

**LIVINGSTON COUNTY PLANNING COMMISSION
MEETING MINUTES**

DRAFT – September 19, 2018

6:30 p.m.

304 E. Grand River Ave., Howell, Michigan

PLANNING COMMISSION		
COMMISSIONERS PRESENT:	BRIAN PROKUDA BILL ANDERSON JIM SPARKS	LAURA ABRAMSON CLAIRE STEVENS
COMMISSIONERS ABSENT:	JEANNE CLUM	MATT IKLE
STAFF PRESENT:	KATHLEEN KLINE-HUDSON ROB STANFORD	SCOTT BARB
OTHERS PRESENT:	BILL CALL, HANDY TOWNSHIP BRUCE POWELSON, MARION TWP. KAREN PIERCE, HARTLAND TWP.	MIKE GROCE, PUTNAM TOWNSHIP MICHAEL GROCE, PUTNAM TWP. KATE DEROSIER, SIERRA CLUB

1. **CALL TO ORDER:** Meeting was called to order by Commissioner Prokuda at 6:34 PM.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL AND INTRODUCTION OF GUESTS**
4. **APPROVAL OF AGENDA:**

Commissioner Action: IT WAS MOVED BY COMMISSIONER ABRAMSON TO APPROVE THE AMENDED AGENDA DATED SEPTEMBER 19, 2018, SECONDED BY COMMISSIONER ANDERSON.

All in favor, motion passed.

5. **APPROVAL OF MINUTES**

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO APPROVE THE MINUTES OF THE PLANNING COMMISSION MEETING DATED AUGUST 15, 2018, SECONDED BY COMMISSIONER ABRAMSON.

All in favor, motion passed.

6. **CALL TO THE PUBLIC**

7. ZONING REVIEWS

A. MP-02-18: CITY OF BRIGHTON, MASTER PLAN AMENDMENT

The Livingston County Planning Department received a copy of the 2017-2037 City of Brighton Master Plan for review and comment in accordance with Section 41 of the Michigan Planning Enabling Act (P.A. 33 of 2008).

The 2017-2037 City of Brighton Master Plan will replace the current plan that was adopted in 2012. County planning staff has reviewed the plan for compatibility with the current Livingston County Comprehensive Plan and for any potential impacts on county residents and adjacent communities. The new master plan has four separate components that address growth and community goals within the plan.

City Planning Commission Recommendation: Approval.

Staff Recommendation: Approval. That the Livingston County Planning Commission concur with Staff's comments on the 2017-2037 City of Brighton Comprehensive Plan, and submit the foregoing comments to the City of Brighton Planning Commission.

Commission Discussion: None.

Public Comment: None.

Commissioner Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO RECOMMEND APPROVAL. SECONDED BY COMMISSIONER ABRAMSON.

Motion passed: 4-1 (SPARKS – NAY)

B. Z-32-18: PUTNAM TOWNSHIP – REZONING

Current Zoning: RR: Rural Residential
Proposed Zoning: RS-2: Single Family Residential (3-acre)
Section / Proponents: Section 24 / Michael Groce

Township Master Plan: Putnam Township last updated their master plan and future land use map in 2012 which designates the subject parcel as Low Density Residential (3 to <5 acres). The master plan states on page 45:

The LDR classification accommodates single-family development at relatively low to moderate suburban densities in area located near existing residential development and the Village of Pinckney. These are semi-rural areas not significantly affected by environmental constraints. LDR development patterns respond to and help preserve rural visual character by maintaining adequate setbacks and by minimizing the number of lots onto existing public streets and roads.

With the 2012 master plan update, the areas along Farley, Hinchey, Cedar Lake, and Darwin Roads had the future land use designation changed from Rural Preservation to LDR to better reflect the established development patterns that are found in those areas. The proposed rezoning is bounded by M-36 on the south and fits well within the established character of LDR that is being requested by the applicant.

County Comprehensive Plan: The current Livingston County Comprehensive Plan designates the site as **Transitional Residential** (page 62). According to the County Comprehensive Plan:

This applies to areas that have already experienced new suburban housing growth, but which retain some of their agricultural characteristics. These areas act as a buffer between more strictly agricultural lands and more intense residential areas. Having open space and cluster ordinances in place is essential to keeping development to overall lower to moderate densities. While public sewer may be available to some of these areas, efforts to extend further into these areas should be avoided.

While the current county comprehensive plan does not dictate development within the Township, the proposed rezoning receives support from the county plan with the lower to moderate residential designation.

Township Planning Commission Recommendation: Approval. The Putnam Township Planning Commission recommended **Approval** of this request at its August 8, 2018 public hearing. There were no comments at the public hearing.

Staff Recommendation: Approval. The request to rezone from Rural Residential (10 acres minimum) to Single Family Residential (RS-2 with 3 acres minimum) is compatible with the Putnam Township Master Plan and the current Livingston County Comprehensive Plan.

Commission Discussion: Commissioner Anderson asked why a secondary access was not provided off Lakelands Road. The petitioner Michael Groce, noted that the map should show that it is Lakelands Trail that borders his property, not Lakelands Road. There is no secondary access point to the property.

Public Comment: None.

Commissioner Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER SPARKS TO RECOMMEND **APPROVAL**. SECONDED BY COMMISSIONER ANDERSON.

Motion passed: 5-0

C. Z-33-18: HANDY TOWNSHIP, ZONING ORDINANCE AMENDMENTS - CHAPTER 18 ADMINISTRATION, SECTION 18.6 CONDITIONAL REZONING OF LAND.

The Handy Township Planning Commission initiated this text amendment because a township rezoning case in spring of 2018 (Livingston County Case Z-21-18) identified an issue with the current zoning ordinance language regarding conditional rezoning. In this case, the conditions that were voluntarily imposed on a conditional rezoning had expired and the property owners simply wanted the zoning of the land to revert to its original zoning designation (which is the process outlined in the MZEA Michigan Zoning Enabling legislation). However, the Handy Township Zoning Ordinance language required that the property owners go through the process of a rezoning to revert the land back to the original designation.

The Handy Township Planning Commission wishes to remedy this zoning ordinance language so that the process is consistent with MZA legislation.

Township Planning Commission Recommendation: Approval. The Handy Township Planning Commission recommended approval of the Section 18.6 text amendments at their August 23, 2018, meeting. There were no comments from the public at the public hearing held during this same meeting.

Staff Recommendation: Approval. County Planning Staff finds the content of Section 18.6 G. and H. to be consistent with the language and process established in the Michigan Zoning Enabling Act.

Commission Discussion: Commissioner Prokuda asked if the fees in a fee schedule could be changed over time? Director Kline-Hudson responded that they could, and further described typical township fee schedules.

Public Comment: None.

Commissioner Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO RECOMMEND APPROVAL. SECONDED BY COMMISSIONER ABRAMSON.

Motion passed: 5-0

D. Z-34-18: HANDY TOWNSHIP, ZONING ORDINANCE AMENDMENTS - CHAPTER 15 SITE DEVELOPMENT REQUIREMENTS, SECTION 15.3 SIGNS.

The Handy Township Planning Commission is proposing to amend the Township Zoning Ordinance by creating a new Chapter 21 that governs signage within the Township. These changes have been developed as a result of the 2015 U.S. Supreme Court decision Reed v Gilbert and will aim to be consistent with the content neutral guidance that resulted from the court's decision.

Township Planning Commission Recommendation: Approval. There were no comments at the public hearing on the proposed amendments at the August 23, 2018 Planning Commission meeting. Staff did receive some written comments regarding the proposed language that has been considered as part of this review.

Staff Recommendation: Approval. Staff believes the proposed amendments are a reasonable and appropriate addition to the Township Ordinance..

Commission Discussion: Commissioner Prokuda noted a typo on page 2

Public Comment: None.

Commissioner Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER ABRAMSON TO RECOMMEND APPROVAL. SECONDED BY COMMISSIONER STEVENS.

Motion passed: 5-0

8. OLD BUSINESS:

A. Master Plan Reviews: Director Kline-Hudson shared how the County Planning Department has kept track of every comment received during the 63-day comment period in a table. She stated that each person who comments receives a return e-mail thanking them and acknowledging their comments. Kline-Hudson distributed a sample of review letters that were received by the Department. She explained that County Planning has received some suggestions for the plan and several very positive remarks, but not any negative remarks.

She reported that earlier in the summer the department solicited comments from several non-profit organizations that were mentioned in the Master Plan, and this generated several comments and review letters. County Planning received only three review letters from municipalities despite sending a reminder e-mail to each of the twenty local units of government. Kline-Hudson stated that master plan presentations

are frequently being requested, and she presented the draft plan to the Livingston County United Way Board in August and will present at a Livingston County Association of Realtors Housing Symposium in November.

Staff are making revisions to the document at this time and have already incorporated Table of Contents tabs and hyperlinks imbedded in text. Planning Commissioners commended staff for their hard work on this document and their level of responsiveness to public comments.

- B. Master Plan Public Hearing:** Staff, Planning Commissioners and meeting participants discussed ideas for the format of the public hearing.

An October 17, 2018, public hearing for the Livingston County Master Plan was established at the August 15, 2018 Livingston County Planning Commission meeting.

- C. NEW BUSINESS:** None.

D. REPORTS

- A. Parks and Open Space Plan, 2019-2023:** Director Kline-Hudson reported that she and Principal Planner Scott Barb are currently working on an update to the five-year Livingston County Parks and Open Space Plan in partnership with the Livingston County Parks and Open Space Advisory Committee. They received over 200 responses from a public opinion survey and are currently interpreting these results. They have also completed an inventory of parks & open space resources and a demographic profile for the document.

- B. Potential Natural Areas Assessment:** Principal Planner Stanford reported that County Planning is initiating an update to Livingston County's High-Quality Natural Areas document (2003) with assistance from the Livingston Land Conservancy. The update of this document was suggested in master plan public comments from various Livingston County environmental groups. Stanford presented maps that illustrate the location of building structures in relation to Priority I, II and III natural areas. The revised document will attempt to quantify how many acres of prioritized natural areas have been converted over time to development.

- C. Visits to Local Planning Commissions:** A revised meeting schedule was distributed to Planning Commissioners. Principal Planner Stanford described his recent visit to the Conway Township Planning Commission meeting and Director Kline-Hudson distributed a copy of the Draft Livingston County Master Plan 2018 Summary of Contents that has been created as an informative handout for local planning commission visits.

- D. Other:** None

E. COMMISSIONERS HEARD AND CALL TO THE PUBLIC:

Commissioner Sparks asked if County Planning still has a contract with the City of Brighton. He asked how the Livingston County Planning Commission could review the Brighton Master Plan without a conflict of interest. Principal Planner Barb stated that the City of Brighton master plan has been created with the assistance of a planning consultant. He further described the professional planning services that the City contracts County Planning Department to provide. Director Kline-Hudson stated that the hourly rate for these services is established based on staff costs per the Human Resources Department. Commissioner Abramson asked if staff could provide a summary of City of Brighton services at the next meeting.

Karen Pierce, a retired teacher from Hartland Schools and an environmentalist with several local groups, stated that she was sorry to see that so many natural areas properties have been lost in Livingston County and that this is an important issue for the Livingston County Master Plan to address.

Kate DeRosier thanked staff for putting hotlinks in the draft master plan. She asked if it would be possible for the County Planning Department staff to post a list of organizations that were solicited for master plan

comments on the Department website. She added that it would also be interesting to see how many public comments came from the various townships, cities and villages in the county.

Bruce Powelson said that he noticed staff and a County Planning Commissioner would soon be visiting Marion Township. He offered to assist with any audio visual needs for the visit.

E. ADJOURNMENT

Commissioner Action: IT WAS MOVED BY COMMISSIONER SPARKS TO ADJOURN THE MEETING AT 7:41 P.M., SECONDED BY COMMISSIONER STEVENS.

Motion passed: 5-0