

**LIVINGSTON COUNTY PLANNING COMMISSION
MEETING MINUTES**

July 17, 2019

6:30 p.m.

304 E. Grand River Ave., Howell, Michigan

PLANNING COMMISSION		
COMMISSIONERS PRESENT:	BRIAN PROKUDA JEANNE CLUM MATT IKLE	LAURA ABRAMSON BILL ANDERSON
COMMISSIONERS ABSENT:		
STAFF PRESENT:	KATHLEEN KLINE-HUDSON ROB STANFORD SCOTT BARB	
OTHERS PRESENT:	BRUCE POWELSON, MARION TWP PC MIKE STOCK, CONWAY TWP PC DENNIS BOWDOIN, CONWAY TOWNSHIP	

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:** None.
4. **APPROVAL OF AGENDA**

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO APPROVE THE AGENDA DATED JULY 17, 2019, SECONDED BY COMMISSIONER ANDERSON.

All in favor, motion passed.

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

Commissioner Ikle stated that the minutes on page 3 under Commission Discussion should read “Monroe County” instead of “Macomb County”.

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO APPROVE THE AMENDED MINUTES OF THE PLANNING COMMISSION MEETING DATED JUNE 19, 2019, SECONDED BY COMMISSIONER ANDERSON.

All in favor, motion passed.

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

7. ZONING REVIEWS:

A. Z-25-19: PUTNAM TOWNSHIP – REZONING

Current Zoning: RBR: Resource Based Recreation

Proposed Zoning: AO: Agricultural Open Space

Section / Proponents: Sections 10, 11, 14, and 15 / Joe Andronaco

Township Master Plan:

The 2012 Putnam Township Master Plan designates the subject parcels as **Agricultural Preservation**. This future land use category typically includes parcels that are ten (10) acres and larger that are intended to be preserved as agricultural, recreational, and extremely low density residential lands.

The Township Master Plan describes this designation as having farm fields, orchards and pastures and homes with barns and stables set well back and away from roadside views. Individual homes that are not associated with agricultural activities have gracious setbacks with intervening fields and woodlots to help screen views (p. 40). Based upon the Township's last master plan update, it appears that the intention is for the Township to keep this area rural with both agricultural preservation and rural preservation dominating the area.

County Comprehensive Plan:

The 2018 Livingston County Master Plan does not direct future land use patterns or dictate development within the Township or surrounding area. A wider approach is evaluated when consideration is given to a potential rezoning and how it will affect land use from a county perspective based on current planning trends and best management practices.

Based upon our analysis of the land use patterns in the Township and the land use strategies established by the 2018 Livingston County Master Plan, we believe the rezoning is compatible with both the township and county master plans. This area of Putnam Township is intended to be maintained as a rural setting with appropriate land use transition towards the south to the Village of Pinckney and the east along Pinckney Road. It is our opinion that the proposed rezoning will compliment both plans and aid in keeping the Township's goal of preservation of agricultural lands obtainable.

Township Planning Commission Recommendation: Approval. The Putnam Township Planning Commission recommended **Approval** of the proposed rezoning from RBR: Resource Based Recreation to AO: Agricultural Open Space at the April 10, 2019 public hearing. The minutes reflect that there were no conflicts or issues from the general public on the proposed rezoning.

Staff Recommendation: Approval. The request to rezone from Resource Based Recreation to Agricultural Open Space is compatible with the Putnam Township Master Plan and the 2018 Livingston County Master Plan.

Commission Discussion: None.

Public Comment: None.

Commission Discussion: None.

Commission Action:

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

Motion passed: 5-0

**B. Z-26-19: CONWAY TOWNSHIP, ZONING ORDINANCE AMENDMENTS -
ARTICLE 18: PRIVATE ROADS, DRIVEWAYS, AND ACCESS MANAGEMENT, SECTION
18.05: APPROVAL PROCESS.**

The Conway Township Planning Commission proposes to revise **Article 16: Private Roads, Driveways, Access Management, Section 16.06: Approval Process**, regarding the site plan approval process.

Township Planning Commission Recommendation: Approval. The Conway Township Planning Commission recommended **Approval** of the proposed amendment at its June 10, 2019 public hearing. There was one public comment noted, asking for the rationale regarding site plan reviews.

Staff Recommendation: Approval. The proposed new language is reasonable and appropriate.

Commission Discussion: Planning Commissioner Prokuda asked if the person at the public hearing received an answer.

Public Comment: Mike Stock, Conway Township Planning Commission Chair, stated that the amendment gives the planning commission more time for review.

Commissioner Action:

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

Motion passed: 5-0

**C. Z-27-19: CONWAY TOWNSHIP, ZONING ORDINANCE AMENDMENTS -
ARTICLE 14: SITE PLAN REVIEW, SECTION 14.05: ACTION ON SITE PLANS.**

The Conway Township Planning Commission proposes to revise **Article 14: Site Plan Review, Section 14.05: Action on Site Plans**, regarding the submission of site plans.

Township Planning Commission Recommendation: Approval. The Conway Township Planning Commission recommended **Approval** of the proposed amendment at its June 10, 2019 public hearing. There was one public comment noted, asking for the rationale regarding site plan reviews for the increase in number of copies and extending more days for reviews.

Staff Recommendation: Approval. The proposed new language is reasonable and appropriate.

Commission Discussion: None.

Public Comment: None.

Commissioner Action:

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

Motion passed: 5-0

**D. Z-28-19: CONWAY TOWNSHIP, ZONING ORDINANCE AMENDMENTS -
ARTICLE 13 SPECIAL LAND USES, SECTION 13.10(I): SITE DESIGN CONDITIONS/HOME
OCCUPATIONS.**

The Conway Township Planning Commission proposes to revise **Article 13: Special Land Uses, Section 13.10(I): Site Design Conditions/Home Occupations**, regarding special use permit administration associated with home occupations.

Township Planning Commission Recommendation: Approval. The Conway Township Planning Commission recommended **Approval** of the proposed amendment at its June 10, 2019 public hearing. There was one public comment noted, asking for the rationale regarding site plan reviews for the increase in number of copies and extending more days for reviews.

Staff Recommendation: Approval. The proposed new language is reasonable and appropriate. It better defines what is required by home occupation applicants and to whom at the township they are to provide this information.

Commission Discussion: Commissioners asked for clarification on the differences between Class I and Class II home occupations.

Public Comment: Mike Stock, Conway Township Planning Commission Chair, stated that Class II home occupations are more intense. Dennis Bowdoin added that a Class I occupation might be a computer repair service that does not involve many customers coming and going from the home. He stated that a Class II occupation might be auto mechanics that involve cars and trucks coming and going from the home.

Commissioner Action:

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

Motion passed: 5-0

**E. Z-29-19: CONWAY TOWNSHIP, ZONING ORDINANCE AMENDMENTS -
ARTICLE 13: SPECIAL LAND USES, SECTION 13.03 (A): PERMIT PROCEDURES.**

The Conway Township Planning Commission proposes to revise **Article 13: Special Land Uses, Section 13.03(A): Permit Procedures** regarding special use permit administration.

Township Planning Commission Recommendation: Approval. The Conway Township Planning Commission recommended **Approval** of the proposed amendment at it June 10, 2019 public hearing. There was one public comment noted, asking for the rationale regarding site plan reviews for the increase in number of copies and extending more days for reviews.

Staff Recommendation: Approval. The proposed new language is reasonable and appropriate.

Commission Discussion: None.

Public Comment: None.

Commissioner Action:

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

Motion passed: 5-0

**F. Z-30-19: CONWAY TOWNSHIP, ZONING ORDINANCE AMENDMENTS -
ARTICLE 10: C-COMMERCIAL DISTRICT, SECTION 10.06(B): ADDITIONAL SITE PLAN
DEVELOPMENT REQUIREMENTS.**

The Conway Township Planning Commission proposes to revise **Article 10: C-Commercial District, Section 10.06(B): Additional Site Plan Development Requirements** regarding site plan review administration.

Township Planning Commission Recommendation: Approval. The Conway Township Planning Commission recommended **Approval** of the proposed amendment at its June 10, 2019 public hearing. There was one public comment noted, asking for the rationale regarding site plan reviews for the increase in number of copies and extending more days for reviews.

Staff Recommendation: Approval. The proposed new language is reasonable and appropriate.

Commission Discussion: Commissioners Abramson and Prokuda inquired if there was a renumbering/relettering of the items in the amendment. Principal Planner Stanford said that some of the lettered items are not shown because the text was not amended.

Public Comment: Mike Stock, Conway Township Planning Commission Chair, stated that the Township is not renumbering zoning ordinance articles.

Commissioner Action:

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

Motion passed: 5-0

**G. Z-31-19: CONWAY TOWNSHIP, ZONING ORDINANCE AMENDMENTS -
ARTICLE 6: GENERAL AND SUPPLEMENTARY REGULATIONS, SECTION 6.26(F)(1):
SOLAR ENERGY COLLECTORS.**

The Conway Township Planning Commission proposes to revise **Article 6: General and Supplementary Regulations; Section 6.26 (F) (1): Solar Energy Collectors** regarding the maximum allowable size for all ground-mounted solar energy collectors.

Township Planning Commission Recommendation: Approval. The Conway Township Planning Commission recommended **Approval** of the proposed amendment at its June 10, 2019 public hearing. There was one public comment noted, asking for the rationale regarding site plan reviews for the increase in number of copies and extending more days for reviews.

Staff Recommendation: Approval. The proposed new language is reasonable and appropriate.

Commission Discussion: Commissioners and staff briefly discussed the small size of the ground-mounted solar energy collectors.

Public Comment: None.

Commissioner Action:

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

Motion passed: 5-0

**H. Z-32-19: CONWAY TOWNSHIP, ZONING ORDINANCE AMENDMENTS -
ARTICLE 3: ADMINISTRATION AND ENFORCEMENT, SECTION 3.03(C)(2)(b): LAND USE PERMITS.**

The Conway Township Planning Commission proposes to revise **Article 3: Administration and Enforcement; Section 3.03(C)(2)(b): Land Use Permits** regarding the required number of blueprints to be submitted to the Township Zoning Administrator to accompany a land use permit application..

Township Planning Commission Recommendation: Approval. The Conway Township Planning Commission recommended **Approval** of the proposed amendment at its June 10, 2019 public hearing. There was one public comment noted, asking for the rationale regarding site plan reviews for the increase in number of copies and extending more days for reviews.

Staff Recommendation: Approval. The proposed new language is reasonable and appropriate

Commission Discussion: Commissioner Clum asked if all Townships require blueprints to be stamped by a registered engineer. Principal Planner Stanford responded 'yes'.

Public Comment: None.

Commissioner Action:

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

Motion passed: 5-0

**I. Z-33-19: HAMBURG TOWNSHIP, ZONING ORDINANCE AMENDMENTS -
ARTICLE 7: DISTRICT REGULATION, SECTION 7.5.1: SCHEDULE OF USE REGULATIONS,
AND ARTICLE 8: SUPPLEMENTARY REGULATIONS, SECTION 8.7: GROUP DAY CARE HOMES, CHILD CARE CENTERS, AND DAY CARE CENTERS.**

In a memorandum to the Hamburg Township Planning Commission, the Hamburg Township Planning and Zoning Director states that in 2001 a Special Use Permit was approved to allow a 3,850 square foot child care center in the IXL Learning Center building at 10088 Professional Center Drive. The Special Use Permit allowed for the care of 16 infants, 18 toddlers and 24 children (a total of 58).

Over time, as tenants moved out of this structure, the IXL Learning Center expanded into other portions of the building and they now occupy 9,000 square feet. This expansion and any subsequent increase in the number of children that they served, was not approved by the Township.

On March 25, 2019 the property owners of 10088 Professional Center applied for a Special Use Permit to expand the IXL Learning Center to the entire building (11,104 square feet) with child care provided to 50 infants 50 toddlers and 80 children (a total of 180). The size of the use and the number of children served, are the only proposed changes to the original business plan.

Under Township regulations this would constitute a major change to the existing special use permit and the permit would need to be amended. Because of the proposed number of children that will be served, the proposed amendment to the special use permit would not meet the requirements under Section 8.7 for Group Day Care Homes, Child Care Centers. Additionally, the subject property is within the VC Village Center zoning district and Child Care Centers are not a permitted or specially permitted land use in the VC zoning district.

Therefore, the proposed text amendment is to remedy this situation. If the proposed text amendment is approved, the applicant will move forward with the proposed amendment of their Special Use Permit to allow the expansion of the IXL Learning Center.

Township Planning Commission Recommendation: Approval. The Hamburg Township Planning Commission recommended **Approval** of the amendments to Articles 7 and 8 at their June 19, 2019 meeting. Minutes of the meeting and public hearing were not available at the time of review.

Staff Recommendation: Approval. The proposed text amendments update the Township regulations for child care centers and day care centers and create a more flexible approach to this land use.

Commission Discussion: Commissioner Abramson had a question about Section 8.7.3: Special Use. Commissioner Clum stated that she likes the proposed changes and likes that the township broadened their scope. Commissioner Prokuda had a question regarding State licensing allowing some of these provisions. Director Kline-Hudson replied that she believes the provisions still have to be sent to the State for approval. Commissioner Clum stated that she thought State licensing is somewhat less restrictive on some of these provisions than what is being proposed. Commissioner Prokuda asked if by passing these regulations whether the Township is creating any other issues with daycare uses elsewhere in the township. Director Kline-Hudson replied that the existing facilities would be grandfathered. Commissioner Ikle asked why the Township would not want the centers permitted by right in a specific zoning district? Director Kline-Hudson replied that the township wants the ability to review the land uses through the special land use permit process.

Public Comment: None.

Commissioner Action:

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

Motion passed: 5-0

J. Z-34-19: PUTNAM TOWNSHIP, ZONING ORDINANCE AMENDMENTS - ARTICLE XIII: SPECIAL LAND USES, SECTION 340-145.3: AGRITOURISM ACTIVITIES.

The Putnam Township Planning Commission is proposing to amend the Township Zoning Ordinance by creating a new section addressing agritourism in the Township and creating associated regulations for the proposed use.

Township Planning Commission Recommendation: Approval. There were no comments at the April 10, 2019 public hearing on the proposed amendments.

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

Commission Discussion: Commissioner Ikle would recommend adding the phrase “weather-permitting” to the provisions that speak about percentage of crop production. Principal Planner Barb replied that this recommendation will be included in the standard follow up letter that goes to the Township regarding the County Planning Commission’s decision on this case.

Public Comment: None.

Commissioner Action:

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

Motion passed: 5-0

K. Z-35-19: GENOA CHARTER TOWNSHIP, ZONING ORDINANCE AMENDMENTS - ARTICLE 7: COMMERCIAL AND SERVICE DISTRICTS, SECTION 7.02: PERMITTED AND SPECIAL LAND USES.

The proposed text amendments to Article 7 of the Genoa Charter Township Zoning Ordinance involve amendments to Table 7.02 Schedule of Commercial Uses. The proposed amendments include minor modifications to existing land uses, as well as the addition of new land uses.

Township Planning Commission Recommendation: Approval. The Genoa Charter Township Planning Commission recommended **Approval** of the Zoning Ordinance Text amendment to Article 7 at their May 13, 2019 meeting. There was one public comment at the May 13, 2019 public hearing. This person made suggestions regarding the proposed climate controlled indoor storage use.

Staff Recommendation: Approval. The proposed amendments to existing land uses and the inclusion of new land uses in the Schedule of Commercial Uses, appears to be well thought-out and organized as special land uses or those permitted by right.

Commission Discussion: Commissioner Prokuda had a question regarding Table 7.02 and the heading “Residential” in the table. Director Kline-Hudson replied that “Residential” is a newly proposed category not a use, and within “Residential”, the township is adding “Upper floor dwelling units” as a special use in the OSD, NSD, and GCD zoning districts. Commissioner Ikle stated he didn’t understand the adversity of rear garages. Director Kline-Hudson replied that the provisions in question relate to climate-controlled indoor commercial and not to upper floor dwelling units.

Public Comment: None.

Commissioner Action:

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

Motion passed: 5-0

L. Z-36-19: GENOA CHARTER TOWNSHIP, ZONING ORDINANCE AMENDMENTS - ARTICLE 25 DEFINITIONS, SECTION 25.02 DEFINITIONS.

The proposed text amendments to Article 25 Definitions of the Genoa Charter Township Zoning Ordinance, serve to support the proposed uses in Article 7 as they relate to brewpubs, climate-controlled indoor commercial storage, mini or self-storage warehouse, and small winery (LCPC case Z-35-19).

Township Planning Commission Recommendation: Approval. The Genoa Charter Township Planning Commission recommended Approval of the Zoning Ordinance Text amendment to Article 25 at their June 24, 2019 meeting. There were no public comments at the public hearing.

Staff Recommendation: Approval. The proposed amendments to Article 25 Definitions are well-written and they support most of the proposed amendments to Article 7, however there are no existing or proposed definitions that support the proposed new uses of Microbrewery or Small Distillery. Genoa Township should consider adding these definitions to the zoning ordinance.

Commission Discussion: Commissioner Abramson had a question regarding number of gallons allowed as proposed. She stated that if the calculations coincide with the State of Michigan allowances for these types of uses, perhaps that township could consider simply including a reference to the State of Michigan regulations rather than locking into a number, so that should the State regulations ever change, it’s still easily enforceable at the local level without too much administrative change. Commissioner Anderson stated that he’d like Commissioner Abramson’s suggestion included in the standard follow up letter that goes to the Township regarding the County Planning Commission’s decision on this case.

Director Kline-Hudson noted that she and the Genoa Township Assistant Manager/Community Development Director had discussed the definitions of Microbrewery and Small Distillery. The Township has adopted these particular definitions but they were not included in the on-line version of the ordinance that Kline-Hudson reviewed.

Public Comment: None.

Commissioner Action:

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

Motion passed: 5-0

M. MP-01-19: PUTNAM TOWNSHIP, MASTER PLAN AMENDMENT.

Livingston County Planning Department received correspondence from Putnam Township Planning Commission requesting Livingston County Planning Commission review and comment on the proposed update to the 2012 Putnam Township Master Plan. This request is in accordance with Section 41 of the Michigan Planning Enabling Act (P.A. 33 of 2008).

County Planning Staff originally reviewed the updates at the December 2018 Livingston County Planning Commission meeting. Since that time, one (1) additional update has been considered by the Township and is illustrated on the accompanying map. The proposed additional change to the master plan was discussed at the February 2019 public hearing. Since that time, the Township has been working with their consultant on preparing a Future Land Use map that illustrates all of the changes. Final discussions and a motion to approve the 2019 Update to the Putnam Township Master Plan was made at the April 10, 2019 planning commission meeting. While the finished map is not currently available, the additional change has been noted on the attached map for your reference.

Township Planning Commission Recommendation: Approval.

Staff Recommendation: Approval. That the Livingston County Planning Commission concurs with staff's comments on the 2019 Putnam Township Master Plan Update, and submits the foregoing comments to the Putnam Township Planning Commission.

Commission Discussion: None.

Public Comment: None.

Commissioner Action:

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

Motion passed: 5-0

8. OLD BUSINESS:

A. New Planning Commission Members:

Director Kline-Hudson explained that an applicant was selected to become the new planning commissioner representing agriculture. This person will be fully appointed at the July 29 Board of Commissioners meeting and they will be present at the August 2019 meeting. Interviews for the second County Planning Commission vacancy will take place in the next weeks and a new member representing recreation will be present at the September meeting.

9. NEW BUSINESS:

A. SEMCOG Grant:

The County Planning Department was awarded a \$30,000 Planning Assistance Program grant for a Livingston County Trail Network Plan. The department distributed this information in a July news blast to the local communities.

10. REPORTS:

A. Staff Reports:

- i. Director Kline-Hudson gave the dates and events of the upcoming Michigan Association of Planning (MAP) annual conference, September 25 – 27 in Kalamazoo.
- ii. A description and cost estimate for a MAP Planning Commissioner Toolkit training was distributed and discussed. Planning Commissioners would like staff to research whether or not the County Attorneys might offer similar training.
- iii. Principal Planner Barb stated that final revisions are being made to community profiles for each Livingston County municipality and they will soon be available for distribution.

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

12. ADJOURNMENT:

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO ADJOURN THE MEETING AT 7:45 P.M., SECONDED BY COMMISSIONER ANDERSON.

Motion passed: 5-0