

**LIVINGSTON COUNTY PLANNING COMMISSION  
MEETING MINUTES**

**APPROVED – April 18, 2018**

**6:30 p.m.**

**304 E. Grand River Ave., Howell, Michigan**

<b>PLANNING COMMISSION</b>		
<b>COMMISSIONERS PRESENT:</b>	<b>BRIAN PROKUDA JEANNE CLUM</b>	<b>JAMES SPARKS BILL ANDERSON</b>
<b>COMMISSIONERS ABSENT:</b>	<b>LAURA ABRAMSON</b>	<b>MATT IKLE</b>
<b>STAFF PRESENT:</b>	<b>KATHLEEN KLINE-HUDSON ROB STANFORD</b>	<b>SCOTT BARB</b>
<b>OTHERS PRESENT:</b>	<b>ROBERT STECKROTH-HOWELL RESIDENT BOB HANVEY-MARION TOWNSHIP SUPERVISOR</b>	

1. **CALL TO ORDER:** Meeting was called to order by Commissioner Prokuda at 6:30 PM.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL AND INTRODUCTION OF GUESTS**
4. **APPROVAL OF AGENDA**

**Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO APPROVE THE AGENDA DATED APRIL 18, 2018, SECONDED BY COMMISSIONER CLUM.**

**All in favor, motion passed.**

5. **APPROVAL OF MINUTES**

**Commissioner Action: IT WAS MOVED BY COMMISSIONER CLUM TO APPROVE THE MINUTES OF THE PLANNING COMMISSION MEETING DATED MARCH 21, 2018, SECONDED BY COMMISSIONER SPARKS.**

**All in favor, motion passed.**

6. **CALL TO THE PUBLIC:** Mr. Robert Steckroth stated that he has been a resident of Howell for over 30 years and he has had difficulty homesteading. He was evicted, was homeless, and is now temporarily sheltered. He said that he is on disability income. He proposes establishing a church/property with a variety of purposes and he requested endorsement from the County Planning Commission. Director Kline-Hudson stated that we could not endorse a development proposal that does not come from a local Township Planning Commission, and that the role of the County Planning Commission is defined by the Michigan Planning Enabling Act. Commissioners and staff referred him to Livingston County Habitat for Humanity, the 211 call center and the large job fair at Crystal Gardens.

Commissioner Prokuda closed the Call to the Public.

## 7. ZONING REVIEWS

### A. Z-01-18: MARION TOWNSHIP, ZONING ORDINANCE AMENDMENTS -

#### ARTICLE III DEFINITIONS, ARTICLE VIII RESIDENTIAL DISTRICTS, ARTICLE X INDUSTRIAL DISTRICTS.

The Marion Township Planning Commission proposes to revise Article III Definitions, Article VIII Residential Districts, and Article X Industrial Districts regarding landscape operations and contractor yards.

**Township Planning Commission Recommendation: Approval.** The Marion Township Planning Commission recommended **Approval** of the text amendments at their February 27, 2018 meeting. There were no public comments.

**Staff Recommendation: Approval.** The proposed text amendments are reasonable and appropriate appear to add no further undue hardship on the public. The proposed revisions to these Sections appear to improve the intended nature of these types of land uses through more distinct and detail-specific regulatory provisions.

**Commission Discussion:** Commissioner Sparks asked where Rural Residential fits in with these Agricultural uses. Bob Hanvey, Marion Township Supervisor, stated that Rural Residential is their Agricultural district.

**Public Comment:** Bob Hanvey, Marion Township Supervisor, spoke about animal units, as questioned by Commissioner Sparks. He stated that 200 animal units is equivalent to 1 feeder cow. Commissioner Sparks stated that Right to Farm supersedes the animal unit requirement.

#### **Commissioner Action:**

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

**Motion passed: 4-0**

### B. Z-02-18: MARION TOWNSHIP, ZONING ORDINANCE AMENDMENTS -

#### ARTICLE III DEFINITIONS, ARTICLE IX COMMERCIAL DISTRICTS, AND ARTICLE XVII STANDARDS FOR SPECIFIC SPECIAL LAND USES.

The Marion Township Planning Commission proposes to revise Article III Definitions, Article IX Commercial Districts, and Article XVII Standards for Specific Special Land Uses regarding outdoor vehicle storage.

**Township Planning Commission Recommendation: Approval.** The Marion Township Planning Commission recommended **Approval** of the text amendments at their February 27, 2018 meeting. There were no public comments.

**Staff Recommendation: Approval.** The proposed text amendments are reasonable and appropriate. Staff would highly recommend that the Township consider Staff comments prior to final approval by the Township.

**Commission Discussion:** Commissioner Sparks asked if this special use could be next to a filling station. Principal Planner Stanford answered in the affirmative. The Highway Service commercial zoning district allows fillings stations and now this use as a special use.

**Public Comment:** None.

**Commissioner Action:**

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

**Motion passed: 4-0**

**C. Z-13-18: PUTNAM TOWNSHIP, ZONING ORDINANCE AMENDMENT - SECTION 340-39 ALTERNATIVE ENERGY SYSTEMS.**

The Putnam Township Planning Commission is proposing to amend the Township Zoning Ordinance by creating solar energy standards for various sections in the Ordinance.

**Township Planning Commission Recommendation: Approval.** There were no comments at the March 14, 2018 public hearing.

**Staff Recommendation: No Action, Encourage Further Review.** We believe the Township will benefit from additional discussion and review of the proposed solar amendments

**Commission Discussion:** Commissioner Sparks asked why item E-4 limits height to 15 feet. Principal Planner Barb stated that that is the height of a typical residential solar panel array. Commissioner Prokuda stated that you have to perform maintenance on it so you don't want them too high for cleaning and covering them at night.

**Public Comment:** None.

**Commissioner Action:**

**Commissioner Action:** IT WAS MOVED BY COMMISSIONER SPARKS TO RECOMMEND NO ACTION, ENCOURAGE FURTHER REVIEW. SECONDED BY COMMISSIONER ANDERSON.

**Motion passed: 4-0**

**D. Z-14-18: HAMBURG TOWNSHIP, ZONING ORDINANCE AMENDMENTS - ARTICLE 4 SITE PLAN REVIEW, SECTION 4.3 APPLICABILITY AND ARTICLE 9 ENVIRONMENTAL PROVISIONS, SECTION 9.2.4 STANDARDS FOR AGRICULTURAL, SCENIC, OR RECREATIONAL PONDS.**

The Hamburg Township Planning/Zoning Consultant states that the proposed amendment to Article 4.00 is to remove the creation of ponds from the activities that would require site plan review. The reason for removing the creation of ponds from Planning Commission review is for two purposes: 1.) to streamline the review process, and 2.) the State of Michigan is the governmental agency that is required to determine if a pond can or cannot be created. The Planning/Zoning Consultant goes on to say that as long as the pond meets all required setbacks and other regulations of the zoning ordinance, it does not need to be treated any differently than a pool or other project.

The Consultant states that if Planning Commission site plan review of the creation of ponds is removed from zoning ordinance language in Article 4.00, then language in Article 9.00 also needs to be amended to accomplish this intent. Therefore, it is proposed that language regarding Planning Commission review of the creation of a pond be removed, and replaced with review and action from the Zoning Administrator.

**Township Planning Commission Recommendation: Approval.** The Hamburg Township Planning Commission recommended **Approval** of the proposed amendments to Articles 4.00 and 9.00 at their February 21, 2018 meeting. There were no comments from the public at the February 21, 2018 public hearing on these amendments.

**Staff Recommendation: Approval.** The proposed Zoning Ordinance revisions are reasonable and appropriate. Staff has no concerns regarding these amendments.

**Commission Discussion:** Commissioner Prokuda asked if this applies to retention ponds. Director Kline-Hudson stated that the requirements for retention ponds would remain in site plan review requirements.

**Public Comment:** None.

**Commissioner Action:**

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

**Motion passed: 4-0**

**E. Z-09-18: HOWELL TOWNSHIP – REZONING**

**Current Zoning:** RSC: Regional Service Commercial  
**Proposed Zoning:** HC: Heavy Commercial  
**Section / Proponents:** Section 29 / Thomson Plastics International

**Township Master Plan:** The Future Land Use map of Howell Township (Map 3) designates the parcel as Commercial – Regional Service. One of the goals of the Township Master Plan is to support the continued development of varying levels of commercial intensity in appropriate areas that are based on proximity to surrounding land uses and are accessible to the highway and interstate for commerce purposes. To the north and east of the subject site, the majority of parcels are labeled as part of an Innovation Zone – a proposed district that is intended to be flexible with specific uses that can foster economic development, create employment opportunities, and increase tax base by promoting the development or redevelopment of existing sites.

There is no ‘HC – Highway Commercial’ future land use category within the Township Master Plan. The master plan has been written to promote flexibility in planning based on current and potential future land uses. Because the request to rezone the parcel to highway commercial is aligned with the commercial designation and well within reach of the innovation zone in the Township, we believe the request to rezone to HC is supported by the Township Master Plan.

The Township Master Plan was adopted in March 2017 and was amended in December 2017 to include the above future land use designation. Throughout the master plan, the constant theme is the preservation of rural character and the protection of the Township’s natural resources and environment. The master plan also supports appropriate development in appropriate locations in the Township. With a large part of the southeast portion of the Township already zoned for and currently utilized as research and development related uses, we believe that the proposed rezoning is compatible with the Township Master Plan and mirrors the intent of the research and development future land use designation.

**County Comprehensive Plan:** The current Livingston County Comprehensive Plan designates the site as a Primary Commercial Node (page 64). According to the County Comprehensive Plan:

*Primary Commercial Nodes are existing shopping and office-service areas with little or no residential development component. Many are regional shopping areas located along highway corridors. Secondary Commercial Nodes are areas planned as commercial centers and are expected to be developed within the next twenty years.*

While the county comprehensive plan does not dictate development within the Township, support for the rezoning and commercial development in general is found throughout the county plan for this immediate and surrounding area.

**Township Planning Commission Recommendation: Approval.** The Howell Township Planning Commission recommended **Approval** of this request at its March 27, 2018 public hearing. There were no comments at the public hearing.

**Staff Recommendation: Approval.** The proposed rezoning from RSC – Regional Service Commercial to HC – Highway Commercial is compatible with both the Howell Township Master Plan and the current Livingston County Comprehensive Plan.

**Commission Discussion:** Commissioner Sparks asked if Lambert Road was substantial enough to handle commercial traffic. There was discussion regarding the small parcel remaining to the south.

**Public Comment:** None.

**Commissioner Action:**

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

**Motion passed: 4-0**

## 8. OLD BUSINESS

- A. Amendment and adoption of An Ordinance For The Creation Of A Planning Commission For Livingston County, Michigan.** Director Kline-Hudson explained that the amendment to the ordinance passed the Board of Commissioners and a summary of the amendment was published in the Livingston County Press on April 15. She stated that County Commissioners requested that she obtain a County Attorney opinion on some additional ordinance questions, and she forwarded the answers to the County Commissioners. Thus far no additional ordinance amendments are being requested. A copy of the adopted ordinance was distributed.

## 9. NEW BUSINESS: None

## 10. REPORTS

- A. County Planning Staff Reports Planning Commission Vacancy** – Director Kline-Hudson stated that the County has put a notice about the Planning Commission vacancy in the newspaper and on the Livingston County website. Additionally, the Superintendents in each of the 5 public school districts have received a memorandum about this vacancy through e-mail and postal mail. More than half of the Superintendents replied, stating that they would put the request in their communications. We have received zero (0) resumes thus far. The Michigan Planning Enabling Act states that you shall make all reasonable effort to fill with a school representative.

Kline-Hudson asked if current Planning Commission members have connections with persons on area public school boards? Commissioner Clum stated that she would approach her contacts in the Fowlerville area. A copy of the memorandum to area Superintendents was distributed.

- B. Master Plan Schedule** – A list of the remaining steps in the master plan process were distributed for Commissioner and staff discussion. It was decided that the Livingston County Master Plan will be distributed to the County Board of Commissioners and the County Planning Commission simultaneously for review. The Board of Commissioners will need to approve the distribution of the plan. County Commissioners and Planning Commissioners will also have the 63 days of the public review period to conduct additional review of the document.

- C. Fillmore Park** – Director Kline-Hudson stated that the construction plan, and project manual with bid documents was reviewed by the Livingston County Attorney and MDNR. The documents were approved with some correction (by attorney) and the County was able to proceed with releasing the bid for construction. She reported that we will soon know the selected contractor and the construction schedule. Additionally, she said that the rezoning/site plan review with Genoa Township is scheduled for May 14.
- D. New Parks Collaborative Has Been Formed** – LivON: Livingston County Outdoor Network, is a new collaborative park/trail/conservation group started and facilitated by: County Planning, HCMA and MDNR. Kline-Hudson reported that it is modeled after TWLA Trails, Water, Land Alliance in Oakland County. The first meeting of LivON will be Tuesday, May 8 from 10 a.m. to Noon at the Kensington Nature Center
- E. Hamburg Township Master Plan Review Committee** – Director Kline-Hudson has been asked to serve on the master plan review committee to provide ideas and guidance on a new edition of the Hamburg Township Master Plan.

**11. COMMISSIONERS HEARD AND CALL TO THE PUBLIC: None**

**12. ADJOURNMENT**

**Commissioner Action:** IT WAS MOVED BY COMMISSIONER SPARKS TO ADJOURN THE MEETING AT 8:00 P.M., SECONDED BY COMMISSIONER CLUM.

**Motion passed: 4-0**