VILLAGE OF SHELBY
PLANNING COMMISSION
SEPTEMBER 15, 2026 at 6:00 P.M.
MEETING PROCEEDINGS

1. CALL TO ORDER:

The Village of Shelby Planning Commission Meeting was called to order at 6:00 P.M. by Chairperson Ross Field.

2. ROLL CALL:

Answering Roll Call: Samantha Gottschalk, Paul Inglis, Ross Field, John Sutton, and Tim Horton.
Staff Present: Village Administrator, Phil Morse and Clerk/Treasurer Miraya Gissell Diaz.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. MINUTES:

a.) August 18, 2026

Paul Inglis moved to approve the minutes of the Planning Commission Meeting of August 18, 2026 as presented.
Seconded by: John Sutton.

Voice Vote: All in favor.
Motion Carried.

5. PUBLIC HEARINGS:

a.) Zoning Ordinance and Zoning Map

VA Morse provided background on the Zoning Ordinance rewrite process, noting that the effort began in early 2025. He explained that, naturally, the Master Plan serves as the foundation for the Zoning Ordinance. The timing of the rewrite was due mainly to grant opportunities, as the Village became aware of a $36,000 grant in the fall of 2024. McKenna assisted the Village in completing the grant application, and the Zoning Ordinance was most recently updated in 2023.

He further noted that the Master Plan had not been updated in five years. In his role, he found it beneficial to thoroughly review the Zoning Ordinance, as becoming deeply familiar with its provisions and contents strengthen his work as the Zoning Administrator. The Zoning Ordinance is the legal document that the Planning Commission and the Village Council, acting as the Zoning Board of Appeals, are bound to follow for all requests.

Planning Commissioner Inglis commented that the timing of the Zoning Ordinance rewrite was necessary to meet the certification requirements of Redevelopment Ready Communities (RRC).

Paige Brodeur, a representative of McKenna, presented information regarding the Proposed Zoning Ordinance Amendments and noted that the current ordinance was adopted on March 27, 2023.

Framework Amendment:

- The rewrite retains the seven base zoning districts.
- The proposed ordinance is consolidated from 18 chapters down to 10.
- A Permitted Use and Dimensional Table had been created.
  Biggest Policy Changes:
  - Broader housing choices
  - Downtown mixed-use and commercial regulations
  - Design standards
  - Regulation of newer land uses

Purpose of the Public Hearing:

The Public Hearing presents the proposed ordinance to the public, creates a formal opportunity for public comment, allows the Planning Commission to identify revisions, and helps build the record for a recommendation to the Village Council. The public hearing is an advisory step in the ordinance adoption process and does not result in the immediate adoption of the proposed ordinance. The current ordinance remains in effect unless and until the Village Council formally adopts the proposed ordinance and it becomes effective.

Comparison between Current and Proposed Ordinance:

- Each district has its own chapter in the current ordinance; in the proposed ordinance, all district permitted uses appear in one consolidated table.
- Special uses are located in Chapter 14 of the current ordinance; and in the proposed ordinance, dimensional standards appear in a single comparison table.
- Site plan review is located in Chapter 15 of the current ordinance; and in the proposed ordinance, special uses, site plans, and development standards are relocated due to consolidation into Chapters 6-8.
- Site development standards are located in Chapter 16 of the current ordinance; and in the proposed ordinance, ZBA and administration provisions are moved to Chapters 9-10.
- Administration concludes in Chapter 18 of the current ordinance; and in the proposed ordinance, intent statements are edited to align with the desired character identified in the Master Plan.

District Name Changes and Emphasis:

- R-1 Low Density Residential to R-1 Residential
  - Established large-lot neighborhoods
- R-2 Medium Density Residential to R-2 Neighborhood Residential
  - Walkable traditional neighborhoods
- R-3 Multiple Family Dwelling to R-3 Downtown Residential
  - Housing close to downtown
- C-1 Central Business to MU Mixed Use
  - Active storefronts and upper-floor housing

- C-2 General Business to C Commercial
    - Corridor-scale local business
- IND Industrial to I Industrial
    - Employment and light industrial uses

Housing Choices Expanded (Permitted Use Table):

- Ground-Floor Rear Residential is currently not listed. The proposed change permits it in the MU district behind active street-facing space.
- Residential Above Retail/Office is currently permitted in the C-1 and C-2 districts. The proposed change is to permit it in both the MU and C districts.

The proposed use table broadens where several housing types may be considered. This does not mean every project is automatically approved; many new locations require the special land use process.

Proposed Changed to the R-3 District:

- Minimum lot area reduced from 10,000 sq. ft. to 5,000 sq. ft.
- Minimum rear setbacks were reduced from 40 ft. to 30 ft.

These reductions support infill development while maintaining the existing density cap. Planning Commissioner Horton questioned whether a minimum lot area of 5,000 square feet would be too small given the maximum density of 10 units per acre. Discussion focused on whether the allowable number of units should be adjusted and whether density should instead be calculated based on square footage. Following discussion, the consensus was to retain the 10,000 square foot minimum lot area, as it was determined to be the most appropriate standard for the R-3 District.

Proposed Changes to the MU District:

The proposed amendments build upon the existing downtown design standards within the C-1 District. Key changes include renaming the district, reducing the maximum setback requirement, establishing standards for rear ground-floor residential uses, and revising upper-floor window requirements.

Proposed Changes to the Commercial District:

- Maximum front setback reduced from 150 ft. to 40 ft.
- Side setback adjacent to residential reduced from 40 ft. to 20 ft.
- Maximum height changed from 2 ½ stories to a definitive 35 ft.
- Ground-floor clear-glass standard added: 60-percent on road facing facades.
- Façade material standard added: minimum 25-percent listed durable materials.

New Land Uses and Current Hot Topics:

These items must be addressed in the ordinance to ensure they can be regulated. Most high-impact uses are limited to the Industrial District and require Special Land Use approval.

- Energy
    - Utility-Scale Battery Storage
    - Large Solar Systems
    - Utility-Scale Wind Systems
    - Personal Solar Systems
- Mobility + Technology
    - Electric-Vehicle Charging
    - Data Centers
    - Wireless Communication Towers
    - Parking as a Principal Use
- Local Economy
    - Commercial Greenhouses
    - Outdoor Dining
    - Farm Markets
    - Small-Livestock Vegetation Management

Residential Care and Childcare Provisions:

The proposed use table aligns more closely with state licensing categories and approval rules. The proposed approach separates adult foster care family, small-group, and large-group homes, as well as separating family childcare, group childcare, and childcare centers. It lists foster family homes and qualified residential treatment programs and notes statutory approval standards for group childcare homes.

Parking Requirements:

The proposed parking section retains minimum requirements but adds tools to reduce redundant pavement and formalizes shared-parking responsibilities.

Review Procedures and Administration:

Review procedures were largely relocated due to the consolidation of district chapters. Most processing steps remain the same, with the exception of Special Land Uses which were both consolidated and expanded. A ZBA reference was added to identify the Village Council as the Zoning Board of Appeals, with the proposed location in Chapter 9 of the ordinance. McKenna also clarified enforcement provisions and certificate of occupancy requirements within the Administration chapter, proposed for Chapter 10.

The proposed ordinance is a more usable ordinance with broader choices and clearer design expectations. More housing types may be considered in more districts, one central table identifies permissions and standards, and new technology and development forms have defined review standards.

Following the presentation, the Commission discussed the proposed R-3 district density standard of 10 units per acre and whether the associated side-yard setback requirements were appropriate. Although removing the side-yard setback was considered, the Commission ultimately agreed that the provision should remain. The Commission also reviewed proposed zoning map amendments and expressed

support for rezoning parcel no. 046-109-011-50 from R-2 to MU while retaining the existing Industrial zoning designation for parcel no. 046-118-001-80.

Cheryl Blohm, 313 Apricot Ln, stated that initially she was concerned when hearing about the rezoning, and after speaking with VA Morse she felt more comfortable. She noted that along Apricot Lane, the property owners all have double lots, and she did not want to see additional homes constructed on those double lots. She further stated that she is not in favor of multifamily duplexes being placed on the vacant lots.

The Commission discussed a proposed rezoning of Village-owned parcel no. 046-503-009-00 from Industrial to R-2. VA Morse explained that the existing Industrial zoning imposes setback requirements that limit the placement of the proposed Police Storage Building and contributed to the denial of a recent variance request. He stated that rezoning the property to R-2 would significantly reduce the setback requirements, providing greater flexibility of the placement of the building. Planning Commissioner Horton asked what uses are permitted in R-2 and whether the building would be allowed. VA Morse stated that it would be permitted in the R-2 district with a Special Land Use Permit, as it would be considered a public-utility building, which is permitted in the Industrial, R-1, R-2, and R-3 districts with Special Land Use approval.

VA Morse asked the Planning Commission whether they would like both Cottage Courts and Multifamily Dwellings to be permitted in the R-1 district. The consensus was to remove both Cottage Courts and Multifamily Dwellings as permitted uses in the R-1 district.

Chairperson Ross Field opened the Public Hearing at 7:09 P.M.

Angel Coon, candidate for Michigan House District 102, expressed concerns regarding the rezoning plan. She felt that although the proposal was presented largely as a modernization of the zoning ordinance, it appears to include substantial changes, expanded uses and potentially increased density in certain areas of the Village. She highlighted the addition to high-impact uses, such as data centers and utility-scale energy infrastructure, and emphasized the need for further public review and discussion. She encouraged transparency regarding the rationale for the proposed changes, their impact on individual properties, and their potential long-term implications for the Village.

She clarified that she was not suggesting these items are inherently problematic but felt that residents deserve to understand the proposed changes and their potential impacts. She stated that the process should not be rushed, given the significant challenges that small rural communities are currently facing. She expressed concerns regarding the waiving of fees for companies, noting that rural communities continue to face resource challenges and referencing a recent split decision to waive fees. She further emphasized that small-town America should not continue to bear the burden of rushed decisions and the waiving of crucial fees that could help sustain communities where tourism alone is insufficient.

The Commission discussed concerns raised by Ms. Coon regarding the inclusion of data centers, battery energy storage systems, and solar energy systems in the proposed Zoning Ordinance. Chairperson Field and Ms. Brodeur explained that addressing these uses within the ordinance does not constitute endorsement; rather, it establishes regulations governing where and how such uses may occur. They emphasized that uses not addressed in the ordinance may be permitted without specific zoning

restrictions. Chairperson Field emphasized that the Zoning Ordinance update process has been conducted openly and transparently over an extended period and is guided by the Village's Master Plan. He noted that the proposed ordinance will next be reviewed by the Village Council and stressed that the Commission's work has been performed in good faith and with the community's best interests in mind. He further reiterated the Commission's role as stewards of the community and its responsibility to consider long-term planning and development issues.

Planning Commissioner Horton explained, for the benefit of the residents present at the meeting, that the purpose of identifying specific land uses within the Zoning Ordinance is to ensure they can be appropriately regulated and restricted to designated areas. He noted that if uses such as sex-oriented businesses or data centers are not addressed in the ordinance, the Village may have limited ability to regulate their locations. The discussion included a review of how data centers are addressed under the proposed ordinance, with staff confirming that they would be permitted only in the Industrial District and would require Special Land Use approval.

Chairperson Ross Field closed the Public Hearing at 7:20 P.M.

6. COMMISSION ADMINISTRATIVE BUSINESS:

a.) Resolution No. 01-26 (Recommendation of Zoning Ordinance Approval)

Samantha Gottschalk moved to recommend adoption of the proposed Village of Shelby Zoning Ordinance and Zoning Map to the Village Council and constituting Planning Commission approval of such Zoning Ordinance and Zoning Map. Resolution No. 01-26 (See Attached).
Seconded by: Tim Horton.

Roll Call Vote:
Ayes: Samantha Gottschalk, Tim Horton, John Sutton, Ross Field, and Paul Inglis.
Motion Carried 5-0

b.) Site Plan – Police Storage Building

The Village of Shelby, owner of Parcel No. 046-503-009-00, located within Nichols Park on Lincoln Street, proposes the construction of a municipal storage building to accommodate equipment and materials used by the Village Police Department and Department of Public Works (DPW). The proposed building will measure approximately 48 feet by 40 feet, providing a total of 1,920 square feet of enclosed storage space. The facility is intended solely for municipal storage purposes and is not anticipated to generate significant traffic or activity. The subject property consists of approximately 0.67 acres (29,344 sq. ft.) and is currently part of Nichols Park. The property will remain part of the park/open-space area, with the proposed building serving a limited municipal support function.

The proposed building will be located in the southwestern portion of the property, adjacent to Lincoln Street along the south property line and an unnamed gravel roadway along the west property line. The building's location provides convenient access for municipal operations while maintaining the majority of the property as open-park space. The site will be designed to maintain positive drainage and minimize impacts to adjacent properties and surrounding park areas.

Planning Commissioner Horton asked if the building was going to be heated. VA Morse stated that the building will be heated, will have fans, and will include a drain in the middle of the floor to allow vehicles to be washed. He added that there will also be a basin to collect oil to help protect the Village's sewer system.

The Planning Commission reviewed the Site Plan Review Checklist provided by VA Morse. His findings regarding applicability and review authority indicate that, in the R-2 district, all uses other than single-family and two-family dwellings require site plan review by the Planning Commission. This review is contingent upon Village Council final approval of the proposed amendment to rezone the property to R-2.

Planning Commissioner Horton asked if the building met the number of parking requirements, and VA Morse stated that the requirement in this situation would be 1.5 parking spaces; however, the building would provide three parking spaces. VA Morse further noted that, pursuant to Section 16.01.02, the requirements for parking, loading and circulation are not applicable for this application.

Clerk/Treasurer Diaz asked whether it would be beneficial to have water and sewer connections outlined in the drawings for a site plan review. Although such information may not apply in this situation, she stated that, for future site plan reviews, it would be helpful to have those connections shown in the drawings to allow the DPW Supervisor and Village Engineer adequate time to review them.

Discussion occurred regarding whether utility connection information had been required on previous site plans and whether it would be beneficial to include such details during the site plan review process. While no consensus was reached regarding previous requirements, Clerk/Treasurer Diaz noted that she had reviewed a previous site plan containing a significant level of detail. VA Morse expressed concern that utility connection locations may change during project development, as final routing would likely be determined by the shortest and most practical connection path.

Commissioner Horton questioned whether this information would be required of all applicants, emphasizing that the Village's own site plan should set an example and precedent for future developments. Discussion focused on balancing the desire for additional utility information during site plan review with the practical challenges of determining final connection locations.

Commissioner Horton also asked whether the other setback dimensions should be included in the drawings, stating that if he were to submit an application to construct a storage barn, he would be required to specify the distances between property lines. VA Morse stated that, when the information is that obvious, he would not require it. Commissioner Horton explained that his concern was ensuring transparency and setting an example for others to follow.

Tim Horton moved to approve the proposed site plan, contingent upon the final approval of the Zoning Ordinance by the Village Council at its meeting scheduled for September 28, 2026, at which time the parcel under consideration is proposed to be zoned R-2, and subject to the following condition: consultation with the DPW Supervisor regarding the location of water and sewer connections. Upon final approval and following the applicable public notice and effective-date requirements, the R-2 zoning designation is anticipated to become effective in mid-to-late October 2026.
Seconded by: John Sutton.

Voice Vote: All in favor.
Motion Carried.

7. REPORTS: None.

8. PUBLIC COMMENT: None.

9. MEMBER DISCUSSION: None.

10. ADJOURNMENT: There being no further business to come before the Planning Commission, Ross Field adjourned the meeting at 8:03 P.M.

Planning Commission Meeting minutes are not official until approved at the next Regularly Scheduled Planning Commission Meeting of October 5, 2026

Approved ☑

Minutes Respectfully Submitted by Miraya Gissell Diaz Clerk/Treasurer

10/5/26
Date

VILLAGE OF SHELBY
PLANNING COMMISSION
OCEANA COUNTY, MICHIGAN
(Resolution No. 01-26)

At a regular meeting of the Village of Shelby Planning Commission held on September 15th, 2026, the following Resolution was offered for adoption by Planning Commission Member Samantha Gottschalk and was seconded by Planning Commission Member Tim Horton:

A RESOLUTION RECOMMENDING ADOPTION OF THE PROPOSED VILLAGE OF SHELBY ZONING ORDINANCE AND ZONING MAP TO THE VILLAGE COUNCIL AND CONSTITUTING PLANNING COMMISSION APPROVAL OF SUCH ZONING ORDINANCE AND ZONING MAP.

WHEREAS, the Michigan Zoning Enabling Act, MCL 125.3101 *et seq.* ("MZEA") authorizes the Planning Commission to amend and update its zoning ordinance for the use, development, and preservation of all lands in the Village; and

WHEREAS, the Planning Commission updated and amended the Village of Shelby Zoning Ordinance and Village of Shelby Zoning Map; and

WHEREAS, the Planning Commission held a public hearing on September 15th, 2026 to consider public comment on the proposed zoning ordinance dated August 28th and zoning map dated August 25th and to further review and comment on the proposed zoning ordinance and zoning map; and

WHEREAS, the Planning Commission wishes to make the following amendments:

1) Rezone parcel number 046-503-009-00 to R-2.

2) Remove 345, 313, 301 Apricot Lane, parcel numbers 046-150-029-00, 046-150-028-00, 046-150-027-00, 046-537-002-00, from the list of proposed parcels to be rezoned and retain the current R-1 zoning.

3) Rezone parcel number 046-109-011-50 from R-2 to MU.

4) Remove parcel number 046-118-001-80 from being rezoned to MU and retain the current IND zoning.

5) Change R-3 District Minimum Lot Size back to 10,000 sq. ft.

6) Remove Cottage Housing/Bungalow Court as a permitted use in the R-1 District.

7) Remove Multifamily Dwelling as a permitted use in the R-1 District.

WHEREAS, the Planning Commission transmitted a summary of comments received at the hearing, including recommendations, to the Village Council.

WHEREAS, the Planning Commission finds that the proposed Village of Shelby Zoning Ordinance is desirable, proper, and reasonable and furthers the use, preservation, and development goals and strategies of the Village;

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. ***Approval of Proposed Zoning Ordinance and Zoning Map.*** The Planning Commission approves the proposed Village of Shelby Zoning Ordinance and Map dated August 28th 2026, with the above mentioned amendments, including all of the chapters, figures, descriptive matters, maps, and tables contained therein.

2. ***Distribution to Village Council.*** Pursuant to MCL 125.3401, it is required for Village Council to consider and vote upon the adoption of a zoning ordinance and zoning map; therefore, the approval granted herein is not the final step for adoption of the ordinance as provided in MCL 125.3401. In addition, the Planning Commission hereby approves distribution of the

proposed zoning ordinance and zoning map to the Village Council. The Planning Commission respectfully recommends that the Village Council give final approval and adoption of the proposed Village of Shelby Zoning Ordinance and Map.

3. ***Findings of Fact.*** The Planning Commission has made the foregoing determination based on a review of existing land uses in the Village, a review of the 2025 Master Plan, and input received from the Village Council and at the public hearing, as well as the assistance of a professional planning group. The Planning Commission also finds that the proposed Village of Shelby Zoning Ordinance will accurately reflect and implement the Village's goals and strategies for the use, preservation, and development of lands within the Village of Shelby.

4. ***Effective Date.*** The Village of Shelby Zoning Ordinance will be effective pursuant to MCL 125.3401(6).

YEAS: Samantha Gottschalk, Tim Horton, John Sutton, Ross Field, and Paul Inglis

NAYS: _____

ABSENT/ABSTAIN: _____

RESOLUTION DECLARED ADOPTED.

Respectfully submitted,

By:

Dated: September 15, 2026

Planning Commission Chairperson