

**LIVINGSTON COUNTY PLANNING COMMISSION
MEETING MINUTES**

APPROVED – February 20, 2019

6:30 p.m.

304 E. Grand River Ave., Howell, Michigan

PLANNING COMMISSION		
COMMISSIONERS PRESENT:	BRIAN PROKUDA JEANNE CLUM MATT IKLE	BILL ANDERSON CLAIRE STEVENS
COMMISSIONERS ABSENT:	LAURA ABRAMSON	JAMES SPARKS
STAFF PRESENT:	KATHLEEN KLINE-HUDSON ROB STANFORD SCOTT BARB	
OTHERS PRESENT:	BRUCE POWELSON – MARION TOWNSHIP PLANNING COMMISSION	

1. **CALL TO ORDER:** Meeting was called to order by Commissioner Prokuda at 6:35 PM.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL AND INTRODUCTION OF GUESTS:** None.

4. **APPROVAL OF AGENDA**

Commissioner Action: IT WAS MOVED BY COMMISSIONER CLUM TO APPROVE THE AGENDA DATED FEBRURY 20, 2019, SECONDED BY COMMISSIONER ANDERSON.

All in favor, motion passed.

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

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO APPROVE THE MINUTES OF THE PLANNING COMMISSION MEETING DATED JANUARY 16, 2019, SECONDED BY COMMISSIONER IKLE.

All in favor, motion passed.

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

7. ZONING REVIEWS:

A. Z-06-19: BRIGHTON CHARTER TOWNSHIP, ZONING ORDINANCE AMENDMENTS - ARTICLE 2, SECTION 2-06 PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS.

The Brighton Charter Township Planning Commission proposes to add a new Section, entitled “2.06: Prohibition of Recreational Marihuana Establishments” to Article 2: Zoning Districts in General, of the Township Zoning Ordinance.

With these proposed amendments the Township is essentially opting out of allowing commercial recreational establishments, under the provisions set forth by the Michigan Regulation and Taxation of Marihuana Act (also known as the “MRTMA”), Initiated Law 1 of 2018. The Act allows municipalities the option to completely prohibit or limit the number of marihuana establishments within its boundaries. The township’s proposed regulations only prohibit commercial marihuana establishments, and do not restrict individual property owners’ rights, as allowed under the law.

Township Planning Commission Recommendation: Approval. The Brighton Charter Township Planning Commission recommended **Approval** of the text amendments at their January 14, 2019 meeting. A letter from the public dated January 13, 2019, was read into the record, regarding recreational marihuana and keeping an open mind for businesses. In addition, there was a question from the public noted regarding restricting individual's rights to have plants at their home. (It was restated by the Planning Commission that the ordinance regulations are strictly for the prohibition of commercial establishments; not restricting individuals' rights).

Staff Recommendation: Approval. The proposed text amendments are reasonable and appropriate and appear to be consonant with the provisions established by the *Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018*.

Commission Discussion: Planning Commissioners discussed how Brighton Township will probably be the first of many townships in Livingston County to opt out of allowing marihuana establishments. A general discussion regarding MRTMA followed.

Public Comment: None.

Commissioner Action:

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

Motion passed: 5-0

B. Z-07-19: DEERFIELD TOWNSHIP – NEW TOWNSHIP REZONING MAP

The Deerfield Township Planning Commission is proposing to amend the Township Zoning Ordinance by creating a new zoning map.

Deerfield Township’s original zoning map was published in May 2002. According to Landplan, Inc., the Township’s planning consultant, “the new zoning map only documents the numerous rezoning’s that were already approved over the past 17 years since the adoption of the current zoning map in 2002. No new changes are being proposed, aside from the more graphic and clearer delineation of the districts and updated parcel/lot info”. The proposed map will include a new light industrial zoning district.

Township Planning Commission Recommendation: Approval. There were no comments at the January 17, 2019 public hearing.

Staff Recommendation: Approval. The proposed zoning map is well defined and brings the Township Ordinance up to date.

Commission Discussion: None.

Commission Action:

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

Motion passed: 5-0

C. Z-08-19: PUTNAM TOWNSHIP, ZONING ORDINANCE AMENDMENTS - ARTICLE II: DEFINITIONS AND ARTICLE XIX SIGN REGULATIONS.

The Howell Township Planning Commission is proposing to amend the Township Zoning Ordinance by modifying several sections of Article 19 regarding signage in the Township. The purpose of the amendments are to update the sign ordinance for compatibility after the 2015 Reed v Gilbert decision that established content neutrality for signage and to clarify existing sign regulations.

Township Planning Commission Recommendation: Approval. There were no comments at the January 22, 2019 public hearing on the proposed text amendments.

Staff Recommendation: Approval. The proposed text amendments are compatible with the Howell Township Zoning Ordinance.

Commission Discussion: None.

Public Comment: None.

Commissioner Action:

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

Motion passed: 5-0

D. Z-09-19: GREEN OAK CHARTER TOWNSHIP, ZONING ORDINANCE AMENDMENTS - ARTICLE I IN GENERAL AND ARTICLE IV SUPPLEMENTARY REGULATIONS.

This proposed text amendment is related to a municipality's right to completely prohibit or limit the number of marihuana establishments with its boundaries, under the provisions of the Michigan Regulation and Taxation of Marihuana Act (MRTMA).

Township Planning Commission Recommendation: Approval. The Green Oak Charter Township Planning Commission recommended Approval of the zoning ordinance text amendments to Articles I and IV at their January 17, 2019 meeting. There were no public comments at the January 17, 2019 public hearing for the proposed text amendment.

Staff Recommendation: Approval. The proposed text amendments appear to be consistent with the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018.

Commission Discussion: None.

Public Comment: None.

Commissioner Action:

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

Motion passed: 5-0

8. OLD BUSINESS:

- A. Progress on visits to local Planning Commission meetings:** Commissioners and Staff discussed Township meetings that have occurred since the January 16, 2019 County Planning Commission meeting, and meetings that will be visited in the next couple of weeks. Director Kline-Hudson will e-mail the updated meeting schedule to all Planning Commissioners in an effort to fill some additional meeting slots.

9. NEW BUSINESS:

- A. Set Public Hearing for 2019-2023 Livingston County Parks and Open Space Plan:** Director Kline-Hudson stated that the draft of the Parks and Open Space Plan is complete and the plan is now available at the County Planning Department and on the Livingston County website for a 30-day period of public review and comment. She stated that this period must be followed by a public hearing and that the last time this plan was updated the public hearing was held at a regular meeting of the Livingston County Planning Commission. Planning Commissioners expressed their support of this scheduling and Planning Commission Chair Brian Prokuda, requested that the hearing be held prior to the regular meeting of the Planning Commission.

10. REPORTS:

- A. Livingston County Planning Department 2019 Work Program:** Director Kline-Hudson showed and explained various components of the 2019 Work Program including projects that have already been completed in 2019 and others that are new projects from the Implementation Plan of the new 2018 Livingston County Master Plan. She stated that Planning Department staff is open to any new projects that may be suggested by County Planning Commissioners. Planning Commissioner Clum asked if there were any department projects regarding the Livingston County Transit Master Plan. Kline-Hudson stated that staff was involved in the master plan as partners only and the Transit Master Plan has been drafted by planning consultants. There were no additional comments or suggestions at this time.
- B. Other Planning Department Updates:** Director Kline-Hudson updated Planning Commissioners on the final open house held for the Livingston County Transit Master Plan on February 19. A general discussion of the plan followed.

- 11. COMMISSIONERS HEARD AND CALL TO THE PUBLIC:** Planning Commissioner Ikle was congratulated on being recently appointed to the Livingston County Mental Health Board.

12. ADJOURNMENT:

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO ADJOURN THE MEETING AT 7:30 P.M., SECONDED BY COMMISSIONER ANDERSON.

Motion passed: 5-0