



Calhoun County Planning Commission

Minutes

February 4, 2019

1. The February 4, 2019 Planning Commission Meeting was called to order at 4:00 p.m.

2. Roll Call - called by Program Assistant, Amber Herman

Present: Commissioners Scott Fleming, Sarah Kelly, Ben Lark, Terance Lunger, John Sackrider, Gary Tompkins

Staff in attendance: Jennifer Bomba, Community Development Director; Amber Herman, Program Assistant

Quorum was met.

Excused: Angela Kline, Dan Livingston and Kelli Scott

3. Election of Officers

Nominations were taken from the floor and accepted for the following positions, followed by a voice vote:

Chair: Terance Lunger. *Moved by Member Sackrider, supported by Member Kelly; Motion CARRIED.*

Vice-Chair: John Sackrider. *Moved by Member Tompkins, supported by Member Kelly; Motion CARRIED.*

Secretary : Ben Lark. *Moved by Member Sackrider, supported by Member Kelly; Motion CARRIED.*

4. Approval of Agenda

Moved by Member Fleming to approve the February 4, 2019 Calhoun County Planning Commission agenda, with the corrected date of February 4, 2019 from January 28, 2018, supported by Member Sackrider.

On a voice vote, Motion CARRIED.

5. Public Comments

There were none.

6. Approval of Minutes

Moved by Member Fleming to approve the October 22, 2018 meeting minutes as presented, supported by Member Kelly.

On a voice vote, Motion CARRIED.

7. Communication

- a. Obligated Federal Transportation Projects from FY 2018, BCATS, November 2018:

Annual informational report from the Battle Creek Area Transportation Study on projects from 2018, including what the projects were, funding source and the current state of the project.

- b. Introductions and Commission Role:

Each member of the commission introduced himself/herself to the new Board of Commissioner liaison to the Planning Commission, Gary Tompkins who represents District 7.

- c. Any other Communication to come before the Commission

There was none.

8. Old Business

- a. Any Old Business to come before the Commission

There was none.

9. New Business

- a. 5-year Master Plan Review:

2018 was the official review year for the County Master Plan, however it was not officially in the minutes that the review took place. The current plan was adopted in 2005, with review and updating done in 2013 using 2010 census data. Due to the need for a new Parks 5-year Plan, Ms. Bomba recommended combining the public input portion for the Parks Master Plan with the public input portion for the Land Use Master Plan. Recommendation was made to take action in approve the 5 year review of the current land use plan which is required by statute, with public input beginning to take place regarding the upcoming master plan in 2019. This would include local units of government and general public. Member Lunger expressed concern of using resources and time to get the same information that is currently in the plan. Ms. Bomba responded by stating the current plan is not user friendly or easy to share, and putting resources into the update will not only update the public input but to also allow for easier dissemination as well as the opportunity to update the maps within the plan. Member Sackrider asked about having a planning map as a layer on the county's online map. Ms. Bomba replied that layer is not possible at this time due to local townships having the ability to control their own zoning, thereby it is hard to know if our data is accurate. Member Lark asked if the county had all the equipment necessary to update the maps without an outlay of funds. Ms. Bomba said the county had the equipment and as well as the experts needed. Member Lark also asked if the townships have and utilize BS&A. Ms. Bomba hypothesized it may be because the person using the BS&A is not the zoning official. Member Lark asked if Ms. Bomba would be willing to provide leadership to the townships regarding BS&A. Ms. Bomba replied that GIS is currently working with Pennfield Township on a pilot program basis to work on that issue.

Moved for approval by Member Sackrider to accept the 5-Year Plan Review; supported by Member Kelly.

On a voice vote, Motion CARRIED.

b. 2019 Meeting Schedule:

The 2019 Meeting Schedule was presented, which continued the previous schedule of the fourth Monday of the month at 4 pm in the Garden Level Conference Room. Any change of venue would attempt to be the Law Library. No meeting to be held May due to Memorial Day and December due to Christmas and New Year holidays.

Moved for approval by Member Tompkins to accept the proposed 2019 meeting schedule, supported by Member Fleming.

On a voice vote, Motion CARRIED.

c. Any other New Business to come before the Commission.

There was none.

10. Township Planning & Zoning Coordination

a. 1-19-01, Eckford Township: PA 116 Application for Mike Barton

Planning Department Summary

Application for Farmland Agreement (PA 116) has been submitted by Mike Barton Co. for property located in Eckford Township. The application consists of 189 acres located in Section 25. Approximately 160 acres are under cultivation, 4 acres are being utilized as fenced/pasture, and the remaining 25 acres are classified as swamp/woodland. There are ten buildings on the property: two residential, three barns, four tool sheds, and one poultry house.

The parcel is zoned by Eckford Township as Agriculture. The Eckford Township Future Land Use Plan classifies the property as Agriculture; as does the Calhoun County Master Plan. The property owner has requested a 90 year contract.

Planning Department Recommendation

The Calhoun County Community Development staff believe that the Application for Farmland Agreement submitted by Mike Barton Co. is valid and recommends for approval by the Michigan Department of Agriculture and Rural Development.

Moved for approval by Member Sackrider the PA 116 application submitted by Mike Barton Co ; supported by Member Lark.

On a voice vote, Motion CARRIED.

b. 1-19-02, Emmett Township: Zoning Map Amendment re: 918 E Michigan Ave.

Department Summary

The Emmett Charter Township Planning Commission has received a request to amend the zoning classification for approximately 3.3 acres of vacant land located at 918 East Michigan Avenue in Section 8 of Emmett Charter Township. The property is bordered by Michigan Avenue on the north, Raymond Avenue on the west and Columbia Avenue on the south. The property is currently zoned

Light Industrial. The request is to reclassify the property as General Commercial. The surrounding zoning consists of Light Industrial to the south and east and General Commercial to the north and west. The Emmett Charter Township Land Use Plan classifies this property as General Commercial.

Department Recommendation

Community Development staff believe that the zoning map amendment recommended by the Emmett Charter Township Planning Commission is consistent with the Township Master Land Use Plan and therefore recommends for approval by the Emmett Charter Township Board the proposed zoning map amendments as outlined above.

Member Fleming raised the question of any easements from MDOT. Ms. Bomba replied that is unknown at this time.

Moved for approval by Member Sackrider the request for rezoning of 918 East Michigan Avenue from Light Industrial to General Commercial, supported by Member Fleming.

On a voice vote, Motion CARRIED.

c. 1.19.03, Emmett Township: Master Plan and Zoning Map Amendment re; 10-031-011-00

Department Summary

The Emmett Charter Township Planning Commission has received a request to amend the master plan and zoning classification for approximately 28 acres of vacant land in Section 31 of Emmett Charter Township and identified as parcel ID #10-031-011-00. The subject property lies south of the Walmart store, east of 6 Mile Road. The property is currently zoned as Rural Residential and the Township Land Use Plan designates the property as a combination of Highway Commercial and Medium Density Residential. The request is to reclassify the property on both maps as Multi-Family Residential.

The surrounding zoning consists of Rural Residential to the east and south, and Regional Commercial to the north. The Township Land Use Plan has designated property in this general vicinity (east of the subject parcel) for Multi-Family Residential purposes. The property to the west is governed by the City of Battle Creek and is zoned as Agriculture and planned as Regional Commercial.

Department Recommendation

The request to amend the zoning classification from Rural Residential to Multi-Family Residential may appear to be a spot zoning as there is no other property in the general area with the Multi Family designation. However, the Township Land Use Plan establishes the desire for Multi-Family in this area. So in fact, the proposed zoning change is the first step in making the future vision a reality. Additionally, it is reasonable to plan for higher density housing in areas where urban services are present; such as neighborhood and regional commercial services, ease of access to public transit and highways, and areas where public utilities are already in place. This location meets those conditions and would be a desirable place for multi-family residential development.

Therefore, Community Development staff believe that the request to amend the Township Land Use Plan Map and subsequently the Township Zoning Map as outlined above, is in the best interest of the township and recommends for approval by the Emmett Charter Township Board.

Member Sackrider asked if Battle Creek is consistent with this request on the other side of the township line. Ms. Bomba replied that it is consistent.

Moved for approval by Member Sackrider the Master Plan and Zoning Map amendment for property identified as #10-031-011-00 from Rural Residential to Multi-Family Residential, supported by Member Thompkins.

On a voice vote, Motion CARRIED.

d. 1-19-04, Pennfield Township: Zoning Map Amendment re: 18-033-136-00

Department Summary

The Pennfield Charter Township Planning Commission has received a request to amend the zoning classification for approximately 61 acres of vacant land in Section 33 of Pennfield Charter Township identified as parcel ID #18-033-136-00. The subject property lies east of Bellevue Road between Poulson Avenue and Gorsline Roads. The property is currently zoned as Mobile Home Park. The request is to reclassify the property to Low Density Residential.

The surrounding zoning consists of Low Density Residential to the north, east and south, with Medium Density Residential south of the subject parcel along the frontage of Bellevue Road. The Township Land Use Plan has designated the parcel a combination of High Density Residential (along the frontage of Bellevue Road) and Low/Medium Residential (remaining acreage).

Department Recommendation

The request to amend the zoning classification from Mobile Home Park to Low Density Residential generally follows the Township Land Use Plan. In addition, there is additional acreage identified in the township for Mobile Home Park development. Therefore, Community Development staff believe that the request to amend the Township Zoning Map as outlined above, is appropriate and recommends for approval by the Pennfield Charter Township Board.

Moved for approval by Member Sackrider the rezoning request for property identified as #18-033-136-00 from Mobile Home Park to Low Density Residential, supported by Member Fleming.

On a voice vote, Motion CARRIED.

e. 1-19-05, Athens Township: Zoning Text Amendment re: Solar Energy Systems

Department Summary

The Athens Township Planning Commission has proposed zoning language to provide for solar energy systems throughout Athens Township. The new language defines large solar energy systems and provides for their use as a conditional use in the Light and Heavy Industrial zoning districts. A Large Solar Energy System is defined as follows:

Large Solar Energy System: A utility-scale solar energy system where the primary use of the land is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other conversion technology, for the sale, delivery or consumption of the generated energy with a capacity greater than one megawatt. A Large Solar Energy System consists of one or more free standing ground or roof mounted solar arrays or modules, or solar related equipment and is intended to primarily reduce on-site consumption of utility power or fuels.

In addition, the policy establishes regulations such as: site plan process, minimum setbacks and buffers, lighting, noise, signage, abandonment and decommissioning, maintenance and repair, damage to roads, etc. (see paperwork provided for details).

Department Recommendation

The recent growth of renewable energy in Michigan is a result of Public Act 295 of 2008 and Public Act 342 of 2016. The 2008 Act required Michigan's energy providers to maintain at least 10% of their energy portfolio from renewable energy sources, including wind energy, geothermal energy, and solar energy. The 2016 Act increases this requirement, mandating that an energy provider's portfolio be 12.5% renewable energy by 2019, with a later increase to 15% in 2021. The ultimate goal of the 2016 Act is to have 35% of Michigan's electric needs met through energy waste reduction and renewable energy by 2025. To meet these requirements, utility companies have undertaken a rapid expansion in developing Michigan's renewable energy sources, including solar power. From this initiative, local units of government are establishing the appropriate means to manage these types of land uses in their communities.

The Community Development staff believes that the proposed policy amendments to the Athens Township Zoning Ordinance regarding Solar Energy Systems are thorough and will provide the township with the proper means to manage this type of use. In conclusion, Community Development staff recommend for approval of the language by the Athens Township Board.

Member Lark had some questions regarding the language. He wanted to know what constituted the beginning of measurement for the setback, i.e. the road, or fencing. He also asked about changing the approval time for abandonment and/or decommissioning of the equipment. His concern was that if guidelines were not standard there could be a possibility of an ordinance amendment request. Ms. Bomba replied there would still be a site plan review along with maximum and minimum requirements in the language of the ordinance. The county's stance is that there needs to be requirements, but what those actual requirements are up to the individual townships. Member Lunger brought up concern of sustainability of the solar structures and business based on tax breaks with the renewal date of 2025 in the language and the concern of unknown outcomes resulting from approval given at this time. Member Fleming also remarked upon the low energy outcome from alternative energy sources as compared to standard sources. He recommended talking with ITC regarding the amount of energy provided. Member Sackrider noted concern regarding who is responsible for decommissioning expenses. Ms. Bomba replied most townships require that responsibility to be outlined in their ordinances.

Moved for approval by Member Sackrider the text amendment regarding Solar Energy Systems, supported by Member Lark.

On a voice vote, Motion CARRIED.

f. Any other Planning and Zoning Coordination to come before the Commission

There was none.

11. Township Planning and Zoning Follow-up

CCPC #	Township	Twp Planning Commission Recommendation	CCPC Action	Twp Board Action
9.18.01	Athens Twp	Text Amendment - Rural Business in Ag District	Denied	Approved
10.18.01	Burlington Twp	Text Amendment - Milling/Processing of Lumber	Approved	Denied
10.18.02	Burlington Twp	Text Amendment - Solar Energy Systems	Approved	Approved

This chart is a new piece to the agenda in order to give closure to previous actions taken by the commission.

12. Department Report

Ms. Bomba reported that Master Plan updates are currently in process from the City of Springfield and Convis Township. The transit grant is in full force with a consultant hired and meetings beginning to provide a blueprint for what can be achieved. The project will end in 2019 with expectation of ideas and/or plans on how to implement a transit system. Member Fleming reported MAEDA is working toward a trolley system funded partially through a grant from the Cronin Foundation that will run between the casino, hotels, restaurants, etc. in order to facilitate tourism. Ms. Bomba reported Pennfield Township has had a zoning administrator loss. Zoning administration is becoming difficult for townships due to the policing situation that comes with that position. Ms. Bomba is assessing if this is a service Community Development can provide to bridge the gap in zoning, perhaps through inter-governmental cooperation. The question remains as to what other townships need assistance, or is there a possibility for shared services between townships. Vacancies remain within the Planning Commission, specifically in the interests of Municipal representation and Recreation/Tourism representation. Member Fleming recommended contacting Kimber Thompson, local artist. Ms. Bomba also reported that she is a new member of the Albion Chamber of Commerce.

13. Member Comments

The request was made to distribute the current member roster to everyone on the commission.

14. Public Comments

There were none.

15. Announcements:

Member Lunger stated the next Calhoun County Planning Commission Meeting is scheduled for February 25, 2019, at 4:00 p.m.

16. Adjournment

The meeting adjourned at 5:16 p.m.