

OTSEGO COUNTY PLANNING COMMISSION

January 20, 2014
6:00 PM

MEETING WILL BE IN THE PLANNING AND ZONING MEETING ROOM LOCATED AT 1322 HAYES ROAD

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES: From December 16, 2013 meeting
5. CONSENT AGENDA: None
6. OTHER:
7. PUBLIC PARTICIPATION FOR ITEMS NOT ON THE AGENDA:
(Please identify yourself for the record. All comments will be limited to two (2) minutes)
8. PUBLIC HEARINGS:
9. ADVERTISED CASES:
10. UNFINISHED COMMISSION BUSINESS:
 1. Otsego County Master Plan/Jim Hilgendorf/Committee meeting report
 2. Executive Committee report/2014 Objective List
 3. Capital Improvement Committee report
 4. HX Zoning District/Otsego Lake Township extension granted/Township Public Hearing held 1.9.14
11. NEW BUSINESS:
 1. 2014 Planning Commission Meeting Schedule
 2. 2013 Annual Report to the Board of Commissioners
12. REPORTS AND COMMISSION MEMBER'S COMMENTS
 1. Sample Checklist to Decisions on Zoning Amendments/Zoning Training
 2. Library Strategic Planning meeting report/Chuck Klee
 3. Crawford County Master Plan update
13. ADJOURNMENT

Otsego County Planning Commission

Proposed Minutes for December 16, 2013

Call to Order: 6:00 pm by Chairperson Hartmann

Pledge of Allegiance

Roll Call:

Present: Chairperson Hartmann, Vice-Chairperson Jarecki, Secretary Stults, Mr. Borton, Mr. Hilgendorf, Mr. Arndt, Mr. Brown, Ms. Nowak, Mr. Hendershot,

Absent: Mr. Klee, Mr. Mang

Staff Present: Mr. Schlaud, Ms. Boyak-Wohlfeil

Others Present: John Burt, Otsego County Administrator, Tammy LaBouf, Otsego County Board of Commissioner

Public Present: Dave Drews, Arnie Morse, Otsego County Sportsplex Board member, Mason Buckingham, Otsego County Sportsplex Board Chairman, Bill Michaels, Otsego County Sportsplex Executive Director, Jeff Ratcliffe, Otsego County Economic Alliance Director, James & Janet Flint, Ron Smith, Larry ?, Patrick Arndt

Consent Agenda: None

Approval of minutes from September 16, 2013:

Motion made to approve minutes as written by Mr. Borton; Seconded by Secretary Stults.

Motion approved unanimously.

Other: None

Public participation for items not on the agenda: None

Public Hearing:

1. *North Star Gardens*

1354 M-32 East Gaylord, MI

Parcel #010-002-200-005-10/Section 2 T30N R3W

SUP/SPR13-001 request for a landscape/home improvement business in a B1 Zoning District

Public Hearing Opened: 6:05 pm

Mr. Drews presented the site plan for the proposed landscaping business and introduced Jeff Jakeway, president of North Star Gardens, to help answer questions. Mr. Drews explained the business would provide landscape materials such as trees, plants, mulch, pavers, fountains...as well as design and installation. It is a home improvement business for landscaping and North Star Gardens has been in business for over seventy-five (75) years. Mr. Drews stated permits have been applied for and approval received from MDOT, the Health Department and the Soil Conservation District. He stated they would like to start as soon as possible and are looking at a spring time opening.

Mr. Jakeway stated he and his wife were third generation landscape business owners and had three (3) current locations, two (2) in Indian River and one (1) in Wolverine. They were experienced in both wholesale and retail

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and he felt Gaylord was an ideal place and had a need for both sides of the business. They currently have thirty-nine (39) employees and would probably acquire ten (10) additional with the opening of the Gaylord store.

Public Hearing Closed: 6:11 pm

A motion made to suspend the rules of the agenda and deliberate the case following the public hearing by Secretary Stults; Seconded by Mr. Arndt.

Motion approved unanimously.

Advertised Case: 1. *North Star Gardens*
1354 M-32 East Gaylord, MI
Parcel #010-002-200-005-10/Section 2 T30N R3W
SUP/SPR13-001 request for a landscape/home improvement business in a B1 Zoning District

Secretary Stults questioned if the outdoor material bins were display or storage.

Mr. Drews stated the bins were designed for both.

Mr. Arndt stated it was discussed at the Township and it was thought that there would be gates to enclose the bins so materials would not be blowing around.

Mr. Jakeway said there would be no product blowing around and everything would be done tastefully. Everything on display would be for sale and was meant to be seen with access as needed.

The requirements of Article 21 were questioned. Vice Chairperson Jarecki asked specifically about the lighting of the greenhouses.

Mr. Jakeway stated the greenhouse operation would start in March, running through the summer months only. All lighting would be down lighting and grow lights would not be used.

Loading and unloading of materials was questioned and Mr. Drews stated the display materials would be unloaded in front and non-display items would be unloaded in the rear.

Secretary Stults questioned where the snow storage area was located.

Mr. Drews stated the storm water retention area could be used for snow storage.

Secretary Stults stated it needed to be designated on the site plan.

The signage was questioned and Mr. Drews said the design was not definite but it would comply with the Zoning Ordinance and would be approved by the zoning administrator before construction.

The landscaping was also questioned and Mr. Jakeway stated the back and east side of the property was already taken care of with existing landscape and trees could be tastefully planted along the road to meet the requirements.

Secretary Stults stated it needed to be indicated on the site plan.

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Mr. Arndt read the conditions agreed to be placed on the special use permit.

Exhibit list presented and added to the attachments (*SEE ATTACHMENTS/Public Hearing 1*).

The General Finding of Fact (*SEE ATTACHMENTS/Public Hearing 1*) were read and a motion was made by Secretary Stults to accept the General Finding of Fact; Seconded by Mr. Arndt.

Motion approved unanimously.

Secretary Stults stated Article 17/Schedule of Dimensions should be added to the Specific Finding of Fact showing setbacks had been met.

The Specific Finding of Fact (*SEE ATTACHMENTS/Public Hearing 1*) were read and a motion was made by Mr. Brown to accept the Specific Finding of Fact; Seconded by Mr. Hilgendorf.

Motion approved unanimously.

Motion made by Mr. Brown for approval of SUP/SPR13-001 Special Use Permit to North Star Gardens for a landscaping/home improvement business with the three (3) conditions placed on it; Seconded by Mr. Hilgendorf. (*SEE ATTACHMENT/Public Hearing 1*)

Motion approved unanimously.

SUP/SP13-001 Approved with conditions:

1. Snow storage area designated on site plan drawing.
2. Sign design submitted following Ordinance specifications
3. Required landscaping indicated on site plan.

Public Hearing: 2. *Article 20/Section 20.2.6/Definition of 'service road'*
Proposed addition to Article 2/Section 2.2 Definitions and Article 20/Section 20.2.6 Definitions

Public Hearing Opened: 7:00 pm

Chairperson Hartmann read aloud the definition as proposed:

SERVICE ROAD: *Local roads that parallel an expressway or through street and that provide access to property near the expressway. (SEE ATTACHMENTS/Public Hearing 2)*

Public Hearing Closed: 7:00 pm

Advertised Case: 2. *Article 20/Section 20.2.6/Definition of 'service road'*
Proposed addition to Article 2/Section 2.2 Definitions and Article 20/Section 20.2.6 Definitions

Motion made by Secretary Stults to recommend the addition of the definition to Article 2/Section 2.2 Definitions and also to Article 20/Section 20.2.6 Definitions to the Otsego County Board of Commissioners; Seconded by Mr. Arndt.

Motion approved unanimously.

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Public Hearing: 3. 2014-2019 Capital Improvement Plan
Amended to include Otsego County Courthouse Plaza, City of Gaylord Downtown Streetscape Project and Otsego County Sportsplex Repair/Rehab

Mr. Burt conducted a power point presentation amending the 2014-2019 Otsego County Capital Improvement Plan with the addition of the Otsego County Courthouse Plaza and the City of Gaylord Downtown Streetscape Project. He stated the Plan was required by the Michigan Planning Act and was a prerequisite to be considered for grant funding. The initial proposal had to be included in the Plan but could be altered at a later date. He stated the Downtown Streetscape was a part of the City of Gaylord Capital Improvement Plan also because they were seeking their own funding.

The presentation depicted proposed ideas for both projects including reducing five (5) lanes to three (3), bump-outs and safety islands, interactive water features with the Alpine theme, mountains and headwaters (representing the five (5) headwaters in the area), places for activities, a mix of different tree species and different points of interest. He discussed costs and funding.

Mr. Hendershot questioned the reduction of the traffic lanes in conjunction with semi-trucks turning west off Old 27 North on to Main Street.

Jeff Ratcliffe, Otsego County Economic Alliance Director, stated it was a problem now and would still be a problem but semis did not use that intersection often and the east-west flow was not extensive. He also stated the points of interest were intended to slow traffic down to make the downtown area safer.

Ms. Nowak stressed her concerns over the ability of parking downtown and also the safety of people getting in and out of their vehicles.

Mr. Arndt questioned the route for trucks to follow.

Mr. Ratcliffe stated signage would be added to McCoy and Millblocker Roads to direct the truck traffic.

Mr. Burt concluded the presentation and allowed the Sportsplex representatives time to explain the repair and rehab amendment to the Capital Improvement Plan.

Arnie Morse, Otsego County Sportsplex Board member, introduced himself along with Mason Buckingham, Sportsplex Board Chairman and Bill Michaels, Sportsplex Executive Director. He discussed the needs of the Sportsplex presented to the Capital Improvement Plan Committee (*SEE ATTACHMENTS/Public Hearing 3*) stating the equipment was twenty (20) years old and although maintained, would need to be replaced at some point in the near future. An estimated cost of \$200,000 needed to be raised per year and was being sought with a 3/16th of a mill being added to the 2014 ballot. He stated it would be approximately \$12-\$15 per household for five (5) years. Mr. Morse also stated a large capital improvement fund was not in place when the Sportsplex was built.

Mr. Brown stated that when the Sportsplex was voted in around twenty (20) years ago, it was with the understanding that the usage fees would take care of the facility including necessary equipment replacement.

Mr. Michaels spoke and stated at the time the Sportsplex was built in 1994 and the millage was voted in, hockey was the number one (1) source of revenue because surrounding communities did not have their own facility. It was the belief this would continue. Within five (5) years, those surrounding communities had built their own facilities and that source of income dropped dramatically. Fees for ice usage can only be increased so much to

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try and recover that amount. Mr. Michaels stated the facility is now being developed as a recreational facility with a summer day camp program, yoga classes, fitness classes, the senior all night party and a multitude of other activities.

Mr. Morse spoke up and said the pool had previously caused a deficit with the ice rink making up the difference. The Board has changed business plans trying to amend the issue and the pool no longer loses money.

Mr. Buckingham stated they have been able to meet their operational expenses with the user fees and the current millage but the issue at hand is maintaining the facility. It was never thought the facility would last forever. They are looking at keeping the facility in good shape and safe for all users.

Ms. Nowak spoke saying she thought the County enjoyed the Sportsplex and it was truly appreciated.

Mr. Michaels stated the Catt family is a tremendous asset with their funding of the fourth grade swimming program and other communities pay the Sportsplex to be a part of the program.

Mr. Arndt stated the Boy Scouts sponsor a lock-in at the Sportsplex with scouts from thirteen (13) counties participating and over the years, the numbers have not decreased. They enjoy all the different activities available.

Mr. Michaels agreed there are so many activities that can be done at these events.

Mr. Morse stated that when the Sportsplex hosts a hockey tournament, the whole community benefits including hotels, restaurants, gas stations and so on.

Public Hearing Opened: 7:45 pm

James Flint, Gaylord resident, commented he was disappointed with the City for turning down sporting events brought forward by different organizations. He was all for the Sportsplex utilizing a community building and bringing in additional activities and monies and for a Master Plan prioritizing how monies should be spent. He stated the current Master Plan (2009) did not identify this. The Master Plan stated the library did not meet State standards and needed improvements, there were problems with the downtown traffic and re-routing was needed, our water system could possibly be an issue and none of these things have been taken care of.

He went on to say the City is proposing a downtown project for 4.4 million dollars originally because of noise pollution, speed-being an unsafe issue and air pollution without showing any actual studies having been done. He was not pleased with the idea of removing the green-space from the County courthouse lawn. Mr. Flint distributed a copy of the letter sent to the Otsego County Board of Commissioners and made comment about a CIP document signed by Mr. Burt. He stated money should be prioritized for items needed such as a jail. He also stated researching some communities that have attempted this strategy, has shown to be unsuccessful. He felt the projects were a poor job of planning and a poor job of spending money and contrary to the positive ninety-five percent (95%) questionnaire feedback received from the public, sixty percent (60%) of the citizens polled by the Herald Times were against the downtown project.

Mr. Burt stated the County was not part of the County Incentive Program (CIP), a state revenue sharing program and not required to be. The County provided information as transparency but was not required. His signature was on the City document.

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Ron Smith, resident of Corwith Township, stated he agreed with Mr. Flint the information presented was lacking other than costs. He had issues with safety, parking, narrowing of the street and the widening of the sidewalks. He questioned the amount of investigation into additional costs of equipment and operations to maintain snow removal in the bump-out areas along with the maintenance of additional trees in the summer and fall. Mr. Smith stated it was difficult to understand how traffic would be reduced and brought through faster. He also questioned the bus route during the school year.

Jeff Ratcliffe, stated with emphasis, downtown areas are the core of the community and when they die, the community dies; any healthy community has a thriving downtown. Although existing items were complimented on by Dan Burden during his assessment, there were still problems. Noise was an issue, it was unsafe to cross the street and costs would not be a burden on the taxpayer. Source funding would be used, along with monies being raised locally. He stated they had consulted with the school system and they did not have any issues; EMS did not have any issues; the Alpenfest Committee did have concerns and those issues were addressed. He felt the infrastructure of Alpenfest and other downtown activities would be improved. He reiterated this was the County plan and the City plan addressed the issues in more detail.

Janet Flint, Gaylord senior citizen, commented she felt very safe in Gaylord, did not think the streets needed to be narrowed and was not pleased the County courthouse green-space would be taken away with fountains and other items. She was concerned about the type of trees being proposed because of the zone Gaylord is located in.

Public Hearing Closed: 8:09 pm

Advertised Case: 3. *2014-2019 Capital Improvement Plan*
Amended to include Otsego County Courthouse Plaza, City of Gaylord Downtown Streetscape Project and Otsego County Sportsplex Repair/Rehab

It was suggested that each amended item be voted on separately. Chairperson Hartmann read aloud the Courthouse Plaza amendment as desirable.

Motion made by Secretary Stults to follow the recommendation of the Capital Improvement Plan Committee for the Courthouse Plaza as desirable to the Otsego County Board of Commissioners; Seconded by Mr. Hendershot.

Motion approved unanimously.

Motion made by Secretary Stults to follow the recommendation of the Capital Improvement Plan Committee for the City of Gaylord downtown streetscape as important to the Otsego County Board of Commissioners; Seconded by Mr. Arndt.

Motion approved unanimously.

Motion made by Mr. Arndt to add the Otsego County Sportsplex major renovation project to the 2014-2019 Capital Improvement Plan as priority to the Otsego County Board of Commissioners; Seconded by Mr. Hendershot.

Secretary Stults stated he understood the need for the maintenance but was not pleased with the fact of being asked for additional monies because capital had not been put aside knowing it would be needed one day.

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The members of the Otsego County Sportsplex Board defended the issue of being irresponsible with the monies and maintenance of the building stating the financial aspects were not there. Most years the operational millage barely covered operational costs.

Mr. Brown and Mr. Hilgendorf agreed the taxpayers really did not have a choice.

Chairperson Hartmann called for a vote:

Ayes: 8

Nays: 1

Motion carried

The following items were postponed and will be added to January's Planning Commission meeting agenda:

Unfinished Commission Business:

1. Otsego County Master Plan/Jim Hilgendorf/Committee meeting report
2. Executive Committee report/2014 Objective List
3. Capital Improvement Committee report
4. HX Zoning District/Otsego Lake Township extension granted

New Business:

1. 2014 Planning Commission Meeting Schedule

Reports and Commission Member's Comments:

1. Sample Checklist to Guide Decisions on Special Land Use/Zoning Training
2. Library Strategic Planning meeting report/Chuck Klee
3. Crawford County Master Plan update

Adjournment: 8:27 pm by Chairperson Hartmann.

Christine Boyak-Wohlfeil, Recording Secretary

Randy Stults, Planning Commission Secretary

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ATTACHMENTS:

PUBLIC HEARING 1: North Star Gardens

SUP/SP13-001 Approved with conditions:

1. Snow storage area designated on site plan drawing.
2. Sign design submitted following Ordinance specifications
3. Required landscaping indicated on site plan

GENERAL FINDINGS OF FACT

1. This is a proposal to allow a sales and service landscaping/home improvement business. *Exhibit #1*
2. The property is located in a B1/Local Business Zoning District. *Exhibit #2*
3. The proposed use is a permitted use subject to special conditions in a B1 Zoning District. *Exhibit #3*
4. The property is currently under the ownership of North Star Gardens. *Exhibit #4*
5. The Public Hearing Notice was published in the Herald Times on... *Exhibit #7*
6. The requirements of Article 27 of the Otsego County Zoning Ordinance have been met. *Exhibit #8, Exhibit #9*
7. All property owners within three hundred (300') feet were properly notified of the public hearing. *Exhibit #10*
8. The Planning Commission has the authority to approve a Special Land Use request after review and compliance with the Otsego County Zoning Ordinance. (Section 19.7) *Exhibit #3*
9. The required fees have been collected by Otsego County Land Use Services. *Exhibit #11*

The site plan requirements of Article 23 have been reviewed by Otsego County Land Use and all requirements pertaining to the proposed development have been addressed by the Applicant. *Exhibit #5, Exhibit #12, Exhibit #13*

SPECIFIC FINDINGS OF FACT

FINDINGS UNDER ARTICLE 21:

SECTION 21.10 FENCING

Open Storage areas of any use shall be fenced and screened

21.18.5 Screening of unsightly areas: The open storage of any equipment, vehicles and all materials including wastes, shall be screened from public view, from public streets, and from adjoining properties.

HAS – HAS NOT BEEN MET

SECTION 21.19 LIGHTING, OUTDOOR

Outdoor light fixtures are electrically powered illuminating devices, outdoor lighting or reflective surfaces, lamps and similar devices, permanently installed or portable, used for illumination or advertisement. Such devices shall include search, spot and flood lights for buildings and structures, recreation areas, parking lot lighting, landscape lighting, billboards and other signs (advertising or other), street lighting, product display area lighting, building overhangs and open canopies.

All outdoor lighting fixtures including pole mounted or building mounted yard lights, dock lights, and shoreline lights other than decorative residential lighting such as low level lawn lights, shall be subject to the following regulations:

21.19.1 Lighting shall be designed and constructed in such a manner:

21.19.1.1 To insure that direct or directly reflected light is confined to the area needing it and that it is not directed off the property,

21.19.1.2 That all light sources and light lenses are shielded,

21.19.1.3 That any light sources or light lenses are not directly visible from beyond the boundary of the site,

21.19.1.4 That light from any illuminated source shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to surrounding areas.

21.19.2 Lighting fixtures shall be a down-type having one hundred (100) percent cut off. The light rays may not be emitted by the installed fixture at angles above the horizontal plane, as may be certified by photometric test. A United States flag, Michigan flag or a flag of a veteran's organization chartered by the United States Government shall be allowed to have light illuminating them from below

21.19.3 There shall be no blinking, flashing, or fluttering lighting, including changes in light intensity, brightness or color, except that lights may be controlled by a dimmer which can be periodically adjusted for conditions and signs as allowed in 21.38.2.1. Beacon lights are not permitted except where required by law.

21.19.4 No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.

21.19.5 Decorative lights during holiday seasons shall be allowed.

21.19.6 Modification of these outdoor lighting standards may be permitted by the Zoning Board of Appeals for temporary uses of not more than ten (10) days per year, following these provisions as closely as possible.

HAS – HAS NOT BEEN MET

SECTION 21.21 LOADING AND UNLOADING (OFF-STREET)

On the same premises with every building, structure, or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading, and unloading in order to avoid undue interference with public use of dedicated rights-of-way. Such space shall be computed separately from the Off-Street Parking Requirements and shall be provided as follows:

21.21.1 Within a B1 or B2 District, loading space shall be provided in the rear yard in the ratio of at least ten (10) square feet per front foot of building.

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21.21.2 Within an I District, loading spaces shall be laid out in the dimensions of at least ten by fifty (10 x 50) feet, or five hundred (500) square feet in area, with a clearance of at least fourteen (14) feet in height. Loading dock approaches shall be provided with durable and dustless surface. All spaces in I Districts shall be provided in the following ratio of spaces to floor area:

HAS – HAS NOT BEEN MET

SECTION 21.27 PARKING

There shall be provided in all districts at the time of erection or enlargement of any main building or structure or use, automobile off-street parking space with adequate access to all spaces.

21.27.1 Off-street parking for other than residential uses shall be either on the same lot or within four hundred (400) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot.

21.27.2 Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.

21.27.3 In the instance of dual function of off-street parking spaces where operating hours of uses do not overlap, the Zoning Board of Appeals may grant an exception by reducing the total number of spaces required.

21.27.4 The storage of merchandise, motor vehicles for sale, trucks, or the repair of vehicles is prohibited on required off-street parking lots.

21.27.8 For those uses not specifically mentioned in the Off-street Parking Schedule, requirements for off-street parking facilities shall be in accord with a use which the Board of Appeals considers as being similar in type.

21.27.9 Entrance drives to the property and off-street parking area shall be no less than twenty-five (25) feet from a street intersection (measured from the road right-of-way) or from the boundary of a different Zoning District.

HAS – HAS NOT BEEN MET

SECTION 21.38 SIGNS AND BILLBOARDS

Accessory Signs - In B1, B2, B3 and/or I Districts may be permitted at the rate of two (2) per use, except that at least one (1) sign shall be affixed to or be within two (2) feet of and be parallel with the wall of the main building. One (1) sign may be a freestanding or pylon sign.

1. Signs mounted on and parallel with the wall of the main building shall not exceed a total area of 2.5 feet times the length of the mounting wall.
2. Freestanding signs intended for local or passerby traffic shall not exceed a height of twelve (12) feet measured from the average grade at the base of the sign to the top of the sign. No freestanding sign shall exceed an area of thirty-two (32) square feet and no such sign shall be longer than three (3) times its width.
3. Pylon signs, designed and intended to attract traffic from a major expressway or highway, are approved but shall not exceed a height of thirty-five (35') feet and must be constructed and mounted by approval methods set forth in the State Construction Code provided they meet the Airport Zoning Ordinance standards.

Placement of Signs and Setbacks

Signs in any zoning district must be placed at least ten (10) feet back from any right-of-way or lot line.

HAS – HAS NOT BEEN MET

FINDINGS UNDER ARTICLE 19:

19.7.1 The property subject to the application is located in a zoning district in which the proposed special land use is allowed.

HAS – HAS NOT BEEN MET

19.7.2 The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the county or the natural environment as a whole.

HAS – HAS NOT BEEN MET

19.7.3 The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public highway or seen from any adjoining land owned by another person.

HAS – HAS NOT BEEN MET

19.7.4 The proposed special land used will be designed, constructed, operated, and maintained so as not to diminish the opportunity for the surrounding properties to be used and developed as zoned.

HAS – HAS NOT BEEN MET

19.7.5 The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity.

HAS – HAS NOT BEEN MET

19.7.6 The proposed special land use will be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services.

HAS – HAS NOT BEEN MET

19.7.7 If the proposed special land use includes more than fifteen thousand (15,000) square feet of impervious surface, then the storm water management system employed by the use shall (i) preserve the natural drainage characteristics of the site and enhance the aesthetics of the site to the extent possible, (ii) employ storm water disposal through evaporation and infiltration when reasonably possible, (iii) shall not discharge storm water directly to wetlands or surface waters unless there is no other prudent or reasonably feasible means of discharge, (iv) shall not serve to increase the quantity no rate of discharge leaving the property based on 25-year storm criteria, (v) shall

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be designed using Best Management Practices identified by the DNR or its successor agency, and (vi) shall identify the party responsible for maintenance of the storm water management system.

HAS – HAS NOT BEEN MET – NOT APPLICABLE

- 19.7.8 The proposed special land use complies with all specific standards required under this Ordinance applicable to it.
HAS – HAS NOT BEEN MET

SECTION 19.8 - CONDITIONS

The Planning Commission may attach reasonable conditions to the approval of a special use permit. These conditions may include those necessary to insure that public services and facilities affected by a proposed special land use will be capable of accommodating increased service and facility loads caused by the special land use, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Any conditions imposed, however, shall meet all the following requirements.

- 19.8.1 Be designed to protect natural resources, the health, safety, and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed special land use, and the community as a whole.
- 19.8.2 Be related to the valid exercise of the police power, and purposes which are affected by the proposed special land use.
- 19.8.3 Be necessary to meet the intent and purpose of the zoning ordinance, be rated to the standards established in the ordinance for the special land use under consideration, and be necessary to insure compliance with those standards.

FINDINGS UNDER ARTICLE 17 SCHEDULE OF DIMENSIONS:

Setbacks for a B1 Zoning District
HAS – HAS NOT BEEN MET

Zoning District	B1
Min. Lot Area (Square feet)	10,000
Min. Front Setback	30 ft (e)
Max. Front Setback	NA
Min. Side Setback	10 ft (c)
Min. Rear Setback	20 ft (a, d, f)
Min. Lot width (k)	100 ft
Max. % lot coverage	NA
Max. Building height (l)	35 ft (g)
Min. Ground Floor area principal structure (Square feet)	NA
Min. Width of principal structure	NA

Note a: Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams:

See [Article 18 LOTS NEAR WATER](#).

Note b: Where the front yards of two (2) or more principal buildings in any block, or within five hundred (500) feet in existence at the time of the passage of this Ordinance (or amendment thereto), in the same zoned district or the same side of the road are less than the minimum front yard setback, then any principal building subsequently erected on the same side of the road shall not be required to provide a greater setback than the average for the existing two (2) or more principal buildings.

Note c: On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than twenty (20) feet on the residential side in B1, B2 & B3 Districts.

Note d: Loading and unloading space shall be provided in the rear yard in the ratio of at least ten (10) square feet per linear foot of front building wall. Loading space shall not be counted as required off-street parking. Loading zones may be located in other non-required yards if screened or obscured from view from public streets and residential districts.

Note e: Off-street parking may be permitted in the front yard, except that a ten (10) foot wide landscaped buffer is maintained between the front lot line or right-of-way line, and the parking area.

Note f: No building shall be placed closer than forty (40) feet to the outer perimeter of such district or property line when said use abuts a residential district boundary.

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Note g: Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1 and B2 Districts, and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated, (as in the case of steep topography, a Planned Unit Development, or larger site); and further, there is no conflict with airport zoning height restrictions; fire safety is maintained subject to local fire authority approval; and the light, air and/or scenic views of adjoining property is not impaired. The Planning Commission and/or Zoning Board of Appeals cannot allow a WTG height greater than allowed in [Section 21.47](#) or Wireless Telecommunication Towers and Facilities greater than the height allowed in the Zoning District PRINCIPAL USES PERMITTED or PERMITTED USES SUBJECT TO SPECIAL CONDITIONS. [Also see [Article 22 GENERAL EXCEPTIONS FOR AREA, HEIGHT AND USE.](#)]

Note h: [Section 21.1](#) allows a rear setback of ten (10) feet for accessory buildings.

Note i: The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in this Ordinance.

Note j: In instances where the property is adjacent to a public right of way or ingress egress easement dedicated as permanent adequate access to one (1) or more lots, the setback shall be measured from that right of way or ingress egress easement.

Note k: Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists.

Note l: Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, [Article 21](#) and [Article 22, Section 22.3 HEIGHT LIMIT](#), of this ordinance.

Exhibit List

<i>Exhibit #1:</i>	Applications for case PSPR13-001 submitted by Applicant
<i>Exhibit #2:</i>	Otsego County Zoning Map Effective Date March 20, 2010
<i>Exhibit #3:</i>	Otsego County Zoning Ordinance Effective March 20, 2010/Amended August 2013
<i>Exhibit #4:</i>	Copy of Quit Claim-L1277/P95/Survey
<i>Exhibit #5:</i>	Site Plan for case PSPR13-001 submitted by Applicant
<i>Exhibit #6:</i>	Letter from Applicant representative, Northern MI Engineering Inc/Dave Drews
<i>Exhibit #7:</i>	Public Hearing Notice
<i>Exhibit #8:</i>	Letter to Bagley Township Planning Commission Dated September 27, 2013
<i>Exhibit #9:</i>	Bagley Township response letter dated October 28, 2013
<i>Exhibit #10:</i>	Map and list of parties notified
<i>Exhibit #11:</i>	Receipt #01301813 dated September 23, 2013
<i>Exhibit #12:</i>	General Finding of Fact/PSPR13-001
<i>Exhibit #13:</i>	Specific Finding of Fact/PSPR13-001
<i>Exhibit #14:</i>	Staff recommendations

Otsego County Planning Commission

Proposed Minutes for December 16, 2013

PUBLIC HEARING 2: Definition: Service Roads

SECTION 2.2 DEFINITIONS

ACCESSORY STRUCTURE:...

ROADSIDE STAND: An accessory and temporary farm structure operated for the purpose of selling local agricultural products.

ROADSIDE STAND: An accessory and temporary farm structure operated for the purpose of selling local agricultural products.

SERVICE ROADS: *Local roads that parallel an expressway or through street and that provide access to property near the expressway.*

SETBACK: The distance required to meet the front, side and rear yard open space requirements of this ordinance as measured from the lot lines or Road Right of Way to the fascia of the roof overhang or to the closest point of a deck or porch, not including steps, whichever is less.

SHOOTING RANGE: An area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting at targets.

SHORELAND: Land paralleling the lake shoreline, fifty (50) feet wide as measured from the ordinary high water level. And the land paralleling the banks of all rivers, streams and flowages of water in the County that appear on the most recent U.S. Geological Survey Quadrangle maps, one hundred fifty (150) feet wide, measured from the ordinary high water level, landward, at right angles or radial to the shoreline or bank, on a horizontal plane.

SIGN: The use of any words, numerals, figures, devices, designs, or trademarks by which anything is made known such as are used to show an individual, firm, profession, or business, and are visible to the general public. Accessory signs pertain to uses, activities or services conducted on the premises where located.

SIGN FACE...

SECTION 20.2 DEFINITIONS

Road ways are defined according to the following categories:

20.2.1 Local Roads -- Provide direct property access, do not serve through traffic.

20.2.2 Major Collectors -- Serve traffic traveling from Local Roads or Minor Collectors to Arterials; are public thoroughfares with a lesser degree of traffic than Arterials.

20.2.3 Minor Arterials -- Serve as primary routes for travel within and between community sub-areas and augment the Major Arterial system; accessed primarily from the Collector system.

20.2.4 Major Arterials -- Serve as primary routes for travel between areas of principal traffic generation and major urban activity centers, and for trips between non-adjacent areas.

20.2.5 Regional Arterials -- Freeways and principal routes that move traffic and do not provide direct access to land use activities.

20.2.6 Service Road s -- *Local roads that parallel an expressway or through street and that provide access to property near the expressway.*

Otsego County Planning Commission

Proposed Minutes for December 16, 2013

PUBLIC HEARING 3: Amended 2014-2019 Capital Improvement Plan

Otsego County 2014-2019 Capital Improvement Plan Committee

Proposed Minutes November 18, 2013

Call to Order: 9:00 am

Approval of Minutes: August 27, 2013

Motion to approve minutes; Seconded.

Motion approved unanimously.

Capital Improvement Plan Committee members present:

John Burt, Otsego County Administrator

Paul Hartmann, Planning Commission Chairperson

Randy Stults, Planning Commission Secretary

Vern Schlaud, Otsego County Land Use Services Director/Vice-Chairperson, Secretary

Capital Improvement Plan Committee members absent:

Otsego County Board of Commissioners representative

Mike Mang, Planning Commission member

Others present:

Arnie Morse, Otsego County Sportsplex Board Chairman

Mason Buckingham, Otsego County Sportsplex Board member

Bill Michaels, Otsego County Sportsplex Executive Director

Jim Hilgendorf, Planning Commission member

Discussion Items:

Mr. Burt presented the following three (3) additions to the 2014-2019 Capital Improvement Plan:

2014-2019 Capital Improvement Plan/Amended to include Otsego County Courthouse Plaza, City of Gaylord Downtown Streetscape Project and Otsego County Sportsplex Repair/Rehab

1. Otsego County Courthouse Plaza

Mr. Stults requested changes on page ten (10)...**Otsego County Courthouse Plaza to Otsego County Courthouse Lawn**; ...to create a citizen friendly plaza lawn and ...various plans for the Courthouse Plaza...

Mr. Stults questioned the benefit and funding of the project and placement in relation to the Memorial and Courthouse front entrance.

Mr. Burt replied the project would help access the downtown improvements and raise the tax base. He stated a percentage of money had been set aside, screening would be in place to protect the Memorial and there would be signage for the Courthouse entrance. The space would be controlled by the County. Motion by Mr. Hartmann to recommend the 2014-2019 Capital Improvement Plan addition of the Otsego County Courthouse Lawn Project to the Planning Commission as desirable; Seconded by Mr. Stults.

Motion passes by unanimous voice vote.

Otsego County Planning Commission

Proposed Minutes for December 16, 2013

2. *City of Gaylord Downtown Streetscape Project*

Mr. Stults asked if a request for government funding had been made and what other sources were sought.

Mr. Burt replied there was no request as of yet and outside funding would also be looked into.

Mr. Stults also questioned the extent of repaving and the project return?

Mr. Burt said road work would be necessary and there would be an overall County return. He also stated a truck route would be defined to help with safety and help prevent accidents. The work could be done in phases.

Mr. Hartmann stated this was desirable to important.

Motion made by Mr. Stults to recommend the 2014-2019 Capital Improvement Plan addition of the City of Gaylord Downtown Streetscape Project to the Planning Commission as desirable; Seconded by Mr. Hartmann.

Motion passes by unanimous voice vote.

3. *Otsego County Sportsplex Repair/Rehab*

Mr. Morse stated the following items were in need of repair or replacement:

Dectron Unit /pool repair \$20,000/No capital fund for replacement

Compressor replaced/Ice rink largest source of funding w/walkers coming daily

Entry-way roof repairs \$25,000

Boiler replaced

He stated the Board of Commissioners set a five (5) year plan for a 3/16th millage sought, with an election slated for May 2014.

Mr. Stults inquired about any conflicts with Public Act 261 of 1965.

Mr. Burt stated he would research and consult the County attorney.

Motion made by Mr. Stults to recommend the 2014-2019- Capital Improvement Plan addition of the Otsego County Sportsplex Repair/Rehab subject to legal-council of Public Act 261 to the Planning Commission as prioritized by the Sportsplex Board; Seconded by Mr. Hartmann.

Motion passes by unanimous voice vote.

Mr. Burt requested a public hearing for the Capital Improvement Plan additions be added to the Planning Commission's December meeting agenda.

Adjournment: 10:01 am

**Minutes of Master Plan Committee Meeting
November 4, 2013**

PC Members Present: Jim Hilgendorf
Judy Jarecki
Randy Stults
Mike Mang
Paul Hartmann
Staff Present: Vern Schlaud
Christine Boyak-Wohlfeil

The first order of business was the election of officers for the committee:
Jim Hilgendorf offered to chair the Committee.
Paul Hartmann offered to be the recording secretary.

Background information: Randy Stults and Mike Mang shared some of the history of our current Master Plan (which is dated May, 2009).

- A Partnerships for Change grant of more than \$100,000 paid for most of the master plan process, "LIAA" (Land Information Access Association, Traverse City) and R.Clark Associates were hired (Spring, 2006) to revise the 1997 Master Plan
- It was a very involved process: numerous meetings over the 3+ years
- Statistics were based upon the 2000 census and a "Fact Book" compiled by LIAA in cooperation with Otsego County community leaders
- The Master Plan was written using very expensive software by LIAA; Joe Ferrigan spent many days transferring it to Word format
- PC members were very involved with a "major editing" of what LIAA and R. Clark Assoc. presented

Randy Stults shared a copy of the "Executive Summary" with everyone at the meeting. It was agreed that all members of the Planning Commission would receive a copy when the Oct. 21 meeting minutes are mailed.

Chairman Hilgendorf then began using the MSU Extension guide that Mr. Mang provided. Here is a brief summary of the discussion:

The PC has an obligation to review the Master Plan every five (5) years. The review must lead to one of (3) options: leave it as is, revise/update it, or rewrite it (complete revision). Although it would be good to include 2010 census data, even that would involve many additional hours of "follow-through" with the many references to such data that the Master Plan calls out.

Jim Hilgendorf and Randy Stults volunteered to act as a sub-committee reviewing the goals and objectives of the Master Plan.

We will research the meaning of “complete streets” as used in the MSU Extension guide. Mr. Mang motioned, seconded by Mrs. Jarecki: at the next meeting of the OCPC, Mr. Hilgendorf will move to recommend the 5-year review of the Otsego County Master Plan.

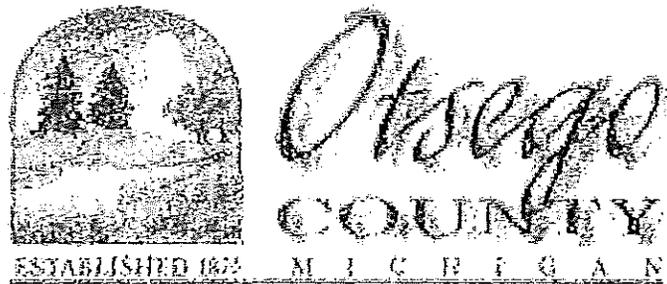
Based upon a review of what was discussed at this meeting, there was consensus that this committee will be looking at amending the current Master Plan, but not a complete rewrite of it. Funding for such an endeavor is not budgeted; Mr. Stults said that the options for funding could include asking the townships, the county, or the Otsego County Community Foundation.

The committee agreed to meet again at 9:00 a.m. on Thursday, December 5, 2013, in the Planning and Zoning meeting room, 1322 Hayes Road.

This meeting adjourned at 10:30 a.m.

Respectfully submitted,
Paul Hartmann

OTSEGO COUNTY 2009 MASTER PLAN *Executive Summary*



Adopted: June 9, 2009

Otsego County Board of Commissioners

Clark Bates
Paul Beachnau
Paul Liss
Robert Harkness
Erma Backenstose
Ken Glasser, Chairman
Douglas Johnson
Michael Hyde
Bruce Brown

Otsego County Planning Commission

Ken Arndt
Erma Backenstose
Ken Borton
Mick Colosimo
John Ernst
Jim Hilgendorf
Judith Jarecki
Chuck Klee
Mike Mang
Francis Nowak
Randy Stults, Chairperson

What is a Master Plan and we why have one?

A Master Plan is often referred as the blueprint for the community's future.

A Master Plan is an official document that guides decisions on development and public capital improvements. It helps shape the physical and social development of our community and serves as the basis for our County Zoning Ordinance.

Much of the background information used to prepare the 2009 Master Plan is contained in The Otsego County Fact Book. This comprehensive reference guide is available on-line at the web address listed on page 7 of this executive summary.

Our Master Plan identifies and evaluates existing conditions and trends. It makes projections for the future, establishes goals, and provides recommendations for the physical, social, economic, and environmental development of Otsego County. Community members from throughout the county participated in the planning process by sharing their opinions, concerns, and hopes for an even better tomorrow. It all begins with our collective vision for the future as described in following Vision Statement.

2009 Otsego County Master Plan Vision Statement

Collectively, Otsego County residents envision their rural, northern Michigan community to be a place where housing is affordable, in attractive, safe neighborhoods. Students can attend neighborhood schools and can participate in afterschool activities that stimulate their minds and/or bodies. Residents have the possibilities of meaningful employment opportunities locally and they can enjoy the region's cultural and recreational activities after work. Through proactive planning and zoning enforcement, the aesthetic appeal and unique environmental quality of the county will be protected. In-fill and adaptive-reuse developments will compliment the traditional feel of the pedestrian friendly downtown commercial areas. The option for clustered residential will help to preserve agricultural lands and open space. Landscaping provisions will enhance community streetscapes and add to the distinct character of Gaylord, Vanderbilt and the Town Centers of Elmira, Johannesburg, and Waters. Otsego County residents desire to preserve its natural resources while protecting its residents' property rights. In doing so, Otsego County will remain an enjoyable place to residents and visitors alike.

Source: "One County – One Vision: A Report from the Community". 2004

Goals and Objectives

The following goals and objectives aggressively plan for the most reasonable and sustainable growth and support that growth with necessary infrastructure.

I. Agriculture & Forestry

- A. Agriculture
- B. Forestry

II. Community Services

- A. Transportation
- B. Utilities
- C. Waste Management
- D. Public Safety
- E. Health Services
- F. Educational & Cultural
- G. Recreation
- H. Social Services

III. Economic & Housing

- A. Commercial Centers
- B. Economic Development
- C. Housing
- D. Growth & Development
- E. Natural Resources

IV. Town Centers (Mixed Use)

- A. Planning & Development
- B. Government
- C. Commercial Land Uses
- D. Transportation
- E. Residential & Housing
- F. Urban Growth

I. Agriculture & Forestry

A. Agriculture

1. Encourage and facilitate feasible options for continued agricultural uses of active prime farmland
2. Ensure that land designated for agricultural activities is accurately identified through the presence of prime soils or locally important agricultural soils and/or the land has been used historically for agricultural uses.
3. Research and share information on the economic role of Agriculture in Otsego County.
4. Allow agricultural property owners to create smaller tracts of land for residential or farming Purposes

B. Forestry

1. Promote re-forestation and sound forestry management practices in areas with suitable, productive soils
2. Research and share information on the economic role of Forestry in Otsego County.

II. Community Services

A. Transportation

1. Improve and maintain the transportation systems to reduce traffic congestion to accommodate the needs of residents, visitors, and commercial enterprises
2. Provide for an adequate transportation system that will facilitate balanced, orderly growth and ensure the safety and well-being of Otsego County residents
3. Provide and/or maintain safe and efficient routes in and through Otsego County while respecting the rural character
4. Work with state agencies to formulate solutions to long-term interstate, highway, and local transportation issues, including access to I-75 and M-32
5. Work with Gaylord Regional Airport officials to anticipate and plan for expansion of commercial air passenger service to and from the Gaylord area; address planning issues that may develop in response to airport expansion
6. Work with the local railroad and state officials to plan and improve rail service to Otsego County
7. Review public transportation services and consider possible ways of making and/or maintaining public transportation as a viable alternative for county residents
8. Provide design guidelines for communities within Otsego County to promote a pedestrian, bicycle, and neighborhood electric vehicles oriented community

B. Utilities

1. Provide for the improvement and maintenance of public utilities to accommodate the needs of residents, visitors, and commercial enterprises
2. Encourage appropriate, new development in areas consistent with proposed and projected improvements to public utilities
3. Encourage the use of green building techniques
4. Encourage the use of proactive storm water management practices
5. Improve Otsego County residents' access to communication technologies
6. Encourage the use of alternative sources of energy

C. Waste Management

1. Study the feasibility of establishing a county wide recycling and garbage pickup service
2. Encourage the provision of services in an efficient, environmentally respectful, fiscally responsible manner to meet the needs of the residents, property owners, business people and visitors
3. Conduct solid waste and landfill development planning on a county and regional basis
4. Educate elected and appointed officials and community members on landfill, sewer, and water Expansion

D. Public Safety

1. Incorporate the needs of the local emergency services including fire, EMS, and law enforcement in county planning
2. Encourage the protection and maintain an awareness of ground water quality

III. Economics & Housing

A. Commercial Centers

1. Support the focus and continuation of commercial Town Centers
2. Ensure that the architecture, landscaping, and signage associated with commercial establishments are compatible with local character
3. Improve blighted areas in the commercial districts
4. Coordinate planning efforts with local units of government, Downtown Development Authorities, Chambers of Commerce, Convention and Tourism Bureaus, and other organizations
5. Encourage economically healthy and vibrant commercial districts

B. Economic Development

1. Support the continued focus that the economic health of Otsego County is enhanced by a great diversity of resources and activities. Some major contributors to our economic well being include but are not limited to:
 - a. Recreation / Tourism: Continue efforts to promote Northern Michigan as a recreation and tourism destination
 - b. Sales and Distribution: Retain and expand existing base industry with coordinated local efforts
 - c. Light Manufacturing: Assist local business to remain competitive, maintain a diverse employment base and promote living wage jobs, build necessary infrastructure for community development
 - d. Industrial: Promote local development and new base industries
 - e. Oil and Gas: Support efforts for a clean environmentally sound development
 - f. Agriculture: Preserve agriculture property and local markets for products
 - g. Retirement: Support Otsego County as a retirement destination
 - g. Education: Continue to a strong education system at all levels
 - i. Health Care: Support maintaining and enhancing Otsego County's health care facilities
2. Develop scenarios to plan for potential impacts on local employment, tax revenues, and land use resulting from the departure of oil and gas companies'

C. Housing

1. Encourage safe, sanitary, and well maintained housing that is income appropriate
2. Preserve and encourage the elements of residential neighborhoods which result in desirable living environments for permanent and seasonal residents

D. Growth and Development

1. Coordinate development in Otsego County through updating and enforcing a clear, consistent zoning ordinance.

E. Natural Resources

1. Provide for the enhancement and protection of Otsego County's surface and ground water quality

2. Ensure that development or re-development takes place in an environmentally sound manner by minimizing the potential for soil erosion
3. Protect, as much as possible, the existing natural environment
4. Encourage land use in a manner which recognizes the importance of forests to the overall character of the county and to the quality of life and economic well-being of its citizens. Recognize forests as sources of economic revenue, protectors of water quality, providers of recreation, and providers of habitat for wildlife
5. Recognize the importance of wildlife to the overall character of the county and to the quality of life and economic well-being of its citizens and encourage land uses which facilitate wildlife protection
6. Recognize the unique roles of natural resources -- such as oil, gas, mineral, sand, gravel, and water -- in terms of location, scarcity, and state laws

IV. Town Centers (Mixed-Use)

A. Planning & Development

1. Develop zoning districts for small businesses and revitalize and expand residential neighborhoods to support the existing Town Centers of Elmira, Johannesburg, and Waters
2. Work with the Town Centers to identify those structures and areas in Town Centers that are of historical significance; encourage the preservation and improvement of those sites
3. Guide new development in a manner that preserves community character and environmentally important resources yet meets the long-term needs of the community
4. Encourage the opportunity for mixed-use development within and adjacent to the existing Town Centers thereby allowing expansion of the Town Centers. For example, a commerce park with businesses such as professional offices, automotive repair, etc. located off the main thoroughfare

B. Government

1. Work with the Town Centers to promote programs and policies designed to develop and strengthen a sense of "community" within the Town Centers

C. Commercial Land Uses

1. Work with the Town Centers to determine the infrastructure needs necessary for new commercial growth to be clustered in concentrated areas
2. Preserve and enhance those elements of Town Centers which contribute to small town atmosphere, economic vitality, and positive community character
3. Provide reasonable opportunities for the establishment of commercial uses that meet the needs of area residents

D. Transportation

1. Provide design guidelines to promote walkable and bicycle friendly communities in Otsego County's Town Centers
2. Encourage the establishment of new residential development with densities that will be consistent with proposed improvements to public utilities and transportation facilities

3. Encourage a mix of commercial uses at planned locations which are aesthetically pleasing and create safe and efficient traffic patterns
4. Identify high growth areas both within and beyond community limits where public service needs are likely to be of highest priority

E. Residential & Housing

1. Encourage innovative design and a mixture of housing types in residential developments; residential buildings within each neighborhood should be compatible, and transitions should be provided where different types occur in close proximity

F. Urban Growth

1. Identify and maintain those attributes within the City of Gaylord and the surrounding area that contribute to small town character
2. Provide infrastructure that is appropriate for projected growth within the City of Gaylord and in the surrounding area
3. Continue to coordinate planning efforts among Bagley Township, Livingston Township, the City of Gaylord and Otsego County

Endnotes

The complete Otsego County 2009 Master Plan is available at:
<http://www.otsegocountymi.gov/uploads/Master-Plan-w-Resolution.pdf>

The Otsego County Fact Book is available at:
<http://www.partnershipsforchange.cc/otsego/otsego5670167.asp>

Contact Joseph Ferrigan, Otsego County Land Use Services Director; 1066 Cross Street,
Gaylord; telephone 989-731-7400; email jferrigan@otsegocountymi.gov

Otsego County Planning Commission Executive Committee

Proposed Minutes for November 22, 2013

Call to Order: 9:08 am

Pledge of Allegiance

Roll Call:

Present: Chairperson Hartmann, Vice-Chairperson Jarecki, Secretary Stults

Staff Present: Mr. Schlaud, Land Use Director, Ms. Boyak-Wohlfeil

Approval of minutes from December 5, 2012:

Motion made to approve minutes as written by Secretary Stults; Seconded by Vice Chairperson Jarecki.

Motion approved unanimously.

Discussion Items:

1. Cheboygan County Master Plan/Response to Planning Commission

Motion made by Secretary Stults stating the Cheboygan County Master Plan had been reviewed and there had been no conflicts concerning the bordering areas found; Seconded by Vice Chairperson Jarecki.

Motion approved unanimously.

2. Planning Commission objectives for 2014 prioritized list submitted by Planning Commission members.

Discussion ensued as to the importance of items submitted by members. Executive Committee members agreed on the following:

1. Highway Interchange Zoning District
2. Master Plan Review
3. Recreational Equipment
4. Agricultural Equipment Auctions
5. Meet and Greet w/ZBA
6. Upgrade Wireless Communication Equipment
7. Site Plan and Development/Well-Defined Process
8. Non-Conforming Structures/Revise 21.26
9. Multi-Use Zoning District
10. Sign Ordinance/21.38
11. Lots Near Water
12. Private Roads/Emergency Vehicle Access
13. Rental Homes/Short Term/Add conditions to Article 21
14. Fences/21.10/Game Farms
15. Large Tract Forestry Zoning District
16. Purchase/Transfer of Development Rights
17. Outdoor Wood-fired Boilers
18. Overlay District Pigeon River Forest
19. B2, B3 Zoning District/B1(?)

Otsego County Planning Commission Executive Committee

Proposed Minutes for November 22, 2013

On-Going Items:

Enforcement Procedures
Graphics added to Zoning Ordinance
Information to Become Proactive on the New Jail Issue

Motion made by Secretary Stults to recommend to the full Planning Commission the 2014 Objective List as proposed by the Executive Committee; Seconded by Vice Chairperson Jarecki.

Motion approved unanimously.

3. HX Zoning District/Otsego Lake Township January Public Hearing

Motion made by Secretary Stults to accept the additional time requested by Otsego Lake Township concerning the Highway Interchange Zoning District so a Township public hearing can be held on January 9, 2014; Seconded by Chairperson Hartmann.

Motion approved unanimously.

Meeting Adjourned: 11:45 am

2014 OBJECTIVE LIST

OBJECTIVE	INTENT	COMMENTS	COMPLETED
1. Highway Interchange Zoning District	Completion of language for an additional zoning district/Township review and written comments	Sent to Townships/March 19, 2013/Public Hearing June 17, 2013/Schedule of Dimensions sent to Townships June 21, 2013/Public Hearing September 16, 2013/Otsego Lake Township HX Zoning Map/OLT Public Hearing January 9, 2014	
2. Master Plan Review	Review and update the five (5) year plan/Must be completed by May		
3. Recreational Equipment	Review the storage of recreational equipment as pertaining to lake frontage/Review the issuance of camping permits for temporary living in recreational equipment	Staff to work on language	
4. Agricultural Equipment Auctions	Add specific language to Article 21 concerning AG equipment auctions as 'A Use Subject to Special Conditions'.		
5. Meet and Greet With ZBA Members	A joint meeting between the two bodies for general discussion as to what each body should expect from the other/Meeting to be set up early 2014		
6. Upgrade Wireless Communication Equipment	A necessity to bring the Zoning Ordinance into compliance with a revision made to the Zoning Enabling Act/Add exception for Township's allowable extension	Staff to work on language in related Ordinance Sections	

7. Site Plan and Development/Well Defined Process		Meet w/Patricia Osburn/Specific language-bold faced-separate form...stating what is allowed and when	
8. Non-Conforming Structures/Revise Section 21.26		Language developed to insure property owners the ability to reconstruct their residence in the event of a natural disaster without requiring board approval.	
9. Multi-Use Zoning District		Paul Hartmann to contact Elmira Township seeking actions for the County Planning Commission in 2014/Recommended in the 2009 Otsego County Master Plan	
10. Sign Ordinance/Section 21.38		Review of current sign language, temporary placement of banners and other types of signage/Specific definition of sign w/graphics.../Compliance	
11. Lots Near Water		Research other county ordinance to more clearly define set-backs on properties that border water within Otsego County/Protecting our waters while still allowing property owners the use of their property	
12. Private Roads/Emergency Vehicle Access		Develop very basic requirements for private roads within Otsego County to insure access is available to all emergency vehicles	

<p>13. Rental Homes/Short term/Add Conditions to Article 21</p>	<p>Review current Ordinance language and possibly develop new language regarding the short term renting of homes within the County (properties being rented as lake front retreats...)</p>		
<p>14. Fences/Section 21.10/Game Farms</p>	<p>Review of height requirements for wild gaming enclosures/placement of fences</p>		
<p>15. Large Tract Forestry Zoning District</p>	<p>The developing of Ordinance language to protect large parcels from being split up into small parcels, protecting the "up north nature" of Otsego County.</p>		
<p>16. Purchase and Transfer of Development Rights</p>	<p>A recommended action in the 2009 Otsego County Master Plan, designed for the protection of forestlands and open space.</p>		
<p>17. Outdoor Wood-Fired Boilers</p>	<p>Review other community's and EPA sample ordinance to see if language can be developed to work within Otsego County/ Approach Township Planning Commissions for feedback on issue</p>		
<p>18. Overlay District Pigeon River</p>	<p>A recommended action in the 2009 Otsego County Master Plan/Developing special conditions to ensure the protection of the unique characteristics of the Pigeon River Country Area. Zoning areas to increase with the addition of the HX/Old 27 south of West Otsego Lake Dr and West Gaylord are areas of concern/Not a real shortage of zoning districts and a sponser is needed to move issue</p>		
<p>19. B2, B3 Zoning District/B1(?)</p>			

On-Going Items:		
Enforcement Procedures	Land Use will be seeking guidance as necessary throughout 2014.	
Add Graphics to Zoning Ordinance	The addition of graphics to the hyperlinked Ordinance so an individual can visually "see" what the Ordinance intends (ie... yard setbacks)	
Information to Become Proactive on New Jail Issue	Alter communication methods on the Capital Improvement Plan to insure important issues are more proactively accomplished	

Otsego County Planning Commission
2015 – 2020 Capital Improvement Plan Committee

November 7, 2013

Otsego County Planning Commission members:

Chairperson Hartmann is appointing a 2015 – 2020 Capital Improvement Plan Committee to draft the Capital Improvement Plan and review any revisions to the 2014 - 2019 Capital Improvement Plan for the Planning Commission's approval and recommending adoption to the Board of Commissioners, following the procedures for developing the Plan in the 2014 – 2019 Otsego County Capital Improvement Plan.

The committee is made up as follows:

John Burt, County Administrator, Chairperson of the committee

Vern Schlaud, Land Use Services Director, Vice-Chairperson and Secretary of the committee

The Chairperson of the Board of Commissioners or his/her representative

Randy Stults, Planning Commission Secretary

Mike Mang, Planning Commission Member

Paul Hartmann, Otsego County Planning Commission Chairperson

This committee will also be charged with the task of drafting the 2015 – 2020 Capital Improvement Plan for the Planning Commission's approval and recommending its adoption to the Board of Commissioners.

This committee shall be dissolved without further action when the Planning Commission recommends adoption of the 2015 – 2020 Capital Improvement Plan to the Otsego County Board of Commissioners.

Otsego County
2014-2019 Capital Improvement Plan Committee

Proposed Minutes November 18, 2013

Call to Order: 9:00 am

Approval of Minutes: August 27, 2013

Motion to approve minutes; Seconded.

Motion approved unanimously.

Capital Improvement Plan Committee members present:

John Burt, Otsego County Administrator

Paul Hartmann, Planning Commission Chairperson

Randy Stults, Planning Commission Secretary

Vern Schlaud, Otsego County Land Use Services Director/Vice-Chairperson, Secretary

Capital Improvement Plan Committee members absent:

Otsego County Board of Commissioners representative

Mike Mang, Planning Commission member

Others present:

Arnie Morse, Otsego County Sportsplex Board Chairman

Mason Buckingham, Otsego County Sportsplex Board member

Bill Michaels, Otsego County Sportsplex Executive Director

Jim Hilgendorf, Planning Commission member

Discussion Items:

Mr. Burt presented the following three (3) additions to the 2014-2019 Capital Improvement Plan:
*2014-2019 Capital Improvement Plan/Amended to include Otsego County Courthouse Plaza, City of Gaylord
Downtown Streetscape Project and Otsego County Sportsplex Repair/Rehab*

1. Otsego County Courthouse Plaza

Mr. Stults requested changes on page ten (10)...**Otsego County Courthouse Plaza to Otsego County Courthouse Lawn**; ...to create a citizen friendly ~~plaza~~ lawn and ...various plans for the Courthouse ~~Plaza~~...

Mr. Stults questioned the benefit and funding of the project and placement in relation to the Memorial and Courthouse front entrance.

Mr. Burt replied the project would help access the downtown improvements and raise the tax base. He stated a percentage of money had been set aside, screening would be in place to protect the Memorial and there would be signage for the Courthouse entrance. The space would be controlled by the County.

Otsego County
2014-2019 Capital Improvement Plan Committee

Motion by Mr. Hartmann to recommend the 2014-2019 Capital Improvement Plan addition of the Otsego County Courthouse Lawn Project to the Planning Commission as desirable; Seconded by Mr. Stults.

Motion passes by unanimous voice vote.

2. *City of Gaylord Downtown Streetscape Project*

Mr. Stults asked if a request for government funding had been made and what other sources were sought.

Mr. Burt replied there was no request as of yet and outside funding would also be looked into.

Mr. Stults also questioned the extent of repaving and the project return?

Mr. Burt said road work would be necessary and there would be an overall County return. He also stated a truck route would be defined to help with safety and help prevent accidents. The work could be done in phases.

Mr. Hartmann stated this was desirable to important.

Motion made by Mr. Stults to recommend the 2014-2019 Capital Improvement Plan addition of the City of Gaylord Downtown Streetscape Project to the Planning Commission as desirable; Seconded by Mr. Hartmann.

Motion passes by unanimous voice vote.

3. *Otsego County Sportsplex Repair/Rehab*

Mr. Morse stated the following items were in need of repair or replacement:

Dectron Unit /pool repair \$20,000/No capital fund for replacement

Compressor replaced/Ice rink largest source of funding w/walkers coming daily

Entry-way roof repairs \$25,000

Boiler replaced

He stated the Board of Commissioners set a five (5) year plan for a 3/16 millage sought, with an election slated for May 2014.

Mr. Stults inquired about any conflicts with Public Act 261 of 1965.

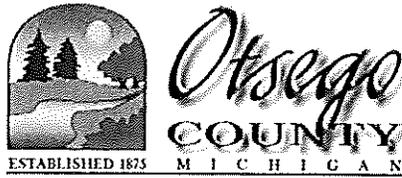
Mr. Burt stated he would research and consult the County attorney.

Motion made by Mr. Stults to recommend the 2014-2019- Capital Improvement Plan addition of the Otsego County Sportsplex Repair/Rehab subject to legal council of Public Act 261 to the Planning Commission as prioritized by the Sportsplex Board; Seconded by Mr. Hartmann.

Motion passes by unanimous voice vote.

Mr. Burt requested a public hearing for the Capital Improvement Plan additions be added to the Planning Commission's December meeting agenda.

Adjournment: 10:01 am



PLANNING COMMISSION 2014 MEETING DATES

Meetings are held in the multipurpose room at the
Otsego County Land Use Services / Building Department facility, *1322 Hayes Road*, Gaylord, Michigan

**ALL MEETINGS BEGIN AT 6:00 PM
THIRD MONDAY OF EACH MONTH**

MONDAY EVENINGS

JANUARY 20, 2014

FEBRUARY NO MEETING SCHEDULED/PRESIDENT'S DAY

MARCH 17, 2014

APRIL 21, 2014

MAY 19, 2014

JUNE 16, 2013

JULY 21, 2014

AUGUST 18, 2014

SEPTEMBER 15, 2014

OCTOBER 20, 2014

NOVEMBER 17, 2014

DECEMBER 15, 2014

**ANY CHANGES TO THE MEETING DATES, TIMES OR LOCATIONS SHALL BE MADE PUBLIC
AT LEAST EIGHTEEN (18) HOURS PROIR TO THE MEETING IN QUESTION.**

Visit the County Website Events Calendar for any updates to meeting postings: <http://www.otsegocountymi.gov/events-calendar-9/>

In compliance with the Americans Disabilities Act, persons with physical limitation that may tend to restrict access to or participation in this meeting should contact the Land Use Services office (989-731-7420) at least twelve (12) hours prior to the scheduled start of the meeting.

Otsego County Planning Commission 2013 Annual Report to the Otsego County Board of Commissioners

This report is submitted as required under the Michigan Planning Enabling Act, Act 33 of 2008, MCL 125.3819 (2).

125.3819 Bylaws; adoption; public record requirements; annual report by planning commission.
Sec. 19. (1) A planning commission shall adopt bylaws for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.
(2) A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.

2013 Planning Commission Cases

- January:** Section 9.2/9.2.4/Livestock Auctions, Section 18.1/18.1.3.1/Accessory Buildings and Section 18.25/Mining -Proposed language changes to the Zoning Ordinance.
- March:** AR/Agricultural Resource, FR/Forest Recreation Zoning Districts/Setback changes
- June:** Michaywe' Boundaries-Rezoning surrounding areas for like zoning, Highway Interchange Zoning District as a separate zoning district, Revisions to Article 3/*Zoning Districts* and Article 18/*Signs and Billboards* pertaining to the Highway Interchange District and proposed grammatical/punctuation errors, formatting errors, added sections, numbering changes...to the Zoning Ordinance.
- August:** 2014-2019 Otsego County Capital Improvement Plan was presented.
- September:** Highway Interchange District/*Article 17(14)/Schedule of Dimensions* setback additions.
- December:** Special Use Permit/SUP/SPR13-001 North Star Gardens request for a landscape/home improvement business in a B1 Zoning District, the definition addition of a 'service road' to Article 2/Section 2.2 and Article 20/Section 20.2.6 and amendments to the 2014-2019 Capital Improvement Plan.

Other Activities

- January:** The 'irrevocable letter of credit' held back from the recommendation for further research, discussion of time limit response concerning Wireless Communications and Article 24/Township Participation.
- March:** Presentation of the *Quality of Life Assessment* by Phil Alexander, proposed language to Section 18.25/*Mining* concerning the 'irrevocable letter of credit' recommended to the Board of Commissioners, proposed changes pertaining to numbering issues, outdated references, grammatical errors...and also the recommendation by Otsego Lake Township for the addition of the Highway Interchange District forwarded to Townships.

**Otsego County Planning Commission
2013 Annual Report**

June: Article 14(17)/Schedule of Dimensions-Highway Interchange addition resent to Townships.

August: Definition of 'service roads' presented as an addition to Section 2/Definitions.

September: Revised jail information for the Capital Improvement Plan presented and recommended to the Board of Commissioners. 'Service roads' definition forwarded to Townships, Master Plan review discussed and elections held for officers/2014.

October: Master Plan Review Committee assembled, Otsego Lake Township Highway Interchange Zoning Map presented and an Objective List update w/worksheets for a 2014 list to be compiled by the Executive Committee.

The Planning Commission sets priorities with an Objective List of Zoning Ordinance sections for review and revision along with items from the Otsego County Master Plan for implementation to guide the Planning Commission and staff in activities. Ordinance revision and development recommendations are made to the Board of Commissioners as developed throughout the year.

Attendance Record of Planning Commission Meetings

ATTENDANCE FOR THE CALENDAR YEAR 2013

Member	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
K. Arndt	X	--	X	--	--	X	--	X	X	A	--	X
K. Borton	X	--	A	--	--	A	--	X	A	X	--	X
W. Brown	A	--	X	--	--	X	--	X	X	X	--	X
P. Hartmann	X	--	A	--	--	X	--	X	X	X	--	X
G. Hendershot	X	--	A	--	--	X	--	A	X	X	--	X
J. Hilgendorf	X	--	X	--	--	X	--	A	X	X	--	X
J. Jarecki	X	--	X	--	--	X	--	X	X	X	--	X
C. Klee	X	--	X	--	--	X	--	X	X	X	--	A
M. Mang	X	--	X	--	--	X	--	X	X	X	--	A
F. Nowak	X	--	X	--	--	X	--	X	X	X	--	X
R. Stults	X	--	X	--	--	X	--	X	X	X	--	X

X = Attended
A = Absent
-- = Meeting canceled

Member Training

Members attended MTA training at the Otsego Club in Gaylord this year pertaining to the importance of Master Plans and 'zoning and fracking'.

**Otsego County Planning Commission
2013 Annual Report**

Planning Commission Members

The Planning Commission Members as of January 1, 2013 are:

Ken Arndt:	Term expires: 12.31.2014
Ken Borton:	Board of Commissioner Representative
Willard Brown:	Term expires: 12.31.2013
Paul Hartmann:	Term expires: 12.31.2015 (<i>Chairperson</i>)
Gary Hendershot:	Term expires: 12.31.2013
Jim Hilgendorf:	Term expires: 08.25.2015 (<i>School District Representative</i>)
Judith Jarecki:	Term expires: 12.31.2015 (<i>Vice Chairperson</i>)
Charles Klee:	Term expires: 12.31.2014
Mike Mang:	Term expires: 12.31.2015
Frances Nowak:	Term expires: 12.31.2014
Randy Stults:	Term expires: 12.31.2013 (<i>Secretary</i>)

Respectfully submitted,

OTSEGO COUNTY PLANNING COMMISSION

Sample Checklist to Guide Decisions on Special Land Uses

An important concern in reviewing special land use requests is whether or not the proposed site is appropriate for the land use in question. A special land use is usually a unique use which may have particular intrinsic or design characteristics that could create potential problems for adjacent property owners. For this reason, a special land use may be appropriate in one place, but not in all locations throughout the particular zoning district. A classic situation is a proposal to build an all-night gasoline service station or car wash near a predominantly residential intersection, even though the subject property is zoned for commercial uses. Rational judgments need to be made and conditions may need to be imposed to protect adjacent lands and the overall character of the area from adverse changes and impacts. The following checklist is suggested for considering the appropriateness of a special land use in a particular area:

1. Relationship to the general health, safety, and welfare of the community-at-large. This includes:
 - accessibility of the property in question to fire and police protection;
 - traffic conditions (especially adding to a hazardous situation);
 - transportation design requirements, if any, which will be needed to accommodate any traffic impact from the use intended; and
 - appropriateness of the location, nature and height of the proposed use to the size, type and kind of buildings, uses and structures in the vicinity and adjacent properties, including the safety and convenience of people.
2. Any potential decrease in the pleasant use and enjoyment of adjacent buildings, uses and structures which are permitted by right under current zoning and as might be reflected through decreases in property values, if the proposed special land use were approved.
3. Harmony with the local master plan. This considers whether the location and size of the proposed use, the nature and intensity of the activities involved, the size of the site with respect to existing and future streets (giving access to it), and parks and drainage systems, will be in harmony with the character of land use intended for the area or district in question as stated in the master plan.
4. Impacts of the applicant's proposed use, its location and intensity and the height of its buildings, walls, fences and other structures upon the appropriate character of development existing or planned for the area.
5. Any hazards arising from storage and/or use of flammable fluids or other hazardous substances.
6. That the operation in connection with any special use is not environmentally objectionable to nearby properties because of noise, fumes, pollution, vibration, or light to an extent which is more than would be expected of any use permitted by right in the district in which the special land use is proposed.