

APPROVED

**LIVINGSTON COUNTY PLANNING
COMMISSION MEETING MINUTES**

April 20, 2022

6:30 p.m.

Hybrid In-Person and Virtual Zoom Meeting

**Zoom Virtual Meeting Room Meeting ID: 399-700-0062 / Password: LCBOC
<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>**

PLANNING COMMISSION	
COMMISSIONERS PRESENT:	BRIAN PROKUDA MATT IKLE PAUL FUNK BILL ANDERSON BILL CALL JASON SCHROCK DENNIS BOWDOIN
COMMISSIONERS ABSENT:	
STAFF PRESENT:	KATHLEEN KLINE-HUDSON ROB STANFORD SCOTT BARB
OTHERS PRESENT:	MICHAEL HALL – COUNTY RESIDENT

- 1. CALL TO ORDER:** Meeting was called to order by Planning Commissioner Prokuda at 6:30 PM.
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. ROLL AND INTRODUCTION OF GUESTS:** Roll call by Principal Planner Stanford indicated the presence of a quorum. Members of the public were acknowledged in the audience.

Present:		
Prokuda	[X]	Location: Livingston County Administration Building
Ikle	[X]	Location: Livingston County Administration Building
Funk	[X]	Location: Livingston County Administration Building
Anderson	[X]	Location: Livingston County Administration Building
Bowdoin	[X]	Location: Livingston County Administration Building
Call	[X]	Location: Livingston County Administration Building
Schrock	[X]	Location: Livingston County Administration Building
Absent: NONE		

4. APPROVAL OF AGENDA

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO APPROVE THE AGENDA, DATED APRIL 20, 2022, SECONDED BY COMMISSIONER CALL.

All in favor, motion passed.

Yea: Prokuda [X] Ikle [X] Anderson [X] Bowdoin [X] Call [X] Funk [X] Schrock [X]

Nay: None.

5. APPROVAL OF PLANNING COMMISSION MEETING MINUTES

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO APPROVE THE MINUTES, DATED MARCH 16, 2022, SECONDED BY COMMISSIONER BOWDOIN.

All in favor, motion passed.

Yea: Prokuda [X] Anderson [X] Bowdoin [X] Call [X] Funk [X] Schrock [X]

Nay: None.

Abstained: Ikle [X] (not in attendance at the meeting)

6. CALL TO THE PUBLIC: None.

7. ZONING REVIEWS:

**A. Z-20-22 HAMBURG TOWNSHIP, TEXT AMENDMENT.
ARTICLE 2.00 DEFINITIONS AND ARTICLE 7.00 DISTRICT REGULATIONS,
REGARDING SHORT TERM RENTALS**

The proposed text amendments regard short term rental (STR) regulations and definitions. A summary of the proposed amendments is contained in this review.

The following Hamburg Township background information was submitted with this amendment:

In December 2021 Hamburg Township Board approved a Zoning Text Amendment (Z-39-21) that revised the definition of Motels to include short-term rentals. This revision restricted short-term rentals and Motels to the Community Service (CS) and Village Center (VC) Zoning Districts.

At the January 2022 Township Board meeting, the trustees directed Township staff to bring forward regulations that would allow, with restrictions, the use of residential properties as Short-Term Rentals.

In a February 16 memorandum to the Hamburg Township Planning Commission, Hamburg Township Planning Staff states that the following proposed draft zoning text amendment is created in an attempt to preserve the character of the residential communities throughout the township while at the same time preserving private property owners' rights to use their properties as a short-term rental. The proposed regulations attempt to address potential concerns that may arise when a residential property is utilized as a short-term rental, as well as amend the Township's Bed and Breakfast (BnB) Regulations to better coordinate the similar uses.

Two bills regarding short term rentals are currently pending in the Michigan House and Senate – HB 4722 and SB 446. Hamburg Township Planning Staff indicates that if this legislation or any other legislation is approved at the state level, Hamburg Township can revise the following proposed short-term rental regulations.

Township Planning Commission Recommendation: Approval. The Hamburg Township Planning Commission recommended Approval of the zoning ordinance text amendments to Article 2.00 Definitions and Article 7.00 District Regulations, at their March 16, 2022 Planning Commission meeting. There were no comments from the public during the public hearing portion of the meeting.

Staff Recommendation: Approval. Deciding how to regulate short term rentals is particularly daunting when the legislation related to this zoning function has been rapidly changing. County Planning Staff applauds Hamburg Township for drafting this STR language. The proposed language of this text amendment needs some refining; we are hopeful that the Hamburg Township Planning Commission will correct some of the typos and errors noted in this staff review.

Commission Discussion: Commissioner Call asked if the Township has a zoning enforcement officer on staff for enforcing these regulations. Director Kline-Hudson explained the township staffing of the planning & zoning office. Commissioner Ikle questioned why a bed and breakfast inn could be located on a river and not allow guests to bring boats. Kline-Hudson said they ‘may’ allow boating according to the wording. Commissioner Schrock asked if there is a demand for STR’s in Hamburg Township. Kline-Hudson stated that there is demand due to the many recreational opportunities in Hamburg Township.

Commissioners and staff discussed how it was very beneficial to receive a memorandum from Planning Director Scott Pacheco that responded to the staff review and outlined further ordinance revisions that would be made.

Public Comment: None.

Commission Action:

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

Motion passed: 7-0

Yea: Prokuda [X] Ikle [X] Anderson [X] Bowdoin [X] Call [X] Funk [X] Schrock [X]

Nay: None.

B. MP-01-22 HANDY TOWNSHIP, 2022 MASTER PLAN

Livingston County Planning Department received correspondence from Handy Township requesting Livingston County Planning Commission review and comment on the proposed new Handy Township 2022 Master Plan (Draft April 2022). This request is in accordance with Section 41 of the Michigan Planning Enabling Act (P.A. 33 of 2008). The proposed Master Plan replaces the current Township Master Plan, which was adopted in 2017.

County Planning Staff reviewed the proposed Handy Township 2022 Master Plan for compatibility with the 2018 Livingston County Master Plan and for potential impacts on neighboring residents and communities.

Township Planning Commission Recommendation: Final Approval Pending.

Staff Recommendation: Approval. That the Livingston County Planning Commission concur with staff’s comments on the proposed Handy Township 2022 Master Plan and submit the foregoing comments to the Handy Township Planning Commission.

Commission Discussion: Commissioner Bowdoin mentioned that he did not see solar farms addressed in the master plan and that this may make it difficult to implement this use. Principal Planner Barb noted that solar farms are allowed in the Handy Township Zoning Ordinance as a use. Commissioner Call mentioned that the future land use map does not have the railroad depicted.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER FUNK TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER BOWDOIN.

Motion passed: 7-0

Yea: Prokuda [X] Ikle [X] Anderson [X] Bowdoin [X] Call [X] Funk [X] Schrock [X]

Nay: None.

8. OLD BUSINESS: None.

9. NEW BUSINESS: None.

10. REPORTS:

A. County Planning Connection newsletter:

The most recent Planning Department newsletter was distributed to Planning Commissioners. The newsletter highlights the completion of the Livingston County Parks Rocks! Contest and the two contest winning photos.

B. High Quality Natural Areas Assessment:

An award application has been submitted to the Michigan Association of Planning for the High-Quality Natural Areas Assessment under the Resilience & Sustainability category.

C. Livingston County Parks:

An ARPA request was submitted for funding various infrastructure at the county parks, such as: irrigation of the sports field, a water well and parking that supports both the sports field and development of a mountain bike trail on the west side of the Fillmore County Park property. Construction of a viewing platform for astronomy enthusiasts at Lutz Park is also part of the request. Commissioner Prokuda mentioned this would be a good Boy Scout project.

11. COMMISSIONERS HEARD AND CALL TO THE PUBLIC:

Commissioner Funk inquired about the County Planning Commission case file report.

12. ADJOURNMENT:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO ADJOURN THE MEETING AT 7:10 P.M., SECONDED BY COMMISSIONER CALL.

Motion passed: 6-1

Yea: Prokuda [X] Anderson [X] Bowdoin [X] Call [X] Funk [X] Schrock [X]

Nay: Ikle [X] (in honor of the late Jim Sparks)