



**PLANNING BOARD MEETING AGENDA  
AUGUST 14, 2025 – 7:00 P.M.**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALEGIANCE TO THE FLAG**

**APPROVAL OF MINUTES**

1. Consider Approval of Meeting Minutes July 17, 2025

**CITIZEN COMMENT ON AGENDA ITEMS**

**COMMUNICATIONS – None**

**UNFINISHED BUSINESS - None**

**NEW BUSINESS**

1. Consider Site Plan Review 106 West State Street
2. Consider Review of PUD Option
3. Consider Discussion regarding Social District(s)
4. Consider Discussion of General Business License (GBL)

**CITIZEN COMMENT**

**PLANNING COMMISSION MEMBER COMMENTS**

**ADJOURNMENT**

HOME OF THE ANNUAL BLUEBERRY FESTIVAL

139 S. SAGINAW ST. MONTROSE, MI 48457 / PHONE (810) 639-6168

**MONTROSE PLANNING BOARD MEETING MINUTES**  
**July 14, 2025**

**CALL TO ORDER:** Vice Chairman Anthony Brown called the Planning Board meeting to order at 6:42 p.m. The meeting was held at the Montrose City Office at 139 S. Saginaw Street, Montrose, MI

**ROLL CALL:** Present Members were, Anthony Brown, Todd Baryo, Paul Wixson and Warren Edwards. Also present were Council Representative Lori Machuk and Interim City Manager Joe Karlichek. Absent: Chairman Ray Foust, and Members Ashley Putnam and Connor Pangle.

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Vice Chairman Anthony Brown led the Pledge of the Allegiance.

**APPROVAL OF MINUTES**

*1. APRIL 23, 2025, PLANNING BOARD MEETING MINUTES:*

- **MOTION** by Edwards **SECOND** Baryo to approve the meeting minutes. All Ayes. Motion Passed.

**CITIZEN COMMENT ON AGENDA ITEMS:** Mr. Timothy Mazur, city of Montrose Building Inspector introduced himself to the board.

**COMMUNICATIONS:** NONE

**PUBLIC HEARING:** NONE

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

It is recommended that the Planning Commission move to forward the draft Housing Study to City Council and request the Council to authorize the distribution of the study for review in accordance with State Law.

- Motion by Mr. Baryo (above new business read as motion). SECOND Mr. Edwards. All Ayes. Motion Carried.

**EXTENDED CITIZEN COMMENTS:** NONE

**EXTENDED MEMBER COMMENTS:** Vice Chairman Anthony Brown asked the following two items be added to next agenda: 1) General Business License (GBL). Interim City Manager advised the PC the GBL is in abeyance for an additional 90 days by city council and that city administration is investigating the GBL to determine its validity, oversight and recommend changes, if any, to the current ordinance. 2) Interim City Manager to provide the PC options for social districts for the PC to consider within the DDA District.

**ADJOURNMENT**

- **MOTION** by Brown **SECOND** by Wixson to adjourn the meeting. All Ayes. Motion Carried.

Vice Chairman Anthony Brown adjourned the meeting at 7:25 p.m.  
Prepared by City Manager, Joe Karlichek

# CITY OF MONTROSE MEMORANDUM

**Date:** August 5, 2025

**To:** Chairman Foust and Planning Commission Members

**From:** Joe Karlichek, Interim City Manager 

**Subject: Consider Site Plan Review Plans from Architect 106 West State Street**

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**Background:** The City Council approved, via a Resolution, at their July 22, 2025, meeting the Application for Obsolete Property Rehabilitation Exemption Certificate for 106 West State Street. (*Resolution & Application for OPRA Exemption Certificate provided with this memorandum*).

Sec. 12.1 – 12.5 of the City of Montrose Ordinance is provided as a guide to review of the proposed project at 106 West State Street.

One item the PC should be aware of was communication with the past administration relative to Zoning and proposed first floor apartment. The “interpretation” is inaccurate. I have attached the email regarding that communication for your edification. I discussed this circumstance with PC Chairman Mr. Foust, and the consensus is, there is a need for a Variance. The proposed plan indicates a handicap accessible first floor apartment on the north side of the building, not a bed and breakfast.

I also consulted with Adam Young of Wade Trim (City Planner) on this project, and the most appropriate handling is for the Planning Board to review the proposed plan for 106 West Stat Street.

**Recommendation:** It is recommended the Planning Commission review the Site Plans provided by architect Cody Newman and consider approval of the plan provided.

## Application for Obsolete Property Rehabilitation Exemption Certificate

Issued under authority of Public Act 146 of 2000, as amended.

This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

**INSTRUCTIONS:** File the completed application and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) See State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility; (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

Applicant (Company) Name (applicant must be the OWNER of the facility) <b>Ramby, LLC</b>		
Company Mailing Address (Number and Street, P.O. Box, City, State, ZIP Code) <b>611 W Court Street, Flint, Michigan 48503</b>		
Location of obsolete facility (Number and Street, City, State, ZIP Code) <b>106 W. State Street, Montrose, Michigan 48457</b>		
City, Township, Village (indicate which) <b>Montrose, Montrose Township</b>	County <b>Genessee</b>	
Date of Commencement of Rehabilitation (mm/dd/yyyy) <b>August 2025</b>	Planned date of Completion of Rehabilitation (mm/dd/yyyy) <b>February 2026</b>	School District where facility is located (include school code) <b>Montrose 25260</b>
Estimated Cost of Rehabilitation <b>\$2,169,612.00</b>	Number of years exemption requested <b>12</b>	
Attach legal description of obsolete property on separate sheet		
Expected Project Outcomes (Check all that apply)		
<input checked="" type="checkbox"/> Increase commercial activity	<input type="checkbox"/> Retain employment	<input checked="" type="checkbox"/> Revitalize urban areas
<input checked="" type="checkbox"/> Create employment	<input type="checkbox"/> Prevent a loss of employment	<input checked="" type="checkbox"/> Increase number of residents
<input checked="" type="checkbox"/> in the community in which the facility is situated		
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment. <b>12</b>		
<input checked="" type="checkbox"/> Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the box at left if you wish to be considered for this exclusion.		

### APPLICANT CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (No authorized agents) <b>Dean Yeotis, Fred Abdou, and Frank Prektes</b>	Telephone Number <b>(810) 767-6100</b>	Fax Number <b>(810) 767-6415</b>
Mailing Address <b>611 W. Court Street, Flint, Michigan 48503</b>	E-mail Address <b>deanyotis@yahoo.com, fjadou@yahoo.com</b>	
Signature of Company Officer (no authorized agents)	Title	

### LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on page 2. Part 3 is to be completed by the Assessor.

Signature <b>Christina M. Rush, City Clerk</b>	Date Application Received <b>7/22/25</b>	
FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCI Code

LOCAL GOVERNMENT ACTION		
<p>This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.</p>		
PART 1: ACTION TAKEN		
<p>Action Date <i>July 22, 2025</i></p> <p><input checked="" type="checkbox"/> Exemption Approved for <u>12</u> Years, ending December 30, <u>2031</u> (not to exceed 12 years)</p> <p><input type="checkbox"/> Denied</p>		
Date District Established <i>November 21, 2019</i>	LUCI Code <i>CS-2045</i>	School Code <i>25260</i>
PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)		
A statement that the local unit is a Qualified Local Governmental Unit.	A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.	
A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.	A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.	
A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.	A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district.	
A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.	A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.	
A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.	A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.	
A statement that the applicant is not delinquent in any taxes related to the facility.	A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.	
If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.		
A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.		
PART 3: ASSESSOR RECOMMENDATIONS		
Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31 of the year approved by the STC)		
Building Taxable Value <i>\$ 49,797</i>	Building State Equalized Value <i>\$ 52,300</i>	
Name of Government Unit <i>City of Montrose</i>	Date of Action Application <i>07-22-2025</i>	Date of Statement of Obsolescence <i>11-21-2019</i>
PART 4: CLERK CERTIFICATION		
<p>The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act of 2000 may be in jeopardy.</p>		
Name of Clerk <i>Christina M. Rush</i>	Telephone Number <i>(810) 639-6168 ext. 3</i>	
Clerk Mailing Address <i>139 S. Saginaw ST.</i>		
Mailing Address <i>" "</i>		
Telephone Number <i>(810) 639-6168 ext. 3</i>	Fax Number <i>—</i>	E-mail Address <i>clerk@cityofmontrose.us</i>
Clerk Signature <i>Christina M. Rush</i>		Date <i>7/28/25</i>

For faster service, email completed application and attachments to PTE@michigan.gov. An additional submission option is to mail the completed application and attachments to Michigan Department of Treasury, State Tax Commission, PO Box 30471, Lansing, MI 48909. If you have any questions, call 517-335-7491.

**CITY OF MONTROSE, MICHIGAN**  
**RESOLUTION No.**

**RESOLUTION TO APPROVE OBSOLETE PROPERTY REHABILITATION  
EXEMPTION CERTIFICATE APPLICATION FOR RAMBY LLC**

At a regular meeting of the City Council of the City of Montrose, Genesee County, Michigan, held on the 22nd day of July, 2025, at 7:00 p.m.

PRESENT: Mayor Tom Banks, Mayor Pro-Tem Mark Richard, Robert Arnold, Ryan Hedop, Todd Pangle, Lori Pradick  
ABSENT: Melissa Wallace-Hoose

The following preamble and resolution was offered by Council Member Todd Pangle and seconded by Mayor Pro-Tem Richard

**WHEREAS**, pursuant to Public Act 146 of 2000, as amended, the City of Montrose is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

**WHEREAS**, the City of Montrose legally established the Obsolete Property Rehabilitation District including 106 W. State Street on November 21, 2019, after a public hearing held on the same date; and

**WHEREAS**, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 does not exceed 5% of the total taxable value of the City of Montrose; and

**WHEREAS**, Ramby LLC ("Applicant"), a Michigan limited liability company whose registered office address is 611 Court Street, Flint, Michigan 48503-5000, owns real property commonly known as 106 W. State Street, Montrose, Michigan ("Property"), which is located within the Obsolete Property Rehabilitation District; and

**WHEREAS**, the Applicant filed with the City Clerk an application for an obsolete property rehabilitation exemption certificate ("Application") with respect to the Property, which includes the information required under Section 4 of Public Act 146 of 2000; and

**WHEREAS**, the City held a duly noticed public hearing as provided by section 4(2) of Public Act 146 of 2000 on July 22, 2025; and

**WHEREAS**, the Applicant, Ramby LLC, is not delinquent in any taxes related to the facility; and

**WHEREAS**, the Application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000, as confirmed by the City Assessor's statement of obsolescence dated October 9, 2019; and

**WHEREAS**, the Applicant, Ramby LLC, has provided answers to all required questions under the application instructions to the City of Montrose; and

Resolution No.

**WHEREAS**, the City of Montrose requires that rehabilitation of the facility shall be completed by June 2026; and

**WHEREAS**, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

**WHEREAS**, the Application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Montrose eligible under Public Act 146 of 2000 to establish such a district; and

**WHEREAS**, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to increase commercial activity, create employment, and increase the number of residents in the community in which the facility is situated; and

**WHEREAS**, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Montrose, Michigan, as follows:

1. **Approval of Exemption Certificate:** The City Council hereby grants an Obsolete Property Rehabilitation Exemption Certificate for the real property, excluding land, located in the Obsolete Property Rehabilitation District at 106 W. State Street, Montrose, Michigan, for a period of 12 years, beginning December 31, 2025, and ending December 30, 2037, pursuant to the provisions of Public Act 146 of 2000, as amended.
2. **Completion Date.** The Applicant must complete rehabilitation of the facility on or before June 2026.
3. **Compliance with Statutory Requirements:** The City Council finds that the Application satisfies all requirements under Public Act 146 of 2000, including the provision of required documentation, confirmation of the Property's obsolescence, and demonstration of economic benefits to the community.
4. **Notification to State Tax Commission:** The City Clerk is directed to forward a copy of this resolution and the Application to the State Tax Commission for final approval, as required by Section 5 of Public Act 146 of 2000.

YEAS:

Pangle, Heslop, Arnold, Machuk, Mayor, Pro-Tem, Richard  
Mayer

NAYS: NONE

Resolution No.

ADOPTED by the City Council of the City of Montrose, Michigan, at a special meeting held on 22nd, 2025, by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed. *Regular* *July*

**CITY OF MONTROSE**

By: Thomas J. Banks  
Thomas J. Banks, Mayor

Attest: Christina M. Rush  
Christina M. Rush, City Clerk

Date: July 22, 2025

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Ronald Drzewicki <rjdrzewicki@gmail.com>

## 106 W State Street

Barbara Valentine <manager@cityofmontrose.us>

Mon, Jan 27, 2025 at 1:50 PM

To: Ronald Drzewicki <rjdrzewicki@gmail.com>, Bruce Johnston <revitalization.inc@gmail.com>, Dean Yeotis <deanyeotis@yahoo.com>

Ron,

I do not see the need for a Variance because the Zoning Ordinance neither allows nor disallows First Floor Residential, although it does specify First Floor Commercial Spaces and recognizes Bed and Breakfast Inns.

Therefore, I am going say that you do not need a Variance.

Now, with that being said, I am taking a Zoning Permit Application Packet to Council tomorrow that is RRC Approved, along with the Resolution to Engage with the RRC Program (both necessary to you and the MEDC Rap, I believe). I will forward the Zoning Permit Application to you once it is approved, and you will need that to apply for the Building Permit. I have the drawings, etc., now so this should be very quick. I'll issue you the Zoning Permit for your Submitted Plans. If you run into any issues with that at all with Matt Leoni, let me know.

I am in the process of cleaning up loose ends and establishing systems and processes here, so please bear with me.

(Quoted text hidden)

Variance Description - City of Montrose

January 27, 2025

Petitioner Name: Dean Yeotis – Ramby, LLC

Property address for variance: 106 W State Street

The property owner, Dean Yeotis – Ramby, LLC, recently purchased the property and plans to invest approximately \$2.2 million in a mixed-use project that will add 5 new residential apartments downtown and provide two commercial spaces on the first floor. The owner plans to apply for a MEDC RAP 3.0 grant to provide much needed gap funding for the project.

The variance request is to allow a one-bedroom rear-entry apartment on the first floor. Using the back third of the first floor for one residential unit allows for efficient use of the square footage, adds housing, and helps provide a reasonable economic return for the project.

The cost of construction and materials and the competitive nature of the construction industry for the proposed development are high and the income generated by the first-floor apartment is important for the owner to capture a reasonable economic return. If approved, the variance will allow the owner to meet the minimum parameters of the MEDC RAP application economic indicators.

If approved, the variance will improve the essential character of the neighborhood by fully renovating a functionally obsolete building in the heart of downtown. The renovated structure will bring two attractive commercial spaces to State Street while increasing downtown residents. The first-floor rear-entry apartment will be handicap accessible and highly desirable to prospective tenants.

## Sec. 12.1. - Required site plan review.

Prior to the establishment of a new use, change of use, addition to an existing use, or the erection of any building in a zoning district, subject to the conditions listed below, a site plan shall be submitted and approved, approved with conditions, or disapproved by the city planning commission [now planning board—see Charter § 5-201] in accordance with the ordinance requirements of this article.

1. Site plan reviews are required for all permitted principal uses and structures in all zoning districts (except for the single-family detached and two-family dwellings and their accessory uses) and all special land uses in all zoning districts.
2. When the proposed new construction or remodeling constitutes an addition to an existing building, or use, site plan review procedures may be modified, at the discretion of the zoning administrator, to provide for an administrative review by the zoning administrator in lieu of a more formal review by the city planning commission [now planning board—see Charter § 5-201]. The zoning administrator may conduct an administrative review provided both of the following are true:
  - a. No variances to the ordinance are required.
  - b. The proposed new construction would not increase the total square footage of the building greater than 25 percent or 1,000 square feet, whichever is less.
3. For those cases requiring site plan review solely as a result of building reoccupancy, site plan review procedures may be modified, at the discretion of the zoning administrator, to provide for an administrative review by the zoning administrator in lieu of a more formal review by the city planning commission [now planning board—see Charter § 5-201]. The zoning administrator may conduct an administrative review provided all of the following are true:
  - a. Such use is conducted within a completely enclosed building.
  - b. Reoccupancy does not create additional parking demands, beyond 25 percent of that which exists.
  - c. Reoccupancy does not substantially alter the character of the site.
4. Every site plan submitted for review shall be in accordance with the requirements of this ordinance. Administrative review procedures are not intended to modify any ordinance regulation or development standard.

## Sec. 12.2. - Application procedure.

Application for site plan review shall be made by submitting the following materials to the zoning administrator at least 30 days prior to the planning commission [now planning board—see Charter § 5-201] meeting at which the site plan is to be considered:

1. Ten copies of a site plan containing all of the information required in section 12.3.

2. A completed application on an appropriate form provided by the zoning administrator.
3. Payment of an application fee, which shall be nonrefundable, may be established by the city council.

Sec. 12.3. - Required site plan contents.

1. A site plan submitted in accordance with this article shall contain all of the following information:
  - a. The date, north arrow, and scale. The scale shall not be more than one inch equals 20 feet.
  - b. The name and address of the individual responsible for the preparation of the site plan.
  - c. The property size in acres and square feet.
  - d. All existing and proposed lot lines and dimensions, including setback lines and existing easements.
  - e. The location of all existing structures, street rights-of-way, parking areas and driveways within 100 feet of the property.
  - f. The location and dimensions of all existing and proposed structures on the property.
  - g. The location and dimensions of all existing and proposed drives, sidewalks, fences, curb openings, signs, and loading/unloading areas. Parking areas shall be shown, including the dimensions of a typical space and aisle. The total number of parking spaces to be provided and the method by which required parking was computed shall be noted on the site plan.
  - h. Location of exterior site lighting shall be shown, including specification of the height and style of fixtures.
  - i. Location of exterior trash facilities, including type of screening.
  - j. The existing zoning of all properties abutting the subject property.
  - k. Locations and specifications for all proposed landscaping on the site, including size at time of planting, and species of all plant materials to be installed.
  - l. Size and location of existing and proposed sewer and water facilities and storm sewers including valves, hydrants, manholes, stormwater intakes and cleanouts.
  - m. Locations of all utilities on the site, including but not limited to natural gas, electric, cable television, and telephone.
  - n. Existing and proposed elevation contours shall be shown at two-foot intervals. Direction of drainage flows shall be indicated. If applicable, the boundary of any area within the 100-year floodplain, as determined by the Federal Insurance Administration flood insurance rate map, shall be identified.
2. The following documentation shall accompany the site plan:
  - a. The name and address of the property owner and petitioner, if different, and proof of ownership or option to purchase by the petitioner.

- b. Typical elevation views, with dimensions, of all sides of each principal building type.
- c. Summary schedules with the following information, as applicable, shall be provided:
  - (1) Total site area.
  - (2) Net site area exclusive of right-of-way.
  - (3) Minimum, maximum, and average lot area.
  - (4) Number, size, and bedroom mix of dwelling units proposed.
  - (5) List of commercial uses proposed, and the gross floor area of each use.
  - (6) Area and percentage of site coverage by buildings, pavement and open space.
- d. A legal description of the subject property, and a street address.

3. The zoning administrator may waive any of the requirements of [this] section 12.3, if such information is not necessary for the review of the site plan.

#### Sec. 12.4. - Site plan review standards.

All site plans shall comply with applicable provisions of this ordinance and with each of the following standards:

1. *Natural features.* Existing natural features of the site, including vegetation, topography, water features and other such features, shall be preserved to the greatest extent practical. Only those areas under actual development shall be disturbed.
2. *Building relationships.* Buildings and structures shall be placed in an orderly, nonrandom fashion such that an uncrowded, open appearance is maintained.
3. *Drives, parking, and circulation.*
  - a. Vehicular and pedestrian circulation shall be designed so as to provide for safe and efficient movement of vehicles and pedestrians.
  - b. Points of vehicular access to public streets shall be limited to the minimum number required to provide safe and efficient access. Points of access shall be directly aligned or be offset a minimum of 150 feet, wherever possible.
4. *Surface water drainage.* Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Temporary on-site storage to reduce peak runoff from the site may be required. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create standing water in the paved areas.
- 5.

*Special features.* Exposed storage areas, trash areas, service areas, truck loading areas, utility buildings and structures and similar accessory areas shall be reasonably screened from view from adjoining streets, and adjoining properties.

6. *Emergency access.* The site plan shall provide for adequate access to the site and to all buildings for emergency vehicles.
7. *Exterior lighting.* The lighting shall be located and designed so that illumination is directed away from adjacent properties and streets.

Sec. 12.5. - Planning commission [now planning board] actions.

The planning commission [now planning board—see Charter § 5-201], upon reviewing a site plan, shall take one of the following actions:

1. *Approval.* If the site plan meets all the zoning ordinance and related development requirements and standards, the planning commission [now planning board—see Charter § 5-201] shall record such approval, and the chairperson shall sign three copies of the site plan filing one in the official site plan file, forwarding one to the zoning administrator, and returning one to the applicant.
2. *Disapproval.* If the site plan does not meet zoning ordinance and related development requirements and standards, the planning commission [now planning board—see Charter § 5-201] shall record the reasons for denial. The applicant may subsequently refile a corrected site plan under the same procedures followed for the initial submission.
3. *Conditional approval.* If minor corrections to the site are necessary, which can be clearly noted, then the planning commission [now planning board—see Charter § 5-201] shall so note such conditions, and the chairperson shall sign three site plans as conditionally approved and stating the necessary conditions. One copy shall be retained in the official site plan file, one forwarded to the zoning administrator, and one returned to the applicant.
4. *Table.* If the site plan is found to be in violation of the requirements or incomplete with respect to necessary information, the planning commission [now planning board—see Charter § 5-201] may table action on the site plan until ordinance compliance is shown or required additional information is provided.

# **CITY OF MONTROSE MEMORANDUM**

**Date:** August 3, 2025

**To:** Chairman Ray Foust and Planning Board Members

**From:** Joe Karlichek, Interim City Manager 

**Subject: Consider Review the PUD Option**

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**Background:**

Enclosed for your consideration is a memorandum from the City of Montrose City Planner following discussion with both this board and meeting with Adam Young.

Contained in this memorandum is the city planner's memorandum and draft language, dated July 31, 2025, that would amend the City of Montrose Zoning Ordinance by establishing a new Article 14 titled Planned Unit Development District. (Presently, Article 14 is "Reserved") Please review the draft zoning amendment and share any comments or feedback with us. Ultimately, the Planning Commission would need to host a public hearing to gain citizen comments on the proposed language. After the public hearing is held, the Planning Commission would forward a recommendation of adoption to City Council.

**Recommendation:** **It is recommended the Planning Commission review the PUD Option and direct city administration to place this on the September 11, 2025, Planning Board Agenda as directed by our city planner.**

## MEMORANDUM

**To:** City of Montrose Planning Commission

**From:** Adam Young, AICP, Professional Planner, Wade Trim

**Date:** July 31, 2025

**Subject:** Zoning Ordinance Text Amendment – Planned Unit Development District

City Administration has requested that we assist the Planning Commission in the establishment of a new planned unit development (PUD) option within the City of Montrose Zoning Ordinance. We are pleased to respond to this request.

A PUD option allows flexibility in the regulation of land development and encourages innovation in land use and variety in design, layout, and type of structures. An approved PUD project often combines different yet compatible land uses – like housing, recreation, and commercial. The PUD review process allows the city to grant flexibility in terms of minimum lot sizes, setbacks, density, and mixture of uses. In exchange for the granting of regulatory flexibility, the developer must propose an innovative project that offers community benefits, such as the provision of unique amenities and the preservation of open space.

Most municipalities have PUD language within their zoning ordinance, giving property owners/developers the ability to propose, and the municipality the authority to approve, a PUD. However, the City of Montrose Zoning Ordinance does not establish a PUD option. The City's recently adopted Master Plan specifically encourages high-quality and unique development projects that offer a mixture of uses, are designed to protect and preserve the natural environment, and achieve similar community goals. Establishing a PUD option in the City of Montrose Zoning Ordinance would allow for this to occur.

Enclosed for your consideration is draft language, dated July 31, 2025, that would amend the City of Montrose Zoning Ordinance by establishing a new Article 14 titled Planned Unit Development District. (Presently, Article 14 is "Reserved") Please review the draft zoning amendment and share any comments or feedback with us. Ultimately, the Planning Commission would need to host a public hearing to gain citizen comments on the proposed language. After the public hearing is held, the Planning Commission would forward a recommendation of adoption to City Council.

If you have any questions, please do not hesitate to contact me at 313.961.3651 or [ayoung@wadetrim.com](mailto:ayoung@wadetrim.com).

ACY:Ikf  
MTR 6111-01D  
20250731\_PlanningCommission-Memo.docx

Enclosure: Planned Unit Development Zoning Text Amendment, dated June 31, 2025

City of Montrose, Michigan

**Potential Zoning Ordinance Text Amendment  
Adding a new Planned Unit Development (PUD) Option  
City of Montrose Zoning Ordinance (Code of Ordinances/Appendix A)**

July 31, 2025 DRAFT  
Prepared by Wade Trim

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*The City of Montrose Zoning Ordinance, Appendix A of the Code of Ordinances, is proposed to be amended to add a new Article 14 titled Planned Unit Development, to read as follows:*

**ARTICLE 14. – PLANNED UNIT DEVELOPMENT (PUD) DISTRICT**

**Sec. 14.1. – Purpose and Intent.**

The purpose of this article is to permit flexibility in the regulation of land development; encourage innovation in land use and variety in design, layout, and type of structures constructed; achieve economy and efficiency in the use of land, natural resources and utilities; encourage provision of useful open space; provide adequate housing, employment, and shopping opportunities particularly suited to the needs of the residents of the City of Montrose and encourage the use, reuse, and improvement of existing sites and buildings when the uniform regulations contained in zoning districts do not provide adequate protection and safeguards for the site or surrounding area.

The planned unit development option is intended to accommodate developments with mixed or varied uses, to allow some degree of flexibility in the application of standards and regulations in this zoning ordinance to achieve innovation to development on sites with unusual topography or unique settings within the community, or on land which exhibits difficult or costly development problems, and shall not be allowed where this option is sought primarily to avoid the imposition of standards and requirements of zoning classifications rather than to achieve the stated purposes above.

The provisions of this article provide enabling authority and standards for the submission, review, and approval of applications for planned unit development.

**Sec. 14.2. – Applicability and Land Use Authorization.**

1. A planned unit development (PUD) may be applied for in any zoning district. The granting of a planned unit development application shall require a rezoning by way of amendment of this zoning ordinance upon the recommendation of the Planning Commission and approval of the City Council.
2. Any land use authorized in this zoning ordinance may be included in a planned unit development, subject to adequate public health, safety, and welfare protection mechanisms being designed into the development to ensure the compatibility of varied land uses both within and outside the development.

**Sec. 14.3. – PUD Eligibility Criteria.**

The applicant proposing a planned unit development must demonstrate each of the following criteria as a condition to being entitled to planned unit development treatment:

1. Granting of the planned unit development will result in at least one of the following:
  - a. A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations;
  - b. Long-term protection and preservation of natural resources and natural features of a significant quantity and/or quality, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations; or
  - c. A nonconforming use shall, to a material extent, be rendered more conforming, or less offensive, to the zoning district in which it is situated.
2. The proposed type and density of use shall not result in an unreasonable increase in the need for or burden upon public services, facilities, streets, and utilities;
3. The proposed development shall be consistent with the public health, safety, and welfare of the city;
4. The proposed development shall not result in an unreasonable negative environmental impact on the subject site or surrounding land;
5. The proposed development shall not result in an unreasonable negative economic impact upon surrounding properties;
6. The proposed development shall be under single ownership and/or control such that there is a single person having responsibility for completing the project in conformity with this Ordinance; and
7. The proposed development shall be consistent with the goals and policies of the Master Plan.

**Sec. 14.4. – PUD Design Standards.**

The following design standards shall apply:

1. Residential design standards.
  - a. The property shall be a minimum size of two (2) acres.

- b. Residential density shall not be greater than the maximum density permitted in the zoning district in which the property is situated immediately prior to reclassification under this article.
- c. Additional density for residential uses may be allowed at the discretion of the Planning Commission and based upon a demonstration by the applicant of consistency with the Master Plan and of planning and design excellence resulting in a material benefit to the city, adjacent land uses, and/or the ultimate users of the project, where such benefit would otherwise be unlikely to be achieved without the application of the PUD regulations including, without limitation, innovative design producing significant energy efficiency, pedestrian or vehicular safety, long term aesthetic beauty, and protection and preservation of natural resources and features.

2. Non-residential design standards.

- a. The property shall be a minimum size of one (1) acre.
- b. Non-residential uses may be permitted in combination with other non-residential uses or as part of a common development with residential uses.
- c. The non-residential uses, including parking and vehicular traffic ways, shall be separated and buffered from residential units in a manner consistent with good land and community planning principles.

3. General design standards.

- a. All regulations applicable to setbacks, parking and loading, general provisions, and other requirements shall be met in relation to each respective land use in the development based upon zoning districts in which the use is listed as a principal permitted use. In all cases, the strictest provisions shall apply.
- b. Notwithstanding subsection (3)(a) above, deviations with respect to such regulations may be granted as part of the overall approval of the planned unit development, provided features or elements demonstrated by the applicant and deemed adequate by the Planning Commission are designed into the project plan for the purpose of achieving the objectives of this article.
- c. To the maximum extent feasible, the development shall be designed so as to preserve the natural resources and natural features. The benefit, which would reasonably be expected to accrue from the proposal, shall be balanced against the reasonably foreseeable detriments of the activity, taking into consideration the local, state, and national concern for the protection and preservation of the natural resources or features and the following criteria:
  - (1) The availability of feasible and prudent alternative methods of accomplishing any development;

- (2) The extent and permanence of the beneficial or detrimental effects of the proposed activity; and
- (3) The size, quality, and rarity of the natural resources or natural features which would be impaired or destroyed.

- d. A perimeter setback and berthing shall be required from the Planning Commission for the purpose of buffering the development in relation to surrounding properties. If the planned unit development project includes non-residential uses adjacent to a district authorizing residential uses, and/or if the project is larger than one acre in area, such perimeter setback shall be established with a dimension from the property line of up to 50 feet at the discretion of the Planning Commission, taking into consideration the use or uses in and adjacent to the development. The setback distance need not be uniform at all points on the perimeter of the development.
- e. Thoroughfare, drainage, and utility design shall meet or exceed the standards otherwise applicable in connection with each of the respective types of uses served.
- f. Underground installation of utilities shall be required, including electricity and telephone, as found necessary by the Planning Commission.
- g. Pedestrian walkways shall be separated from vehicular circulation, as found necessary by the Planning Commission.
- h. Signage, lighting, landscaping, building materials for the exterior of all structures, and other features of the project shall be designed and completed with the objective of achieving an integrated and controlled development, consistent with the character of the community, surrounding development or developments, and natural features of the area.
- i. Where non-residential uses adjoin off-site residentially zoned property, noise reduction, and visual screening mechanisms such as earthen and/or landscape berms and/or decorative walls, shall be employed. The Planning Commission, at its discretion, shall review and approve the design and location of such mechanisms.
- j. The City Council, upon the recommendation of the Planning Commission, shall resolve all ambiguities as to applicable regulations using this article, the Master Plan, and other city standards or policies as a guide.

Sec. 14.5. – PUD Review Procedure.

Review of a planned unit development shall occur in two phases, in accordance with the following:

1. Preliminary PUD Plan Submission and Review.
  - a. The applicant shall submit the following together with the application for PUD preliminary phase approval:
    - (1). A preliminary PUD plan depicting the proposed locations of streets, parking areas, open spaces, buildings and structures, and their spatial relationships, the relationship to off-site improvements and infrastructure and any unusual topographic features.
    - (2). A narrative report providing a description of the project, discussing the market concept and feasibility of the project, and explaining the manner in which the criteria and standards set forth in [section 14.3](#) and [section 14.4](#) have been met.
  - b. The Planning Commission shall review the preliminary PUD plan as it relates to the criteria and standards set forth in [section 14.3](#) and [section 14.4](#) and make appropriate comments or suggestions concerning the proposed development scheme.
  - c. This phase shall not be construed to require approval of the preliminary PUD plan by the Planning Commission. Further, the preliminary PUD plan is only intended to be used as a general guide to both the applicant and the city.
  - d. Upon completion of the preliminary PUD review phase, the applicant may proceed with a formal submission of the final PUD plan. Submission of a final PUD plan shall occur within six (6) months from the date of preliminary PUD review. If a final PUD plan is not submitted by the applicant within six (6) months, preliminary PUD plan review will be required in accordance with this subsection.
2. Final PUD Plan Submission and Review.
  - a. An application for PUD final phase approval shall be submitted along with the following information:
    - (1) A site plan meeting all requirements of [section 12.3](#);
    - (2) A separately delineated specification of all deviations from this zoning ordinance, which would otherwise be applicable to the uses and development proposed in the absence of this planned unit development article;
    - (3) A specific schedule of the intended development and construction details, including phasing or timing;
    - (4) A specific schedule of the general improvements to constitute a part of the development including, without limitation, lighting, signage,

the mechanisms designed to reduce noise, utilities, and visual screening features;

- (5) A specification of the exterior building materials with respect to the structures proposed in the project; and
- (6) Signatures of all parties having an interest in the property.

- b. The final PUD plan shall constitute an application to amend this zoning ordinance, and shall be noticed for public hearing as a zoning amendment before the Planning Commission, and otherwise acted upon by the Planning Commission and the City Council, as provided by law.
- c. Following the public hearing, the Planning Commission shall review the final PUD plan and shall take one of the following actions:
  - (1) Approval. Upon finding that the final PUD plan meets the criteria and standards set forth in [section 14.3](#) and [section 14.4](#), the Planning Commission shall recommend approval to the City Council.
  - (2) Tabling. Upon finding that the final PUD plan does not meet the criteria and standards set forth in [section 14.3](#) and [section 14.4](#), but could meet such criteria if revised, the Planning Commission may table action until a revised final plan is resubmitted.
  - (3) Denial. Upon finding that the final PUD plan does not and cannot meet the criteria and standards set forth in [section 14.3](#) and [section 14.4](#), the Planning Commission shall recommend denial to the City Council.
- d. The Planning Commission shall, to the extent it deems appropriate, submit detailed recommendations relative to the final planned unit development project including, without limitation, recommendations with respect to matters on which the City Council must exercise discretion.
- e. Upon receipt of a recommendation from the Planning Commission, the City Council shall review the final PUD Plan.
  - (1) Taking into consideration the recommendations of the Planning Commission and the criteria and standards set forth in [section 14.3](#) and [section 14.4](#), the City Council shall approve, table or deny the final PUD plan.
  - (2) Prior to approval of a final PUD plan, the City Council shall require all standards and conditions of approval to be incorporated in a development agreement. The agreement shall be prepared by the City Attorney, approved by the City Council, and signed by both the city and the applicant.

#### Sec. 14.6. – Conditions.

Reasonable conditions may be required with the approval of a planned unit development, to the extent authorized by law, in accordance with the following:

1. Conditions imposed shall be for the purpose of: ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity; protecting the natural environment and conserving natural resources and energy; ensuring compatibility with adjacent uses of land; and, promoting the use of land in a socially and economically desirable manner.
2. Conditions imposed shall be necessary to meet the intent and purpose of this article and be designed to: protect the public health, safety, and welfare; preserve natural features and resources; and, ensure compliance with the standards of this article.
3. All conditions imposed shall be made a part of the record of the approved planned unit development.

#### Sec. 14.7. – Phasing

Where a planned unit development project is proposed for construction in phases, the planning and design shall be such that, upon completion, each phase shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the residents of the surrounding area. All conditions that are phase specific shall be completed during development of the subject phase, and cannot be postponed for completion during other phases. In addition, in developments which include residential and non-residential uses, the relative mix of uses, and the scheduled completion of construction for each phase shall be disclosed and determined to be reasonable at the discretion of the City Council, after recommendation from the Planning Commission.

#### Sec. 14.8. – Commencement and Completion of Construction.

To ensure completion of required improvements, the city is authorized to impose performance guarantees in accordance with [section 19.4](#). Construction shall be commenced within one (1) year following final approval of a planned unit development and shall proceed substantially in conformance with the schedule set forth by the applicant, as required by [section 14.7](#). If construction is not commenced within such time, any approval of a final PUD plan on the project shall expire and be null and void, provided, an extension for a specified period may be granted by the City Council upon good cause shown if such request is made to the City Council prior to the expiration of the initial period. Moreover, in the event a final PUD plan has expired, the City Council, based on a recommendation from the Planning Commission, shall be authorized to rezone the property in any reasonable manner and, if the property remains classified as PUD, a new application shall be required, and shall be reviewed in light of then existing and applicable law and ordinance provisions.

Sec. 14.9. – Effect of Approval.

When approved, the planned unit development, with all conditions imposed, if any, shall constitute the land use authorization for the property, and all improvement and use shall be in conformity with such amendment. Notice of adoption of the final PUD plan and conditions shall be recorded by the applicant at the County Register of Deeds, evidence of which shall be supplied to the Zoning Administrator.

Sec. 14.10. – Amendments to an Approved Final PUD Plan.

Incidental or minor changes may be approved by the Planning Commission if the proposed modifications do not alter the basic design or land uses of the final PUD plan. If the Planning Commission determines that the proposed modifications are significant or major, review and approval in accordance with [section 14.5](#) shall be required.

# CITY OF MONTROSE MEMORANDUM

**Date:** August 3, 2025

**To:** Chairman Ray Foust and Planning Board Members

**From:** Joe Karlichek, Interim City Manager 

**Subject: Consider Discussion of Social District**

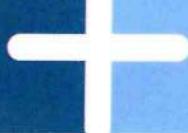
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## **Background:**

At the July 17, 2025, meeting of the (PC) Planning Board, Vice Chairman Mr. Anthony Brown asked that “Social District” be placed on the agenda for the Planning Board to discuss.

Attached to this memorandum are relative documents to the assist the PC in its discussion relative to Social Districts.

**Recommendation:** It is recommended the PC discuss the Social District, specifically, its value, lack of value, change or not change of the Zoning Ordinance (if the board desires to implement a “social district”) so that city administration has clearer guidance and direction and be able to, with a degree of evidence, inform the City Council and the DDA Board at their regularly scheduled board meeting in August 2025.



## Social Districts

### Introduction

The State of Michigan enacted a new law intended to spur economic activity and provide flexibility for hospitality businesses by enabling the on-site sale and off-site consumption of alcoholic beverages in designated "Social District" areas. On July 1, 2020, Governor Whitmer signed House Bill 5781 into law (MCL 436.1551) creating the "Social District Permit," which allows local governments to designate a Social District within their jurisdictions. Businesses that are granted a Social District Permit may sell alcoholic liquor (beer, wine, mixed spirits, or mixed drinks) on their licensed premises to customers who may then consume the alcoholic liquor within the commons area of the Social District.

### Permit Information for Local Governments

Local governments may now designate a Social District that contains a "commons area." Once designated, "qualified licensees" whose licensed premises are contiguous to the commons area within the Social District and who obtain a license from the Michigan Liquor Control Commission (MLCC) may permit patrons to leave the licensed premises with the alcohol and consume it within the commons area.

Under MCL 436.1551(8)(a), a "commons area" is defined as: "an area within a social district clearly designated and clearly marked by the governing body of the local governmental unit that is shared by and contiguous to the premises of at least two other qualified licensees. Commons area does not include the licensed premises of any qualified licensee."

Along with designating a Social District that contains a commons area, which must be clearly defined and marked with signs, a local government must establish local management and maintenance plans, including hours of operation, for a commons area. The statute provides that a local governmental unit shall not designate a Social District that would close a road unless the governing body receives prior approval from the road authority with jurisdiction over the road. In addition, the commons area must be maintained in a manner that protects the health and safety of the community.

A Social District designation must be filed with the MLCC, and include:

- A copy of the resolution passed by the governing body designating the Social District and commons area;
- A copy of management and maintenance plans, including the hours of operation, established by the local governmental unit for the Social District and commons area; and
- A diagram or map that clearly shows the boundaries of the Social District and commons area and identifies the qualified licensees that are contiguous to the commons area on the diagram or map.

To the extent a commons area threatens the health, safety, or welfare of the public or has become a public nuisance, a local government may revoke the Social District designation. Before revoking the designation, the local government must hold at least one public hearing on the proposed revocation, with appropriate notice being given under the Open Meetings Act (OMA). Any revocation of the Social District must be filed with the MLCC.

### Bars and Restaurants May Apply for a Social District Permit

Bars and restaurants who are "qualified licensees" and wish to take advantage of the new law must first seek application approval from the governing body of their local government. Qualified licensees may then apply to the MLCC for a Social District Permit.

Pursuant to the statute, with some restrictions, qualified licensees include holders of Class C, Tavern, A-Hotel, B-Hotel, Club, G-1, G-2, and Brewpub licenses as well as licensees with on-premises and off-premises tasting rooms.

Upon receiving a Social District Permit, and upon additional approvals that may or may not be required by the municipality, a licensee may sell alcohol on its licensed premises in approved containers for customers to remove and consume in the commons area. A licensee is not permitted to sell alcohol in a commons area.

Approved containers must be glass free and not more than 16 oz., must prominently display the licensee's trade name or logo or some other mark that is unique to the licensee that sold the alcohol as well as a logo or mark unique to the commons area.

This Fact Sheet was provided by Sarah J. Gabis of the law firm of Foster Swift Collins & Swift, P.C.

Tecumseh documents:

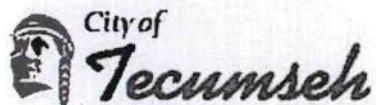
Resolution

Map

Qualified licensees

Common Areas Management and Maintenance Plan

Commons Area Use Application



CITY OF TECUMSEH  
CITY COUNCIL

## Resolution R-16-20

### Resolution #16-20 - Establishing Social Districts

**WHEREAS**, Michigan Public Act 124 of 2020 was signed into law on July 1, 2020; and

**WHEREAS**, the law allows Michigan municipalities to establish Social Districts that allow for Commons Areas where two or more contiguous licensed establishments could sell alcoholic beverages in special cups to be taken into the Commons Areas for consumption; and

**WHEREAS**, the Tecumseh Social District would be created and managed by the City through a collaboration with its Downtown Development Authority; and

**WHEREAS**, the Tecumseh Social District boundaries are generally Logan Street, Ottawa Street, Pottawattamie Street, and Pearl Street; and

**WHEREAS**, the Commons Areas boundaries incorporate the City-owned parking lots in the downtown area as well as the adjoining sections of North and South Evans Street. The Commons Areas include the sidewalks and streets along with the public parking lots within the boundaries that are not included in the qualified licensees' premises; and

**WHEREAS**, the City of Tecumseh will follow all stipulations of Michigan Public Act 124 of 2020 and follow established best practices in the creation and maintenance of the Social District; and

**WHEREAS**, the creation of the Tecumseh Social District will assist our downtown businesses in adapting to the social distancing requirements of the COVID-19 crisis as well as attract customers for enhanced outdoor dining and entertainment experiences in downtown Tecumseh.

**NOW, THEREFORE, BE IT RESOLVED**, that the Tecumseh City Council does hereby approve the creation of the Tecumseh Social District as depicted in the attached map (Exhibit A) for consideration by the Michigan Liquor Control Commission.

**Motion for adoption by:** Naugle

**Supported by:** Harmon

**AYES** Harmon, Naugle, Riddle, See, Wimple, Baker, Fox

**NAYS**

**ABSENT**

This is to certify that this resolution was duly adopted at the meeting of the City Council on **Sep 8, 2020**.

Jackson L. Baker  
Jackson L. Baker  
Mayor

Tonya A. Miller  
Tonya A. Miller  
Tecumseh City Clerk

**CERTIFICATION**

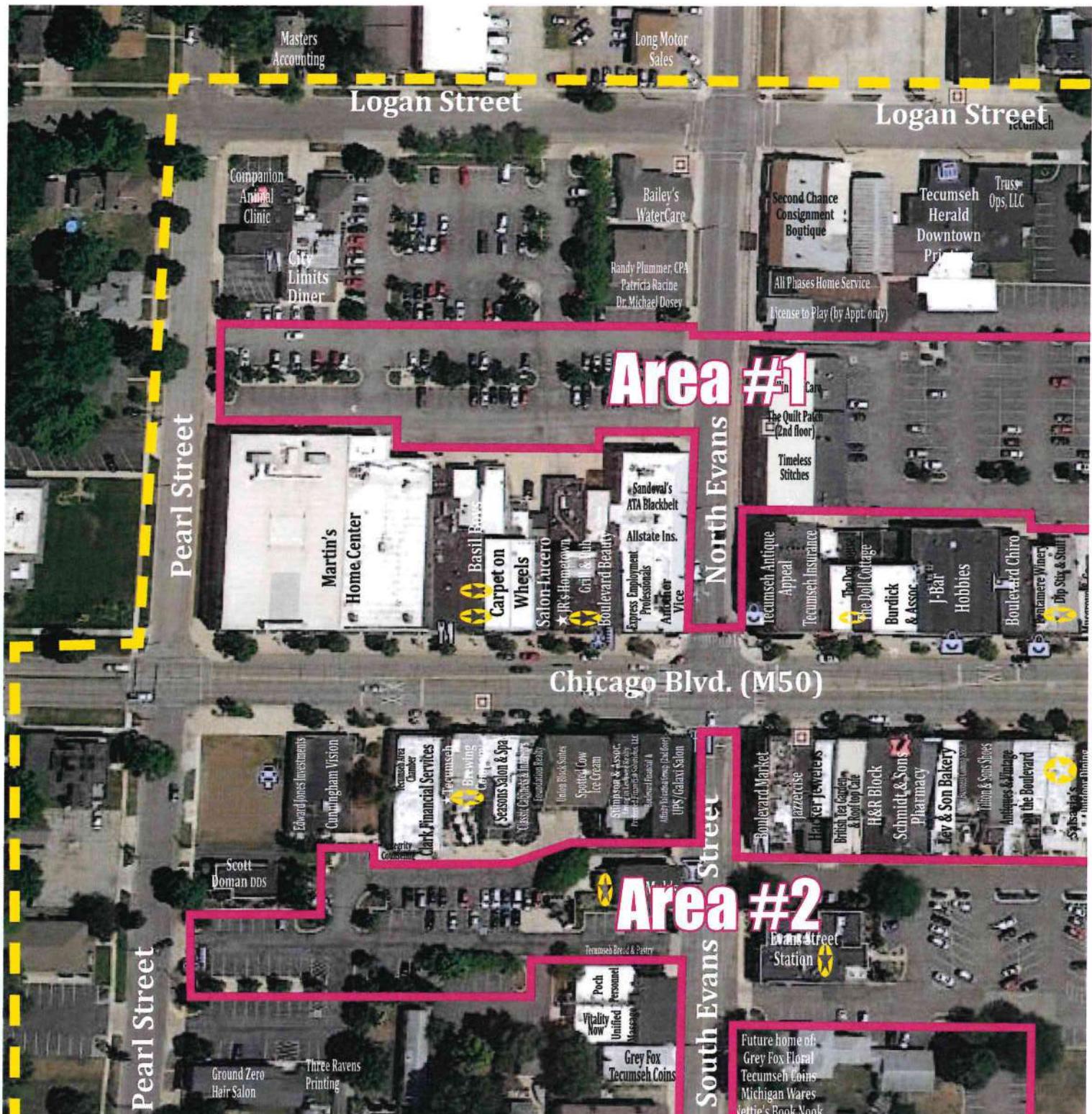
I, the undersigned, the duly qualified City Clerk for the City of Tecumseh, County of Lenawee, Michigan do hereby certify that the foregoing constitutes a true and complete copy of a motion adopted by the City Council of the City of Tecumseh, on **September 8, 2020**, the original of which is in my office, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the full set of minutes from said meeting will be made available, as required by said Act.

Dated: 9/10/2020

Tonya A. Miller  
Tonya A. Miller  
Tecumseh City Clerk



# **Downtown Tecumseh Social District Commons Are**



**City of Tecumseh  
Social District  
Qualified Licensees**

<b>LARA ID</b>	<b>Account Name</b>	<b>DBA</b>	<b>Address</b>
2098	Wrong Way Pub Inc.	Wrong Way Pub	107 S. Evans St. Tecumseh 49286
8127	American Legion Memorial Home Assn. of Tecumseh	American Legion Memorial Home Assn. of Tecumseh	101 W. Pottawatamie St. Tecumseh 49286
133417	Pentamere Winery, LLC	Pentamere Winery	131 E. Chicago Blvd. Tecumseh 49286
134702	Evans Street Station LLC	Evans Street Station	110 S. Evans St. Tecumseh 49286
153852	The Tecumseh Club	The Tecumseh Club	123 W. Chicago Blvd. Tecumseh 49286
215099	Devniks, Inc.	Basil Boys	125 W. Chicago Blvd. Tecumseh 49286
226011	LRS Restaurant Holdings, LLC	JR's Hometown Grill & Pub	111 W. Chicago Blvd. Tecumseh 49286
227486	The Dog House Restaurant, LLC	The Doghouse Restaurant	107 E. Chicago Blvd. Tecumseh 49286
235137	Salsaria's LLC	Salsarias	146 E. Chicago Blvd. Tecumseh 49286
237108	Tecumseh Brewing Company, LLC	Tecumseh Brewing Co	128 W. Chicago Blvd. Tecumseh 49286



## Commons Areas Management and Maintenance Plan

### Overview

In an effort to support local restaurants, microbreweries, bars, and similar food service businesses, the City of Tecumseh has established a permitting process for temporary outdoor social districts and commons areas ("Commons Areas"). Commons Areas are intended to allow for outdoor dining and alcoholic beverage consumption on City properties that are adjacent to or near associated business establishments. This application package is designed to ensure compliance with the Michigan Liquor Control Commission (MLCC) guidelines and Public Act 58 of 1998 as amended by Public Act 124 of 2020.

The Commons Areas are proposed to be administered through the City's Developmental Services Office and permits from both the MLCC and the City are required prior to utilization by any qualified establishment(s).

### Intent

Commons Areas are intended to provide extra outdoor space for dining and consumption of alcoholic beverages while ensuring sufficient separation between unrelated parties. This is in response to the social distancing requirements necessitated by the COVID-19 crisis. The areas will accommodate tables, chairs, barriers, boundaries, and accessory materials related to the offered services. Qualified establishments, as defined by PA 124 of 2020 may apply to utilize ***certain specifically designated places within*** the established Commons Areas:

1. City owned parking lots in the Central Business District.
2. The North and South Evans Street road right-of-way.
3. In accordance with the MLCC guidelines, all Commons Areas must be "contiguous to the premises of at least 2 qualified licensees."

It is also intended that Commons Areas may be shared by multiple businesses, so long as the shared use is defined by the City authorization and joint operation and maintenance guidelines are established.

However, public spaces immediately in front of or behind a business establishment will be reserved solely for that business (exp. public sidewalks and parking spaces).

All designated spaces will be subject to review by Tecumseh Police and Fire Departments for traffic and safety considerations.

**City of Tecumseh**  
**Commons Areas Management and Maintenance Plan**  
Page 2 of 5

## **Other Options for Outdoor Dining and Alcoholic Beverage Consumption**

The establishment of the Commons Areas in accordance with the new MLCC provisions in no way negates the ability of businesses to establish sidewalk cafes for outdoor dining and alcoholic beverage consumption in accordance with the pre-existing MLCC guidelines and City ordinances. The Commons Areas are intended to be supplemental and in addition to these previous provisions.

### **Signage and Barriers**

The City will prepare generic signs as required by the MLCC Rules that identify the general boundaries of the Commons Areas. The individual establishments may be required to provide additional barriers to define the portion of the Commons Area they plan to utilize and provide for the safety of their customers/patrons. Additional barriers or barricades as specified by the City **will** be required when the area utilized is within a public parking lot and/or on a public street or sidewalk. The City will assist in coordination between the permitted establishments to minimize the necessary investment in additional barriers/barricades.

### **Application Process**

Commons Area permits must be requested by the business owner or an authorized representative. Applications and supplemental information must be provided in complete form for review and approval by the Building Official.

Required checklist items are the following:

1. Completed City application form.
2. Copy of Michigan Liquor Control Commission Permit. *Note: The City will conduct a preliminary review prior to the applicant submitting their MLCC permit in order to determine if the proposed use of the Commons Area is acceptable to the City.*
3. Certificate of Liability Insurance, naming the City of Tecumseh additionally insured.
4. Commons Area layout plan (drawn to-scale with dimensions noted and all information in legible form).
  - a. Lot lines, portion(s) of Commons Area intended for use, and proposed barriers/barricades.
  - b. Existing entries/exits, sidewalks, structures, and building footprints.
  - c. Proposed location of tables, chairs, tents, shelters, and other fixtures, allowing for at least 6 feet minimum between unrelated parties. *Note: The City may*

**City of Tecumseh**  
**Commons Areas Management and Maintenance Plan**  
Page 3 of 5

*require the removal or relocation of these furnishings and fixtures at the end of each business day in order to facilitate access to the surrounding properties.*

- d. Outdoor service and host area(s) (if any).
- e. Proposed occupancy. *Attached is the section of the International Building Code (IBC) which has been adopted as the standard for the State of Michigan related to occupancy calculations to provide you with a starting point. This does not consider the requirements in item (c) above.*

## **General Requirements**

Commons Areas are subject to the following requirements:

1. Boundaries, structures, and materials associated with Commons Areas shall:
  - a. Not impede drivers, pedestrians, or wheelchair users. *Note: The City will consider the extended closure of sections of public parking lots and streets, subject to maintaining adequate access to the surrounding properties.*
  - b. Not block sight visibility of remaining parking lot aisles or intersections.
  - c. Not impede emergency vehicle and personnel access.
  - d. Not prevent access to nearby businesses or homes.
  - e. Be approved by City of Tecumseh Police and Fire Departments.
2. Alcohol service shall conform to all Michigan Liquor Control Commission requirements, including any Social District and Commons Areas Permit requirements. Specifically:
  - a. The serving container must prominently display the licensee's trade name or logo or some other mark that is unique to the licensee that sold the alcohol.
  - b. The serving container must prominently display a logo or some other mark that is unique to the commons area.
  - c. The serving container is not made of glass.
  - d. The serving container does not have a liquid capacity over 16 ounces.
3. **Hours of operation shall begin no earlier than 10:00 AM and food and beverage service shall discontinue in the Commons Areas no later than 11:00 PM.** However, hours shall be further restricted when adjacent to residential land uses. Service shall not extend beyond the range established in the MLCC or City permits.
4. Service shall conform to the permitted days of operation.
5. The layout of boundaries, structures, and materials shall conform to the proposed outdoor Commons Area layout plan during open hours. Tables, chairs, and temporary barriers may be permitted to remain outdoors during closed hours but must be secured. Service items, decorations, cleaning materials and equipment and other easily stored items must be removed from

**City of Tecumseh**  
**Commons Areas Management and Maintenance Plan**  
Page 4 of 5

the area at the end of each business day. Solid barriers, if incorporated, may remain for the duration of the permitted timeframe.

6. Sites and surfaces shall be cleaned before service hours and upon close.
7. Tents and other temporary shelter structures shall be approved by the Fire Department and Building Official.
8. Amplified music shall be set at reasonable levels so as not to disturb owners and occupants of neighboring properties.
9. Temporary lighting shall be established to ensure safe conditions during evening hours but shall not result in excessive glare onto adjacent properties.
10. Waste receptacles shall be provided within the Commons Area and shall be emptied regularly during open hours and at close each day.
11. Heaters must be approved by the Fire Department (type and location).
12. Smoking is not permitted within designated Commons Areas.

### **Review and Approval**

The review of Commons Areas will occur in conjunction with the Developmental Services Office and Police Department and Fire Departments. The City reserves the right to request additional details and information to ensure the protection of public health, safety, and welfare.

If requirements and standards are met, the proposed outdoor social zone will be permitted for a period of time specified by the Building Official. Reasonable conditions may be applied by the City to ensure the protection of public health, safety, and welfare. Plan amendments may be considered at any time but must comply with all requirements for Commons Areas.



## COMMONS AREA USE APPLICATION

### Building Services Department

P.O. Box 396, Tecumseh, MI 49286

Ph: 517-424-6544

[www.mytecumseh.org](http://www.mytecumseh.org)

Date of Application:

Name of Business:

Requested Date Range for Commons Area Use	From:	To:
---	-------	-----

Recurring Dates Requested:

*(Attach additional sheet if needed)*

Name of Owner / Responsible Party:

Mailing Address:

Business Address:

*(If different from above)*

Contact Person:

Phone #:	E-Mail:
----------	---------

Description of Commons Area Services/Uses:

Required Attachments:

Layout Plan

*(See Management Plan for Requirements)*

Proof of MLCC Approval

Proof of Liability Insurance

*(Naming City Additionally Insured)*

X

*Signature of Owner/Responsible Party*

Date:

*I verify all of the information on and attached to this application is accurate to the best of my knowledge; and I commit to adhere to the City of Tecumseh Commons Area Management Plan and the MLCC requirements for Social Districts/Commons Areas.*

### CITY USE ONLY BELOW THIS LINE

ALL Required Attachments Provided

Logistics Meeting Needed

Department Approval Needed:  Police  Fire  Building  DPW

Permit #:

Approved

Date of Approval:

Conditions of Approval:

X

*Signature of Building Official*

Printed Name:

Date:



## Local Governmental Units That Have Established Social Districts Under MCL 436.1551

Updated July 25, 2025

### Allegan County

- Allegan City
- Douglas City
- Fennville City
- Otsego City
- Plainwell City
- Saugatuck City
- Wayland City

### Alpena County

- Alpena City

### Antrim County

- Central Lake Village
- Elk Rapids Village

### Barry County

- Hastings City
- Middleville Village

### Branch County

- Coldwater City

### Bay County

- Bay City

### Berrien County

- Benton Harbor City
- Bridgman City
- Buchanan City
- Niles City
- St. Joseph City
- Stevensville Village
- Watervliet City

### Benzie County

- Frankfort City

### Calhoun County

- Battle Creek City
- Homer Village
- Marshall City

### Charlevoix County

- Boyne City
- East Jordan City
- St. James Township

### Clinton County

- Maple Rapids Village
- St. Johns City

### Crawford County

- Grayling City

### Delta County

- Escanaba City
- Gladstone City

### Dickinson County

- Iron Mountain City

### Eaton County

- Charlotte City

### Emmet County

- Petoskey City

### Genesee County

- Otisville Village

### Gogebic County

- Ironwood City

### Grand Traverse County

- Traverse City

### Hillsdale County

- Hillsdale City
- Reading City

### Houghton County

- Houghton City

### Ingham County

- Lansing City
- Leslie City
- Webberville Village
- Williamston City

### Ionia County

- Ionia City
- Saranac Village

### Iosco County

- Oscoda Township

### Jackson County

- Jackson City

### Kalamazoo County

- Kalamazoo City
- Vicksburg Village

### Kent County

- Ada Township
- Byron Township
- Cedar Springs City
- E. Grand Rapids City
- Grand Rapids City
- Grandville City
- Lowell City
- Rockford City
- Sparta Village

### Lapeer County

- Almont Village
- Imlay City
- Lapeer City

### Leelanau County

- Northport Village

### Lenawee County

- Adrian City
- Blissfield Village
- Clinton Village
- Morenci City
- Tecumseh City



## Local Governmental Units That Have Established Social Districts Under MCL 436.1551

Updated July 25, 2025

### Livingston County

- Brighton City
- Howell City

### Mackinac County

- St. Ignace City

### Macomb County

- Center Line City
- Mt. Clemens City
- New Baltimore City
- Richmond City
- St. Clair Shores City

### Manistee County

- Manistee City

### Marquette County

- Marquette City
- Negaunee City

### Mason County

- Ludington City
- Scottville City

### Mecosta County

- Big Rapids City

### Midland County

- Midland City

### Monroe County

- Dundee Village
- Monroe City

### Montcalm County

- Greenville City

### Muskegon County

- Montague City
- Muskegon City
- Whitehall City

### Newaygo County

- Newaygo City

### Oakland County

- Berkley City
- Clarkston City
- Clawson City
- Farmington City
- Ferndale City
- Holly Village
- Lake Orion Village
- Milford Village
- Novi City
- Oak Park City
- Oxford Village
- Pontiac City
- Royal Oak City
- South Lyon City
- Wixom City

### Oceana County

- Hart City

### Ogemaw County

- West Branch City

### Osceola County

- Reed City

### Otsego County

- Gaylord City

### Ottawa County

- Coopersville City
- Grand Haven City
- Holland City
- Hudsonville City
- Spring Lake Village
- Zeeland City

### Presque Isle County

- Rogers City

### Roscommon County

- Roscommon Village

### Saginaw County

- Frankenmuth City
- Merrill Village

### Sanilac County

- Lexington Village City

### Schoolcraft County

- Manistique City

### Shiawassee County

- Durand City
- Laingsburg City
- Owosso City

### St. Clair County

- Marine City
- Port Huron City

### St. Joseph County

- Sturgis City
- Three Rivers City

### Van Buren County

- Decatur Village
- Lawton Village
- South Haven City

### Washtenaw County

- Ann Arbor City
- Chelsea City
- Dexter City
- Manchester Village
- Milan City
- Saline City



**Local Governmental Units That Have Established Social Districts Under MCL 436.1551**

Updated July 25, 2025

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**Wayne County**

- Belleville City
- Dearborn City
- Grosse Ile Township
- Grosse Pointe City
- Grosse Pointe Farms City
- Grosse Pointe Park City
- Grosse Pointe Woods City
- Northville City
- Trenton City
- Wyandotte City

**Wexford County**

- Cadillac City

# CITY OF MONTROSE MEMORANDUM

**Date:** August 3, 2025

**To:** Chairman Ray Foust and Planning Commission Members

**From:** Joe Karlichek, Interim City Manager 

**Subject: Consider Discussion of General Business License (GBL)**

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## **Background:**

At the July 17, 2025, meeting of the (PC) Planning Commission, Vice Chairman Mr. Anthony Brown asked that the General Business License (GBL) be brought back to the commission for discussion. At that meeting I conveyed to Mr. Brown that the City Council, on July 24, 2025, had put in abeyance the GBL for an additional 90 days to permit the administration to conduct a review and investigation of what appears to be a contentious item in the city and fraught with poor follow through. Placing an additional abeyance of the ordinance essentially provides the potential opportunity for a recommendation to the city council at their September council meeting. Memorandum to city council is attached to this memorandum for PC edification.

In addition, and for PC edification, the City Council, via meeting minutes of April 29, 2025, **“Discussion/Direction GBL Ordinance Corrections/Modifications** unanimously voted to **“halt” any enforcement activities based on the current ordinance that we all agree needs to have something done to it, for 90 days.”**

After having conversations with various members of City Council, City Administration, including local business, initial investigation revealed there are clear inconsistencies in the approach and handling of the GBL, for quite some time. The city administration values the input of the PC and looks forward to receiving articulated discussion in the hopes of coming to a consensus.

Attached with this memorandum are a number of documents outlining the history of the GBL.

**Recommendation:** It is recommended the PC discuss the GBL, its value, lack of value, change or not change of the Ordinance so that city administration has clearer guidance and direction and be able to, with a degree of evidence to inform the city council at their board meeting in September 2025 a clearer direction.

# CITY OF MONTROSE MEMORANDUM

**Date:** June 18, 2025

**To:** Mayor Banks and Montrose City Council Members

**From:** Joe Karlichek, Interim City Manager

**Subject: Consider approval of extending the City of Montrose Business License additional 90 days pending investigation review.**

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## **Background:**

The City of Montrose, by way of Legislative action, approved a general business license (GBL) ordinance in 2017. (Ordinance Article III – General Business License is accompanied in this memorandum).

After having conversations with various members of City Council, City Administration, including local business, initial investigation revealed there are clear inconsistencies in the approach to the GBL. In addition, the City Council, via Draft meeting minutes of April 29, 2025, **“Discussion/Direction GBL Ordinance Corrections/Modifications** unanimously voted to **“halt” any enforcement activities based on the current ordinance that we all agree needs to have something done to it, for 90 days.”** (Meeting minutes accompanies this memorandum).

**Recommendation:** It is recommended the city council approve extending the delaying of any further action or enforcement of the GBL pending administration’s review and investigation for a period of 90 days. Administration to deliver a report to city council at their regularly scheduled council meeting Tuesday September 15, 2025.

### ***ARTICLE III. GENERAL BUSINESS LICENSE***

#### **Sec. 14-51. Purpose.**

The purpose of this Ordinance is not to prohibit or unreasonably restrict businesses that operate within the City, but instead, and subject to the requirements of this Ordinance, to license such businesses and monitor business operations in the City so that the risks to the public health, safety and welfare are minimized. (Ord. No. 434, 7-27-2017)

#### **Sec. 14-52. License required.**

All persons who conduct, engage in, maintain, operate, carry on, or manage a business for which a license is not otherwise required under any other provisions of this Code shall be required to obtain a general business license for said business. A separate license shall be required for each separate place of business. A business shall include but not be limited to: for profit businesses and not for profit businesses.

*Exceptions:*

- (1) Churches;
- (2) Public libraries;
- (3) Schools (public, parochial and charter, K-12);
- (4) Government offices or operations.
- (5) Any person exempt from the permitting requirements of this Article by virtue of state or federal law.

(Ord. No. 434, 7-27-2017)

#### **Sec. 14-53. Application.**

An application for a license required by this article shall be made in writing on a form prescribed by the city clerk. Each application shall contain any information as may be required to determine whether a license should be issued. The granting of a license under this Article to any person for a business that is composed of, or operated in conjunction with, other trades, professions, businesses or privileges that also require other licenses or permits under any City Ordinances shall not relieve the person to whom such license is granted under this Ordinance from the necessity of securing any other licenses or permits for each such trade, profession, business or privilege required to have such licenses or permits issued by any department or agency. Further, the fact that a license has been granted to any person by any federal, state or county agency or authority to engage in the operation, conduct, maintenance or management of any business or premises shall not exempt such person from the necessity of procuring a license from the City if such license is required by this Article.

(Ord. No. 434, 7-27-2017)

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#### **Sec. 14.54. Inspections**

No license shall be issued unless and until the property where the business is located is reviewed or inspected by appropriate City departments, in its discretion, including, without limitation, utilities, engineering, police and fire. Similarly, no business license shall be renewed until and unless the property where the business is located is reviewed or inspected by appropriate City departments, in its discretion. Each department required to review or inspect the property must certify that the proposed use is not prohibited by any applicable City Ordinances, rules or regulations including, without limitation, any zoning or fire regulations. If the proposed use is prohibited or does not meet any requirement of the City Ordinances, a license shall not be issued or renewed and the applicant shall be notified in writing by the City Clerk.

#### **Sec. 14-55. Issuance of license.**

The city clerk shall issue the license pursuant to the application if:

- (1) The appropriate fees have been paid according to the table contained in this section.
- (2) The planning and development division has approved the use of said parcel for the requested use.
- (3) There are no outstanding building code violations.
- (4) There are no outstanding fire code violations and fire inspection is current/completed.
- (5) All current and past due fees and/or fines associated with the property or applicant have been paid or arrangements have been made to pay, including but not limited to:
  - a. Permit fees.
  - b. Zoning fees.
  - c. Water or sewer services.
  - d. Engineering fees.
  - e. False alarm fees.
  - f. Property tax (real and personal).
  - g. Income tax.

(Ord. No. 434, 7-27-2017)

#### **Sec. 14-56. Term of license, renewal.**

All licenses provided in this article shall expire two years after the date of issuance. However, in the event of a significant change in business operations (including a change of ownership, location, or product focus), the license issued for that business shall immediately expire and terminate and a new license application shall be filed. It shall be the responsibility of the business owner or manager to notify the City Clerk in writing of any such significant change in business operations.

Unless otherwise provided in this Article, an application for renewal of a license shall be considered in the same manner as an original application. At least thirty (30) days prior to expiration of any license, the licensee shall apply for a renewal license on an application form approved by the City. Renewal applications shall, at a minimum, require the applicant to confirm or update all of the information originally required under this Article. The City Clerk may request from the applicant any additional information reasonably necessary to determine whether there

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has been a significant change in business operations. City departments may, in their discretion, inspect or review the property to confirm compliance with City Ordinances.

(Ord. No. 434, 7-27-2017)

### **Sec. 14-57. License fees.**

Fees shall be established by from time to time by resolution of city council and listed in the general business license registration application. License fees are non-refundable.

(Ord. No. 434, 7-27-2017)

### **Sec. 14-58. Late payment penalty.**

An additional late charge in an amount established from time to time by resolution of City Council shall be incurred as a result of the following:

- (1) Failure to obtain a business license within 90 days from the effective date of the ordinance or any applicable amendment;
- (2) Failure to obtain a business license within 15 days from commencement of a business;
- (3) Failure to renew a business license by the license expiration.

(Ord. No. 434, 7-27-2017)

### **Sec. 14-59. Regulations.**

- (a) No license shall be assigned, sold or transferred, nor shall any license authorize any person other than the applicant to conduct business under such license without the express written approval of the City.
- (b) The applicant or licensee shall have a duty to notify the city clerk of any changes in the information contained in an application which is pending or which was the basis for the issuance of a license.
- (c) All licenses shall be prominently displayed on the business premises at all times.
- (d) No person shall add to, alter, deface, forge, or counterfeit any license which is required under this article.
- (e) All licensees shall comply with all applicable state laws including Genesee County and local city ordinances.

(Ord. No. 434, 7-27-2017)

### **Sec. 14-60. Suspension, refusal and revocation.**

In addition to any other penalty provided for in this Code or other city ordinances, the city clerk may refuse, suspend or revoke any license issued pursuant to this section for:

- (1) Failure to comply with any provisions of this chapter and any applicable ordinances;
- (2) Failure to allow required inspection.
- (3) Fraud, misrepresentation, or false statement made in the application for a license or in the operation of a business.

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The city clerk shall notify the licensee that their license has been refused, suspended or revoked and the reason for the refusal, suspension or revocation. Notification may be made by first class mail and shall state that the licensee has the right to appeal the refusal, suspension or revocation provided the appeal is made in writing to the city clerk within ten days of notification. Refusal, revocation or suspension of any license shall be effective upon mailing to the last known address of the applicant or licensee, and no person shall operate any business at any time without a valid license. Upon receipt of the written appeal the city clerk shall proceed with scheduling an appeal hearing as provided for in the notice of hearings and hearings sections [§§ 14-60 and 14-61]. If a person whose license has been refused, revoked or suspended fails to appeal, then the decision of the City Clerk shall be final. If the application was refused, a person may reapply in the same manner for an original license, including payment of the required fees, at any time. If a license is suspended, the license shall be inactive and shall be ineffective during the period of suspension, after which the license shall return to active and effective status until expiration. If a license is revoked, the license shall be deemed to be fully and completely revoked for a period of one (1) year after such revocation after which a person may reapply in the same manner for an original license.

(Ord. No. 434, 7-27-2017)

#### **Sec. 14-61. Notice of hearing.**

Notice of the above-described hearing shall be served on the licensee by first class mail and posting at the location of the licensed business not less than five days before the date of said hearing.

(Ord. No. 434, 7-27-2017)

#### **Sec. 14-62. Hearings.**

The hearing shall be conducted by the building, code, or health inspector based upon the offense cited and or governing body in affording the licensee an opportunity to appear and defend the charges. A final decision in writing, including the reasons for such decision and shall serve said decision on the licensee within ten days after conclusion of the hearing.

(Ord. No. 434, 7-27-2017)

#### **Sec. 14-63. Penalties and remedies.**

A person who violates a provision of this article is responsible for a municipal civil infraction. In addition to the remedies and penalties otherwise provided in this article, the city may seek temporary and permanent equitable relief to abate and enjoin violations of this article and shall have all other remedies provided by law or equity.

(Ord. No. 434, 7-27-2017)

#### **Secs. 14-64—14-90. Reserved.**

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(Supp. No. 6)

Created: 2024-02-09 16:55:31 [EST]

# General Business License

## Registration Application



<b>Business Name:</b>		<b>Business owner Phone #</b>	
Physical Address:		<b>Additional Information:</b>	
Mailing Address (if different than physical address):		Type of Business:	
City:			
State:	Zip:		
Email Address:		<input type="checkbox"/>	
Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Non-Profit <input type="checkbox"/>		Sign: <input type="checkbox"/> Yes <input type="checkbox"/> No	# of stories:
Federal Tax ID #:		# of Employees: # of Handicap Parking Spaces:	
Business Owner Name:		<b>Ordinance 434 Regulations:</b> (1) No license shall be assigned, sold or transferred, nor shall any license authorize any person other than the applicant to conduct business under such license. (2) The applicant or licensee shall have a duty to notify the City Clerk of any changes in the information contained in an application which is pending or which is the basis for issuance of a license. (3) All licenses shall be prominently displayed on the business premises at all times. (4) No person shall add to, alter, deface, forge, or counterfeit any license which has been issued by the City. (5) All licensees shall comply with all applicable City and State Laws.	
<b>Building Owner Information</b> (If different from business owner)			
Name:			
Address:			
City:			
State:			
Home Phone:			
Business Phone:			
Cellular Phone:			
Email Address:			

### Signature & Date:

By signing this application, I hereby swear or affirm that I am the Owner/Agent/Operator of the above property and that the information contained on this application is true.

**Fees:** Registration and Inspection Fee is \$150.00 per business. Fees not paid **within 15 days after commencement of business** will be subject to a 50% fine of the business license. This license does not apply to home based businesses.

**\*\$60 Re-inspection fee Failure to renew after expiration/15 days after opening/not obtaining: \$225**

<b>OFFICE USE ONLY</b>	Date Application Received: _____
	Date & Amount Paid: _____
	Check No. CC Payment or Cash: _____

#### **INSTRUCTIONS**

1. Complete a separate form for each business to be registered.
2. Please make checks payable to: **City of Montrose**
3. Mail completed application and payment to:
4. Review Checklist-address any issues
5. Schedule an inspection (810) 639-6168 ext. 6  
Or email: [permits@cityofmontrose.us](mailto:permits@cityofmontrose.us)

**City of Montrose**  
Attn: **General Business License**  
139 S. Saginaw St.  
Montrose, MI 48457

# City of Montrose - General Code Compliance Inspection

## Exterior

- Name of business shall be provided on the front of the building or on a sign
- Address shall be posted on the front of the building. Numbers shall be at least 4" in height, visible and legible
- No combustible storage within 15 feet of a building
- Dumpsters shall be kept in approved enclosures
- No abandoned or unlicensed vehicles
- Posted fire lanes must always be kept clear
- ADA parking provided and posted
- No sheds, containers, storage or temporary structures
- Fences are in good condition
- Parking, walkway, alley is properly lit
- Exterior is in a "maintained" condition.
- Lawn is mowed, trees and bushes trimmed, leaves cleaned up/snow is removed
- No loose garbage
- No harborage of pests
- No chipped or peeling paint
- No broken glass

## Interior

- Occupant load posted
- Doors and exits are not blocked **and** do not require a key for exiting
- Fire extinguishers shall be provided at each exit and 75 feet in between extinguishers (maximum extinguisher size and type is determined by occupancy type and building code)
- Fire extinguishers shall be installed 42 inches from finished floor to hanger
- Fire suppression systems shall be inspected and tested annually by a certified contractor
- Fire alarm systems shall be inspected and tested annually by a certified contractor
- Storage height is limited to 12 feet if the building does not have a fire suppression system
- Emergency lighting is required along the entire path of egress. A photometric plan may be required
- Exit lighting shall always be illuminated with a back-up system
- Extension cords may not take the place of fixed wiring. Extension cords are intended for temporary use
- Compressed gas cylinders shall always be secured
- Supply and drain plumbing shall have proper air gap, backflow or other sanitary protection controls
- Stairs, rail, and guard rails are code compliant
- ADA compliant restroom(s)

# General Business License

## Registration Application



### Business Name:

Physical Address:	Additional Information:																																		
Mailing Address (if different than physical address):	Type of Business:																																		
City:	Does the business have an encroachment? <input type="checkbox"/> Yes <input type="checkbox"/> No (Awning, sprinkler system, window well, etc.)																																		
State: Zip:																																			
Email Address:	Alarm <input type="checkbox"/> Yes <input type="checkbox"/> No																																		
Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> A <input type="checkbox"/> Sole Prop <input type="checkbox"/> or <input type="checkbox"/> Non	Sign: <input type="checkbox"/> Yes <input type="checkbox"/> No	# of stories:																																	
Federal Tax ID #:	# of Employees: # of Handicap Parking Spaces:																																		
Business Owner Name:	Ordinance 434 Regulations:																																		
<p>(1) No license shall be assigned, sold or transferred, nor shall any license authorize any person other than the applicant to conduct business under such license.</p> <p>(2) The applicant or licensee shall have a duty to notify the City Clerk of any changes in the information contained in an application which is pending or which is the basis for issuance of a license.</p> <p>(3) All licenses shall be prominently displayed on the business premises at all times.</p> <p>(4) No person shall add to, alter, deface, forge, or counterfeit any license which has been issued by the City.</p> <p>(5) All licensees shall comply with all applicable City and State Laws.</p>																																			
<b>Building Owner Information</b> <table border="1"> <tr> <td>Name:</td> <td colspan="3"></td> </tr> <tr> <td>Address:</td> <td colspan="3"></td> </tr> <tr> <td>City:</td> <td colspan="3"></td> </tr> <tr> <td>State:</td> <td colspan="3"></td> </tr> <tr> <td>Home Phone:</td> <td colspan="3"></td> </tr> <tr> <td>Business Phone:</td> <td colspan="3"></td> </tr> <tr> <td>Cellular Phone:</td> <td colspan="3"></td> </tr> <tr> <td>Email Address:</td> <td colspan="3"></td> </tr> </table>				Name:				Address:				City:				State:				Home Phone:				Business Phone:				Cellular Phone:				Email Address:			
Name:																																			
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State:																																			
Home Phone:																																			
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### Signature & Date:

By signing this application, I hereby swear or affirm that I am the Owner/Agent/Operator of the above property and that the information contained on this application is true.

**Fees:** Registration and Inspection Fee is \$150.00 per business. Fees not paid within 15 days after commencement of business will be subject to a 50% fine of the business license. This license does not apply to home based businesses.

**\*\$60 Re-inspection fee**

<b>OFFICE USE ONLY</b>	Date Application Received: _____
	Date & Amount Paid: _____
	Check No. CC Payment or Cash: _____

### INSTRUCTIONS

1. Complete a separate form for each business to be registered.
2. Please make checks payable to: **City of Montrose**
3. Mail completed application and payment to:
4. Review Checklist-address any issues
5. Schedule an inspection (810) 639-6168 ext. 6  
Or email: [permits@cityofmontrose.us](mailto:permits@cityofmontrose.us)

**City of Montrose**  
Attn: **General Business License**  
139 S. Saginaw St.  
Montrose, MI 48457

## ARTICLE III. - GENERAL BUSINESS LICENSE

### Sec. 14-51. - Purpose.

The purpose of this section shall be to generate general fund revenue to offset the cost of enforcing existing city ordinances and regulate business activity as it relates to zoning, permits, income tax, property tax and the like.

(Ord. No. 434, 7-27-2017)

### Sec. 14-52. - License required.

All persons who conduct, engage in, maintain, operate, carry on, or manage a business for which a license is not otherwise required under any other provisions of this Code shall be required to obtain a general business license for said business. A separate license shall be required for each separate place of business. A business shall include but not be limited to: for profit businesses and not for profit businesses.

#### *Exceptions:*

- (1) Churches;
- (2) Public libraries;
- (3) Schools (public, parochial and charter, K-12);
- (4) Government offices or operations.

(Ord. No. 434, 7-27-2017)

### Sec. 14-53. - Application.

An application for a license required by this article shall be made in writing on a form prescribed by the city clerk. Each application shall contain any information as may be required to determine whether a license should be issued.

(Ord. No. 434, 7-27-2017)

### Sec. 14-54. - Issuance of license.

Sec. 14-57. - Late payment penalty.

An additional late charge of 50 percent of the license shall be incurred as a result of the following:

- (1) Failure to obtain a business license within 90 days from the effective date of the ordinance or any applicable amendment;
- (2) Failure to obtain a business license within 15 days from commencement of a business;
- (3) Failure to renew a business license by the license expiration.

(Ord. No. 434, 7-27-2017)

Sec. 14-58. - Regulations.

- (a) No license shall be assigned, sold or transferred, nor shall any license authorize any person other than the applicant to conduct business under such license.
- (b) The applicant or licensee shall have a duty to notify the city clerk of any changes in the information contained in an application which is pending or which was the basis for the issuance of a license.
- (c) All licenses shall be prominently displayed on the business premises at all times.
- (d) No person shall add to, alter, deface, forge, or counterfeit any license which is required under this article.
- (e) All licensees shall comply with all applicable state laws including Genesee County and local city ordinances.

(Ord. No. 434, 7-27-2017)

Sec. 14-59. - Suspension and revocation.

In addition to any other penalty provided for in this Code or other city ordinances, the city clerk may suspend or revoke any license issued pursuant to this section for:

- (1) Failure to comply with any provisions of this chapter and any applicable ordinances;
- (2) Failure to allow required inspection. The city clerk shall notify the licensee that their license has been suspended or revoked and the reason for the suspension or revocation. Notification may be made by first class mail and shall state that the licensee has the right to appeal the suspension or revocation provided the appeal is made in writing to the city clerk within ten days of notification.

In addition to any other penalty or remedy provided for in this Code, or other city ordinances, the city clerk shall have the authority to take the following actions against any business which fails to obtain or renew a business license:

- (1) A separate offense shall be deemed committed for each day that a violation occurs.
- (2) Use whatever means necessary to cause said business to cease operations at its location, including, but not limited to, having persons vacate the premises, padlocking said premises or terminating water service to said premises, with reasonable costs charged to the business owner.

(Ord. No. 434, 7-27-2017)

Secs. 14-64—14-90. - Reserved.

# MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

April 29, 2025

Aye, Machuk – Aye, Pangle – Aye, Heslop – Aye, Hoose – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

## *City Council* 10. DISCUSSION/DIRECTION GBL ORDINANCE CORRECTIONS/MODIFICATIONS:

- **MOTION** by Pangle **SECOND** by Mayor Pro-Tem Richard to direct the City Manager to halt any enforcement activities based on the current ordinance that we all agree needs to have something done to it, for 90 days. Roll Call Vote: Mayor Pro-Tem Richard – Aye, Pangle – Aye, Hoose – Aye, Heslop – Aye, Machuk – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

## 11. DISCUSSION/DIRECTION OF USDA GRADUATION LETTER:

- **MOTION** by Mayor Pro-Tem Richard **SECOND** by Pangle to hire Miller Canfield at a cap of \$10,000.00. Roll Call Vote: Heslop – Aye, Machuk – Aye, Mayor Pro-Tem Richard – Aye, Pangle – Aye, Hoose – Nay, and Mayor Banks – Aye. Five (5) Ayes. One (1) Nay. Motion Carried.
- **MOTION** by Pangle **SECOND** by Machuk to direct the city manager to illicit an engagement letter with Doug Deeter at Rehman Group for future auditing needs. Roll Call Vote: Pangle – Aye, Hoose – Nay, Heslop – Aye, Mayor Pro-Tem Richard – Aye, Machuk – Aye, and Mayor Banks – Aye. Five (5) Ayes. One (1) Nay. Motion Carried

## 12. DISCUSSION/DIRECTION CITY OFFICE HOURS:

- **MOTION** by Hoose **SECOND** by Mayor Pro-Tem Richard to change the City Office hours to 10 hour, 8am-6pm Monday – Thursday staring April 7<sup>th</sup> and revisit in September. All Ayes. Motion Carried.

## 13. DISCUSSION/DIRECTION HOSTING GENESEE COUNTY SMALL CITIES AND VILLAGES ASSOCIATION MEETING IN MAY:

- **MOTION** by Mayor Pro-Tem Richard **SECOND** by Pangle for the Genesee County Small Cities and Villages Association meeting at the Depot on May 7<sup>th</sup> at 6pm. Roll Call Vote: Hoose – Aye, Heslop – Aye, Mayor Pro-Tem Richard – Aye, Machuk – No, Pangle – Aye, and Mayor Banks – Aye. Five (5) Ayes. One (1) Nay. Motion Carried.

## 14. APPROVAL/DISAPPROVAL MAYOR PRO-TEM RICHARD & MELISSA WALLACE-HOOSE ABSENCES AT THE 02/25/25 CITY COUNCIL MEETING

- **MOTION** by Pangle **SECOND** by Heslop that we approve the absences of Hoose and Richard. All Ayes. Motion Carried.

## **REPORTS FROM BOARDS & COMMISSIONS:**

**DOWNTOWN DEVELOPMENT AUTHORITY BOARD:** Machuck. Discussed the direction of the DDA meetings going to evenings at 7pm and twice month. Made a budget for the flowers for uptown. Forming a Garden Club and starting up the community garden. Next meeting is April 16<sup>th</sup> at 7pm.

**ELECTION COMMISSION:** Rush reported that absentee ballots have come in and will be available once the election machines are tested.

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

April 29, 2025

*GENESEE COUNTY COMMUNITY DEVELOPMENT ALLOCATION COMMITTEE: NONE.*

*GENESEE COUNTY METROPOLITAN ALLIANCE: Report on file at the city office.*

*GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION: Mayor Banks recommended Irene's Restaurant in Grand Blanc.*

*GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE: NONE.*

*PLANNING BOARD: Everything discussed during tonight's meeting.*

*911 CONSORTIUM: Pangle reported there is more progress on the new 911 building.*

*ZONING BOARD OF APPEALS: Valentine mentioned they met for their annual appointments and there could be a possible fence variance for a local resident.*

*MONTROSE AREA CHAMBER OF COMMERCE: Hoose mentioned that The chamber would like Lori and Tom to volunteer go into the dunk tank.*

**TRAINING OPPORTUNITIES:** Valentine said to the council they are all underway.

1. *MSU FRC (FISCALLY READY COMMUNITIES) TRAINING*

    A. *2025 COMMUNITIES WEBINAR SERIES*

    B. *2025 FRC Webinar Series*

2. *RRC TRAINING*

Valentine reported that all trainings are underway.

**REPORTS FROM CITY MANAGER AND CITY ATTORNEY:**

*CITY MANAGER: Everything discussed during tonight's meeting.*

*CITY ATTORNEY: Council approved the engagement letter tonight.*

**PUBLIC COMMENTS:** Clint Diffin complained about potential violation letters he received from the city.

**MAYOR AND COUNCIL COMMENTS:** Mayor and Council made comments.

**COMMUNICATIONS TO THE COUNCIL:** *On file at city office.*

**ADJOURNMENT:**

**MOTION** by Richard **SECOND** Heslop by to adjourn. All Ayes. Motion Carried.

Mayor Banks adjourned the meeting at 10:12 p.m.

Prepared by City Secretary, Christine Schultz

# MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

April 29, 2025

**CALL TO ORDER:** Mayor Tom Banks called the regular Council meeting to order at 7:01 p.m. The meeting was held at the City Offices located at 139 S. Saginaw Street, Montrose, MI.

**ROLL CALL:** Present council members were Mayor Tom Banks, Mayor Pro-Tem Mark Richard, Ryan Heslop, Todd Pangle, Lori Machuk, and Melissa Wallace-Hoose. Also present was City Manager Barbara Valentine, City Clerk Tina Rush, and 16 citizens. Council member Robert Arnold was recorded absent.

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Mayor Tom Banks led The Pledge of Allegiance.

**CITIZEN OF THE MONTH:**

1. ***THE MONTH OF MARCH 2025; AARON BURCH:*** Council honored Burch for his years of serving the community on city council.

**PUBLIC HEARINGS:** NONE

**PRESENTATIONS:**

1. ***REVIZE WEBSITE DEMONSTRATION:*** Revize representative Brian Rohen out of Troy, MI addressed the council on a potential new website design for the city. This new online and mobile website would be user-friendly for staff and all city residents.

2. ***REVITALIZE AND TRITERRA – 106 W STATE STREET MEDC PROJECT:*** Revitalize, LLC project liaison Ron Drzewicki, addressed the council regarding the MEDC project taking place at 106 W. State Street owned by Ramby, LLC. Ron Drzewicki had one of the owners of Ramby, LLC. (Eric Reed) to stand up and speak for a few minutes regarding the history of Ramby, LLC acquiring the building in 2019 up until now. Giving an update on how the project is progressing through the MEDC. This is a \$2.2 million dollar project with 5 apartments and two store fronts.

Triterra environmental consulting representative Dave VanHeran addressed the council on ways for the owners to receive grants and loans to lower the costs for the property. It was mentioned that the property is a brownfield site. Local contributions were discussed in the form of Tax abatements (Opra and a brownfield plan) to help with costs on the project.

3. ***APM-ADVANCED OUTDOOR SPRAYING:*** APM-Advanced Outdoor Spraying representative Ben Seago addressed the council regarding a new three-year contract with the city.

**REPORTS**

1. ***FIRE & POLICE DEPARTMENT REPORTS:*** Report on file at the city office.

2. ***BUILDING INSPECTION SERVICES REPORT:*** Invoice on file at the city office.

**PUBLIC COMMENTS:** Resident Clint Diffin spoke on potential flooding issues on Coke Drive.

**MATTERS OF COUNCIL ACTION:**

1. ***APPROVAL OF THE 02/11/25 SPECIAL MEETING MINUTES:***

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

April 29, 2025

- **MOTION** by Richard **SECOND** by Pangle to approve the February 11, 2025, special meeting minutes. All Ayes. Motion Carried.

2. APPROVAL OF THE 02/25/25 REGULAR MEETING MINUTES:

- **MOTION** by Pangle **SECOND** by Hoose that we approve the February 25, 2025, meeting minutes. All Ayes. Motion Carried.

3. APPROVAL OF CHECK REGISTER & TREASURER REPORT:

- **MOTION** by Pangle **SECOND** by Mayor Pro-Tem Richard that we approve the check register and treasurer report as presented. Roll Call Vote: Pangle – Aye, Machuk – Aye, Hoose – Aye, Mayor Pro-Tem Richard – Aye, Heslop – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

4. DISCUSSION/DIRECTION OF TRANSITION TO THE REVIZE WEBSITE:

- **MOTION** by Mayor Pro-Tem Richard **SECOND** by Pangle that we transition to the Revise website to coordinate with BS&A cloud with the addition amendment of E-notification and reservations. Roll Call Vote: Mayor Pro-Tem Richard – Aye, Hoose – Aye, Heslop – Aye, Pangle – Aye, Machuk – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

5. DISCUSSION/DIRECTION MUNICODE CODIFICATION SERVICE CHANGES: Rush explained that approving this service charge would give the city discounted annual codifications.

- **MOTION** by Mayor Pro-Tem Richard **SECOND** by Heslop for five (5) years to spend up to seventeen hundred dollars, (\$1,700) annually. Roll Call Vote: Heslop – Aye, Machuk – Aye, Mayor Pro-Tem Richard – Aye, Hoose – Aye, Pangle – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

6. DISCUSSION/DIRECTION OF MIHOPE GRANT PROGRESS:

- **MOTION** by Pangle **SECOND** by Mayor Pro-Tem Richard to direct the city manager to issue a final warning and a potential invoice should they not provide the required information. Roll Call Vote: Pangle – Aye, Heslop – Aye, Machuk – Aye, Mayor Pro-Tem Richard – Aye, Hoose – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

7. DISCUSSION/DIRECTION MODIFICATON OF E & O CLAIM TO THE CITY'S INSURANCE POLICY: Valentine said to scratch out modification and the insurance company now has it. No action taken, informational only.

8. DISCUSSION/DIRECTION MOSQUITO ABATEMENT BID AWARD: Only one bid was submitted.

- **MOTION** by Machuk **SECOND** by Mayor Pro-Tem Richard that we move forward with APM for mosquito abatement. Roll Call Vote: Hoose – Aye, Machuk – Aye, Heslop – Aye, Mayor Pro-Tem Richard – Aye, Pangle – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

9. DISCUSSION/DIRECTION CITY ATTORNEY ENGAGEMENT AGREEMENT:

- **MOTION** by Mayor Pro-Tem Richard **SECOND** by Hoose that we move with the engagement agreement with Foster & Swift. Roll Call Vote: Mayor Pro-Tem Richard –

# General business license to be revised with new manager's help

MARCH 01, 2025

BY JEANNE MARCELLO  
STAFF REPORTER

**CITY OF MONTROSE** – During its Tuesday, Feb. 25 meeting, the Montrose City Council discussed problems with portions of the city's General Business License ordinance. The ordinance and its enforcement have been thorns to several Montrose city businesses.

The Montrose City Council adopted its general business license ordinance in response to the fire in downtown Montrose on June 28, 2011. At the time, the city didn't have contact information for the business owners, which became an issue as fire officials needed access to adjacent buildings to extinguish the fire.

The city council asked the planning commission to prepare an ordinance that addressed the need for contact information, as well as providing information about any hazardous chemicals or materials in the building. A sample ordinance was located and modified for the city.

As basic fire inspections were required, the general business license became tied to building inspections, which were handled by city code enforcement officer Matt Leoni.

Businesses repeatedly complained about the difficulty in obtaining their business licenses and the mounting costs of inspections.



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general business license ordinance and particularly the enforcement of certain aspects of it.

Councilwoman Lori Machuk explained that when she and her husband, Dan, opened their business about six years ago, the business licenses hadn't been enforced. After COVID, the enforcement kicked in and the Machuks tried to comply.

The Machuks attended a planning commission meeting and talked with other business owners. "We've seen what's happened, all the red tape, businesses just run (from Montrose). I'm not opposed to something (feewise) but I think the business license ordinance needs to start over," Dan Machuk said.

Warren Edwards, who owns some business buildings in downtown Montrose, said, "I recommend we rescind the whole thing. There's no reason to continue this ordinance if all it's going to do is kill businesses."

Dan Machuk explained that the building inspector/code enforcement officer was in the building for a maximum of five minutes and that cost him \$150. "We got bullied by Matt and I got billed four times. You paid \$150 or they closed you down. I know businesses that never paid \$150. This ordinance is not working."

Valentine had already reviewed the ordinance and cited a couple of problems she saw with it.

"You can't have an ordinance with questionable legal language causing a business to cease and desist. This is an administrative ordinance by definition, it states the ordinance falls under the clerk," she said. Valentine explained that this is an administrative ordinance, not a policing ordinance.

Council members talked about sending the ordinance back to the planning

Councilman Todd Pangle suggested the new city manager (Valentine) get with the planning commission and work on presenting an alternate to rescinding the general business license entirely.

Valentine said, "I'd suggest (we) stop trying to police businesses. Create an ordinance that is beneficial to businesses and the community. It should be handled administratively."

She explained that there are two conflicting aspects of the business license ordinance as it is written. On the one hand it's an administrative license to provide emergency personnel with important information about the building. On the other hand, it's a policing ordinance, but it's unenforceable.

According to the ordinance, "A hearing shall be conducted by the building code or health inspector, based upon the offense cited and or governing body in affording the licensee an opportunity to appear and defend the charges." This means that the department head issuing the citation also controls the appeal, Valentine explained.

However, businesses contend there was no appeal available to them.

Under penalties and remedies, the ordinance states that the city clerk had the authority to take action against any business which fails to obtain or renew a business license. Furthermore, it states that the city "use whatever means necessary to cause said business to cease operations at its location, including but not limited to having persons vacate the premises, padlocking said premises or terminating water service to said premises, with reasonable costs charged to the business owner," which is not enforceable under state law.

And yet, there were several businesses that were attempting to obtain business licenses but were being blocked.



Councilman Pangle found this acceptable.

Councilman Arnold said, "This was supposed to be a safety ordinance."

Dan Machuk told the council that nine or more businesses already left the city because of this ordinance.

Valentine told the council, "There are other ways to help businesses. I agree there needs to be engineering done on these buildings; but that doesn't have to happen through this ordinance. I'd suggest (we) stop trying to police businesses and create an ordinance that is beneficial to businesses and the community. It should be handled administratively."

The council agreed.



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**Sec. 14-51. - Purpose.**

The purpose of this section shall be to generate general fund revenue to offset the cost of enforcing existing city ordinances and regulate business activity as it relates to zoning, permits, income tax, property tax and the like.

(Ord. No. 434, 7-27-2017)

**Sec. 14-52. - License required.**

All persons who conduct, engage in, maintain, operate, carry on, or manage a business for which a license is not otherwise required under any other provisions of this Code shall be required to obtain a general business license for said business. A separate license shall be required for each separate place of business. A business shall include but not be limited to: for profit businesses and not for profit businesses.

*Exceptions:*

- (1) Churches;
- (2) Public libraries;
- (3) Schools (public, parochial and charter, K-12);
- (4) Government offices or operations.

(Ord. No. 434, 7-27-2017)

**Sec. 14-53. - Application.**

An application for a license required by this article shall be made in writing on a form prescribed by the city clerk. Each application shall contain any information as may be required to determine whether a license should be issued.

(Ord. No. 434, 7-27-2017)

**Sec. 14-54. - Issuance of license.**

The city clerk shall issue the license pursuant to the application if:

- (1) The appropriate fees have been paid according to the table contained in this section.
- (2) The planning and development division has approved the use of said parcel for the requested use.
- (3) There are no outstanding building code violations.
- (4) There are no outstanding fire code violations and fire inspection is current/completed.
- (5)

All current and past due fees and/or fines associated with the property or applicant have been paid or arrangements have been made to pay, including but not limited to:

- a. Permit fees.
- b. Zoning fees.
- c. Water or sewer services.
- d. Engineering fees.
- e. False alarm fees.
- f. Property tax (real and personal).
- g. Income tax.

(Ord. No. 434, 7-27-2017)

Sec. 14-55. - Term of license, renewal.

All licenses provided in this article shall expire two years after the date of issuance.

(Ord. No. 434, 7-27-2017)

Sec. 14-56. - License fees.

Fees shall be established by city council and listed in the general business license registration application.

(Ord. No. 434, 7-27-2017)

Sec. 14-57. - Late payment penalty.

An additional late charge of 50 percent of the license shall be incurred as a result of the following:

- (1) Failure to obtain a business license within 90 days from the effective date of the ordinance or any applicable amendment;
- (2) Failure to obtain a business license within 15 days from commencement of a business;
- (3) Failure to renew a business license by the license expiration.

(Ord. No. 434, 7-27-2017)

Sec. 14-58. - Regulations.

- (a) No license shall be assigned, sold or transferred, nor shall any license authorize any person other than the applicant to conduct business under such license.
- (b) The applicant or licensee shall have a duty to notify the city clerk of any changes in the information contained in an application which is pending or which was the basis for the issuance of a license.

- (c) All licenses shall be prominently displayed on the business premises at all times.
- (d) No person shall add to, alter, deface, forge, or counterfeit any license which is required under this article.
- (e) All licensees shall comply with all applicable state laws including Genesee County and local city ordinances.

(Ord. No. 434, 7-27-2017)

#### Sec. 14-59. - Suspension and revocation.

In addition to any other penalty provided for in this Code or other city ordinances, the city clerk may suspend or revoke any license issued pursuant to this section for:

- (1) Failure to comply with any provisions of this chapter and any applicable ordinances;
- (2) Failure to allow required inspection. The city clerk shall notify the licensee that their license has been suspended or revoked and the reason for the suspension or revocation. Notification may be made by first class mail and shall state that the licensee has the right to appeal the suspension or revocation provided the appeal is made in writing to the city clerk within ten days of notification. Upon receipt of the written appeal the city clerk shall proceed with scheduling an appeal hearing as provided for in the notice of hearings and hearings sections [§§ 14-60 and 14-61].

(Ord. No. 434, 7-27-2017)

#### Sec. 14-60. - Notice of hearing.

Notice of the above-described hearing shall be served on the licensee by first class mail and posting at the location of the licensed business not less than five days before the date of said hearing.

(Ord. No. 434, 7-27-2017)

#### Sec. 14-61. - Hearings.

The hearing shall be conducted by the building, code, or health inspector based upon the offense cited and or governing body in affording the licensee an opportunity to appear and defend the charges. A final decision in writing, including the reasons for such decision and shall serve said decision on the licensee within ten days after conclusion of the hearing.

(Ord. No. 434, 7-27-2017)

#### Sec. 14-62. - Summary suspension.

Whenever there is sufficient evidence demonstrating probable cause to believe that the licensee has violated the provisions of this article or has not complied with state law, Genesee County or local city ordinances and that said violation will immediately threaten the public health, safety or welfare, the city manager may, upon the issuance of a written order stating the reason for such conclusion and without prior notice or hearing, order the licensed premises closed and the license summarily suspended pending a public hearing and determination on suspension or revocation. Said hearing shall be commenced not more than 17 days following entry of such an order, unless the licensee shall agree to a longer period of time. Upon entry of an order of summary suspension, the licensee shall be served with a copy of the order and notice of violation and hearing in the manner provided in this section.

(Ord. No. 434, 7-27-2017)

#### Sec. 14-63. - Penalties and remedies.

In addition to any other penalty or remedy provided for in this Code, or other city ordinances, the city clerk shall have the authority to take the following actions against any business which fails to obtain or renew a business license:

- (1) A separate offense shall be deemed committed for each day that a violation occurs.
- (2) Use whatever means necessary to cause said business to cease operations at its location, including, but not limited to, having persons vacate the premises, padlocking said premises or terminating water service to said premises, with reasonable costs charged to the business owner.

(Ord. No. 434, 7-27-2017)

#### Secs. 14-64—14-90. - Reserved.

# City of Montrose - General Code Compliance Inspection

## Exterior

- Name of business shall be provided on the front of the building or on a sign
- Address shall be posted on the front of the building. Numbers shall be at least 4" in height, visible from the street
- No combustible storage within 15 feet of a building
- Dumpsters shall be kept in approved enclosures
- No abandoned or unlicensed vehicles
- Posted fire lanes must always be kept clear
- ADA parking provided and posted
- No sheds, containers, storage or temporary structures
- Fences are in good condition
- Parking, walkway, alley is properly lit
- Exterior is in a "maintained" condition.
- Lawn is mowed, trees and bushes trimmed, leaves cleaned up/snow is removed
- No loose garbage
- No harborage of pests
- No chipped or peeling paint
- No broken glass

## Interior

- Occupant load posted
- Doors and exits are not blocked **and** do not require a key for exiting
- Fire extinguishers shall be provided at each exit and 75 feet in between extinguishers (maximum extinguisher size and type is determined by occupancy type and building code)
- Fire extinguishers shall be installed 42 inches from finished floor to hanger
- Fire suppression systems shall be inspected and tested annually by a certified contractor
- Fire alarm systems shall be inspected and tested annually by a certified contractor
- Storage height is limited to 12 feet if the building does not have a fire suppression system
- Emergency lighting is required along the entire path of egress. A photometric plan may be required
- Exit lighting shall always be illuminated with a back-up system
- Extension cords may not take the place of fixed wiring. Extension cords are intended for temporary use
- Compressed gas cylinders shall always be secured
- Supply and drain plumbing shall have proper air gap, backflow or other sanitary protection controls
- Stairs, rail, and guard rails are code compliant
- ADA compliant restroom(s)

139 S, SAGINAW STREET  
MONTROSE, MI 48457

CITY OF MONTROSE



PHONE (810) 639-6168

FAX (810) 639-6125

**Planning Board Regular Meeting  
September 12, 2024  
To be held at the Montrose City Office  
Located at 139 S. Saginaw Street  
7:00 p.m.**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF MINUTES**

1. 8/8/24 – Planning Board Meeting Minutes

**CITIZEN COMMENT ON AGENDA ITEMS**

**COMMUNICATIONS**

**PUBLIC HEARING**

City of Montrose Master Plan 2040

**UNFINISHED BUSINESS:**

1. General Business License Draft Ordinance/Process

**NEW BUSINESS**

1. Master Plan Resolution of Support
2. Call for Project Genesee County Metro Planning

**STAFF REPORTS: NONE**

**EXTENDED CITIZEN COMMENTS**

**EXTENDED MEMBER COMMENTS**

**ADJOURNMENT**

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