

**LIVINGSTON COUNTY PLANNING COMMISSION
MEETING MINUTES**

**August 19, 2020
6:30 p.m.**

**Zoom Virtual Meeting Room Meeting ID: 399-700-0062 / Password: LCBOC
<https://zoom.us/j/3997000062?pwd=SudLYVFFcmozWnFxbm0vcHRjWkVIZz09>**

PLANNING COMMISSION			
COMMISSIONERS PRESENT:	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> BRIAN PROKUDA MATT IKLE JEANNE CLUM LAURA ABRAMSON </td> <td style="width: 50%; border: none;"> BILL ANDERSON DENNIS BOWDOIN BILL CALL </td> </tr> </table>	BRIAN PROKUDA MATT IKLE JEANNE CLUM LAURA ABRAMSON	BILL ANDERSON DENNIS BOWDOIN BILL CALL
BRIAN PROKUDA MATT IKLE JEANNE CLUM LAURA ABRAMSON	BILL ANDERSON DENNIS BOWDOIN BILL CALL		
COMMISSIONERS ABSENT:			
STAFF PRESENT:	KATHLEEN KLINE-HUDSON ROB STANFORD SCOTT BARB		
OTHERS PRESENT:	NEIL GLAZEBROOK, OCEOLA TOWNSHIP PLANNING COMMISSION LINDA LAVEY, VILLAGE OF PINCKNEY COUNCIL PRESIDENT MICHELLE BRUNNER, VILLAGE OF PINCKNEY ZONING ADMINISTRATOR CONNIE PRATT, HANDY TOWNSHIP RESIDENT LUCIE FORTIN, VILLAGE OF PINCKNEY PLANNING CONSULTANT		

1. **CALL TO ORDER:** Meeting was called to order by 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.

Present: Prokuda [X] Ikle [X] Clum [X] Anderson [X] Bowdoin [X] Call [X] Abramson [X]
Absent: None

4. **APPROVAL OF AGENDA**

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO APPROVE THE AGENDA DATED AUGUST 19, 2020, SECONDED BY COMMISSIONER ABRAMSON.

All in favor, motion passed.

Yea: Prokuda [X] Ikle [X] Clum [X] Anderson [X] Bowdoin [X] Call [X] Abramson [X]
Nay: None

5. **APPROVAL OF PLANNING COMMISSION MEETING MINUTES**

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO APPROVE THE MINUTES, AS AMENDED, DATED JULY 15, 2020, SECONDED BY COMMISSIONER CALL.

All in favor, motion passed.

Yea: Prokuda [X] Ikle [X] Clum [X] Anderson [X] Bowdoin [X] Call [X] Abramson [X]
Nay: None

6. **CALL TO THE PUBLIC:** None.

7. **ZONING REVIEWS:**

A. **Z-13-20: OCEOLA TOWNSHIP – REZONING**
Current Zoning: CR-1 Commercial Recreation 1
Proposed Zoning: AR Agricultural Residential
Section 32 / Oceola Township

Township Master Plan:

The Future Land Use plan and map of Oceola Township designates the site as Low/Medium Density Single Family Residential per the future land use map. The Township Master Plan describes this area in the following manner (pg. 9.6):

Low/Medium Density Residential

The Low/Medium Density Residential category includes single family or two family dwelling units at a density of 2 to 2.99 units per gross acre. This land use category is planned for areas adjacent to Thompson Lake and Earl Lake and areas in the southwest corner of the Township. The designation recognizes the unique living style of lake residential development and it includes smaller established lots, many of which were platted before the Township had zoning.

Low/Medium Density Residential is an intermediate residential density classification. The emphasis in the Low/Medium Density Residential areas is to acknowledge the existence of previously developed lake lots and older subdivisions which often do not conform to the dimensional regulations indicated in the Zoning Ordinance, and to provide for compatible new development at comparable densities. This category includes 543 acres or 2.3% of the Township land area.

These land areas should generally have public water and sewer available. Most planned Low/Medium Residential areas are already developed. RPUD and open space provisions are encouraged in these areas if public water and sewer facilities are provided. The R-2 zoning district is the likely district to implement this category, although the Township may wish to consider Zoning Ordinance amendments to recognize and accommodate the special characteristics of the lake neighborhood. Smaller lot sizes than the R-2 standards of 30,000 square feet without sanitary sewer and 20,000 square feet with sanitary sewer may be approved under a Residential Planned Unit Development.

County Comprehensive Plan:

The 2018 Livingston County Master Plan does not direct future land use patterns, or development within Livingston County. Alternatively, it offers a county-wide land use perspective when reviewing potential rezoning amendments. The Land Use & Growth Management chapter of the plan includes decision-making recommendations regarding potential land use conflicts and promoting good land governance.

Township Planning Commission Recommendation: Approval; The Oceola Township Planning Commission recommended Approval of this Rezoning at its July 9, 2020 Public Hearing.

There were some public comments noted in the meeting minutes regarding vehicles speeding and commercial trucks on Golf Club Road, and that the lot at one time was thought to be unbuildable and that a ditch was used on the property to drain the golf course.

The Planning Commission relayed that the previous owners of the lot was Oceola Township and that they sold the property to the applicant in 2019. They also confirmed that the golf course does not use the lot for drainage.

Staff Recommendation: Approval. The proposed rezoning is fairly consistent with the Master Plan for the subject parcel, given its status as a Lot of Record, can meet setback standards, and would be compatible with the existing residential character of the immediately surrounding area, as well as the Chemung Hills Country Club and Earl Lake. Therefore Staff would recommend Approval of this rezoning request as presented.

Commission Discussion: Commissioner Prokuda asked about the Lot of Record status. Principal Planner Stanford stated that this provision is a nice niche to allow this type of unique request to be appropriately met.

Public Comment: Neil Glazebrook, Chair, Oceola Township Planning Commission, stated that Staff's review was thorough and covered all the main topics regarding the case satisfactorily.

Commission Action:

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

Motion passed: 7-0

**Yea: Prokuda [X] Ikle [X] Clum [X] Anderson [X] Bowdoin [X] Call [X] Abramson [X]
Nay: None**

**B. Z-14-20: HAMBURG TOWNSHIP – ZONING ORDINANCE AMENDMENTS -
ARTICLE 7.00 DISTRICT REGULATIONS, ARTICLE 8.00 SUPPLEMENTARY PROVISIONS
AND ARTICLE 14.00 OPEN SPACE COMMUNITY PLANNED UNIT DEVELOPMENT**

This text amendment regards minimum square footage per dwelling unit.

In his staff review of this proposed text amendment, the Hamburg Township Planner stated that the Township Board directed planning staff at their 2019 joint meeting to propose an ordinance amendment that would revise the minimum square footage regulations to address the growing need and preference for smaller housing within Hamburg Township.

Following this request, the Planning Commission reviewed and discussed the proposed amendment at their March 18, 2020 meeting. At this meeting the Planning Commission directed planning staff to remove the minimum square footage regulations and other dimensional regulations that would restrict the size of a dwelling unit. The Planning Commission's reasoning for the proposed change is to allow private property owners more flexibility to build alternative housing types that will further diversify the housing stock within the community. The Planning Commission also expressed the opinion that the size of the dwelling unit does not have an impact on the health and safety of the community.

Township Planning Commission Recommendation: Approval. The Hamburg Township Planning Commission recommended Approval of the amendments at their July 15, 2020 meeting. Minutes of the meeting and public hearing were not available at the time of review.

Staff Recommendation: Approval. The proposed amendments to Articles 7.00, 8.00 and 14.00 regarding minimum square footage regulations and other dimensional regulations that would restrict the size of a dwelling unit, are exemplary. The proposed amendments will allow alternative housing types, a diversified housing stock, and affordable and attainable housing in Hamburg Township.

This text amendment is harmonious with the 2018 Livingston County Master Plan and the social equity and affordable housing best practices within the document.

Staff recommends that the Hamburg Township Planning Commission reconsider the text amendments to Section 7.6.1. Schedule of Area, Height, and Bulk Regulations, Footnote 3 regarding building size, and 8.5.7 Architecture regarding exterior door requirements.

Commission Discussion: Commissioner Ikle asked if this was the first community in the county to allow tiny houses. Director Kline-Hudson answered in the affirmative. Commissioner Anderson asked if there was a typo in the review on page 2, footnote 4, under “Permitted with 50 ft.” Director Kline-Hudson will check on it and correct if necessary. Commissioner Abramson spoke that there are perhaps appropriate times when less than two exterior doors are required, such as tiny homes with one door, or in the case of safety and security. Space is at a premium in these types of homes. She would agree with how the text is presented, with the elimination of the requirement for exterior doors. Director Kline-Hudson stated that Staff’s comment was added here just so that the Township takes pause and perhaps researches more about this requirement and what the intent truly is by not requiring two exterior doors. Commissioner Prokuda agrees with Commissioner Abramson, as a second means of egress could be a window, not necessarily a door. Commissioner Ikle stated that he thought Section 8.5.1 needed more specifics. Perhaps adding the word “Michigan” between the words “any” and “state”. Commissioner Prokuda agreed with Commissioner Ikle.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO RECOMMEND APPROVAL WITH AMENDED CHANGES AS PRESENTED DURING THE COMMISSION DISCUSSION. SECONDED BY COMMISSIONER CALL
Motion passed: 7-0

Yea: Prokuda [X] Ikle [X] Clum [X] Anderson [X] Bowdoin [X] Call [X] Abramson [X]
Nay: None

C. Z-15-20: HANDY TOWNSHIP – ZONING ORDINANCE AMENDMENTS - CHAPTER 1 DEFINITIONS, SECTION 1.2 WASTE MANAGEMENT FACILITIES, CHAPTER 12 GENERAL INDUSTRIAL DISTRICT, SECTION 12.3 WASTE MANAGEMENT AND FACILITIES, CHAPTER 16 SPECIAL USES, SECTION 16.6 CCC WASTE MANAGEMENT FACILITIES

The Handy Township Planning Commission is proposing to amend the Township Zoning Ordinance by creating a new section for Waste Management, Waste Transfer Stations and Processing Facilities.

Township Planning Commission Recommendation: Approval. Comments at the July 30, 2020 public hearing on the proposed text amendments involved discussions on odor, screening, and greenbelt recommendations.

Staff Recommendation: Approval. While the amendments are compatible with the Township Ordinance, staff does recommend additional definitions as noted in this review.

Commission Discussion: Commissioner Call stated at the beginning of the case review that he would be abstaining from discussion and voting in this case as he had lots of dealings with this case at the township level. Commissioner Prokuda stated that the amendments really need more specifics. Principal Planner

Barb stated he agreed and restated his Staff review comments in more detail. Commissioner Prokuda stated he is familiar with a similar facility in Elmyra. Commissioner's Prokuda and Ikle asked if this was only being regulated at the local township level, and shouldn't Michigan Department of EGLE be involved upfront in the process. Principal Planner Barb stated that an applicant would have to comply with all regulations at the federal, state and county level before they seek approval from the township. Commissioner Abramson stated that it's important that the township be clear that a site plan will be required. Principal Planner Barb agreed.

Public Comment: Connie Pratt, resident, spoke in opposition to the amendment. She stated that she had sent in a letter to the County Planning Commission detailing all aspects of the amendments that she opposed. Principal Planner Barb stated that the County Planning Department did receive the letter and it is part of the permanent public record for this case. Ms. Pratt spoke briefly about some of the highlights of her letter.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO RECOMMEND APPROVAL, AS AMENDED TO INCLUDE CONSIDERATION OF CONCERNS VOICED BY RESIDENTS IN LETTER TO THE COMMISSION. SECONDED BY COMMISSIONER ABRAMSON

Motion passed: 6-0-1

Yea: Prokuda [X] Ikle [X] Clum [X] Anderson [X] Bowdoin [X] Abramson [X]

Nay: None

Abstained: Call [X]

D. MP-02-19: VILLAGE OF PINCKNEY: MASTER PLAN AMENDMENT.

Livingston County Planning Department received correspondence from the Village of Pinckney requesting Livingston County Planning Commission review and comment on the proposed 2020 Village of Pinckney Master Plan, which is an amendment to the 2015 Village of Pinckney Master Plan. This request is in accordance with Section 41 of the Michigan Planning Enabling Act (P.A. 33 of 2008).

Township Planning Commission Recommendation: Final Approval Pending.

Staff Recommendation: Approval. That the Livingston County Planning Commission concur with staff's comments on the proposed 2020 *Village of Pinckney Master Plan Update*, and submit the foregoing comments to the Village of Pinckney Planning Commission.

Commission Discussion: None.

Public Comment: Linda Lavey, Village of Pinckney Council President thanked the Commissioners and Staff for the opportunity to have the Plan reviewed, for providing a positive review of the Plan, and stated that she was happy with the outcome of the Plan's process. She also indicated that Village of Pinckney Zoning Administrator Michelle Brunner worked very hard on the Plan. Michelle Brunner, Village of Pinckney Zoning Administrator thanked Staff and the Commission for their positive feedback on the Plan.

Commission Action:

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

Motion passed: 7-0

Yea: Prokuda [X] Ikle [X] Clum [X] Anderson [X] Bowdoin [X] Call [X] Abramson [X]

Nay: None

8. **OLD BUSINESS:** None.

9. **NEW BUSINESS:** None.

10. **REPORTS:**

- a. **Fillmore County Park Opening Day:** Kline-Hudson reported that staff is working on opening day festivities at Fillmore County Park. The first notice of this event will go out this Friday 8/21. A Parks & Open Space Advisory Committee meeting is scheduled next week to finalize event details.
- b. **Meals on Wheels Community Development Block Grant (CDBG):** Kline-Hudson explained a pending CDBG grant that staff has been working on with other Administrative staff, the County Administrator and a Board of Commissioners subcommittee. The grant is for the purchase of land and construction of a new Meals on Wheels facility in Hartland. A resolution regarding this grant will be coming before the Board of Commissioners on August 24.
- c. **Michigan Economic Development Corporation (MEDC)** – Kline-Hudson reported that planning staff are working on another Covid-related grant through MEDC. She said that every non-entitlement county in Michigan has been allocated funds with approximately \$370,000 being allocated to Livingston County. Livingston County had to express their interest in these grant funds by a deadline date and planning staff will be working with MEDC staff to put together a plan as to how to use the funds.

11. **COMMISSIONERS HEARD AND CALL TO THE PUBLIC:** Commissioner Ikle stated there continues to be a tick issue at Fillmore Park and this might negatively impact the grand opening of the park. Director Kline-Hudson stated that the County Facilities Services Director is aware of the issue, and she will speak to him again about what can be done. Commissioner Prokuda stated that they held a band camp in Hartland with close to 100 people. All Covid-related safety measures were adhered to throughout the event (everyone wore masks, social distancing measures were incorporated and were complied with by all attendees). The key is that lots of pre-planning for the event around health-related concerns for the public in large groups such as this is essential for success. This was an example that it can be done successfully.

12. **ADJOURNMENT:**

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO ADJOURN THE MEETING AT 7:40 P.M., SECONDED BY COMMISSIONER ABRAMSON.

Motion passed: 7-0

Yea: Prokuda [X] Clum [X] Anderson [X] Bowdoin [X] Call [X] Abramson [X]

Nay: Ikle [X]