

LIVINGSTON COUNTY PLANNING COMMISSION MEETING MINUTES

December 16, 2020

6:30 p.m.

- Virtual Meeting Held in Accordance with Public Act 228 of 2020 -

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 JEANNE CLUM MATT IKLE LAURA ABRAMSON </td> <td style="width: 50%; border: none;"> BILL ANDERSON DENNIS BOWDOIN BILL CALL </td> </tr> </table>	BRIAN PROKUDA JEANNE CLUM MATT IKLE LAURA ABRAMSON	BILL ANDERSON DENNIS BOWDOIN BILL CALL
BRIAN PROKUDA JEANNE CLUM MATT IKLE LAURA ABRAMSON	BILL ANDERSON DENNIS BOWDOIN BILL CALL		
COMMISSIONERS ABSENT:			
STAFF PRESENT:	KATHLEEN KLINE-HUDSON ROB STANFORD SCOTT BARB		
OTHERS PRESENT:	STEVE SAMONA SCOTT PACHECO, HAMBURG TOWNSHIP PLANNER AMY STEFFENS, HAMBURG TOWNSHIP ZONING ADMINISTRATOR NATALIE HUNT		

1. **CALL TO ORDER:** Meeting was called to order by Commissioner Chair Prokuda at 6:39 PM. Commissioner Chair Prokuda announced the following:

“This meeting is being held virtually in accordance with PA 228 of 2020.”

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. There were four (4) members of the public acknowledged in the audience

Present:		
Prokuda	[X]	Location: Deerfield Township
Clum	[X]	Location: Howell Township
Ikle	[X]	Location: Genoa Township
Anderson	[X]	Location: Howell Township
Bowdoin	[X]	Location: Conway Township
Abramson	[X]	Location: Hamburg Township
Call	[X]	Location: Handy Township
Absent: None		

4. APPROVAL OF AGENDA

Commissioner Action: IT WAS MOVED BY COMMISSIONER CLUM TO APPROVE THE AGENDA, AS PRESENTED, DATED DECEMBER 16, 2020, SECONDED BY COMMISSIONER IKLE.

All in favor, motion passed.

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

Nay: None.

5. APPROVAL OF PLANNING COMMISSION MEETING MINUTES

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO APPROVE THE MINUTES, DATED NOVEMBER 18, 2020, SECONDED BY COMMISSIONER BOWDOIN.

All in favor, motion passed.

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

Nay: None.

6. CALL TO THE PUBLIC: None.

7. ZONING REVIEWS:

A. Z-30-20: BRIGHTON CHARTER TOWNSHIP – REZONING

Current Zoning: B-2: General Business

Proposed Zoning: B-3: General Business

Section 32 / Brighton Charter Township

Township Master Plan:

The Future Land Use plan and map of Brighton Charter Township designates the site as General Business. The Township Master Plan describes this area in the following manner:

Businesses that rely on and serve a broader customer-base including the entire Township, the cities of Howell and Brighton, and pass by traffic along Grand River, are included in this designation. Appropriate uses include auto dealerships, grocery stores, restaurants and retail centers. Special consideration needs to be given to highway commercial uses to minimize their impact on adjacent land uses, to accommodate the volumes of vehicular traffic generated, their potential impact on the aesthetics of the site and surrounding area, and the need to ensure compatibility between vehicular and pedestrian traffic. The General Business category may include Neighborhood Business uses; however, larger-scale General Business uses should not be located within Neighborhood Business areas in order to protect their character and low intensity nature. General Business uses have been designated along Grand River Avenue corridor near the Township's western border, where these uses currently exist. These segments of Grand River abut more intense, regional commercial uses located within the City of Brighton.

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.

Based on these strategies, the consistency of rezoning from an B-2 General Business zoning district to a B-3 Special Business zoning district, in a location where all of the immediately adjacent parcels are currently either commercial or mixed use, and which are master planned for General Commercial appears to be compatible with the Best Practices as identified in the Livingston County Master Plan.

Township Planning Commission Recommendation: Approval. The Brighton Charter Township Planning Commission recommended **APPROVAL WITH CONDITIONS** of this rezoning at its November 9, 2020 Public Hearing. Approval was given conditioned upon the rezoning being viable for two (2) years but if not developed during that two (2) year timeframe that the rezoning would revert back to the B-2 zoning.

Staff Recommendation: Approval. The proposed rezoning is consistent with the Master Plan for the subject parcel and would generally be compatible with the general commercial nature of the immediately surrounding area. County Planning Staff supports the Township Planning Commission's conditions for approval. It is with the understanding that should this rezoning request from B-2 to B-3 be approved by the Township Board, the petitioner will still be required to obtain special use and site plan approval before final formal approval by the Township is granted.

Commission Discussion: Commissioner Prokuda inquired as to whether the entire parcel will be rezoned? Principal Planner Stanford noted that this will be a split zoned parcel.

Public Comment: Steve Samona was present to answer questions on behalf of the landowner, Grand River Old 23, LLC.

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] Abramson [X] Call [X]
Nay: None.

B. Z-31-20 HAMBURG TOWNSHIP. ZONING ORDINANCE AMENDMENT. ARTICLE 14.00 PLANNED UNIT DEVELOPMENT (PUD)

This amendment proposes to revise the Planned Unit Development regulations to allow multiple Planned Unit Development (PUD) regulations to be used in a single development project. The amended language will enable mixed PUD projects within the entire Township.

Township Planning Commission Recommendation: Approval. The Hamburg Township Planning Commission recommended Approval of the zoning ordinance text amendments to Article 9.00 Environmental Provisions at their November 18, 2020 Planning Commission meeting. The minutes from the November 18, 2020 public hearing were not available at the time of this County Planning review.

Staff Recommendation: Approval. The proposed text amendments are thorough and they do a fine job of creating language that will allow the unique development concept of Mixed Planned Unit Developments. As Hamburg Township implements this new language, they may experience some bumps along the way that will require future amendments, however, this concept of combining PUD's is an excellent way of intermingling senior residential development with non-senior residential development. Hamburg Township has done a great job of working closely with the applicant to amend this language and create this Zoning Ordinance product.

Commission Discussion: Amy Steffens, Hamburg Township Planning & Zoning Administrator, was present to answer questions regarding proposed setbacks in CHPUD and EHCO PUD's and access for emergency vehicles. Amy assured this would be reviewed during site plan approval by the Fire Department.

Public Comment: None.

Commission Action:

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

Motion passed: 7-0

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

C. Z-32-20: HAMBURG TOWNSHIP. ZONING ORDINANCE AMENDMENT. ARTICLE 9.00 ENVIRONMENTAL PROVISIONS. SECTION 9.6 REGULATION OF FLOODPLAIN AREAS

The Hamburg Township Planning and Zoning Administrator explains the project history of this proposed zoning ordinance text amendment in a November 18, 2020 memo. A summary of the memo follows: Hamburg Township voluntarily participates in the National Flood Insurance Program (NFIP) and the Community Rating System (CRS) program. The township's participation in the CRS program allows homeowners to purchase flood insurance at a ten percent discount on the premiums. In June, 2020, CRS issued a notice that a pre-requisite for remaining a Class 8 community, which Hamburg Township is, would be to adopt a one-foot freeboard requirement, including for equipment or mechanical items, for all residential buildings constructed, substantially improved, and/or reconstructed due to substantial damage throughout the floodplain area. (NOTE: the freeboard requirement is the elevation above the base-flood elevation. FEMA sets the base flood elevation. The freeboard is adopted within the residential building code; it is a State requirement, not a FEMA requirement. The State requires that you go one foot above the base flood elevation).

On October 21, 2020, the Planning Commission reviewed an initial draft of the zoning text amendment to Section 9.6., Regulation of Floodplain Areas. The Hamburg Township Planning Commission discussed the text amendment and recommended that staff seek comments from the Michigan NFIP coordinator, Matt Occhipinti, and the Livingston County Building Department deputy building official, Rick Swanson. Both parties suggested revisions that were incorporated into the final version which was submitted to the Livingston County Planning Commission.

Township Planning Commission Recommendation: Approval. The Hamburg Township Planning Commission recommended Approval of the zoning ordinance text amendments to Article 9.00 Environmental Provisions at their November 18, 2020 Planning Commission meeting. The minutes from the November 18, 2020 public hearing were not available at the time of this County Planning review.

Staff Recommendation: Approval. The proposed text amendments were critiqued by many parties including the NFIP Coordinator and the Livingston County Building Department, and the amended language reads well and is understandable. The only additional amendment that County Planning Staff recommends is that the term 'Freeboard' be defined in Article 2.00 Definitions.

Commission Discussion: Commissioner Abramson expressed concerns regarding unintended consequences and restrictions for a homeowner to modify an existing structure.

Public Comment: None.

Commission Action:

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

Motion passed: 6-1

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

D. Z-33-20 MARION TOWNSHIP, ZONING ORDINANCE AMENDMENT, ARTICLE III DEFINITIONS, SECTION 3.02 DEFINITIONS AND ARTICLE IX COMMERCIAL DISTRICTS, SECTION 9.01.B HS: HIGHWAY SERVICE DISTRICT, USES PERMITTED BY RIGHT

The Marion Township Planning Commission proposes to update the following Articles:

- Article III: Definitions
- Article IX: Commercial Districts

Township Planning Commission Recommendation: Approval. The Marion Township Planning Commission recommended Approval of the text amendments at their November 24, 2020 public hearing and planning commission meeting. There were a few general public comments noted in the meeting minutes regarding these new provisions, mainly about issues with allowing this use to occur in other districts besides commercial.

Staff Recommendation: Approval. The proposed text amendments are reasonable and appropriate. The township has taken great time and effort to be proactive and somewhat flexible in allowing short-term rentals to lawfully occur as a permitted use in the township, however, it appears to have taken the necessary steps to ensure that there are no compatibility issues associated with this type of use by directing it to what the township feels is the most appropriate district.

Commission Discussion: None.

Public Comment: None.

Commission Action:

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

Motion passed: 7-0

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

E. Z-34-20: MARION TOWNSHIP, ZONING ORDINANCE AMENDMENT, ARTICLE XV SIGNAGE, SECTION 15.05 SCHEDULE OF SIGN REGULATIONS, AND SECTION 15.06 SIGNS IN RESIDENTIAL DISTRICTS

The proposed text amendments are in regard to: Signage

Township Planning Commission Recommendation: Approval. The Marion Township Planning Commission recommended Approval of the text amendments at the November 24, 2020 public hearing and planning commission meeting. There were no public comments in relation to these proposed amendments.

Staff Recommendation: Approval. The proposed text amendments are reasonable and appropriate.

Commission Discussion: None.

Public Comment: None.

Commission Action:

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

Motion passed: 7-0

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

Nay: None.

F. Z-35-20: MARION TOWNSHIP. ZONING ORDINANCE AMENDMENT. ARTICLE XVIII SITE PLAN REQUIREMENTS (MULTIPLE SECTIONS) AND ARTICLE VI GENERAL PROVISIONS (MULTIPLE SECTIONS)

The Marion Township Board of Trustees has decided to adopt an Engineering Development Standards Policy document that will encompass all of the Site Plan section and some of the General Provisions relating to access controls, private roads, and sidewalks. The Standards are already adopted and are on the township web site at the following link:

<https://protect-us.mimecast.com/s/A5WiC0RXjzSGXyXEHwC5R?domain=mariontownship.com>

They will be updated and re-adopted by the board once these changes to the zoning ordinance are final.

Township Planning Commission Recommendation: Approval. The Marion Township Planning Commission recommended Approval of the text amendments at their November 24, 2020 public hearing and planning commission meeting. There were no public comments noted in the meeting minutes regarding these amendments.

Staff Recommendation: Approval. The proposed text amendments are reasonable and appropriate. Taking these steps will provide the Township with a better organized system and reference document pertaining to its developmental and engineering standards to utilize in the future.

Commission Discussion: None.

Public Comment: None.

Commission Action:

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

Motion passed: 7-0

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

Nay: None.

G. Z-36-20: MARION TOWNSHIP. ZONING ORDINANCE AMENDMENT. ARTICLE III DEFINITIONS. SECTION 3.02 DEFINITIONS AND ARTICLE VI GENERAL PROVISIONS. SECTION 6.07 ACCESSORY USES AND STRUCTURES

The Marion Township Planning Commission proposes to update the Township Zoning Ordinance regarding the regulation of cargo and shipping container storage.

Township Planning Commission Recommendation: Approval. The Marion Township Planning Commission recommended Approval of the text amendments at their November 24, 2020 public hearing and planning commission meeting. There were a few comments from Commissioners during the discussion period noted in the meeting minutes regarding these new provisions.

Staff Recommendation: Approval. The proposed amendments are reasonable and appropriate.

Commission Discussion: Commissioner Abramson noted that this only addresses containers used for storage purposes and not residential purposes.

Public Comment: None.

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] Abramson [X] Call [X]
Nay: None.

H. PA-15-20: COHOCTAH TOWNSHIP, FARMLAND AND OPEN SPACE AGREEMENT, SECTION 2, 54 ACRES, NICHOLAS AND LARRY ADAMS

Staff Recommendation: Approval.

Commission Discussion: None.

Public Comment: None.

Commission Action:

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

Motion passed: 7-0

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

8. OLD BUSINESS: None.

9. NEW BUSINESS:

A. 20 Year Service Award: Kathleen Kline-Hudson presented Rob Stanford with a Certificate of Recognition for 20 years of outstanding service to the Livingston County Planning Department. Commissioners shared in congratulating Rob. Rob shared his appreciation with staff and commissioners.

10. REPORTS:

A. Planning Director Kline-Hudson reported that Bill Call will retiring from Handy Township at the end of this year.

B. A successful virtual Brown Bag Lunch was held on December 2, 2020, with a turnout of 60 attendees. Kline-Hudson reported that the Livingston County Trails Plan is prompting discussion and initiatives within other communities. The Huron Clinton Metroparks will be applying for a grant to conduct a

feasibility study as a result of the trail plan. Commissioner Clum reported that she seen comments on social media showing excitement and that it was a successful event.

- C. Planning Director Kline-Hudson showed Planning Commissioners a table of the six (6) 2020 visits to local planning commissions that had taken place before the pandemic began. Planning Commission Chair Prokuda asked that County Planning Staff continue these efforts in 2021 by attending remote planning commission meetings.

11. COMMISSIONERS HEARD AND CALL TO THE PUBLIC: Commissioner Bill Call noted an error in the Annual Meeting Minutes, his name is missing from the Roll Call and requested that correction.

12. ADJOURNMENT:

**Commissioner Action: IT WAS MOVED BY COMMISSIONER ABRAMSON TO
ADJOURN THE MEETING AT 8:19 P.M., SECONDED BY COMMISSIONER CLUM.**

Motion passed: 7-0

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

Nay: None.