

ISABELLA COUNTY
PLANNING COMMISSION

February 11, 2010

A Regular Meeting of the Isabella County Planning Commission was held on February 11, 2010 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Evelyn Kent, Bob Thompson, Roger Trudell, Jerry Neyer, Alger Smock, Gordon Gilchrist.

MEMBERS ABSENT: Craig Schripsema, Vance Johnson, Jim Kremsreiter.

SUPPORT STAFF PRESENT: Mike Zalewski, Planner/Zoning Administrator
Brandy Harger, Recording Secretary

The meeting was called to order by Chairperson Thompson at 7:03 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. Trudell, supported by Mr. Neyer, to approve the agenda as presented.

Yes: Kent, Thompson, Trudell, Neyer, Smock, Gilchrist.

No: None.

Motion carried.

PREVIOUS MINUTES

Minutes of the January 14, 2010 regular meeting were circulated to the Commission prior to the meeting for their review.

A motion was made by Mr. Trudell, supported by Ms. Kent, to approve the minutes of the January 14, 2010 meeting.

Yes: Kent, Thompson, Trudell, Neyer, Smock, Gilchrist.

No: None.

Motion carried.

LIAISON REPORTS

Zoning Board of Appeals – Mr. Gilchrist stated that they had one case last month and they approved it.

Parks and Recreation – Mr. Trudell stated that park reservations are up from last year.

Board of Commissioners – Mr. Trudell stated that the County will have a short fall of funds this year, but they are working to correct the issue. He also explained that some departments have had layoffs already and there will be more to come.

TOWNSHIP CONCERNS

These township representatives were present and expressed the following concerns:

Jackie Curtis, Denver Township, no concerns at this time.

Bob Neeland, Isabella Township, no concerns at this time.

REVIEW OF PLANNING COMMISSION ANNUAL REPORT

Mr. Zalewski stated that the Michigan Planning Enabling Act requires the Planning Commission to make an annual written report to the Board of Commissioners concerning the operations and the status of planning activities. This is a new requirement for the Planning Commission as this was not required previously under the now repealed County Planning Act. Staff has prepared a draft written report for the Commission's review. The Commission will need to adopt the annual report (with or without changes) and after it is adopted, staff will then forward the report to the Board of Commissioners.

A Motion was made by Mr. Trudell, supported by Mr. Neyer to forward the annual report, as was presented, to the Board of Commissioners.

Yes: Kent, Thompson, Trudell, Neyer, Smock, Gilchrist.

No: None.

REVIEW OF CONDITIONAL REZONING DRAFT LANGUAGE

Mr. Zalewski explained that Staff has prepared language addressing Conditional Rezoning for the Commission's review. Staff reviewed the language from the 2005 proposed ordinance and also a sample ordinance from the Michigan Township Association. Both samples have similar language and address the same issue. The sample from MTA seemed easier to read and understand. Therefore, staff based the draft language off the MTA language and modified it to fit the present zoning ordinance. There is also proposed language for amendment guidelines. This language was taken directly from the 2005 proposed ordinance. The present ordinance does not have language for amendment guidelines and staff believes that it would be a good idea to have that in the ordinance. Further, it would seem like an appropriate time to add this at the

same time as Conditional Rezoning language.

Mr. Zalewski further added that, in reviewing this language further, staff would recommend the following changes:

- In Section 15.08(C) under the proposed text amendment guidelines, remove provisions f and g as they are confusing and unnecessary.
- In Section 15.09(D) the statement should read "...then the Board of Commissioners may, in accordance with the Michigan Zoning Enabling Act...." Thus replacing the word 'shall' with 'may'.

If the Commission finds the language with the recommended changes acceptable, staff would suggest the next step should be to send it to the Prosecutor for review.

Mr. Thompson stated that section H. Reversion of Zoning, would be used when an applicant does not follow through on their end.

Mr. Zalewski stated that if within 18 months nothing is completed, the zoning reverts back to the original zoning district; however, it does not automatically revert to the previous district because it is a legislative change that would have to go through the Board of Commissioners for approval.

Mr. Neyer asked if an example of a conditional zoning could be described.

Mr. Zalewski stated that a conditional rezoning could be used in the situation of a nonconforming use wanting to expand. The use is not allowed in the present district, but the Commission and the community does not have any issues with that particular use. But for the business to expand, it would have to rezone to a district that would allow that particular use. The problem may be that district has a list of uses that would not be appropriate for this particular area. The owner can request a rezoning to the new district with the condition that the property will only be used for the existing use and it will not change. If that use ceases to exist, the property would revert back to the previous zoning district. The applicant has to offer the conditions; the Planning Commission can not place conditions on the rezoning request unless they are voluntarily offered by the applicant.

It was the consensus of the board to send the language, with the changes recommended by staff, to the Prosecutor for review.

PUBLIC COMMENT

Ms. Jackie Curtis, Denver Township, asked if Craig Schripsema has resigned from the board.

Mr. Zalewski explained that Mr. Schripsema has expressed to staff that he will be resigning due to a time conflict with his work schedule, but he has not officially submitted a letter of resignation yet.

STAFF COMMENTS

None heard.

PLANNING COMMISSIONER'S COMMENTS

None heard.

ADJOURNMENT

The meeting was adjourned by the call of the Chair at 7:35 p.m.

Vance Johnson, Secretary

Brandy Harger, Recording Secretary