

ISABELLA COUNTY
PLANNING COMMISSION

February 14, 2008

A Regular Meeting of the Isabella County Planning Commission was held on February 14, 2008 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Craig Schripsema, Bob Thompson, Jerry Neyer, Gale Willoughby, Christine Alwood, Vance Johnson, Roger Trudell, John Benaske

MEMBERS ABSENT: Marilyn Fosburg, Richard Recker.

SUPPORT STAFF PRESENT: Michael Zalewski, Planner/Zoning Administrator
Brandy Freed, Recording Secretary

The meeting was called to order by Chairperson Thompson at 7:00 p.m.

The Pledge of Allegiance was recited by the Commission.

APPROVAL OF AGENDA

The Chair requested if there were any additions or deletions to the agenda.

A motion was made by Mr. Willoughby, supported by Mr. Trudell, to approve the agenda.

Yes: Benaske, Trudell, Schripsema, Willoughby, Thompson, Neyer, Alwood, Johnson.
No: None.

Motion carried.

PREVIOUS MINUTES

Minutes of the January 10, 2008 regular meeting were circulated to the Commission prior to the meeting for their review.

A motion was made by Mr. Johnson, supported by Mr. Willoughby, to approve the minutes of the January 10, 2008 meeting as amended.

Ms. Alwood forwarded minor changes to staff.

Ms. Alwood asked if the variance that Mr. Schripsema had talked about in his liason report was denied. She also stated that Mr. Olesik's request to remove his 60 acre parcel from the PA116 program had not gone through human resource committee yet.

Mr. Zalewski explained that there was no need to review his application. There are different ways to get removed from the PA116 program including, death, health, personal injury, etc.

Personal injury was listed on his application, when one of these reasons is listed, the State takes care of the application and it does not have to go through the review procedure. In this case the State overlooked the reason on the application by mistake.

Yes: Benaske, Trudell, Schripsema, Willoughby, Thompson, Neyer, Alwood, Johnson.
No: None.

Motion carried.

LIASON REPORTS

ZBA – Mr. Schripsema reported that there has been no meeting since the last planning commission meeting.

Parks & Recreation Commission – Mr. Willoughby reported that there has been no meeting since the last planning commission meeting. There is talk of a meeting to be held about the Emerald Ash Borer and the Long Horned Beetle in March.

Board of Commissioners – Ms. Alwood reported that the Michigan Association of counties held a conference in Lansing with legislators, some of the sessions that were held included: what to do about foreclosures in counties and the impact that failure of rural septic systems have on counties economies. The Board of Commissioners is trying to setup a board retreat with department Heads for the spring to set priorities and goals. There is a Sesquicentennial meeting on February 27, 2008 at 5:30 p.m. in the County Commission chambers.

TOWNSHIP CONCERNS

These township representatives were present and expressed the following concerns:

Jackie Curtis, Denver Township, no concerns at this time.
John Graham, Gilmore Township, no concerns at this time.

PUBLIC COMMENT

None heard.

REVIEW OF UNION TOWNSHIP REZONING REQUEST

Mr. Zalewski explained that the request is to rezone the property located at the SE corner of Lincoln and Pickard (directly across from the Union Township Hall) from R2A to Office Service. The properties on the north side of Pickard and East of Lincoln are presently zoned Office Service and their master plan calls for that area to be office service. Their PC determined the request to be consistent with the other uses on the other 3 corners of the intersection, being the Veterinarian Office, Township Hall, and a church.

Mr. Willoughby asked if their master plan called for offices in this area. He also stated that it is all Residential uses on the East side of the road. He asked why they would make one corner

commercial.

Mr. Zalewski stated that they are requesting to be rezoned to office services, which is different than commercial.

Mr. Trudell asked if the Planning Commission were to say no if they would still be able to continue with the rezoning. If this is the case why does the Planning Commission look at it?

Mr. Zalewski stated that it is required by the Michigan Zoning Enabling Act.

Ms. Alwood explained that this is just a step in the process that the township has to go through, between going to their Planning Commission and Township Board. They are required to share it with our Planning Commission for comments as part of the review process.

Mr. Zalewski further clarified that the board looks at the rezoning to be sure that it is consistent with the master plans of any surrounding communities that may be affected by the rezoning as well, to provide any comments on the request. However, they do have their own zoning so they have the right to do what they want.

Mr. Trudell stated that Union township is not providing adequate services such as police protection; it would be his recommendation that they deny this request.

Mr. Thompson stated that this board does not vote on the issue but rather forwards any comments to Union Township. He also stated that the application refers to commercial where as the Planning Commission minutes state office service.

Mr. Zalewski stated that the application was requesting for the property to be rezoned to either commercial or office service. Their Planning Commission recommended approval for office service not commercial.

Mr. Trudell stated that the Board of Commissioners received a memo from Tim Dolehanty, Isabella County Administrator, with his concerns. He asked Mr. Zalewski to read the memo into the record.

Mr. Zalewski stated that the memo was originally in regards to another rezoning request in Union Township which has since been withdrawn. Some of the concerns in the memo are general and would apply to this case or any rezoning request for that matter. He read the memo into the record (see attached memo).

Mr. Zalewski further explained that this discussion has been brought up several times before at this level with previous rezoning requests. The concern being that the Township is consistently rezoning property and not taking the steps to provide the necessary infrastructure, such as with traffic, police protection and other issues that come with development. From a planning standpoint you want to make sure you direct development to where the infrastructure is already located or to provide that infrastructure so as to not place an unnecessary burden on other municipalities and citizens of the county to provide the services.

Mr. Johnson stated that this would be apply to property that is discussed in the memo, but it does not necessarily apply to this particular case. What Union Township is approving here is very appropriate.

Mr. Thompson stated that it does not matter what township it is, whether it is Union or Coldwater, we still have the same concerns. Any development needs to provide the infrastructure that goes along with it or it will create a burden. Mr. Thompson stated that the comments will be forwarded to Union Township.

ZONING BOARD OF APPEALS VARIANCE REQUEST REPORT

Mr. Zalewski gave a slideshow presentation on the number of variance requests from 2003 through 2007.

Ms. Alwood asked if members could get a printed copy of the slideshow presentation.

Mr. Zalewski stated that he would get them a copy.

Discussion was held about where L-R districts are primarily located.

Ms. Alwood asked if a lot is not big enough, around a lake, could a property owner buy 3 or 4 lots and put them together and build on that.

Mr. Zalewski explained that if they meet all the zoning requirements this would be an option.

Mr. Neyer asked what the setbacks were in a lakes residential district.

Mr. Zalewski explained that the minimum set back in the lakes residential district is 35' from the rear, 35' from the front the sides are and a minimum of 8' total of 20', for example if you are 8' on one side you would have to be 12' on the other. There are exceptions in the ordinance if the two adjoining lots are built upon the then average setback of these two can be the setback for the middle property assume it is not less than half the district requirement.

PLANNING COMMISSION BASIC TRAINING PRESENTATION

Mr. Zalewski gave a slideshow presentation on Planning Commission basic training for the Planning Commission members.

GENERAL DISCUSSION REGARDING THE PLANNING COMMISSION GOALS FOR 2008

Mr. Zalewski explained that staff created a guideline of what the Planning Commission needs to work on this year. Over the course of the next year there will probably be many text changes to the ordinance. There were some things in the 2005 proposed ordinance that might be able to be incorporated into the current zoning ordinance, for instance the issue with temporary dwellings and crematories. The ordinance will continuously be reviewed by staff, the public including

township officials and planning commission members and changes will be made accordingly.

Discussion was held about wind turbines.

Mr. Zalewski reviewed the vision of the Master Plan with the commission members.

Mr. Zalewski discussed the six top ranked goals in the Master Plan. The goals were ranked by the township officials during the process of updating the Plan. He further explained that it may be best to establish subcommittees to review the policies of each goal and determine what if anything can be done by the planning commission to meet or work towards that particular goal.

The board had further discussion regarding visiting the nine townships that have county zoning as well as visiting the other seven townships. It was also discussed visiting the Villages and the city of Mt. Pleasant.

Mr. Zalewski stated that a subcommittee should be formed to establish what will be discussed when visiting the other seven townships, the villages and the city of Mt. Pleasant.

Mr. Zalewski further stated that as a subcommittee is reviewing a particular goal they may decide to visit and/or speak with other entities. He gave the example that one goal deals with traffic and therefore that subcommittee may want to speak with the Road Commission. Further, two of the goals deal with agricultural and therefore that subcommittee may want to speak with the Ag Preservation Board.

Mr. Willoughby stated that knowing the history of the road commission, it might be hard to accomplish goal #3. It is up to the townships to determine which roads they want paved and upgraded.

Mr. Zalewski stated that it is more along the lines of getting on the same thought process as them.

Mr. Schripsema explained that if a letter is sent out to the townships, it will be followed with a meeting, but it is already into February. Realistically this process will take 2-3 months, commission members should just start going to the meetings if anything is going to get done this year.

Mr. Thompson explained that sending a letter to the townships will be just to give them advanced notice that members from our Planning Commission will be there.

Mr. Neyer stated that before rushing out and talking to these groups, everyone needs to be sure they are speaking with a unified message.

Ms. Alwood stated that it is sometimes hard to coordinate with townships because some have meetings on the same nights. It would be best for commissioners to sign up to go to different places.

Mr. Thompson suggested that they have six goals and should skip the top one for now because

they are all working to provide and active dialog. He also suggested that he be given the latitude to create subcommittees for groundwater supply, traffic movement, support agricultural activity combined with protect and maintain the prime and important soils and then support and encourage economic diversity. Once these subcommittees are formed they can begin to review the policies that are in the master plan and see if they apply or not. There should also be a 5th subcommittee that would work toward developing language for the proposed visits to the seven townships and other entities not under the County's jurisdiction.

A motion was made by Mr. Neyer, supported by Mr. Willoughby to accept the outline and for Chairman Thompson to establish subcommittees.

Yes: Benaske, Trudell, Schripsema, Willoughby, Thompson, Neyer, Alwood, Johnson.

No: None.

Mr. Zalewski stated that he would put together a letter to the 9 townships that the county has jurisdiction over. As well staff will approach the board of commissioners and let them know that the Planning Commission would like to have a meeting with them and the Zoning Board of Appeals.

Ms. Alwood suggested that staff send an email out with the dates and times of township meeting to see which ones the commission members would like to attend.

STAFF COMMENTS

Mr. Zalewski asked if the Planning Commission members had a chance to review the zoning amendments on accessory dwellings and crematories. He also asked if the board was ready to set a public hearing for these amendments for next month.

Ms. Alwood asked that with the accessory dwelling, zoning amendment #08-01, what is the cost of a temporary permit and do we have a standard format for it.

Mr. Zalewski stated that the permit fee will be \$25.00.

Ms. Alwood further stated that in the amendment there are timelines with 180 days for agricultural and 365 days for temporary working and living, these are referencing the current length of time.

Mr. Zalewski stated that the only language that is new was the section for temporary accessory dwellings.

Ms. Alwood stated that there was a conflict on page 3 letter E with page 4 letter F.

Mr. Zalewski stated that there are temporary uses when a mobile home would not need to be skirted and this is why it is "unless otherwise required".

Ms. Alwood asked if there was a difference between a mobile home and a manufactured home. Because one section is talking about a mobile home and the other is talking about a

manufactured home.

Mr. Zalewski stated that this is the language that is currently in the zoning ordinance.

Mr. Johnson stated that it is in two different sections. The first instance is for an accessory dwelling and the second is for a temporary building or use.

Mr. Willoughby stated that a temporary use is for something like a construction trailer.

Ms. Alwood asked if an accessory dwelling was permanent.

Mr. Zalewski stated that an accessory dwelling was not permanent, this is for a temporary permit; it is subject to yearly renewal. This is for a temporary home, for example putting another home on a property to take care of an elderly parent. Right now applicants have to create a separate parcel by splitting off a piece of land.

Ms. Alwood asked if a mobile home could be there without skirting for 2 years.

Mr. Zalewski explained that no, under the accessory dwelling it states that if it is a mobile home it has to be skirted.

Discussion on rearranging the proposed text to make it clearer was held by the board.

It was the consensus of the Planning Commission to have the general requirements listed under Section 3.26(B) and then move the list of specific temporary uses to Section 3.26(C).

A motion was made by Mr. Willoughby, supported by Mr. Neyer to set a public hearing for Zoning Amendment #08-01 on March 13, 2007 at 7:00 p.m. in Room 225.

Yes: Benaske, Trudell, Schripsema, Willoughby, Thompson, Neyer, Alwood, Johnson.
No: None.

Mr. Zalewski stated that the issue of crematories was brought up when a gentleman asked if he could have a crematory in his garage. He was not allowed to; he wanted to know where he could put one, but in the ordinance there was no definition for crematory. After researching the issue the ZBA interpreted that a cemetery does not include crematories, so it should be forwarded to the Planning Commission to address this issue.

Mr. Zalewski further explained that crematories have a perceived impact on surrounding uses. You would not want a crematory in your commercial districts, such as downtown Blanchard, you want them in your industrial districts; not necessarily because it is a more impactful use, but because the perception could negatively affect surrounding commercial uses.

Ms. Alwood stated that a Cemetery is allowed as a special use permit in an Ag district, so why would a crematory not be allowed with a special use in an Ag district.

Mr. Zalewski stated that the enclosed language would add a crematory as an accessory to a

cemetery, assuming the applicant meets all the requirements for a cemetery in an Ag district.

Ms. Alwood asked if a funeral home could own a crematory.

Mr. Zalewski stated that it is not allowed by the state, a funeral home can't legally own a crematory. The definitions of cemetery and mortuary are being added to the ordinance; if a definition is not in the ordinance specifically then we refer to a particular dictionary so technically we are not adding any language.

Discussion was held about the nearest crematory.

Ms. Alwood inquired as to who regulates crematories.

Mr. Zalewski replied that the state regulates crematories.

Ms. Alwood stated that funeral home owners might want to create a pet cemetery would they be held to the same guidelines and would it only be a permitted where a cemetery is permitted.

Mr. Zalewski stated that a pet cemetery would be considered a cemetery.

A motion was made by Ms. Alwood, supported by Mr. Trudell to set a public hearing for Zoning Amendment #08-02 on March 13, 2007 at 7:00 p.m. in Room 225.

Yes: Benaske, Trudell, Schripsema, Willoughby, Thompson, Neyer, Alwood, Johnson.

No: None.

PLANNING COMMISSIONER'S COMMENTS

Mr. Schripsema stated that Central Michigan Planning Group is developing a regional trail plan with the help of MDOT. MDOT and CMU are working to implement a road improvement plan. MDOT is willing to come and give a presentation on what they will be doing. The Planning Commission may want to get with Gratiot County for feedback on their County wide Master Plan.

ADJOURNMENT

A motion was made by Ms. Alwood, supported by Mr. Schripsema, to adjourn at 8:40 p.m.

Yes: Benaske, Trudell, Schripsema, Willoughby, Thompson, Neyer, Alwood, Johnson.

No: None.

Motion carried.

Jerry Neyer, Secretary

Brandy Freed, Recording Secretary



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MEMORANDUM

TO: Timothy A. Nieporte, Community Development Director
FROM: Timothy J. Dolehanty, AICP, Administrator/Controller 
DATE: January 17, 2008
SUBJECT: Union Township Development Proposal

I am sure you shared my interest in the article appearing in yesterday's *Morning Sun* about Union Township consideration of a 56-acre development between Bluegrass and Broomfield Roads. This development requires rezoning from the highway business district to multi-family residential.

As you are aware, continued development in Union Township has the potential to adversely affect Isabella County's ability to provide public services. It is my professional opinion that the Township has an obligation to adequately plan for public service impacts caused by developments they approve. Lack of foresight in this regard stands to place undue strains on service delivery.

Michigan statute (MCL 125.104) sets forth the purpose of a county master plan. The statute states, in part:

The plan shall be made with the purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county that will be in accordance with present and future needs for best promoting the health, safety, morals, order, convenience, prosperity, and general welfare of the residents, as well as for efficiency and economy in the process of development. (Emphasis added)

Subsection C of MCL 125.104(3) requires the county planning commission to:

Cooperate with all departments of the state and federal governments and other public agencies concerned with programs for the economic, social, and physical development of the county and seek the maximum coordination of the county programs of these agencies. (Emphasis added)

I anticipate this rezoning proposal will reach the county planning commission in the near future, in compliance with MCL 125.3307. As such, in the spirit of the planning statutes, I formally request that you and the planning commission pay particular attention to the impact this proposal will have on the County's (and other public agencies') ability to provide services to citizens residing in and visiting the development.

Thank you in advance for your attention to this matter, and please do not hesitate to contact me if I can be of assistance.

C: Board of Commissioners

Outline to Guide Discussion about 2008 Goals

1. Continue to provide recommendations to the BOC regarding necessary Text and Map changes to the Isabella County Zoning Ordinance.

a. Philosophy

- i. If it is not broke, don't fix it.

b. Avenue for discussion

- i. Public Request – Rezoning and/or Text amendment (Application)
- ii. Staff Request – Rezoning and/or Text amendment (Through staff comments on monthly agenda)
- iii. PC Member Request – Rezoning and/or Text amendment (Through PC comments on monthly agenda)
- iv. Legislative Request – Rezoning and/or Text amendment (Through staff comments on monthly agenda)

c. Procedure

- i. Follow requirements of state law (Guided by staff)

2. Review Master Plan Vision and Goals.

a. Vision

- i. Create an atmosphere in which all communities can work toward mutually supportive objectives to create a livable setting offering the benefits of rural character, an agricultural economy, and a pristine environment, coupled with social and economic opportunity, urban amenities, affordable housing, an adequate infrastructure, and managed growth.

b. Goals (Top six ranked goals from page 46 of ICMP)

- i. To maintain an active dialogue between the County Planning Commission and individual townships (1.2)
- ii. To protect the quality of the groundwater supply throughout the County (1.3)
- iii. To improve traffic movement and vehicular circulation throughout the County (1.7)
- iv. To support Agricultural activity as an essential part of the County and State economy (1.8)
- v. To support and encourage economic diversity (1.8)
- vi. To protect and retain prime and important agricultural lands from encroachment by incompatible land uses (1.8)

c. Avenue for discussion

- i. Establish goal review committees (Research and initial discussion)
- ii. Committee review policies in ICMP
- iii. Committee to report monthly on facts and findings (Monthly agenda item)
- iv. Educate

d. Implementation of goals

- i. Proceed to 1. c. above; or
 - ii. Other necessary avenue
3. **Educate townships, BOC, and other necessary departments or agencies (ie. Road Commission, Parks and Recreation, Agricultural Preservation Board).**
 - a. *Meet with BOC (When outline is approved staff will move desire to meet with the BOC through appropriate committee of the BOC)*
 - i. Discuss above outline of activities
 - b. *Meet with townships*
 - i. Nine (9) under county zoning jurisdiction
 1. Provide letter to townships explaining above activities
 2. Set up follow up meetings as necessary
 3. Educate on committee findings related to above referenced goals
 - ii. Seven (7) not under county zoning jurisdiction
 1. Provide letter to townships explaining above activities
 2. Establish follow up meetings
 3. Consider committee – to establish discussion topics
 - c. *Discuss other department or agency boards and commissions to follow up with (ie.. road commission, parks and recreation, and agricultural preservation board).*
 - i. Provide letter to Road Commission, Parks and Recreation Commission, and Agricultural Preservation Board.
 - ii. Establish as necessary follow up meetings with other boards and commissions to educate them about the planning process
 1. Capital Improvement review by the PC
 2. Improve communications
 3. Blend all long and short term plans into a community wide plan or educational document