

Chairperson
Roni Christmas
Vice-Chairperson
Patti Schafer
Secretary
Willis Heisey
Members
Adam Stacey (BOC Rep.)
Frank Trierweiler
Mark Simon
Michael O'Bryant



Community Development Dept.
Director
Doug Riley
Planning & Permit Technician
Jessica Plesko

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St. Johns, Michigan 48879-1571
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Clinton County Planning Commission

MEETING MINUTES FEBRUARY 10, 2022

CALL TO ORDER The Clinton County Planning Commission met on Thursday, February 10, 2022 at 6:30 p.m. with Acting Chairperson Schafer calling the meeting to order.

ROLL CALL Adam Stacey
Frank Trierweiler – *absent with notification*
Mark Simon
Michael O'Bryant
Patti Schafer (Acting Chairperson)
Roni Christmas – *absent with notification*
Willis Heisey

STAFF PRESENT Doug Riley, Director
Jessica Plesko, Planning & Permit Technician
Joel Haviland, Building Official/Zoning/SESC Administrator
Dan Hufnagel, Building/SESC Inspector

VISITORS Bruce Fandel, 7777 W. Price Road
John Winans, 217 E. Pine Street
Ken Wieber, 5048 N. Wright Road
Sandy Winans, 217 E. Pine Street

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was given to the flag of the United States of America.

AGENDA The agenda was presented for review and approval.
PLANNING COMMISSION ACTION: Michael O'Bryant moved, supported by Willis Heisey to approve the agenda as presented. Motion carried.

APPROVAL OF PLANNING COMMISSION MEETING MINUTES **PLANNING COMMISSION ACTION:** Mark Simon moved, supported by Willis Heisey to approve the January 13, 2022 Planning Commission Meeting Minutes as presented. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

COMMUNICATIONS
REPORT (A) Doug Riley, Director presented the **2017-2021 Planning / Zoning / Development Applications Report.**
REPORT (B) Joel Haviland, Building Official / Zoning / SESC Administrator presented the **2017-2021 Zoning Violation & Code Enforcement Report.**

KEN WIEBER (C)

Ken Wieber addressed the Planning Commission regarding the various materials and video he submitted (which were forwarded) to the Planning Commission for their review concerning Solar Farms (Ordinance).

PLANNING COMMISSION ACTION: Mark Simon moved, supported by Willis Heisey to receive communication items A, B and C and place on file. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

PUBLIC COMMENTS

Chairperson Schafer called for public comments. There were no public comments.

OLD BUSINESS

None

NEW BUSINESS

PC-46-21 MA
(OR 174-22)

- Doug Riley, Director:
 - Reviewed **PC-46-21 MA (OR 174-22) – Application for Zone Map Amendment (Rezoning)** as detailed in the Staff Report (which includes the zone map amendment criteria to be reviewed by the PC).
- Chairperson Schafer asked for any comments from the Commission.
 - Hearing none, Chairperson Schafer called for a motion to open the public hearing.

PLANNING COMMISSION ACTION: Michael O'Bryant moved, supported by Mark Simon to open the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

- Chairperson Schafer called on the applicant.
- Sandy Winans commented that Doug Riley has been very helpful and his presentation was in-line with what she and her husband are requesting.
- Chairperson Schafer asked for any comments from the public.
 - Hearing none, Chairperson Schafer called for a motion to close the public hearing.

PLANNING COMMISSION ACTION: Willis Heisey moved, supported by Michael O'Bryant to close the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

PLANNING COMMISSION ACTION: Mark Simon moved, supported by Michael O'Bryant to recommend approval of petition *PC-46-21 MA (OR 174-22)*, *Pohl Trust*, to the Board of Commissioners to amend the Zoning Map from A-2 (General Agriculture) to RR (Rural Residential) for the two (2) properties located in Section 9 of Westphalia Township as legally described in the petition based on the following reasoning:

- Reasoning: **(1)** The seven (7) findings of fact outlined in Section 7.21.E of the Zoning Ordinance, as detailed in the Staff Report, have been met. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

PC-01-22 MA
(OR 175-22)

- Doug Riley, Director:
 - Reviewed **PC-01-22 MA (OR 175-22) – Application for Zone Map Amendment (Rezoning)** as detailed in the Staff Report (which includes the zone map amendment criteria to be reviewed by the PC).
- Adam Stacey questioned why this request is to rezone the property to A-3 (Agricultural/Residential Transition) when the parcels in the area appear to support RR (Rural Residential)?

- Doug Riley clarified that the Future Land Use Map (FLUM) supports the A-3 zoning district for this area.
- Adam Stacey indicated his understanding of the request due to the impacts of the drain on development for this specific property – which limits the location and number of access points.
- Doug Riley concurred.
- Chairperson Schafer inquired if the “findings of fact” (part of the review criteria) require approval from agencies?
- Doug Riley explained that agency approval is not required for Zone Map Amendments as rezonings cannot be conditioned.
 - However, the agency comments are a nice tool to have for consideration when reviewing the case in instances where their feedback may affect the rezoning criteria.
- Mark Simon asked if the intent of rezoning this property is to split the parcel into two?
- Doug Riley confirmed.
- Adam Stacey noted, there would be no benefit in rezoning this property otherwise.
- Doug Riley commented that the A-3 zoning district also allows class I, II, and III animals – which includes some farm animals.
 - Whereas the RR zoning district does not allow class II animals (i.e., farm animals).
- Chairperson Schafer asked for any comments from the Commission.
 - Hearing none, Chairperson Schafer called for a motion to open the public hearing.

PLANNING COMMISSION ACTION: Mark Simon moved, supported by Willis Heisey to open the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

- Chairperson Schafer called on the applicant.
- Bruce Fandel stated that he has lived in the subject area (on Price Road) since 1985.
 - Noted he is not in support of small lots in rural areas.
 - The subject property is not a good piece of farmland due to inconsistent soils and poor drainage.
 - The intent of this request is to split the property into two lots and allow his son to build a home on one of the properties.
 - His daughter-in-law would also like to have some farm animals when they do build a home (which the A-3 zoning district would still allow).
- Mark Simon asked Mr. Fandel if he has reviewed the setbacks required of the proposed lots (if rezoned) in regards to potentially building a home.
- Bruce Fandel answered that he has.
 - His son has also had some communications with an excavator regarding home development.
- Adam Stacey asked for confirmation of the proposed lot line that would divide the subject parcel into two (if granted approval to rezone the property, allowing the land to be divided).
- Bruce Fandel confirmed the location of the proposed dividing lot line on the projected aerial photo of the subject property.
- Chairperson Schafer asked for any comments from the public.
 - Hearing none, Chairperson Schafer called for a motion to close the public hearing.

PLANNING COMMISSION ACTION: Adam Stacey moved, supported by Mark Simon to close the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

PLANNING COMMISSION ACTION: Willis Heisey moved, supported by Mark Simon to recommend approval of petition *PC-01-22 MA (OR 175-22), Fandel*, to the Board of Commissioners to amend the Zoning Map from A-2 (General Agriculture) to A-3 (Agricultural/Residential Transition) for the property located in Section 4 of Riley Township as legally described in the petition based on the following reasoning:

- Reasoning: **(1)** The seven (7) findings of fact outlined in Section 7.21.E of the Zoning Ordinance, as detailed in the Staff Report, have been met. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

OTHER BUSINESS
COMPREHENSIVE
PLAN – DRAFT

- Adam Stacey inquired if the areas that Clinton County does not have zoning jurisdiction over should be identified as a unique color or pattern on the FLUM?
- Doug Riley agreed.
 - Presented the Draft Comprehensive Plan.
- Adam Stacey asked why MR (Mineral Resource) is not identified on the FLUM?
- Doug Riley explained that the timeframe of operations can vary with gravel pits – which may interfere with the “future” plans as identified on the FLUM.
 - Noted, as part of this update, a Sand and Gravel Pits Map was created in a joint effort by the Office of Planning and Zoning and the Clinton County Road Commission (CCRC).
 - The CCRC indicated this map will be available on their website.
 - Suggested the map be posted to the Planning and Zoning website independently as a resource to the public as well.
- Adam Stacey suggested scaling-back the Mixed Use area presented east of Elsie for Duplain Township.
- Chairperson Schafer asked if the public will have an opportunity to review the Draft Comprehensive Plan prior to adoption?
- Doug Riley answered – yes.
 - It will be posted on the Planning and Zoning website for public review and distributed to all agencies and jurisdictions.
 - Tonight’s review is simply to discuss the changes that were made to the Comprehensive Plan/FLUM and recommend any last changes before it is added to a meeting agenda as a public hearing item.
 - The draft updated plan will likely be an official New Business item for the Planning Commission in March or April – where the Planning Commission will make a recommendation to the Board of County Commissioners to allow disbursement of the plan prior to final adoption.
- Adam Stacey inquired if there are any other areas in the County (in addition to Bingham Township and the City of St. Johns) that have a Joint Planning Area?
- Doug Riley responded that, no, Bingham Township is the only township, that we have zoning jurisdiction over, that has their own municipal water and sewer and such a joint planning area.
 - The Joint City of St. Johns/Bigham Township Planning area, as indicated on the FLUM, will be very helpful in advisements.

- Adam Stacey recommended adding the 2008 and 2016 Land Use Maps, a population density map, and the non-motorized trails map from the Tri-County Regional Planning Commission to the Comprehensive Plan.
- Doug Riley thanked the Commission for their review and comments.
 - Noted that Staff would work on the changes to be presented once more prior to distribution.

COMMUNITY
DEVELOPMENT
DIRECTOR'S REPORT

Doug Riley, Director provided a brief update:

- There will be a March meeting.
 - The Peele's will be one of the applicants addressing the Commission regarding adding events to the Special Land Use Permit for a Farmer's Market approved by the Planning Commission/Board of County Commissioners in 2021.
 - There is also a couple of other applications being processed for the March meeting.

PLANNING
COMMISSIONER
COMMENTS

- Adam Stacey asked for an update on the situation at the Forest Hill Airport.
- Doug Riley answered that the property may be sold, and the airport removed.
- Michael O'Bryant thanked Staff for all their hard work.

ADJOURNMENT

PLANNING COMMISSION ACTION: With no further business to come before the Board, Mark Simon moved, supported by Chairperson Schafer to adjourn the meeting at 8:38 p.m. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]



Jessica Plesko, Planning & Permit Technician

NOTE: These minutes were approved by the Planning Commission on March 10, 2022.