



CHEBOYGAN COUNTY PLANNING COMMISSION

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CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, AUGUST 15, 2018 AT 7:00 PM ROOM 135 – COMMISSIONER’S ROOM – CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Kavanaugh, Croft, Ostwald, Churchill, Lyon
ABSENT: Borowicz, Jazdzyk
STAFF: Michael Turisk
GUESTS: Eric Boyd, Roberta Matelski, John F. Brown, Carl Muscott, Cal Gouine, John Moore, Russell Crawford, Cheryl Crawford, Karen Johnson, Bob Lyon, David Meckstouth

The meeting was called to order by Chairperson Croft at 7:00pm.

PLEDGE OF ALLEGIANCE

Chairperson Croft led the Pledge of Allegiance.

APPROVAL OF AGENDA

The meeting agenda was presented. **Motion** by Mr. Churchill, seconded by Mr. Kavanaugh, to approve the agenda as presented. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Churchill, Lyon), 0 Nays, 2 Absent (Borowicz, Jazdzyk)

APPROVAL OF MINUTES

The August 1, 2018 Planning Commission minutes were presented. **Motion** by Mr. Churchill, seconded by Mr. Bartlett, to approve the meeting minutes as presented. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Churchill, Lyon), 0 Nays, 2 Absent (Borowicz, Jazdzyk)

PUBLIC HEARING AND ACTION ON REQUESTS

Tuscarora Township – An amendment of an approved Special Use Permit to include an outdoor recreational area (sports field), per Section 9.3.4. of the Zoning Ordinance. The property is currently unaddressed and located adjacent and to the east and south of Cooperation Park in Tuscarora Township, Section 35, parcel #161-035-200-031-03 (this parcel was recently created via combining parcel #s 161-035-200-030-00 and 161-035-200-031-02). The subject property is zoned Agriculture and Forestry Management (M-AF) and Commercial Development (D-CM).

Mr. Turisk reviewed the background information contained in the staff report.

Mr. Kavanaugh asked if there will be any additional irrigation wells. A representative for Tuscarora Township stated yes, but he does not know the proposed location of the well. Mr. Kavanaugh stated that this can be added to the site plan record. Mr. Turisk stated that a recommended condition of approval is that the township obtains any applicable permits from the Department of Building Safety. Mr. Turisk stated that Supervisor Ridley indicated that next year there will be dugouts and backstop installed. Ms. Croft stated that the proposed location for the dugouts and backstop are not indicated on the site plan. Mr. Turisk noted the location for the dugouts and backstop. Mr. Kavanaugh stated that if the Planning Commission approves this application, they will request that the site plan be updated to include the backstop and dugouts.

Ms. Croft asked for public comments. Mr. Muscott noted that there is a sign at Cooperation Park that states it was established in 1963. Mr. Muscott stated that Cooperation Park is a great asset. Mr. Muscott noted the application states that it does not include the dugouts and backstop and he believes it should be included as the township will not have to submit an application to amend the site plan. Discussion was held. Public comment closed.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to grant the topography waiver request. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Churchill, Lyon), 0 Nays, 2 Absent (Borowicz, Jazdzyk)

The Planning Commission reviewed and approved the General Findings. The Planning Commission reviewed and approved the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Kavanaugh, seconded by Mr. Freese, to approve the special use permit based on the General Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 with the following conditions:

1. Submit an amended site plan (to include backstop, dugouts, and water well) to Planning & Zoning Department
2. Meet District Health Department #4 requirements
3. Meet Department of Building Safety requirements

Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Churchill, Lyon), 0 Nays, 2 Absent (Borowicz, Jazdzyk)

David McDade - A Special Use Permit request for a restaurant/bar, per Section 10.3.14. of the Zoning Ordinance. The subject property is zoned Lake and Stream Protection (P-LS) and Commercial Development (D-CM) and located at 3249 Gratiot St. in Tuscarora Township, Sections 18 and 19, parcel #162-019-100-032-00. The applicant has requested that this application be tabled until the October 3, 2018 Planning Commission meeting.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to table this special use permit request until the October 3, 2018 Planning Commission meeting. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Churchill, Lyon), 0 Nays, 2 Absent (Borowicz, Jazdzyk)

Cheboygan County Planning Commission - An Ordinance to amend Cheboygan County Zoning Ordinance #200 regarding removing automobile, boat, motorized and non-motorized recreational vehicles, farm machinery, sales, and repair and rental establishments from the list of Permitted Uses in the Commercial Development (D-CM) zoning districts, and adding these uses to the list of Special Uses in the D-CM zoning districts.)

Mr. Turisk stated that there is one word missing from the proposed amendment and that is "repair". Mr. Turisk explained that it has been added to the proposed amendment and noted that it is highlighted in red. Discussion was held.

Ms. Croft asked for public comments. Mr. Brown asked if this language is more restrictive. Mr. Freese stated yes. Public comment closed.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to send the entire amendment to the Cheboygan County Board of Commissioners with a recommendation for approval to be considered at their earliest convenience. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Churchill, Lyon), 0 Nays, 2 Absent (Borowicz, Jazdzyk)

UNFINISHED BUSINESS

Continued Discussion Regarding Draft Planned Unit Development Amendments

Mr. Turisk stated that Mr. Graham recommends stating that a PUD would allow a mix of special or permitted uses listed in the district. Mr. Turisk stated that Mr. Graham also suggests identifying potential uses outside of the respective zoning district that may be appropriate. Mr. Turisk stated that this would address Mr. Graham's concerns from a legal standpoint.

Mr. Freese stated that what Mr. Graham suggests, is the same as that which the Planning Commission is attempting to do. Mr. Kavanaugh asked if Mr. Turisk agrees with what the Planning Commission has tried to do by putting the uses into categories. Mr. Turisk stated that Mr. Graham suggests that we do not have to do this for the Planned Unit Development amendment. Mr. Turisk stated that is more of a formatting issue and should be tackled during a broader comprehensive update to the Zoning Ordinance. Mr. Turisk suggested the following language "the uses listed under permitted and special uses may be allowed as part of a PUD application in addition to the following uses:". Mr. Turisk stated that the additional uses can be pulled from other zoning districts. Mr. Turisk stated that he prefers tables/matrixes, but in this case it should be reserved for a broader amendment effort. Mr. Turisk stated that Mr. Freese's efforts on the matrix will be beneficial when we tackle the comprehensive update to the Zoning Ordinance. Mr. Turisk stated that he is conveying Mr. Graham's recommendation and his agreement with the recommendation to the Planning Commission. Mr. Turisk stated that if the Planning Commission feels that they should take a different direction, it is open for discussion. Mr. Freese noted that there are 13 different terms for single family dwelling, two family dwelling and multi family dwelling in the Zoning Ordinance. Mr. Freese asked if it is acceptable to list only single family dwelling, two family dwelling and multi family dwelling. Mr. Turisk stated that Mr. Graham is suggesting that this be a broader amendment to the Zoning Ordinance. Mr. Freese proposed using the 20 categories that he created and that additional categories could be created. Mr. Freese noted that one term is agricultural activities and is a broad term. Mr. Freese stated that we would have to identify which existing terms fit these categories and this could be something that the Planning Commission could use. Discussion was held. Mr. Kavanaugh suggested that Mr. Turisk prepare an example of a

zoning district using the proposed language and uses outside of the zoning district that the Planning Commission may want to consider.

Mr. Turisk stated that Mr. Graham suggests that a PUD be approved under the special use permit process as opposed to a rezoning. Discussion was held.

Mr. Freese stated he will work on consolidation and refinement of definitions.

NEW BUSINESS

Mr. Freese stated that he talked with Lindsey Gardner, who is the MSU Extension Educator. Mr. Freese stated that she gave him sample regulations on governing livestock and the Planning Commission may want to incorporate it in the regulation. Discussion was held regarding amending the Zoning Ordinance.

STAFF REPORT

Mr. Turisk stated that Heritage Cove Farm will be on the September 5, 2018 Planning Commission agenda. Mr. Turisk stated that copies of the impact study have been distributed to the Planning Commission members.

Mr. Turisk stated that the solar array amendment is being reviewed by legal counsel.

Discussion was held regarding the Citizen Planner program that will be starting on October 1, 2018.

PLANNING COMMISSION COMMENTS

No comments.

PUBLIC COMMENTS

Mr. Gouine stated that the Cheboygan County Board of Commissioners voted and they want to have the final approval on PUD's.

ADJOURN

Motion by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 8:11pm.



Charles Freese
Planning Commission Secretary