal.
- Public safety concern.
- Campgrounds are, in most cases, private roads.
- Issues with utilizing public streets.
- Ease of golf carts tipping over.
- ORV sticker allows you to do that, offroad.

David Andrews was present. He said he has a golf cart he spent \$10,000 on and they ride along the side of the road. He discussed motorized bikes.

There was a discussion of:

- Helmets
 - Additional rules of reflectors and helmets if conventional golf cart.
- List of things under LVT is up for discussion.
- No helmet law for bikes.

Chief Kirk said they are not legal because they are not safe. He discussed: the fulcrum points on golf carts vs. ORV; the county ordinance mechanically excludes golf carts; seeing golf carts with additional seating on Halloween and feet blocking the taillights; closing streets to vehicular traffic for an event; crossing at Sturgis & 27, not enough time with the light; catastrophic injuries at 10 mph; motorized vehicles have gotten ahead of the motor vehicle code.

There was a discussion of:

- Rule for a helmet on a moped.
 - Up to a certain age; special insurance also.
- No travel lanes to protect those vehicles right now.
- Liability on behalf of the city.

- Staff will get more information from the legal perspective and report back.
- What liability the city might have if creating an ordinance and then if we don't enforce it adequately.
- Questions of enforcement and potential staff time, registering people and staff time, staff time making stops.
- Insurance
- Elsie and Owosso allow golf carts
 - Chief Kirk talked to the Elsie police chief.
 - Roadway in Elsie is significantly different.
 - They haven't had significant problems.
- Gauge sentiments of community
- If there is a meeting set up with Owosso, maybe Commissioner Eshelman could attend.

B. RV Parking Amendment

Chris Khorey, McKenna, discussed 155.341 of the zoning ordinances. He discussed: it includes RV parking; subsection E would expand the allowable materials that would be considered a hard surface.

There was a discussion of:

- People parking on the driveway approaches.
 - Clarified that it also needs to be paved.
- Definition of recreational vehicle: ATV's and golf carts are listed as RV's.
- For small RV, we may have a different set of standards.
 - Right now, only allows one RV to be parked outside.
- The draft language.
- Hard surface, widens out description but doesn't include gravel.
- Added rear yard.
- Corner lots.
- Driveway in front of the house.
 - Change confusing language and remove driveway.
- Not sure about allowing in summer to put vehicles on grass.
- Should be allowing in the rear yard.
- Providing clarity on ordinances; importance of us communicating to the public about what our ordinances are.
- Definition of recreational vehicle - list is concerning and pretty restrictive.
- Turf pavers
- Section E, clarify complete surface.
- Section F, small RV.
- Some sort of initial grace period, such as 7 days.
- Trailers being separated out.

C. Downtown Parking Policies and Potential Amendment

Chris Khorey, McKenna, said if you are comfortable with the policies, we could put it in ordinance format. He summarized the proposed changes.

There was a discussion of:

- Payment in lieu of parking.
 - Case-by-case basis.
- Percentages and numbers.

Mr. Khorey said the next step would be a public hearing in January.

8. COMMISSIONER COMMENTS

Commissioner Eshelman said he appreciated everyone's efforts. He discussed making fellow citizens' lives better, input from the police chief. He said Owosso was surprised we had an active planning commission.

Chair Hanover said she appreciated his and Brian's engagement.

Commissioner Mills said Chair Hanover and himself met with the committee on the rental checklist. He said the chair did an excellent job with changes and he thinks we are making progress with them and they feel part of the process. He discussed that anyone that is willing to invest their time and come to a meeting we should get their name, address, and email and add them by default to the planning commission's notice of meetings.

City Manager Gamble said we are actively looking at different types of software. He said we anticipate having a proposal in the 2024/25 budget. He said we want to have them sign up and desire that.

Commissioner Hufnagel apologized for being absent at the last meeting.

9. ADJOURNMENT

Motion by Commissioner Dzurka seconded by Commissioner Eshelman that the Planning Commission adjourn the meeting.

YEA: Hanover, Holden, Harger, Dzurka, Hufnagel, Eshelman, Mills

NAY: None

Motion carried.

The meeting was adjourned at 7:59 p.m.

From: [Chad Gamble](#)
To: [Christopher Khorey](#)
Cc: [David Kirk](#)
Subject: FW: Golf Cart Follow Up
Date: Sunday, November 12, 2023 6:47:50 PM

Chris,
FYI.

Chad A. Gamble, P.E.
City Manager
989-224-8944 EXT. 231 (office)
City of St. Johns, Michigan
100 East State Street, Suite 1100, P.O. Box 477
St. Johns, Michigan 48879-0477

-----Original Message-----

From: David Kirk <dkirk@sjpolice.org>
Sent: Friday, November 10, 2023 7:10 AM
To: Chad Gamble <cgamble@stjohnsmi.gov>
Subject: Golf Cart Follow Up

Good morning,

I followed up Owosso's Public Safety Director regarding golf carts. I was particularly interested in what "mobility" was resolved with the carts that was referenced at our meeting as well as anything else that stood out. In my assessment, if we create a solution for a bonafide issue such as limited mobility, the benefit could mitigate some of the risk factors. Director Lenkart is unaware of any issue related to an improving mobility for a group or area within the city. He added that seeing golf carts in use is relatively rare. One person who is a crossing guard 2 blocks from his home drives from his house to the crossing. That person doesn't have limited mobility but rather uses the cart as a convenience. The only other noteworthy thing that the Director recalled was a subject drove a cart while intoxicated, flipped it and injured himself. The operator inevitably was arrested for OWI.

I also contacted State Farm and inquired about insurance for golf carts. According to that office, golf carts can not have road coverage unless they are permitted by the city, township or village they are operating in. If there is no such allowance then the carts can only be insured for damage while on private property. The example the agent gave was hitting a stump and damaging the cart. Lastly, I asked who is responsible if a cart is struck by a vehicle when they're operating on the road. Those claims revert back to the insurance on the motor vehicle that collides with the cart regardless of who's at fault.

Just wanted to share a couple informational tidbits.

Have a great weekend!

Sent from my iPhone

From: [David Kirk](#)
To: [Christopher Khorey](#)
Subject: FW: Golf cart use thoughts
Date: Tuesday, January 2, 2024 8:46:32 AM

Chris,

Attached is information from our ambulance service regarding golf cart operation that was requested at the last Planning Committee meeting. I think I inadvertently failed to copy you when I sent the response to the City Manager.

Chief David Kirk
St. Johns Police Department
989-224-6721 ext. 277

dkirk@sjpolice.org

"Be sure you put your feet in the right place, then stand firm."
-Abraham Lincoln

From: director clintonambulance.com <director@clintonambulance.com>
Sent: Friday, December 29, 2023 2:01 PM
To: David Kirk <dkirk@sjpolice.org>; Andrew Tobias <atobias@sjpolice.org>
Cc: admin clintonambulance.com <admin@clintonambulance.com>; innovationcoordinator2 clintonambulance.com <innovationcoordinator2@clintonambulance.com>
Subject: Golf cart use thoughts

Greetings Gentlemen,

The conversation regarding the operation of golf carts in the City has generated plenty of conversation around the base. Several of our crew have responded to these crashes here, as well as with other agencies they have worked for, some with severe injuries and one death. Jen has done most of the research, and links to some of the articles of interest are below. A major point of interest is the fact that many of the articles are published by law firms, and deal with the likelihood of litigation in these incidents. There are always damages, and someone must be sued to recover those damages. Those being sued must now retain legal counsel to defend themselves from losing everything they may have, making the only winners the law firms. In our opinion, there is a significant risk with adding vehicles with no safety requirements or equipment to our streets, with no benefit other than perhaps convenience.

Some points of interest:

- There are an estimated 15,000 golf cart accident injuries *reported* annually.
- Many of these accidents are in gated communities, where traffic volume is much lower than what we see in St Johns, and speeds limited.
- Approximately 10% are rollover events, which have the highest incidence of death and serious

injury.

- Small children and teenagers account for approximately one-third of reported injuries.
- The lack of seat belts allows for ejection, resulting in neck and spinal injuries, traumatic brain injury, fractures, lacerations, and significant “road rash”. Think minimally an ED visit, possibly an expensive ambulance ride, and a potentially astronomical hospital stay, or perhaps a funeral.
- Much of the published information is by law firms, who often recommend consulting an attorney that specializes in golf cart accidents. This should provide folks with an idea of what they may have to go through emotionally and financially should they be a party involved in a golf cart accident.
- A person’s automobile insurance doesn’t cover a golf cart in most cases. Litigation is presented as the best way to recover expenses related to a golf cart accident with the cart owner and/or operator potentially liable. The more serious injuries that result in death or disability will take a huge emotional and financial toll on those involved, on both sides of the battle...

[https://link.edgepilot.com/s/a892bc1d/ziQ3wyYtXkSXbxwuqjahvA?
u=https://www.medlegal360.com/golf-cart-accidents/](https://link.edgepilot.com/s/a892bc1d/ziQ3wyYtXkSXbxwuqjahvA?u=https://www.medlegal360.com/golf-cart-accidents/)
[https://link.edgepilot.com/s/5f1eec9e/ACnX0TBsbUCVAwb8YDLBdQ?
u=https://www.lowmanlawfirm.com/blog/bid/103748/4-Golf-Cart-Accident-Statistics-
That-May-Surprise-You](https://link.edgepilot.com/s/5f1eec9e/ACnX0TBsbUCVAwb8YDLBdQ?u=https://www.lowmanlawfirm.com/blog/bid/103748/4-Golf-Cart-Accident-Statistics-That-May-Surprise-You)
[https://link.edgepilot.com/s/8e1aa9d8/NVBIINbPEUSek-zHworeZg?
u=https://pubmed.ncbi.nlm.nih.gov/36939841/](https://link.edgepilot.com/s/8e1aa9d8/NVBIINbPEUSek-zHworeZg?u=https://pubmed.ncbi.nlm.nih.gov/36939841/)

[https://link.edgepilot.com/s/d7f6b68b/ISJYN-vt6UKcNr_5j9D2nw?
u=https://www.thedrive.com/news/golf-cart-crash-test-is-absolute-carnage-even-at-just-30-mph](https://link.edgepilot.com/s/d7f6b68b/ISJYN-vt6UKcNr_5j9D2nw?u=https://www.thedrive.com/news/golf-cart-crash-test-is-absolute-carnage-even-at-just-30-mph)

This last video was done by Euro NCAP, the British version of NHTSA. This is a crash test video, using a golf cart that does have seat belts in frontal and side impact crashes at 31mph. I was originally thinking that if a compromise were sought, that safety equipment would be a part of that. Watch the videos to see how little protection seat belts offer. Some may argue that carts may go slower than that, the speed that matters the most is whoever is going faster, the cart or any vehicle they encounter.

If there is anything else you need, please let us know. We feel we are far enough removed from the conversations to be unbiased, and we feel putting golf carts on the streets and sidewalks of St Johns is a bad idea.


Respectfully,


Lynn


**Lynn Weber EMT-P/IC
Director**

Clinton Area Ambulance Service Authority

 Email: director@clintonambulance.com

 Phone: cell 517-719-8090 / office 989-227-5713

 Fax: 989-224-7870

 Address: 1001 S. Oakland St. PO Box 203 Saint Johns, MI 48879

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As a citizen of St. Johns I feel that golf carts and side by side vehicles should be allowed on city streets. I also feel that if this is allowed that there needs to be rules in place. I have occasionally operated my golf cart on city streets giving my grandchildren and senior citizen members of our family rides. The children really enjoy this, but the senior citizens I believe enjoy this more. I took my 82 year old Aunt for a couple of rides this summer and you would have thought that I took her to Disney World. I believe that this would be a good thing for our community. I have attached a list of rules that I feel would help make this successful. Thank you for your consideration on this subject.

Everett Thornton

Must be 21 with a valid drivers license.

Can be operated during daylight hours only.

Must obey all traffic laws.

Hand signals must be used when making a turn.

Must have brake lights and a ORV license.

Children 12 and under must wear a seat belt.

Must have a rearview mirror.

Can not be operated on business 27 or M21. Only crossing these two roadways are permitted.

Along with golf carts, side by side vehicles should also obey these rules.

Heather Hanover
Chair

James Eshelman
Vice-Chair

Commissioners

Scott Dzurka, Mayor
Eric Hufnagel, Commissioner
Mark Holden
Melvin Renfrow
Eric Harger
Brian Mills
Vacant



PLANNING COMMISSION

DECEMBER 6, 2023
REGULAR MEETING MINUTES

1. CALL TO ORDER

The meeting of the St. Johns Planning Commission was called to order by Chair Hanover at 4:01 p.m.

Members Present: Heather Hanover, Mark Holden, Eric Harger, Scott Dzurka, Eric Hufnagel, James Eshelman, Brian Mills

Members Absent: Melvin Renfrow

Staff Present: Chad Gamble, City Manager; Mindy Seavey, City Clerk; Chris Khorey, McKenna; Ken Skunda, McKenna

2. APPROVAL OF AGENDA

Chair Hanover added 5D. Chicken Ordinance Discussion to the agenda.

Motion by Commissioner Dzurka seconded by Commissioner Hufnagel to approve the agenda as amended.

YEA: Hanover, Holden, Harger, Dzurka, Hufnagel, Eshelman, Mills

NAY: None

Motion carried.

3. APPROVAL OF MINUTES – NOVEMBER 8, 2023 MEETING

Motion by Commissioner Holden seconded by Commissioner Mills to approve the minutes as presented.

YEA: Hanover, Holden, Harger, Dzurka, Hufnagel, Eshelman, Mills

NAY: None

Motion carried.

4. NEW BUSINESS: NONE

5. OLD BUSINESS

A. Golf Cart Policies and Potential Amendment

Mayor Dzurka said it is important to share our research with other communities, insurance information, etc. He discussed the county's ORV ordinance. At this time, there is nothing on the books that allows golfcarts in the city; State legislation allows a city to pass policy to allow them.

There was a discussion of:

- The city commission might be hesitant to approve; behoove us to go to the city commission before.
 - Safety concerns; in exploration phase.
 - Commission interested, but want to know about safety.
- Concerns about use in areas of parking of higher density (Kroger, high school).
- Motor vehicles and golf carts; golf carts are not designed to take that kind of impact.
- A homeowners' policy is not going to be enough to cover.
 - You can get road insurance, but city would have to approve golf carts first.
- The county ordinance, passed ATV's not golf carts, they require helmets.
- Procedure: Planning Commission/City Commission.

Chairperson Hanover asked if there were any comments from the public.

Ed Brandon, lives outside of city and manages the hardware store, was present. He discussed: he knows golfcarts seem scary; what about mopeds; health insurance covers if there is a car accident; an opportunity to bring in business; we have a golfcart repair shop; the time slot move up may have kept people from coming; some bicycles go faster than a golfcart and are not insured; he has a golfcart at home and rides it; seatbelts can be bought on Amazon and lights; they go 20-25 miles at the most; Elsie. He asked about the stats on how many accidents involving golfcarts?

Chief Kirk was present. He said from the police department standpoint they assess safety. He discussed: collision ratings and things that happen to people on those can't be deemed safe; roads engineered for golfcarts is a different issue; no disputing there are unsafe bicycles, mopeds, and motorcycles on the streets; understand they are fun, mobility, save gas; their recommendation is from a very specific safety aspect; insurance: if allowable, there are riders you can put onto your auto insurance, one agent told him the claim would go to the driver with insurance coverage.

Chairperson Hanover said currently they are not allowed on the road.

There was a discussion of:

- Police enforcement
- Mopeds and electric bikes are allowed by the state already.
 - Technology has exceeded statutes.
- Clinton County ORV ordinance
- Possible to try for one year and look at what happens with the Mint Festival?
 - At commission level, they could set parameters.

Chris Khorey, McKenna, said on the county ORV, it applies on county roads and does not apply to the city. It is not intended to include golfcarts.

Mayor Dzurka asked if it was feasible to gather an overview of the public safety aspects of this to present to the commission so they understand.

Chairperson Hanover asked if Chris can work on this.

Mr. Khorey said potentially the chief has access to crash data.

Chief Kirk said crash data was included. He said he could get input from the ambulance and rescue personnel.

City Manager Gamble discussed a deeper scrub from the safety and insurance perspective and then do a deeper dive and start formulating the body of the ordinance.

Mayor Dzurka asked if the MML might be a resource with other communities that have adopted this. He asked Commissioner Eshelman if he had a chance to talk with Owosso.

Commissioner Eshelman said only with officials.

Chief Kirk said he did contact Owosso. He discussed an OUIL golfcart crash.

Alex Shinabarger, 609 W. Higham, was present. He said he was curious what a private parking lot has to do with golfcarts.

Chairperson Hanover said it is another part of the equation.

Mr. Shinabarger discussed one-wheel skateboards are allowed on the road.

Mayor Dzurka said that is not our choice. He said he was curious on quasi-street legal for communities and those who have set requirements. Is it safer and are they seeing less crashes?

Chief Kirk said a list of things that can be included. They are not engineered to withstand any kind of crash and discussed the fulcrum point on golfcarts. He said he can try to dig more specifically.

B. RV Parking Amendment

Chris Khorey, McKenna, discussed the first version is the one to look at.

- Changes in the latest draft
 - Section E
 - Allows permeable pavement to be used.
 - Allows zoning administrator to approve other hard surfaces.
 - Section F
 - New section, applies to driveway approaches.
 - Does not include any trigger based on sale of property. Does include trigger to pave approach at time of site plan approval.
 - Section G
 - Split into two sections, full size and small RV
 - Section H
 - Under 10,000 sf – park 1 outdoors
 - Discussion there is no minimum
 - 10,000-20,000 sf – park 2
 - Over 20,000 sf – park 3

Chairperson Hanover left at 4:55 pm

- Paved area definition.
- To store in wintertime, would have to obtain zoning permit and it doesn't have to be renewed.
- Summer RV, right now only allowed to park on side yard in grass, should be side and rear.
 - Zoning permit not required for this.
- Anyone can store on lot for 7 days (grace period).

There was a discussion of:

- Dimension for hard surface.
- Requirement for parking space in city.
- This is less restrictive.
- End of driveway.



History: 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977;—Am. 2000, Act 82, Eff. July 1, 2000;—Am. 2002, Act 494, Imd. Eff. July 3, 2002;—Am. 2015, Act 126, Imd. Eff. July 15, 2015;—Am. 2017, Act 139, Eff. Jan. 28, 2018;—Am. 2018, Act 204, Eff. Sept. 18, 2018.

257.657a Operation of golf cart on village, city, or township streets or state trunk line highway.

Sec. 657a. (1) A village or city having a population of fewer than 30,000 individuals based upon the 2010 decennial census may by resolution allow the operation of golf carts on the streets of that village or city, subject to the requirements of this section. A township having a population of fewer than 30,000 individuals based upon the 2010 decennial census may by resolution, unless disapproved by the county board of commissioners under subsection (3), allow the operation of golf carts on the streets of that township, subject to the requirements of this section.

(2) If a village, city, or township allows the operation of golf carts on the streets of that village, city, or township, that village, city, or township may require those golf carts and the operators of those golf carts to be recorded on a list maintained by that village, city, or township. A village, city, or township shall not charge a fee for listing golf carts or the operators of those golf carts.

(3) A county board of commissioners may, by resolution, disapprove the operation of golf carts on the streets of a township located within that county if the county board of commissioners conducts a hearing and determines that 1 or more of the following apply:

(a) The operation of golf carts on the streets of that township would cause significant environmental damage.

(b) The operation of golf carts on the streets of that township would cause a significant concern of public safety.

(4) The county board of commissioners shall provide public notice of a hearing under subsection (3) at least 45 days before the hearing is conducted. The county board of commissioners shall also provide written notice of a hearing under subsection (3) to the township at least 45 days before the hearing is conducted.

(5) A person shall not operate a golf cart on any street unless he or she is at least 16 years old and is licensed to operate a motor vehicle.

(6) The operator of a golf cart shall comply with the signal requirements of section 648 that apply to the operation of a vehicle.

(7) A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction.

(8) Except as otherwise provided in subsection (9), a person shall not operate a golf cart on a state trunk line highway. This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a street of a village, city, or township, using the most direct line of crossing.

(9) The legislative body of a local unit of government may request the state transportation department to authorize the local unit of government to adopt an ordinance authorizing the operation of golf carts on a state trunk line highway, other than an interstate highway, located within the local unit of government. The request shall describe how the authorization would meet the requirements of subsection (10). The state transportation department shall solicit comment on the request from the local units of government where the state trunk line highway is located. The state transportation department shall consider comments received on the request before making a decision on the request. The state transportation department shall grant the request in whole or in part or deny the request not more than 60 days after the request is received. If the state transportation department grants a request in whole or in part under this subsection, the local unit of government that submitted the request may adopt an ordinance authorizing the operation of golf carts on the state trunk line highway that was the subject of the request. A county may submit a request for authorization under this subsection on behalf of 1 or more local units of government located within that county if requested by those local units of government.

(10) The state transportation department shall authorize operation of a golf cart under subsection (9) only on a state trunk line highway that is not an interstate highway within a local unit of government that has already adopted an ordinance under subsection (1), that serves as a connector between portions of the local unit of government that only connect through the state trunk line highway, and that meets 1 or more of the following requirements:

(a) Provides access to tourist attractions, food service establishments, fuel, motels, or other services.

(b) Serves as a connector between 2 segments of the same county road that run along discontinuous town lines.

(c) Includes a bridge or culvert that allows a golf cart to cross a river, stream, wetland, or gully that is not

crossed by a street or county road on which golf carts are authorized to operate under an ordinance adopted as provided in subsection (1).

(11) The state transportation department may permanently or temporarily close a state trunk line highway to the operation of golf carts otherwise authorized under subsection (9) after written notice to the clerk of the local unit of government that requested the authorization under subsection (9). The notice shall be in writing and sent by first-class United States mail or personally delivered not less than 30 days before the adoption of the rule or order closing the state trunk line highway. The notice shall set forth specific reasons for the closure. The state transportation department is not required to develop a plan for an alternate route for a state trunk line highway that it has temporarily closed to the operation of golf carts.

(12) Where a usable and designated path for golf carts is provided adjacent to a highway or street, a person operating a golf cart may, by local ordinance, be required to use that path.

(13) A person operating a golf cart shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a 2-way street or on the left or right of traffic in the case of a 1-way street, in an unoccupied lane.

(14) A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians.

(15) A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a state trunk line highway or a highway or street with a speed limit of more than 30 miles per hour except to cross that state trunk line highway or highway or street. A village, city, or township may, by resolution, designate roads or classifications of roads for use by golf carts under this subsection.

(16) A golf cart shall not be operated on a state trunk line highway or the streets of a city, village, or township during the time period from 1/2 hour before sunset to 1/2 hour after sunrise.

(17) A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.

(18) A person operating a golf cart on a state trunk line highway shall ride as near to the right side of the roadway as practicable.

(19) This section does not apply to a police officer in the performance of his or her official duties.

(20) A golf cart operated on a street of a village, city, or township under this section is not required to be registered under this act for purposes of section 3101 of the insurance code of 1956, 1956 PA 218, MCL 500.3101.

(21) As used in this section, "golf cart" means a vehicle designed for transportation while playing the game of golf. A village, city, or township may require a golf cart registered within its jurisdiction to meet any or all of the following vehicle safety requirements of a low-speed vehicle for approval under this section:

(a) At least 2 headlamps that comply with section 685.

(b) At least 1 tail lamp that complies with section 686.

(c) At least 1 stop lamp and 1 lamp or mechanical signal device that comply with sections 697 and 697b.

(d) At least 1 red reflector on each side of the golf cart as far to the rear as practicable and 1 red reflector on the rear of the golf cart as required for low-speed vehicles by 49 CFR 571.500.

(e) One exterior mirror mounted on the driver's side of the golf cart and either 1 exterior mirror mounted on the passenger side of the golf cart or 1 interior mirror as required for low-speed vehicles by 49 CFR 571.500.

(f) Brakes and a parking brake that comply with section 704.

(g) A horn that complies with section 706.

(h) A windshield that complies with section 708a.

(i) A manufacturer's identification number permanently affixed to the frame of the golf cart.

(j) Safety belts that comply with section 710a and that are used as required by section 710e.

(k) The crash helmet requirements applicable to low-speed vehicles under section 658b.

History: Add. 2014, Act 491, Imd. Eff. Jan. 13, 2015;—Am. 2018, Act 139, Eff. Aug. 8, 2018.

257.658 Riding on seat of bicycle, motorcycle, moped, electric skateboard, or electric personal assistive mobility device; number of persons; wearing of crash helmet; conditions; rules; requirements for autocycle.

Sec. 658. (1) A person propelling a bicycle or operating a motorcycle or moped shall not ride other than upon and astride a permanent and regular seat attached to that vehicle.

(2) A bicycle or motorcycle shall not be used to carry more persons at 1 time than the number for which it is designed and equipped.

(3) An electric personal assistive mobility device or an electric skateboard shall not be used to carry more than 1 person at a time.

(4) A person less than 19 years of age operating a moped on a public thoroughfare shall wear a crash helmet.



MCKENNA

March 1, 2024

Brian English
Capitol Legal and Consulting
200 N. Washington Square
Lansing, MI 48933

Subject: Cork & Bottle Liquor Billboard Sign Review

Dear Mr. English,

As requested, we have reviewed the site plan received for a billboard located at the Cork & Bottle Liquor Store at 801 Old US-127. The applicant is proposing a billboard in the existing parking lot island on the Southwest side of the parcel. The site is zoned GC – General Commercial. Billboards are permitted in the GC district.

The proposed billboard is shown to be approximately 10 feet by 20 feet, with a 30-foot height. The proposed design shows two concepts for the billboard. We request that the applicant choose one of these concepts for review rather than proposing both concepts.

Our comments regarding the criteria for approving the billboard follow.

- 1) **Illumination.** Section 155.191.H.3 of the St. Johns Zoning Ordinance states that *“The illumination of billboards shall be limited to commercial and industrial zoning districts and the illumination of billboards within 400 feet of a residential district or use shall not be permitted.”* Under this provision, an illuminated or digital billboard would not be allowed on the property due to it being less than 400 feet from residential lots to the North.
- 2) **Billboards.** Section 153.06 of the St. Johns Code of Ordinances states that billboards are allowed only along state highways and shall be spaced a minimum of 2,000 feet from each sign. There appear to be no other billboards within 2,000 feet of the proposed location along Old US-127, meeting the requirement of this provision.
- 3) **Freestanding Signs.** Section 153.05 of the St. Johns Code of Ordinances states that exactly one freestanding sign is allowed in the GC district, so long as the sign does not exceed 30 feet in height, does not exceed 50 square feet in area, and has at least 8 feet of space between the grade and the bottom of the sign. The currently proposed signs include two freestanding signs of an unknown area and an estimated height of 8 feet at the minimum. The applicant must provide a revised signage plan condensing both freestanding signs into a single sign of no more than 50 square feet in area.
- 4) **General Requirements.** Section 153.09 of the St. Johns Code of Ordinances states the following requirements for all signs:
 - a. No signs may be placed in or overhang into a public right-of-way other than signs established and maintained by the city, county, state, or federal government.

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- b. No light pole, utility pole, tree or other supporting member shall be used for the placement of any sign unless specifically designed and approved for such use.
- c. Signs may not be placed so as to obstruct the clear vision of motorists or pedestrians or be confused with any authorized traffic sign, signal, or device or constitute a nuisance per se.
- d. No commercial vehicle, which in the opinion of the Zoning Administrator has the intended function of acting as a sign, shall be parked in an area abutting the street, unless no other parking area is available.

These requirements appear to be met by the proposed conditions on the signage plan given.

At this time, the application is **NOT APPROVED**. The applicant should submit a revised signage plan with the following revisions:

1. The billboard cannot be illuminated due to the proximity of residential lots and therefore cannot be a digital display. The proposed billboard must not be a digital sign as proposed in the plan received and must not feature any form of illumination so as to not incur glare on the adjacent residential properties to the North.
2. The applicant should choose one of the two concepts to be reviewed instead of proposing two different designs.
3. The two freestanding signs underneath the billboard must be combined into a single freestanding sign that does not exceed 30 feet in height, is less than 50 square feet in area, and has at least 8 feet of ground clearance.

We request the applicant resubmit their application with the above revisions to be reviewed for approval. Please do not hesitate to contact us with any questions you may have.

Respectfully submitted,
McKENNA

Christopher Khorey, AICP
West Michigan Manager

Ethan Walthorn
Assistant Planner