

ISABELLA COUNTY
PLANNING COMMISSION

January 10, 2013

A Regular Meeting of the Isabella County Planning Commission was held on January 10, 2013 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Gordon Gilchrist, Kelly Bean, Bob Thompson, Jerry Neyer, Jim Horton, Christine Alwood, Heather Turner.

MEMBERS ABSENT: Cheryl Jindeel, Evelyn Kent.

SUPPORT STAFF PRESENT: Tim Nieporte, Community Development Director
Allison Langworthy, Recording Secretary

The meeting was called to order by Mr. Nieporte at 7:00 pm.

The Pledge of Allegiance was recited by the Commission.

Mr. Thompson commented on the request by the County Administrator to resign from the planning commission based on Attorney General Opinion No. 6837.

APPROVAL OF AGENDA

Mr. Nieporte stated that Discussion of the Zoning Ad Hoc Committee Report and Master Plan needed to be added to the agenda.

A motion was made by Ms. Alwood, supported by Mr. Gilchrist, to approve the agenda as amended.

Yes: Gilchrist, Bean, Thompson, Neyer, Horton, Alwood, Turner.

No: None.

Motion carried.

ELECTION OF OFFICERS/ORGANIZATIONAL MEETING

Mr. Nieporte opened nominations for Chairperson, Vice-Chairperson, and Secretary.

Mr. Thompson nominated the slate of Mr. Neyer for Chairperson, Mr. Bean for Vice-Chairperson, and Ms. Alwood for Secretary.

Mr. Nieporte called for other nominations.

A motion was made by Mr. Thompson, supported by Ms. Alwood, to close the nominations and a unanimous vote to be cast for Mr. Neyer as Chairperson, Mr. Bean as Vice-Chairperson, and Ms. Alwood as Secretary.

Yes: Gilchrist, Bean, Thompson, Neyer Alwood, Horton, Turner.

No: None.

By a unanimous vote, Mr. Neyer was declared Chairperson, Mr. Bean was declared Vice-Chairperson, and Ms. Alwood was declared Secretary.

Motion carried.

A motion was made by Ms. Alwood, supported by Mr. Gilchrist to maintain the time and date for the regular meetings as is, on the second Thursday of the Month at 7:00 p.m. in room 225 of the Isabella County Building.

Mr. Neyer called for a vote on the motion.

Yes: Gilchrist, Bean Thompson, Neyer, Alwood, Horton, Turner.

No: None.

Motion carried.

Mr. Neyer appointed Mr. Gilchrist to the Zoning Board of Appeals and Ms. Alwood to Parks and Recreation Commission.

PREVIOUS MINUTES

Minutes of the December 13, 2012 regular meeting were circulated to the Commission prior to the meeting for their review.

Ms. Alwood stated that there were dates that were incorrect, and also a few other minor adjustments that needed to be made.

A motion was made by Ms. Alwood, supported by Mr. Thompson to approve the minutes as amended.

Yes: Gilchrist, Bean, Thompson, Neyer, Horton, Alwood, Turner.

No: None.

Motion carried.

LIAISON REPORTS

Zoning Board of Appeals – Mr. Gilchrist stated that there was nothing new to report.

Parks & Recreation – Ms. Alwood stated there was no January meeting. They did not host the January meeting because they are holding open reservations for the parks so they are very busy. They will have a February meeting, so she will provide an update at that time.

Board of Commissioners – Mr. Horton stated that he had nothing to report at this time.

TOWNSHIP CONCERNS

Jackie Curtis, Denver Township, Ms. Curtis stated that Denver Township has no concerns.

Tom Gibbs, Gilmore Township, Mr. Gibbs stated that Gilmore Township will have a letter on the way. They support zoning with Isabella County. If they have to start zoning themselves it will probably not happen. They are on board with the way it is currently handled.

Bob Neeland, Isabella Township, Mr. Neeland stated that Isabella Township is happy with the way that zoning is currently being handled.

PUBLIC COMMENT

None heard.

ZA #13-01 SECTION 3.14 FENCES AND WALLS

Mr. Nieporte explained that the amendment is to allow 3 ft and 4 ft high fences in front yards in residential district along with rear yards lake front lots. In the zoning amendment we struck part C which stated:

“In R-1, R-2, and L-R districts protective wire such as barbed wire and electric fences should not be utilized.”

The new C states:

Protective wire such as barbed wire and electric fences should not be utilized.

In R-1, R-2, and L-R districts protective wire such as barbed wire and electric fences should not be utilized, including fences no more than 3 ft in height used for decorative purposes shall not be permitted in required front yards except as provided here in fences no more than 4 ft in height consisting of at least 75% open space uniformly distributed along its surface may be permitted in the required front yard.

For waterfront lots fences no more than 3 ft in height used for decorative purposes may be allowed in their required rear yards except as provided here in. Fences no more than 4 ft consisting of at least 75% open space uniformly distributed along its surface may be permitted in required rear yards only applies to waterfront yards.

Fences not more than 7 ft may be permitted in all yards along a property line, which is directly next to a park or a public boat launch.

For safety purposes no fence shall be constructed that obstructs the view of pedestrians or vehicular traffic on adjacent streets.”

Ms. Alwood stated that the beginning of each document is incorrect.

Mr. Nieporte said he will make those changes.

The public hearing was opened at 7:17 pm.

Mr. Horton asked how this goes in line with the 7 townships that have their own zoning.

Mr. Nieporte said most ordinances in urbanized areas don't allow fences to be built at all in front yards. More rural areas will allow them at certain heights but its all about the safety. Sherman Township just made modifications this last year to do the same type thing to their ordinance.

Ms. Turner stated that the City of Mt. Pleasant had the same type of language very similar to what is stated here.

Mr. Horton said that is not surprising.

Mr. Neyer stated that the information is being passed between governments.

The public hearing was closed at 7:20 pm.

A motion was made by Ms. Alwood, supported by Ms. Turner to recommend approval of Zoning Amendment #13-01 to the Board of Commissioners.

Yes: Gilchrist, Bean, Thompson, Neyer, Alwood, Horton, Turner.

No: None.

Motion carried.

ZA #13-02 SECTION 12.05 JJ. RURAL PRODUCTION AND PROCESSING FACILITIES

Mr. Nieporte explained that we are removing the Rural Production and Processing Facilities combined maximum building size 3% calculation.

Mr. Gilchrist recommended that we take a look into the "or 3% calculation". We looked into it and the set back requirements with in the section really take care of the 3% issue. So we are going back into the document and striking the "or 3%". So the actual ordinance will read:

"Activities shall be restricted to a cumulative building area not to exceed a maximum of 10,000 sq ft"

What is being struck is:

"Activities shall be restricted to a cumulative building area not to exceed the cumulative building area equivalent to 3% of the lot size on which the activity is conducted up to a maximum of 10,000 sq ft."

Ms. Alwood asked if this section is just in the all Agricultural areas.

Mr. Nieporte said it is a special use activity which is allowed in Ag-1, Ag-2, and Ag-3 districts only. So yes in all 3 agricultural districts we allow these Rural Production and Processing Facilities.

Mr. Neyer said most all these would have to be under the special use permit.

Mr. Nieporte said all will go through a special use process.

The public hearing was opened at 7:24 pm.

No discussion.

The public hearing was closed at 7:24 pm.

Ms. Turner said she drove around and looked at buildings to see what 10,000 sq ft would look like and she said they actually really aren't that big.

A motion was made by Mr. Gilchrist, supported by Mr. Bean to recommend approval of Zoning Amendment #13-02 Section 12.05 J.J. Rural Production and Processing Facilities to the Board of Commissioners with correction of the top language.

Yes: Gilchrist, Bean, Thompson, Neyer, Alwood, Horton, Turner.

No: None.

Motion carried.

PLANNING COMMISSION 2012 ANNUAL REPORT

Mr. Nieporte presented the 2012 Planning Commission Annual Report to the Planning Commission.

The commission reviewed and held discussion regarding the report.

A motion was made by Mr. Thompson, supported by Mr. Bean to adopt the Planning Commission 2012 Annual Report and to forward it to the Board of Commissioners for their review.

Yes: Gilchrist, Bean, Thompson, Neyer, Alwood, Horton, Turner.

No: None.

Motion carried.

DISCUSSION OF ZONING AD HOC COMMITTEE REPORT AND MASTER PLAN

Mr. Nieporte explained that on Monday (January 7th) he took to the HR Committee the resolution and approval of the Master Plan by the Planning Commission for their approval and review and to move it on to Tuesday's (January 15th) Board of Commissioners' meeting agenda for final approval.

Mr. Nieporte explained that at the meeting discussion was held regarding inclusion of the ad hoc committee report and findings in the Master Plan.

A copy of the report was presented to the planning commission for their review. Along with the correspondence received from other local governments and citizens at large.

Through discussion, the consensus of the commission was that the report is not final and since it was not finalized it should not be located in the current update of the Master Plan.

Mr. Thompson would recommend the Planning Commission members to be at the Board of Commissioners' meeting on January 15th.

PUBLIC COMMENT

Ms. Curtis stated that she was under the impression that the county and cities all have Master Plans. Sunday on News Makers the mayor of Flint said they have not had a Master Plan in 50 years, so they are now drawing up one.

Mr. Nieporte said he believes they are talking about a strategic plan vs. a land use plan. A land use plan if they have zoning is required. You can't have a zoning ordinance without having a land use plan.

STAFF COMMENTS

Mr. Nieporte stated that he had 4 goals for 2013 that the Planning Commission would like to achieve: review our bylaws, Right to Farm Act, Capital Improvement Plan, and Fireworks activities.

Ms. Alwood agrees with the 4 goals that Mr. Nieporte brought up. She would also like to add that a legislature may be coming out of Lansing about medical marijuana and she would like the Planning Commission to keep an eye on it to see if that is something we need to revisit. She also wanted to add the issue with the county zoning. She believes that we need to continue to communicate with the townships so they know as soon as we know what the latest information is.

Mr. Neyer said that one of the goals of the plan is to communicate with the townships.

Mr. Thompson said that we need to make sure that we are an arm of the Board of Commissioners. He suggested that the Planning Commission and the Board of Commissioners have a joint meeting. The Commission agreed.

PLANNING COMMISSIONER'S COMMENTS

Mr. Thompson said that the information taken off of the Isabella County website did not include a letter that he had wrote. He also brought up the fireworks issue, explaining that we have individuals who are certified by the ATFE to be pyrotechs, who are the people we hire to put on fireworks shows. They would like to be able to store up to 10,000 pounds of material in a facility locally so they don't have to depend on the materials getting here on time; there are a lot of rules and regulations. He also appreciates the consideration the board has given him in the past 8 years as chairperson.

Mr. Gilchrist said that Vernon township issues permits every year for an experimental pyrotechnics group to fire off from the Denton Farm off of Doherty Rd. This is something that disturbs some people especially when your windows rattle. They did make them limit the size. He said the Zoning Board of Appeals have not done enough to even know each other, good sign in some ways but wonders where everything is going.

Mr. Horton said he is looking forward to working with everybody.

Ms. Turner said she agrees with what everybody has said.

Mr. Neyer said he appreciates your trust to put him in as Chairperson. He will do his best to keep on top of

the Zoning issue, and will follow in Mr. Thompson's footsteps of having a civil and well managed board.

ADJOURNMENT

The meeting was adjourned by the call of the Chairperson at 8:50 p.m.


Christine Alwood, Secretary

Allison Langworthy, Recording Secretary