

A REGULAR MEETING OF THE LEELANAU COUNTY PLANNING COMMISSION WAS HELD ON TUESDAY, APRIL 23, 2024, AT THE LEELANAU COUNTY GOVERNMENT CENTER.

Proceedings of the meeting were recorded and are not the official record of the meeting. The formally approved written copy of the minutes will be the official record of the meeting.

CALL TO ORDER

Meeting was called to order at 5:30 p.m. by Chairman Yoder who led the Pledge of Allegiance. The Meeting was held at the Leelanau County Government Center, 8527 E. Government Center Dr., Suttons Bay, MI.

ROLL CALL

Members Present: S. Yoder, B. Fenlon, M. Black, R. Miller, T. Nixon, T. MacDonald, C. Brown, C. Noonan, M. Lautner, F. Criqui

Members Absent: R. Brush
(prior notice)

Staff Present: G. Myer, Planning Director, J. Herman, Senior Planner

Public Present: None

CONSIDERATION OF AGENDA

Motion by Noonan, seconded by Fenlon, to approve the agenda as presented. Motion carried 10-0.

CONFLICT OF INTEREST- None.

PUBLIC COMMENT – None.

STAFF COMMENTS

Myer announced Herman as the Senior Planner for the Planning Department and said that they will now be looking for a Planning Secretary. Myer said that staff will work on the Annual Report and the CIP for review at the next month's meeting.

CONSIDERATION OF FEBRUARY 27, 2024 MEETING MINUTES

Motion by Lautner, seconded by Nixon, to approve the minutes as presented. Motion carried 10-0.

OLD BUSINESS – None.

NEW BUSINESS

PC06-2024-04 -Elmwood Twp. -Text Amendment- Definitions

Myer reviewed the staff report saying that the request was received on March 20, 2024 which was a day after the March LCPC meeting was cancelled due to lack of no new business. The Elmwood Township Master Plan does not specifically address this amendment and neither does the Leelanau General Plan.

The township held a public hearing on December 19, 2023, after much deliberation, the public hearing was closed and more information was requested by the commission. Discussion continued at the January 16, 2024 Planning Commission meeting and a second Public Hearing was scheduled due to changes made to the proposed amendment. The second Public Hearing was held on February 20, 2024, and a motion was then passed to forward the proposed amendment to Leelanau County for review.

Myer stated that the proposed amendment will add Active Farm Operation, Festival, and Special Event Facilities definitions to Article 2, Definitions. The proposed amendment will also amend Article 5- Use Restrictions, SECTION 5.4 LAND USE AND ZONING DISTRICT to add Special Event Facility. Amend Article 6- Site Development, SECTION 6.1.3 Spaces Required, to add minimum required parking spaces for Special Event Facilities. The proposed amendment will also amend Article 9- Special Land Uses, SECTION 9.8., ADDITIONAL REQUIREMENTS FOR CERTAIN SPECIAL LAND USES, H., to add requirements for Special Event Facilities.

Myer stated that in October of 2019, the County Planning Commission reviewed a proposed amendment to remove Special Event and Special Event Facility. (PC12-19-04) It was noted in this prior Staff Report that the township had talked about special events quite a bit in the past 5 years and based on recommendation from the township attorney, changes needed to be made. The township attorney recommended removing the language from the ordinance while they worked on the changes.

Lautner questioned if these special events could only be held on agricultural land or could they be held on non-agricultural land? MacDonald said it is a reasonable effort to provide new business opportunities while protecting the adjacent properties.

Nixon said Section 2. h. is a difficult concept to wrestle with to control the sounds of special events. He suggested Elmwood Township include the term “plainly audible”. He also noted confusion in Section J and the subsections that follow regarding the duration of the event hours exceeding the 12-hour limit. It was unclear if that included set-up or if it was a misperception.

Miller commented on the Active Farm Operation definition, why commercially sold cows? If they were giving them away, could they not have cows? Miller continued questioning whether other livestock such as bison, goats, hogs, and the use of guns on the property for part (4) of the definition turning into a hunting camp.

Fenlon had similar comments as Nixon. He added that this could be a full-time job for someone to track all of the special events. Who will police this? There should be contact information available if there is a violation. Miller questioned Section L that a management plan meeting shall be provided, but to whom? Fenlon asked about a timeline before holding an event so the township could have time to review the event plans.

Motion by Noonan, seconded by Miller, to forward the staff report and all comments to Elmwood Township. Motion carried 10-0.

PC07-2024-04 -Elmwood Twp. -Text Amendment- Multi-Dwelling Requirements

Myer reviewed the staff report saying that the request was received on April 15, 2024 and the last day for review is May 15, 2024. The Elmwood Township Master Plan does not specifically address this amendment and neither does the Leelanau General Plan. The proposed text is compatible with other language in the zoning ordinance and does not conflict with the General Plan.

A public hearing was held on March 19, 2024, at which time no public comment was received and a motion was passed to forward the proposed amendment to Leelanau County for review. Myer stated that the proposed amendment will add Dwelling, Multi. to Article 2, Definitions, Section 2.2. The proposed amendment will also amend definitions; Parcel, Lot, Lot Area Gross and Lot Area Net. The proposed amendment will also amend Article 3, SECTION 3.14 RESERVED and Article 5-Use Restrictions, SECTION 5.6 TABLE OF DIMINSIONAL REQUIREMENTS to add ‘Note I: Density’. Amend Article 7-Land Development Options, SECTION 7.1.2 General Requirements C. and Article 7-Land Development options, SECTION 7.2.2 Application And Review Procedures E., 1. d. Myer concluded, stating that the proposed amendment will also amend Article 8-Site Plan Review, SECTION 8.4. REQUIREMENTS FOR SITE PLAN APPROVAL, 12.

MacDonald questioned the term ‘sustainable units’ on Section 3.14. Nixon suggested they change “dwelling units” to “housing units” or “domicile” in the Dwelling Definition. Black expressed concern that trying to crowd as many dwelling units possible on a parcel will create problems. The house size and number of occupancy was also concerning. Miller questioned if the dwellings will be attached or detached? Brown noted that they do not address parking for these dwellings.

Motion by Noonan, seconded by Miller, to forward the staff report and all comments to the Elmwood Township. Motion carried 10-0.

PC08-2024-04 -Elmwood Twp. -Text Amendment – Alcohol Requirements

Myer reviewed the staff report saying that the request was received on April 15, 2024 and the last day for review is May 15, 2024. The Elmwood Township Master Plan does not specifically address this amendment and neither does the Leelanau General Plan. The contents in the proposed text amendment does not conflict with the General Plan.

A public hearing was held on March 19, 2024 at which time no public comment was received and a motion was passed to forward the proposed amendment to Leelanau County for review. Myer stated that the proposed amendment will add the following definitions in Article 2, Definitions, SECTION 2.2

DEFINITIONS:

- Alcohol
- Beer
- Brewer
- Brewery
- Distiller
- Micro Brewer
- Small Distiller
- Small Wine Maker
- Spirits
- Tasting Room
- Wine Maker

And amend the following definitions:

- Distillery
- Wine
- Winery

And delete the following definitions:

- Distillery Tasting Room
- Wine, Brandy
- Wine Drink, Mixed
- Wine-Related Beverages
- Wine Tasting Room

Myer continued, saying that the proposed amendment will amend Article 5-Use Restrictions, SECTION 5.4 LAND USE AND ZONING DISTRICT TABLE. Will also delete #5 and #6 from Section 5.5 SPECIAL REQUIREMENTS FOR SPECIFIC USES, K. This section will also be amended to create a new 5.5N. The proposed amendment will also amend Article 6-Site Development, SECTION 6.1.3 Spaced Required and Article 9-Special Land Uses, SECTION 9.8 ADDITIONAL REQUIREMENTS FOR CERTAIN SPECIAL LAND USES, J. Wine Tasting Room. In conclusion, Myer stated that the proposed amendment will remove requirements for Distillery Tasting Rooms from Section 9.8.L., Distillery Tasting Room.

Lautner questioned the deletion of #5 and #6 from Section 5.5. SPECIAL REQUIREMENTS FOR SPECIFIC USES, K. and stated that those are allowed under Right to Farm as a product that is raised or grown there.

Miller did not understand the definition for 'Distillery' and suggested they revise it so it is not defective. He also said that the wording of "5 spaces plus 1 per employee on largest shift" is awkwardly written and suggested the language read "number of spaces equal to the number of employees on largest shift."

Motion by Fenlon, seconded by Nixon, to forward the staff report and all comments to the Elmwood Township. Motion carried 10-0.

REPORTS

Housing Action Committee

Lautner had no update since they will not meet until May 13.

Parks & Recreation Committee

Noonan said they will meet on May 1. He will be bringing up that there is an individual who is interested in paving his property but has a shared easement with Old Settlers Park.

COMMUNICATIONS

Myer handed out a flyer with all of the collections, dates and locations for Household Hazardous Waste, Scrap Tire, Mattress Recycling and Electronic Waste Collections for the year. Myer also handed out a photo of Trudy Galla who received her Fellowship Award at the APA Planning Conference in Minneapolis.

PUBLIC COMMENT- None.

STAFF COMMENTS- None.

COMMISSIONER & CHAIRPERSON COMMENTS

Lautner and Criqui congratulated Herman on her promotion and kudos to Myer on the packet. Lautner

encouraged members to visit the baseball diamond area in Empire that has a paved loop with gym equipment in stations. Noonan said it is popular and gave members directions to get there. Brown said the Leelanau County Road Commission has completed the bridge work in Cedar and are seeking upcoming projects. Yoder said that Solon Township has hired Christina Deeren as Interim Township Zoning Administrator.

ADJOURN

Meeting adjourned by consensus at 6:30 p.m.