

**OTSEGO COUNTY
PLANNING COMMISSION**
November 18, 2019
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 October 21, 2019 meeting
5. CONSENT AGENDA
6. PUBLIC PARTICIPATION FOR ITEMS NOT ON THE AGENDA:
(Please identify yourself for the record. All comments will be limited to two (2) minutes)
7. OTHER
8. PUBLIC HEARINGS:
 1. *2020-2025 Capital Improvement Plan (CIP)*
 - a. *Open Public Hearing*
 - b. *Case Summary*
 - c. *Public Comment (3 minute limit)*
 - d. *Close Public Hearing*
 - e. *Planning Commission Discussion*
 - f. *Motion*
9. ADVERTISED CASES:
 1. *2020-2025 Capital Improvement Plan (CIP)*
10. UNFINISHED COMMISSION BUSINESS
11. NEW BUSINESS:
 1. Extension of PZSU18-006, PZSU19-007
 2. Objective List 2019 - *Update*
 3. 2020 Meeting Dates
12. REPORTS AND COMMISSION MEMBER'S COMMENTS:
 1. Otsego County Parks & Recreation report / Judy Jarecki
 2. Land Use Services
Chris Churches
Jim Mouch
13. ADJOURNMENT

Otsego County Planning Commission

Proposed Minutes for October 21 2019

Call to Order: 6:00pm by Chairperson Hartmann

Pledge of Allegiance

Roll Call:

Present: Mr. Hartmann, Mrs. Jarecki, Mr. Maxwell, Mr. Hilgendorf, Mr. Marlette, Mr. Scott, Mr. Caverson, Ms. Corfis

Absent: Mr. Borton, Mr. Brown, Mr. Bauman

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

Public Present: David Delaney, attorney, Randy Stults

Approval of minutes from: September 16, 2019

Chairperson Hartmann requested discussion on the minutes.

Motion made by Mr. Maxwell to approve minutes as presented; Seconded by Mr. Hilgendorf.

Motion approved unanimously.

Consent Agenda: None

Other: None

Public participation for items not on the agenda: None

Public Hearing:

1. *Dale Smith, owner, being represented by David Delaney, applicant, request a special use Permit/site Plan Review for property located in Livingston Township:*

080-028-400-015-10

175 Sides Dr

Gaylord, MI 49735

Proposed use of the property is site condominium for eighteen (18) storage buildings.

Property is located in a B3 Zoning District

- a. *Open Public Hearing*
- b. *Applicant Summary*
- c. *Public Comment (3 minute limit)*
- d. *Close Public Hearing*
- e. *Planning Commission Discussion*
- f. *Motion*

Chairperson Hartmann stated the case before the Commission, opened the public hearing and requested comment from the applicant.

Public hearing opened: 6:02pm

David Delaney, attorney for the owner, distributed copies of the site plan along with a site plan for the existing site condominium stating this project would be just like the one across from the proposed property. This storage site condominium would consist of eighteen (18) storage units to be sold individually. He felt everything on the check list had been met. The only issue the township had was a question of access and they were provided a site plan depicting road access; the site plan distributed showed that access as well.

Chairperson Hartmann stated Mr. Maxwell had knowledge of this type of development and asked for comment.

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Mr. Maxwell stated his friend constructed these types of buildings throughout northeast Michigan and they tended to be better constructed, more high-end and better maintained than rental storage units.

Chairperson Hartmann questioned if the buildings would be built first and then sold or the other way around.

Mr. Delaney stated he thought the owner would ideally prefer to sell them as a package but was not sure that had been determined yet.

Chairperson Hartmann requested further input, hearing none, closed the public hearing.

Public hearing closed: 6:10pm

Advertised Case:

1. *Dale Smith, owner, being represented by David Delaney, applicant, request a special use Permit/site Plan Review for property located in Livingston Township:*

080-028-400-015-10

175 Sides Dr

Gaylord, MI 49735

Proposed use of the property is site condominium for eighteen (18) storage buildings.

Property is located in a B3 Zoning District

Chairperson Hartmann requested discussion from members.

Chairperson Hartmann read aloud *Article 19 Permitted Uses Subject to Special Conditions Sections 19.7.1 through 19.7.8* and requested a motion for approval of the Finding of Fact. *SEE ATTACHMENT 1*

Motion made by Mr. Hilgendorf to approve the Finding of Fact as presented in Exhibits 12 and 13; Seconded by Mr. Marlette.

Motion approved unanimously.

Chairperson Hartmann requested further comment; hearing none requested a motion.

Motion made by Mr. Maxwell to approve Special Use Permit PZSU19-005 for the expansion of North Park Storage Condominiums consisting of an eighteen (18) unit Site Condominium; Seconded by Mr. Marlette.

Motion approved unanimously.

Chairperson Hartmann thanked Mr. Delaney for coming.

Unfinished Commission Business: None

New Business:

1. Residential Site Condominium - *Special Use Waiver*

Chairperson Hartmann requested comment from Mr. Churches.

Mr. Churches stated the proposed project was a nine (9) unit residential site condominium located on the west side of Lake Marjory in Otsego Lake Township; the property was zoned RR and the owner was requesting a waiver of special use requirements. Per *Section 21.6.2 Regulations*, the Planning Commission has the authority to waive those requirements for site condominium projects less than ten (10) units providing the project did not cause public harm or harm to adjacent properties. A site condominium was basically a method of dividing property further when a project exceeded the allowable divisions under the Land Division Act. Site plan requirements are not really applicable in a site condominium because the units would not be developed all at the same time; they would be sold individually and left to that owner to develop as they desired in compliance with the Zoning Ordinance and Master Deed. Because of the timing of the application submission, the request was placed on the County agenda for review based on Section 21.6.2. With a waiver approval tonight, the County could condition the waiver upon Otsego Lake's review and approval.

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Mr. Churches requested comment on timeframe from Mr. Caverson as Wade Trim represented the owner of the project.

Mr. Caverson stated he was working on the project but was unsure of the owner's timeframe.

Ms. Corfis stated Otsego Lake Township's Planning Commission felt there should be full transparency with the project and it should have been sent to the Township for review before it went to the County. They were familiar with the area and had not had a large development for quite some time; they would like to add their input on the development before it was voted on at the County.

Mr. Churches clarified the vote was not to approve the site condominium but for approval to waive the special use requirements.

Chairperson Hartmann stated without the waiver approval, the special use permit process would delay the project at least two months.

Mr. Churches concurred.

Mr. Hilgendorf questioned who was responsible for the delay and what the owner's timeframe was.

Mr. Churches stated the timing was a matter of how the scheduled meeting dates aligned; the owner was happy about possibly saving money and time.

Ms. Corfis stated there was a process that should be followed.

Mr. Churches reiterated the owner was proposing the nine (9) unit site condominium because there were not enough divisions available to just divide the parcel for residential development. Had there been enough divisions, the case would never have been brought before the Commission. This was a request to waive the special use requirements which would cut costs for the owner as well as reduce the timeframe to begin the project. The waiver would still go before the Otsego Lake Planning Commission.

Mr. Hilgendorf stated this was ultimately still up to Otsego Lake Township for approval.

Mr. Churches stated if the waiver was not approved by Otsego Lake Township, then the special use process would be followed.

Chairperson Hartmann stated the owner would have to submit a special use permit application to proceed.

Mr. Churches stated if the waiver was denied, a special use permit application with all requirements would need to be submitted and would then be sent to Otsego Lake for their recommendation before it came back to the County for a public hearing.

Chairperson Hartmann asked for further comments from Mr. Caverson on the project.

Mr. Caverson concurred with Mr. Churches that this was basically a standard land division; the parcels were larger than what is required in the RR Zoning District, there would not be any large parking areas, or special lighting requirements for the development; this was mainly a way to get around the State's subdivision requirements as that was a very costly and time consuming process.

Ms. Corfis questioned how the private roads would be defined and how access to Boardwalk would be achieved.

Mr. Caverson stated they could not find easement descriptions for access to Grosbeak Trl or Boardwalk Rd but they were working on legal access and descriptions as well. In lieu of the special use requirements, site plan requirements with access descriptions would all be defined in the Master Deed. That would still be required for recording.

Ms. Corfis questioned the wetlands.

Mr. Caverson stated there were less than five (5) acres of wetlands and was unregulated.

Mr. Stults questioned the process afterwards should the waiver be granted.

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Mr. Churches stated the project would be approved in office but the requirements of *Section 21.6 Regulations* would still need to be followed. A Master Deed including By-Laws and final site plan would have to be submitted and recorded with the County.

Mr. Stults questioned Article 27 and Township approval.

Mr. Churches stated approval would still have to come from Otsego Lake Township; if they felt there was not enough information to approve the waiver, the special use process would be put in place. If they approved the waiver, the Township would still be given the opportunity to review the development for compliance with Section 21.6. Either way, Article 27 would be met.

Mr. Marlette requested clarification on what would occur with approval; would it be brought before the County again.

Mr. Churches stated with the waiver approval by County and Township, the use would be considered permitted; it would not be brought before the County again. Similar to a land division, it would be reviewed in office and sent to township for approval. The Township has the final approval.

Mr. Marlette questioned the private roads and how those would be handled.

Chairperson Hartmann stated that would all be taken care of in the Master Deed.

Mr. Churches concurred.

Ms. Corfis stated Otsego Lake would review the request and make a decision on the merit of the information. If approved, it would move forward; if disapproved, the special use process would be followed. She questioned the rush considering the winter months ahead.

Mr. Churches stated it wasn't just a timing issue; there were additional costs involved aside from the special use fee. He restated this was little more than a basic land division being approved.

Chairperson Hartmann requested a motion for findings concerning the waiver of special use requirements.

Motion made by Mr. Hilgendorf finding that waiving the special use requirements for this development of less than ten (10) lots would not cause any significant public harm or harm to adjacent properties; Seconded by Mr. Maxwell.

Motion passes 5-2; 1 abstention.

Chairperson Hartmann requested further comment.

Vice Chairperson Jarecki requested verification of whether County approval would be overridden should Otsego Lake Township vote to disapprove.

Mr. Churches stated if the Planning Commission voted yes to approve the waiver tonight, approval would still have to come from the Otsego Lake Planning Commission for the waiver to become final.

Chairperson Hartmann requested a motion and a roll call vote.

Motion made by Mr. Hilgendorf to waive the Special Use Permit requirements for the proposed nine (9) unit residential site condominium as detailed in the Survey Plan for parcel number 090-032-100-015-00 contingent on Otsego Lake Township's approval; Seconded by Mr. Maxwell.

Roll Call:

Hartmann:	yes
Jarecki:	yes
Maxwell:	yes
Hilgendorf:	yes
Marlette:	yes
Scott:	yes
Caverson:	abstain
Corfis:	no

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Yes: 6
No: 1
Abstain: 1

Motion passes.

2. Elections

Secretary:

Mr. Hartmann nominated Mr. Maxwell for position of secretary.

Mr. Maxwell accepted the nomination.

Mr. Maxwell elected secretary unanimously.

Vice Chairperson:

Mr. Hartmann nominated Mrs. Jarecki for the position of vice-chairperson.

Mrs. Jarecki accepted the nomination.

Mrs. Jarecki elected vice chairperson unanimously.

Chairperson:

Mr. Hilgendorf nominated Mr. Hartmann for the position of chairperson.

Mr. Hartmann accepted the nomination.

Mr. Hartmann elected chairperson unanimously.

3. Expiring Terms

- a. Brown
- b. Caverson
- c. Corfis

Chairperson Hartmann questioned if members were interested in continuing as representatives to the Planning Commission; Ms. Corfis and Mr. Caverson concurred. Mr. Brown will be contacted for his consent.

Chairperson Hartmann made the following motion for recommendation to the Board of Commissioners:

Motion made by Mr. Hartmann to the Otsego County Board of Commissioners for the recommendation of reappointment of Willard Brown, Jason Caverson and Nora Corfis as township representatives to the Otsego County Planning Commission; Seconded by Mr. Hilgendorf.

Motion approved unanimously.

Reports and Commission Member's Comments:

1. Otsego County Parks & Recreation report/Judy Jarecki

Mrs. Jarecki stated Don Sklarczyk attended the Parks & Rec meeting and discussed the farm land he leased from the Groen Nature Preserve stressing the need for renewal of that lease – a draft lease will be drawn up for review at November's meeting – the annual Groen meeting went well; the signage for Irontone Springs was under way; two bids had been received for the Fourth of July fireworks display – monies were provided by Otsego Lake Association as well as donations; the crawl space at the County Park ranger station will be waterproofed and a sump pump installed to prevent water seepage due to the high water table – the electrical upgrade at the Park was also under way; the Community Center will have a wood floor installed for longevity and maintenance compared to other options received – bids will be sought as well as grant monies– a part time worker for the Community Center had been hired.

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2. Land Use Services report

Mr. Churches stated the Capital Improvement Plan (CIP) Committee had met and reviewed the Plan for 2020-2025. The jail was a point of concern and was discussed at length; seventeen hundred (1700) warrants were outstanding due to lack of jail space and the company doing the public safety feasibility analysis stated it was in the top ten worst jails examined of the many studied throughout the mid-west region.

Chairperson Hartmann stated this definitely was a public safety issue; a millage would be sought, possibly in May of next year. A public hearing would be set up for review and recommendation of the 2020-2025 CIP at November's meeting.

Mr. Hilgendorf stated a form letter had also been received from a group suggesting other options in lieu of a new jail but failed to research that those options were already implemented in Otsego County.

With nothing further, Chairperson Hartmann adjourned the meeting.

Adjournment: 7:10pm by Chairperson Hartmann

Pete Maxwell; Secretary

Christine Boyak-Wohlfeil; Recording Secretary

ATTACHMENT 1:

**OTSEGO COUNTY
PLANNING COMMISSION**

**PZSU19-005
Special Use Permit/Site Plan Review
080-028-400-015-10**

Exhibit List

- Exhibit #1:* Applications for case PZSU19-005 submitted by Applicant/Representative
- Exhibit #2:* Otsego County Zoning Map Effective Date March 20, 2010/Amended July 30, 2019
- Exhibit #3:* Otsego County Zoning Ordinance Effective March 20, 2010/Amended August 27, 2019
- Exhibit #4:* Copy of Otsego County Equalization Department record card/Quit Claim 1458/857
- Exhibit #5:* Site Condominium Plan/PZSU19-005 submitted by Applicant/Representative
- Exhibit #6:* Letter of representation dated August 26, 2019
- Exhibit #7:* Public Hearing Notice
- Exhibit #8:* Letter to Livingston Township Planning Commission dated September 20, 2019
- Exhibit #9:* Response dated October 10, 2019 from Livingston Township Planning Commission
- Exhibit #10:* Map and list of parties notified
- Exhibit #11:* Receipt #01309181
- Exhibit #12:* General Finding of Fact/PZSU19-005
- Exhibit #13:* Specific Finding of Fact/PZSU19-005
- Exhibit #14:* Survey
- Exhibit #15:* North Park Units Condominium Master Deed
- Exhibit #16:* North Park Condominium By-Laws
- Exhibit #17:* Street Address application from the Otsego County Equalization Department
- Exhibit #18:* Approved Agency Letters received from the Northwest Michigan Health Department dated September 9, 2019
- Exhibit #19:* Approved Agency Letters received from the Otsego County Soil Conservation District dated September 9, 2019
- Exhibit #20:* Approved Agency Letters received from the Otsego County EMS Department dated September 9, 2019
- Exhibit #21:* Approved Agency Letters received from the Otsego County Fire Department dated September 13, 2019
- Exhibit #22:* Site Plan Review Check List

**OTSEGO COUNTY
PLANNING COMMISSION**

**PZSU19-005
Special Use Permit/Site Plan Review
080-028-400-015-10**

GENERAL FINDINGS OF FACT

1. This is a proposal for a site condominium to construct eighteen (18) individual storage buildings. *Exhibit #1, Exhibit #5*
2. The property is located in a B3/Business, Light Manufacturing Zoning District. *Exhibit #2*
3. The proposed use is a permitted use in a B3/Business, Light Manufacturing Zoning District with the approval of a special use permit for the site condominium classification. *Exhibit #3*
4. The proposed property is 3.01 acres. *Exhibit #4, Exhibit #14*
5. The property is currently under the ownership of North Park Units LLC – Dale Smith owner/member. *Exhibit #4*
6. North Park Storage Condominium, a site condominium with sixteen (16) individual storage buildings exists south of the proposed property on Sides Dr, also in a B3/Business, Light Manufacturing Zoning District. *Exhibit #2*
7. The name of the proposed site condominium will be North Park Units Condominium. *Exhibit #15, Exhibit #16*
8. The Master Deed and By-Laws for North Park Units Condominium have been submitted. *Exhibit #15, Exhibit #16*
9. The Public Hearing Notice was published in the Herald Times on October 4, 2019. *Exhibit #7*
10. The requirements of Article 27 of the Otsego County Zoning Ordinance have been met. *Exhibit #8, Exhibit #9*
11. All property owners within three hundred (300') feet were properly notified of the public hearing. *Exhibit #10*
12. 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*
13. The required fees have been collected by Otsego County Land Use Services. *Exhibit #11*
14. 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/Representative. *Exhibit #22*
15. Addresses for the eighteen (18) storage buildings have been assigned through the Otsego County Equalization Department. *Exhibit #17*
16. Approval letters for the proposed project have been received from Northwest Michigan Health Department, Otsego County Soil Conservation District, Otsego County EMS and Otsego County Fire Department. *Exhibit #18, Exhibit #19, Exhibit #20, Exhibit #21*

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OTSEGO COUNTY PLANNING COMMISSION

PZSU19-005

Special Use Permit/Site Plan Review
080-028-400-015-08

SPECIFIC FINDINGS OF FACT

FINDINGS UNDER ARTICLE 21 /SECTION 21.6

SECTION 21.6 DEVELOPMENT REGULATIONS

21.6.1 Definition

For purposes of this section and as used in the Otsego County Zoning Ordinance a Development shall be defined as Platted Subdivisions, **Condominium Developments** or any division of land that creates more lots or parcels on a parent parcel than is permitted under the Land Division Act.

21.6.2 Regulations

A development shall be reviewed pursuant to the Special Land Use regulations of [Article 19](#) and shall conform to the following provisions in addition to all other applicable district provisions, except that the Planning Commission may waive the requirements of this Section for developments with fewer than ten (10) lots, parcels or units provided the Planning Commission makes a finding that doing so will not cause any significant public harm or harm to adjacent properties.

21.6.3 A development, shall comply with the applicable site development standards contained in [Article 17 SCHEDULE OF DIMENSIONS](#), unless developed as a Planned Unit Development (PUD) subject to all regulations of [Article 24](#).

21.6.4 Developments shall comply with all federal, state and county regulations regarding the provision of a potable water supply and waste disposal facilities.

21.6.5 Developments shall provide for dedication of easements to the appropriate public agencies for the purposes of construction, operation, maintenance, inspection, repair, alteration, replacement and/or removal of pipelines, conduits, mains and other installations of a similar character for the purpose of providing public utility services, including Conveyance of sewage, potable water and Storm water runoff across, through and under the property subject to said easement and excavation and refilling of ditches and trenches necessary for the location of such installations.

21.6.6 In addition to the materials required by [Article 19](#) and [Article 23](#) or [Article 24](#) for PUDs if applicable, an application for a development shall include a development plan containing the following information:

21.8.6.1 Proposed use and occupancy restrictions as will be contained in the Deed Restrictions or the Master Deed.

21.8.6.2 All proposed deed restrictions which are conditions of the special use permit.

21.6.7 All provisions of the approved development plan shall be incorporated in the Deed Restrictions or in the Master Deed for the development, unless exceptions are permitted by the Planning Commission. Any proposed changes to the approved development plan shall be subject to review and approval by the County Planning Commission as a major amendment to a permit, subject to the procedures of [Article 19](#) and [Article 23](#) or [Article 24](#) for PUDs if applicable.

21.6.8 All lots, parcels or units within a development project shall be marked with monuments as provided by State and County regulations.

21.6.8.1 The County Board of Commissioners may waive the placing of any of the required monuments and markers for a reasonable time, not to exceed one (1) year, on condition that the proprietor deposits with the County Clerk cash or a certified check, or irrevocable bank letter of credit naming to the municipality, whichever the proprietor selects, in an amount not less than one hundred dollars (\$100.00) per monument and not less than five hundred dollars (\$500.00) in total, except that lot corner markers shall be at the rate of not less than fifty dollars (\$50.00) per marker. The performance guarantee shall be returned to the proprietor pursuant to the provisions of [Section 25.6](#) upon receipt of a certificate by a licensed professional surveyor that the monuments and markers have been placed as required within the time specified.

*****SEE Site Plan - Master Deed/By-Laws – Approved Agency Letters Received**

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FINDINGS UNDER ARTICLE 2

ARTICLE 2 CONSTRUCTION OF LANGUAGE AND DEFINITIONS

SECTION 2.2 DEFINITIONS

CONDOMINIUM PROJECT: Means a plan or project consisting of not less than two (2) condominium units if established and approved in conformance with the Condominium Act (Act 59, 1978).

CONDOMINIUM SUBDIVISION: A division of land on the basis of condominium ownership, which is not subject to the provisions of the Subdivision Control Act of 1967, Public Act 288 of 1967, as amended. Any "condominium unit", or portion thereof, consisting of vacant land shall be equivalent to the term "lot" for the purposes of determining compliance of a condominium subdivision with the provisions of this ordinance pertaining to minimum lot size, minimum lot width, and maximum lot coverage.

CONDOMINIUM SUBDIVISION PLAN: The drawings attached to the master deed for a condominium subdivision which describes the size, location, area, horizontal and vertical boundaries and volume of each condominium unit contained in the condominium subdivision, as well as the nature, location and size of common elements.

CONDOMINIUM UNIT: Means that portion of a condominium project or condominium subdivision which is designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use. A condominium unit may consist of either vacant land or space which either encloses or is enclosed by a building structure.

FINDINGS UNDER ARTICLE 12/SECTION 12.1

ARTICLE 12 B3 BUSINESS, LIGHT MANUFACTURING DISTRICT

INTENT

The B3 District is designed to provide sites for light manufacturing and wholesale storage and as a distribution area to retail stores or industrial users. These sites do not necessarily have to abut or be adjacent to a primary or secondary County road but must have access to these roads without passing through a residential district, provided that the entrance and exit is approved in written form by the County Road Commission.

SECTION 12.1 PRINCIPAL USES PERMITTED

- 12.1.1 Wholesale sales, storage and distribution facilities including accessory retail sales, but excluding storage of flammable or hazardous materials
- 12.1.2 Truck and rail freight terminals, including warehousing
- 12.1.3 Vehicle service and storage centers for trucks, watercraft, truck trailers and miscellaneous motorized vehicles
- 12.1.4 Outside storage yards, provided proper fencing is provided per [Article 21.10](#)
- 12.1.5 Lumber yards, building and construction material suppliers
- 12.1.6 Bottling works, food packaging and freezer plants
- 12.1.7 Welding, jobbing, plastic, wood, machine and fabrication shops
- 12.1.8 Community service facilities (public library, offices operated through public funds, etc)
- 12.1.9 Equipment reconditioning indoors on an impervious surface
- 12.1.10 Essential services buildings
- 12.1.11 Flea markets
- 12.1.12 Sawmills and forest product processing
- 12.1.13 Fuel storage and wholesale uses with underground storage tanks
- 12.1.14 Monument and art stone product operations
- 12.1.15 Nursery sales and greenhouses
- 12.1.16 Public works garages
- 12.1.17 Indoor archery range
- 12.1.18 Indoor rifle or pistol ranges
- 12.1.19 Construction and utility service contractors storing heavy equipment

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12.1.20 Storage buildings consisting of building(s) with the purpose of commercial and/or private storage (A storage building shall not be used in any form as a residence.)

12.1.21 Agricultural chemicals and supplies in an enclosed building...

***** Permitted use in B3 Zoning District**

FINDINGS UNDER ARTICLE 20

ARTICLE 20 ACCESS MANAGEMENT REQUIREMENTS

SECTION 20.1 PURPOSE

The purpose of this section is to provide reasonable access to the property owner to all roads within Otsego County while protecting the public health, welfare, safety and aesthetics of the County. All Land in a parcel having a single tax code number or contiguous parcels owned by a person as of the effective date of this Ordinance shall meet the requirements of this Ordinance. The intent of this ordinance is to provide standards, which will preserve the traffic capacity and enhance the safety of the highway by regulating safe and reasonable access, though not always direct access, between public roadways and adjacent land. Access controls provide for orderly growth and development. This in turn will protect the long term viability of existing and new businesses in addition to protecting property values of commercial and residential development along the corridor. It is recognized that existing development may not be able to meet all of the standards contained in this ordinance; Upon expansion or redevelopment, the standards' contained herein shall be applied to the maximum extent possible in conformance with the Otsego County Access Management Map.

The standards of this section are further intended to:

- Minimize traffic conflicts, in order to reduce the frequency of fatal injury and property damage crashes;
- Separate traffic conflict areas by reducing the number of direct access points,
- Provide efficient spacing and size standards between access points and between access points and intersections;
- Establish uniform access standards to ensure fair and equal application;
- Protect the substantial public investment in the roadway system by preserving capacity and avoiding the need for unnecessary and costly reconstruction which disrupts business;
- Require coordinated access among several landowners;
- Ensure reasonable access to properties, though the access may not always be direct access;
- Coordinate local management decisions on development proposals with access permit decisions by the Michigan Department of Transportation (MDOT) and the Otsego County Road Commission, (OCRC).

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 Roads -- Local roads that parallel an expressway or through street and that provide access to property near the expressway or through street.

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SECTION 20.3 LOCATION AND SPACING

- 20.3.1 All State and County public roads shall be subject to and regulated by the standards of this ordinance.
- 20.3.2 In order to minimize left turn conflicts, new access points shall be aligned with those across the roadway where possible. If alignment is not possible, access points shall be offset a minimum of two hundred fifty-five (255) feet from those on the opposite side of the roadway, measured centerline of access point to centerline of access point. Longer offsets may be required by the Michigan Department of Transportation (MDOT) in accordance with the MDOT Access Management Guidebook.
- 20.3.3 Where spacing requirements cannot be met for parcels, lots, or building sites having frontage or access on more than one roadway, access shall be provided from the lesser traveled roadway.
- 20.3.4 In the case of expansion, alteration, change of use or redesign of an existing development where existing access points do not comply with the guidelines set forth herein, the closing, relocation, or redesign of the access point may be required.
- 20.3.5 Driveway profile shall be designed and constructed according to Michigan Department of Transportation (MDOT) and Otsego County Road Commission (OCRC) standards.
- 20.3.6 Land access is permitted based on driveway spacing, stopping distance, and land use type.
- Driveway Spacing and corner clearance requirements shall be PER MDOT MANUAL

SECTION 20.4 SIGHT DISTANCE

Minimum intersection sight distance shall be ten (10) times the vehicular speed of the road PER MDOT MANUAL

SECTION 20.5 ACCESS

All developments shall have reasonable access to a county or public roadway. Access onto any roadway shall be permitted only upon issuance of an access permit by the MDOT or OCRC in compliance with the site review planning process.

20.5.1 Interconnections of Parking Areas

- 20.5.1.1 Parking areas shall be designed to facilitate interconnection of parking lots
- 20.5.1.2 Shared parking is encouraged. Shared parking shall be permitted a reduction in required parking spaces if peak parking demand periods at interconnected developments do not occur at the same time.
- 20.5.1.3 Shared driveways, cross access driveways, interconnected parking, and private roads constructed to provide access to properties internal to a subdivision shall be recorded as an easement and shall constitute a covenant running with the land; Operating and maintenance agreements for these facilities shall be recorded with the deed.

SECTION 20.6 ROAD STANDARDS

- 20.6.1 All roads proposed to be of public ownership shall conform to the county road standards
- 20.6.2 All proposed curve radii shall be designed to county road standards for truck turning requirements

***** Access Requirements Met - See Master Plan**

FINDINGS UNDER ARTICLE 21 /SECTION 21.10

SECTION 21.10 FENCES

Amended 7.10.2018

21.10.1 Permit Required

A Fence Permit shall not be required when all applicable sections and regulations of this ordinance have been met.

21.10.2 Fence Regulations:

- 21.10.2.1 A fence in the Front Yard shall not exceed a height of three and one-half feet (3.5') and be of a see through design and material that does not obscure the vision of drivers of vehicles at any driveway entrance or exit, street intersection or other pedestrian property access point.
- 21.10.2.2 A fence along any side lot line may extend to the front property line except that it shall not exceed a height of three and one-half feet (3.5') from the front property line back twenty-five feet (25') and shall be of a see through design and material that does not obscure the vision of drivers of vehicles at any driveway entrance or exit, street intersection or other pedestrian or vehicle property access point.

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21.10.2.3 A fence in the Side and Rear Yards cannot exceed a height of seven feet (7') except as noted in [Section 21.10.2.1](#).

21.10.2.4 A fence may be located at or along an adjoining property line. Adequate space shall be allotted to permit access for maintenance without trespass.

21.10.2.5 A fence in any platted subdivision, residential development or residential zoning district shall not contain barbed wire or be electrified.

21.10.2.6 A fence must be structurally sound and kept in good repair. There should be no evidence of deterioration, damaged or collapsing pieces.

21.10.2.7 Comply with [Section 21.10.3](#).

21.10.3 Fences-Maximum Heights:

Fences designed to enclose property in any district shall be subject to the following table of regulations:

Yards	Height
Front of site, parallel with the principal roadway	3.5 ft.
Rear	7.0 ft.
Side	7.0 ft.
Side with front yard setbacks of 25-50 ft.	3.5 ft.
Game Preserves	Special Use Permit Required
Junk Yard	8.0 ft.
Recycling Facility	8.0 ft.

*****Fencing: Not Applicable**

FINDINGS UNDER SECTION 21.18

SECTION 21.18 LANDSCAPING

21.18.1 PURPOSE

The purpose of this section is: to protect and enhance property values, economic welfare and community attractiveness; to provide beneficial climatic impacts by cleaning the air and providing shade; to protect health, safety and welfare by reducing air and water borne pollutants, flooding and noise; to mitigate adverse effects of sighting different uses near one another through buffering; to facilitate preservation of existing valuable trees and other vegetative cover; to provide wildlife habitat and environmental standards within developed areas; to protect privacy.

21.18.2 General Performance Standards:

This, [Section 21.18 Landscaping](#), requirements shall not apply to single family residences located on individual lots. The Section shall apply to residential plats and site condominiums.

All areas not covered by buildings, parking or other structures shall be treated with landscape materials including street trees, shrubs and groundcovers consistent with these provisions. The selected combination of plant materials shall be a harmonious combination of deciduous and evergreen trees, shrubs, vines and/or ground covers so arranged to present an aesthetically pleasing whole.

21.18.2.1 Landscape Materials:

All landscape materials planted pursuant to the provisions of this section shall be healthy and compatible with the local climate, site soil characteristics, drainage and available water supply.

Trees and shrubs should be at least, at the time of planting, the sizes as outlined in this section and shall be consistent with the current American Standard for Nursery Stock as set forth from time to time by the American Association of Nurserymen.

Deciduous trees shall be not less than one and one-half (1 ½) inches in diameter for single family residential uses and two and one-half (2 ½) inches in diameter for other uses.

Coniferous trees should be at least six (6) feet in height. Shrubs shall be of a size generally known in the nursery industry as requiring at least a five (5) gallon container.

All planting beds constructed pursuant to [Sections 21.18.2](#), [21.18.5](#) and [21.18.6](#) shall be mulched with mulch cover at least three (3) inches deep to retain moisture around roots.

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Trees shall be planted on the project sites so as to allow for their desired mature growth.

Access to or view of fire hydrants shall not be obstructed from any side.

Plantings shall be designed so as to not conflict with power lines or impede fire safety services.

21.18.2.2 Irrigation & Maintenance Performance Standards:

All uses with the exception of single family residential, which are landscaped with live plants, pursuant to this Section shall be equipped with a watering system which will provide sufficient water to maintain plants in a healthy condition.

21.18.2.2.1 Whenever the landscaped area required by [Sections 21.18.3](#), [21.18.5](#) and [21.18.6](#) is two thousand (2,000) square feet or more of living plants whether or not the plants are contiguous, the site shall have a permanent irrigation system capable of meeting the typical watering requirements of all the plant materials on site.

21.18.2.2.2 Whenever there is less than two thousand (2,000) square feet of landscaped area required by [Sections 21.18.3](#), [21.18.5](#) and [21.18.6](#) on a site, there should be at least one reliable water source available during the growing season. The hose bib or other water source shall be within fifty (50) feet from a border of the plants.

21.18.2.2.3 All irrigation systems shall be maintained in good working condition.

21.18.2.2.4 Irrigation requirements may be adjusted in part or in whole by the Zoning Administrator for landscape areas having established healthy plant material, or where irrigation is deemed unnecessary for plant health and survival.

All plants required by this Section shall be maintained in a live and healthy state. Dead or unsalvageable unhealthy plants shall be replaced with the size and type of plants required on the site development plan and by this Section. Plant materials including grasses and herbaceous plants uses on berms, along road sides, etc. shall be routinely maintained during growing seasons. When growing in close proximity to residential land uses, grasses and common weeds shall be maintained at a height of ten (10) inches or less.

All fences, walls and similar structures shall be maintained in good condition. Chipped paint, missing fence pieces, leaning or fallen portions of a fence or other forms of deterioration shall immediately be replaced or repaired.

Replacement of plants may be delayed whenever the Zoning Administrator determines that extenuating circumstances beyond the owner's control prevent the immediate replacement of the dead or unhealthy plants within a time established by the Zoning Administrator. In any event, the dead or salvagable plants shall be replaced within nine (9) months of the time the plants are clearly dead.

21.18.2.3 Existing Vegetation:

If there is no practical alternative in terms of sighting buildings and other development, trees and other plants may be removed.

Significant shrubs, grasses and trees are to be preserved within areas not required for development.

Healthy, younger mature plants shall be preserved which would normally succeed older plants.

Natural vegetation shall be preserved within areas below an ordinary high water mark of a lake, stream or other water body.

Existing vegetation to be preserved shall be protected during construction with barriers as required and approved by the Zoning Administrator.

The application of landscape standards within this Ordinance may be adjusted in part or in whole by the Zoning Administrator to allow credit for established healthy plant material to be retained on or adjacent to the site if such an adjustment is consistent with the intent of this Ordinance.

21.18.2.4 Berms constructed pursuant to [Section 21.18.3](#) shall be constructed with slopes not to exceed one to three (1:3) gradient with side slopes designed and planted to prevent erosion, and with a rounded surface a minimum of two (2) feet in width at the highest point of the berm, extending the length of the berm. Berm slopes shall be protected with sod, seed, shrubs or other form of natural ground cover.

21.18.3 Buffer Yards:

Buffer yards shall be constructed to mitigate problems associated with traffic, noise, vibration, odor, glare, dust, smoke, pollution, water vapor, conflicting land uses and density, height, mass, layout of adjacent uses, loss of privacy, unsightly views and other potentially negative effects of development. Buffering may be achieved using landscape, building fences and berm or a combination of the above techniques.

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Buffer yards shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Buffer yards shall not be located on any portion of an existing or dedicated public or Private Street or right-of-way.

[Tables I](#) and [II](#) shall be used to determine buffer yard dimensions and plant materials specifications. [Table I](#) is used to determine the type of Buffer yard (A, B, C, D, E, EX, or NA) which will be required between districts or users. Once the type of Buffer yard is obtained, [Table II](#) outlines the plant material specifications for alternative widths and specifications and treatments (walls, berms, etc.) of buffer yard. Each property line should be analyzed independently to determine the appropriate buffer yard required.

The buffer yard tables are to be considered minimum standards. Increased landscaping requirements may be imposed by the Zoning Administrator or the Planning Commission if it is determined any of the following conditions exist.

The type of required buffer yard will not sufficiently mitigate noise, glare, fumes, smoke, dust or unsightly views within the site.

The scale of the project in regard to mass and height indicates the need for a buffer yard developed specifically for the project.

The proposed use is next to an existing sensitive use such as a school, church or residential area.

21.18.4 Roadside Greenbelt Buffers:

Unless as otherwise required by [Section 21.18.3](#), required front yards shall be landscaped with a minimum of one (1) tree, not less than one and one-half (1½) inches in diameter for single family residential uses and two and one half (2½) inches in diameter of other use, for each one thousand (1000) square feet, or major portion thereof, of front yard abutting a road right-of-way. The remainder of the greenbelt shall be landscaped provided however, rock or other inorganic ground cover shall not exceed twenty (20) percent of the yard area.

Access ways from public rights-of-way through required landscaped strips shall be permitted but such access ways shall not be subtracted from the square foot dimension used to determine the minimum number of trees required.

21.18.5 Screening of Unsightly Areas:

Unsightly areas, including but not limited to outside storage areas, utility boxes and open areas where machinery or vehicles are stored or repaired, shall be screened from public sidewalks, streets and other areas from which the property is visible. Such screening shall not be located as to interfere with required maintenance activities of utility boxes.

Whenever plants are used as a screen, they should provide an effective opaque screen within three (3) years of the time they are planted.

The materials and colors of the screen should blend with the site and the surroundings.

21.18.6 Parking Lot Screening:

Unless otherwise required by [Section 21.18.3](#) or [21.18.4](#), a no-building buffer strip not less than ten (10) feet wide shall be required on the perimeter of all parking lots containing twenty-seven hundred (2,700) square feet or more of parking area where not adjacent to buildings. Said buffer strip shall be used for landscaping, screening or drainage as required herein.

Landscaping design standards:

21.18.6.1 Any required planting strip shall be a minimum of ten (10) feet in width.

21.18.6.2 One (1) street tree shall be planted adjacent to the public right-of-way for each twenty-four (24) lineal feet of frontage. (This requirement shall not duplicate the requirements of [Sections 21.18.4](#) or [21.18.3](#).)

21.18.6.3 Where screens of non-living material are used, at least one (1) shrub or vine shall be planted on the right-of-way or property line side for each ten (10) lineal feet of screen or fraction thereof.

21.18.6.4 Parking lots with more than two (2) parking aisles shall require landscaped areas of at least ten (10) square feet of interior landscaping for each parking space, interior being defined as the area within the perimeter of the paved surface.

21.18.6.4.1 Landscaped areas shall be a minimum of seventy-five (75) square feet with a minimum dimension of ten (10) feet. Interior landscape areas shall be designed so as to cause minimum interference with snow removal. Each interior landscape area shall include one (1) or more canopy trees based on the provision of one (1) tree per each one hundred (100) square feet of interior landscape area.

*****No Buffer Yard Required - See Table**

21.18 TABLE 1: Planting Buffer Yard

Boundary Zoning District



Boundary Zoning District	R-1	R-2	R-3	RR	FR	AR	B-1	B-2	B-3	MUZ MAIN STREET	MUZ TOWN CENTER	HX HIGHWAY INTERCHANGE	I INDUSTRIAL
Proposed Development Zoning District													
R-1	N												
R-2	B	N											
R-3	C	B	N										
RR	C	C	B	N									
FR	C	C	B	B	N								
AR	C	C	C	C	C	N							
B-1	B	B	B	B	B	B	N						
B-2	C	C	B	C	C	C	B	N					
B-3	C	C	C	C	C	C	B	B	N				
MUZ - MAIN STREET	A	A	A	B	C	C	A	A	B	N			
MUZ - TOWN CENTER	A	A	A	B	C	C	A	A	C	A	N		
HIGHWAY INTERCHANGE	C	C	C	C	C	C	B	B	B	B	C	N	
I - INDUSTRIAL	E	E	E	E	D	D	D	C	C	E	E	C	N

Key: N= No buffer yard required /See TABLE II

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TABLE II STANDARD PLANT MATERIAL REQUIREMENTS							
Plant Material Requirements			Vegetation Types				
Type	Plant Material Reductions with: 6' Wall 3' Berm		Buffer Width	Canopy Trees	Flowering Trees or Large Shrubs	Shrubs	Evergreens & Conifers
A	.50	.75	10'	1	1	4	
			15' or more	1	1	3	
B	.50	.75	10'	3	3	6	2
			15' or more	2	2	5	1
C	.65	.80	10'	4	3	19	4
			15'	3	2	15	3
			20'	2	2	15	1
			25'	3	2	15	1
			30'	3	2	15	2
			35'	3	2	15	2
			40'	3	2	15	3
D	.75	.85	15'	1	4	32	1
			20'	2	4	30	1
			25'	3	4	30	1
			30'	3	5	30	2
			35'	3	5	30	2
			40'	3	5	30	3
			45'	4	6	30	4
E	NA	NA	20'	2	4	38	1
			25'	3	4	38	1
			30'	3	5	38	2
			35'	3	5	38	2
			40'	3	5	38	3
			45' or more	5	6	30	4

Minimum width of buffer with masonry wall = ten (10') feet

ALL PLANT QUANTITIES ARE PER ONE HUNDRED (100) LINEAR FEET, less the distance required for vehicle access to the property.

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FINDINGS UNDER ARTICLE 21 /SECTION 21.19

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.

*****Lighting Requirements: Conditional – See Site Plan – Condominium By-Laws (ii) Uses Permitted pg. 20(o)**

FINDINGS UNDER SECTION 21.38

SECTION 21.38 SIGNS AND BILLBOARDS

Amended 3.29.2018

INTENT:

The sign standards contained in this Ordinance are declared to be necessary to protect the general health, safety, and welfare of the citizens of Otsego County.

It is the intent of this regulation to insure a degree of standardization in signage throughout the county, to insure the safety of pedestrians and motorists who must drive or otherwise negotiate installed signage and motorists who depend on the visibility of a sign's message to safely arrive at an intended destination. Standardization will preserve the aesthetics, appearance and functionality of all installed signage.

Any publicly displayed sign, symbol or notice on premises to indicate the name of the occupant, to advertise the business there transacted, or directing to some other locale, shall be regulated as follows, and shall require permits in accordance with the terms of the County Building Code:

Sign plans shall be reviewed for approval, conditional approval or rejection by the Zoning Administrator. For disagreements with the rulings of the Zoning Administrator, the applicant may appeal to the Zoning Board of Appeals, who in such instances has final authority on the sign plan.

The standards in this Article are determined to be the minimum necessary to achieve the above stated purposes. Compliance with this Section does not relieve the applicant from the responsibility of compliance with other local, state or federal sign regulations, nor does the issuance of a Sign Permit grant permission to the applicant to place signs on any property, including road rights-of-way, other than property owned or otherwise legally under the control of the applicant. The issuance of a Sign Permit only assures the applicant that the sign meets the requirements of the County Zoning Ordinance.

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21.38.1 Signs Authorized and Requiring a Permit

All applications for a Sign Permit shall first be submitted to the Zoning Administrator. Before any permit is granted for the erection of a sign or sign structure requiring such permit, construction documents shall be filed with the Zoning Administrator showing the dimensions, materials and required details of construction, including loads, stresses, anchorage and any other pertinent data. The permit application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected and by engineering calculations signed by a registered design professional. The Zoning Administrator may issue such permits when all applicable provisions of this Ordinance have been met.

21.38.1.1 Accessory Signs

21.38.1.1.1 Districts: R1, R2, R3, RR

Number Allowed: One (1)
Maximum Height: Eight feet (8')
Measured: From the average grade at the base of the sign to the top of the sign support.
Maximum Size: 15 sq. ft.

21.38.1.1.2 Districts: AR, FR

Number Allowed: One (1)
Maximum Height: Eight feet (8')
Measured: From the average grade at the base of the sign to the top of the sign support.
Maximum Size: 32 sq. ft.

21.38.1.1.3 Districts: B1, B2, B3, HX, I

Number Allowed: Two (2) with the following **four (4) regulations:**

Regulation 1: One (1) sign shall be affixed to or be within two feet (2') of and be parallel with the wall of the main building.

Maximum Size: Signs mounted on and parallel with the wall of the main building shall not exceed a total surface area of fifteen percent (15%) of the mounting wall. If a premise contains walls facing more than one property line or encompasses property frontage bounded by more than one street or other property usages, the sign area(s) for each building wall or property frontage will be computed separately for each building wall or property line facing a different frontage. The sign area(s) thus calculated shall be permitted to then be applied to permitted signs placed on each separate wall or property line frontage.

Regulation 2: One (1) sign may be a freestanding sign.

Maximum Height: Twelve feet (12')
Maximum Size: 56 sq. ft. and length shall not be longer than three (3) times its width.

Regulation 3: One (1) sign may be a pylon sign.

Maximum Height: Thirty-five feet (35')

Maximum Size: Sign Specifications must be prepared by a design professional and must comply with any Airport Zoning Ordinance and the Tall Structures Act.

Pylon Signs approved and installed before the date of this ordinance change shall be allowed provided they exhibit structural integrity, are safe and well maintained.

Regulation 4: All businesses may display window signs in ground level windows in addition to any wall signs. Window signs shall not cover more than twenty percent (20%) of the total window area. Where multiple windows are installed, signage may not be aggregated to cover any window one hundred percent (100%) restricting all visibility from the interior and exterior. Signage may cover no more than fifty percent (50%) of the window on the horizontal and vertical dimension. Total coverage for multiple window panels will not change.

21.38.1.1.4

Signs for shopping centers or other commercial developments with two (2) or more units developed as offices, office service units, research facilities, manufacturing facilities, retail spaces with multiple stores, commercial PUD's, large retail stores with a building area over 100,000 sq. ft. or other commercial developments requiring Special Use Approval and which have a common off street parking and a common entrance or entrances may install accessory signs in accordance with the following **six (6) regulations:**

Regulation 1: Signs which direct traffic movement within a property and which do not exceed 4 sq. ft. in area for each sign are permitted.

Regulation 2: One (1) free-standing identification sign for each street that the development faces.

- a. The freestanding sign shall state only the name of the shopping center or multiple use development and tenants located therein.
- b. No freestanding sign face shall exceed an area of 100 sq. ft.
- c. Freestanding signs shall not exceed a height of thirty feet (30') measured from the average grade at the base of the sign to the top of the horizontal sign frame supporting the sign face.
- d. Tenants of the shopping center or the owner of outlets included with the development plan or PUD shall not be permitted individual freestanding signs, except gas stations as noted below:

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- Regulation 3:** Businesses within the development or [PUD](#) shall be permitted exterior wall signs; the total area of the exterior wall signs shall not exceed twenty percent (20%) of the area of the signage wall.
- Regulation 4:** All businesses may display window signs in ground level windows in addition to any wall signs. Window signs shall not cover more than twenty percent (20%) of the total window area. Where multiple windows are installed, signage may not be aggregated to cover any window one hundred percent (100%) restricting all visibility from the interior and exterior. Signage may cover no more than fifty percent (50%) of the window on the horizontal or vertical dimension.
- Regulation 5:** An automobile service station located on an outlet or an individual lot within the development or [PUD](#) may have 1 freestanding sign in addition to the freestanding sign utilized for the development. The freestanding sign shall be for the purpose of advertising gasoline prices and other services provided on the premises. The service station sign shall comply with the regulations for a single business on its own lot as noted in [Section 21.38.1.1.3](#) above.
- Regulation 6:** Signs proposed for installation along MDOT regulated highways designed to advertise a specific business location must be permitted in accordance with current MDOT Regulation 225. A specific time requirement for the developed site is required and is usually two (2) years. A business sign is a sign designed to advertise a particular business location rather than being used for general outdoor advertising not necessarily specific to a particular business.

Billboards or signage also referred to as outdoor advertising or outdoor highway advertising are permitted and controlled by MDOT under sections of MDOT Regulation 225. A valid permit and sign approval is required prior to construction of a billboard designed for general outdoor advertising.

21.38.2 Non-Accessory Signs and Billboards

21.38.2.1

Billboards, poster boards and non-accessory signs may be permitted in [B2](#), [B3](#) and [I](#) Districts provided the area of the sign does not exceed an area of 200 sq. ft. in [B2](#) and [B3](#) Districts and 300 sq. ft. in [I](#) Districts. A non-accessory sign or billboard shall not measure longer than three (3) times its width.

Signs that come under the jurisdiction of P.A. 106 of 1972 are under the jurisdiction of the Township, if the Township has adopted a sign ordinance.

21.38.3 Sign Lighting [Also See Section 21.19 Lighting Outdoor]

21.38.3.1

Signs internally illuminated or with a light emanating surface are allowed only in the [RR](#), [FR](#), [AR](#), [B1](#), [B2](#), [B3](#), [I](#), [HX](#), [MUZ-Main Street](#) and [MUZ-Town Center](#) Districts provided they meet the other requirements of this ordinance and are set back a minimum of ten feet (10') from all road right-of-ways and seventy-five feet (75') from any other property line.

Signs internally illuminated or if sign has a light emanating surface. All light sources and reflecting surfaces immediately adjacent to the light source shall be shielded from view. Sign luminance level, beginning one (1) hour after sunrise and continuing until one (1) hour before sunset, shall not exceed (10278 Lumens) (685W Incandescent light bulb) (114W Florescent/LED) per square meter, or does not exceed (342 Lumens) (25W Incandescent light bulb)(6.23W Florescent/LED) per square meter at all other times.

Signs that are externally illuminated shall have the light mounted on top of the sign, shall be directed downward onto the sign and shall be shielded so as to prevent rays of light from being directed such that reflected luminance does not exceed (342 Lumens) (25W Incandescent light bulb)(6.23W Florescent/LED) per square meter.

21.38.4 Signs Prohibited

21.38.4.1 No signs or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or at any location where by its position, shape or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal or device

21.38.4.2 No signs shall be attached to any utility pole, light standard, street tree or any other public facility located within the public right-of-way.

21.38.4.3 No signs which blink, flash, or are animated by lighting in any fashion that would cause such signs to have the appearance of traffic safety signs and lights, or municipal vehicle warnings from a distance.

21.38.4.4 No signs containing flashing, intermittent or moving lights.(A sign with messages or images accomplished by instantaneous re-pixilation not more often than one (1) time in sixty (60) seconds shall not be considered flashing, intermittent or moving and shall be allowed.)

21.38.4.5 No signs with moving or revolving parts.

21.38.4.6 No signs attached to, or placed on, a vehicle or trailer parked on public or private property, except for signs meeting the following **three (3) regulations:**

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Regulation 1: The primary purpose of such a vehicle or trailer is not the display of signs.

Regulation 2: The signs are magnetic, decals or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer, and does not break the silhouette of the vehicle.

Regulation 3: The vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets where applicable, and actively used or available for use in the daily function of the business to which such signs relate.

21.38.4.7 Vehicles and trailers are not to be used primarily as static displays, advertising a product or service, nor utilized as storage, shelter or distribution points for commercial products or services for the general public.

21.38.4.8 A sign that no longer advertises or identifies a use conducted on the property on which said sign is erected must have the sign covered or removed within fourteen (14) days after written notification from the Zoning Administrator.

21.38.5 Signs Authorized and Not Requiring a Permit

21.38.5.1 Official notices, authorized by a court, public body or public safety official

21.38.5.2 Directional, warning or information signs authorized by federal, state or municipal governments

21.38.5.3 Memorial plaques, building identification signs and building cornerstones where cut or carved into a masonry surface or where made of noncombustible material and made an integral part of the building or structure.

21.38.5.4 The flag of a government or noncommercial institution, such as a school.

21.38.5.5 Religious symbols and seasonal decorations within the appropriate public holiday season

21.38.5.6 Works of fine art displayed in conjunction with a commercial enterprise where the enterprise does not receive direct commercial gain

21.38.5.7 Street address signs and combination nameplate and street address signs that contain no advertising copy and which do not exceed 6 sq. ft. in area

21.38.5.8 The changing or maintenance or components of an approved existing sign that is designed for such changes, or the changing of copy, business names, lettering, sign faces, colors, display and/or graphic matter, or the content of any sign shall not be deemed a structural alteration.

21.38.5.9 Bulletin Boards that do not exceed 15 sq. ft. for churches, public and semi-public institutions and/or school

21.38.5.10 Temporary signs not exceeding 10 sq. ft. advertising a premises being for rent, for lease and/or for sale in any district. All such signs shall be removed within fourteen (14) days of the consummated lease or sale of the premises.

21.38.5.11 Accessory directional signs affixed to the building and not exceeding 2 sq. ft., such as but not necessarily limited to: Boiler Room, Entrance, Exit, Garage, Loading Dock, Low Clearance, Office, Service, Warehouse and the like.

21.38.5.12 Maximum of two (2) accessory properties directional signs each not to exceed 2 sq. ft. identifying or directing to the following: Entrance, Exit, No Parking, Visitors Parking, Other Traffic Flow Directions, and similar Functional Signs

21.38.5.13 Temporary advertising banners that are flexible (made of canvas, plastic composite etc.) meant to be attached to a fixed commercial building structure which is currently occupied. All banners may not exceed 32 sq. ft. and must be maintained in good condition while displayed.

21.38.5.14 Political signs shall be permitted in all zoning districts with the following **three (3) regulations:**

Regulation 1: Such signs shall follow the Accessory Signs restrictions as it relates to each individual Zoning District.

Regulation 2: Such signs for election candidate or ballot propositions shall be displayed only for a period of sixty (60) days preceding the election and shall be removed within ten (10) days after the election, provided that signs promoting successful candidates or ballot propositions in a primary election may remain displayed until not more than ten (10) days after the general election.

Regulation 3: Such signs shall not be placed in any public right-of-way or obstruct traffic visibility.

21.38.6 Placement of Signs and Setbacks

21.38.6.1 Signs in Rights-of-Way

No sign other than an official traffic sign shall be erected within any public right-of-way unless specifically authorized by other ordinances or regulations of this jurisdiction or by specific authorization of the code official.

21.38.6.2 Sign and Setbacks

Signs in any zoning district must be placed at least two feet (2') back from any right of way and any lot line.

Otsego County Planning Commission

Proposed Minutes for October 21 2019

21.38.7 Off-Premises Directory Sign – Private

21.38.7.1

Where a business use or tourist service facility is not located directly on a major tourist route but is dependent upon passerby traffic for support, one (1) off-premises directory sign located on a county maintained road may be permitted in business or non-business districts, on each road or link or segment of road that affords access to the use but entails a major change in the direction of travel. Off-premises Directory signs shall not exceed an area of 15 sq. ft. Community directional signs serving more than one (1) use may be permitted to a maximum size of 32 sq. ft.

21.38.8 Approval Authority

21.38.8.1

The Zoning Administrator shall review and act upon site plans except where a Special Use Permit is required. Site Plans for a Special Use Permit shall be forwarded by the Zoning Administrator to the Planning Commission for review and action. In addition, at the request of the Zoning Administrator or Planning Commission, a site plan for a Principal Permitted Use may be submitted for Planning Commission review before final action by the Zoning Administrator. The Zoning Administrator and Planning Commission have the authority to approve, deny or grant conditional approval for any site plan submitted under the provisions of this ordinance. The Zoning Administrator may hold or the Planning Commission may table a site plan, pending further information or addition, reasonably needed to complete a site plan or comply with requirements of this Ordinance.

***Signage Requirements Met

FINDINGS UNDER SECTION 21.40

SECTION 21.40 SOIL EROSION AND SEDIMENTATION CONTROL, STORM WATER MANAGEMENT

No zoning permit shall be issued until any required Soil Erosion and Sedimentation Control permits and/or Storm Water Management permits have been obtained.

***Storm Water Requirements Met

FINDINGS UNDER SECTION 21.42

SECTION 21.42 TRASH RECEPTACLES/DUMPSTERS

21.42.1 Residential Trash Receptacles shall be placed at curbside no earlier than twenty-four (24) hours from the scheduled pick-up day. Any trash receptacle placed at curb side shall be removed from curb side no later than twenty-four (24) hours after the scheduled pick-up day.

21.42.2 Commercial Trash Receptacles / Dumpsters may be placed upon a parcel of land in such a manner to facilitate loading and unloading. They may be placed no closer than ten (10) feet to any adjoining property. All Trash Receptacles shall be properly maintained with working lids and the lids shall be maintained in a closed position.

21.42.2.1 During the site plan review process the Planning Commission or Zoning Administrator may require Commercial Businesses abutting land zoned Residential (R1, R2, R3, RR) or existing residential development in other zoning districts (HX) to maintain a greater setback than ten (10) feet but in no case shall the required setback be greater than twenty five (25) feet.

21.42.3 Temporary Commercial Construction Dumpsters are exempt from these regulations.

21.42.4 Trash Receptacles / Dumpsters meeting the requirements of [Sections 21.42.1, 21.42.2 & 21.42.3](#) shall not be considered unsightly areas as covered in [Section 21.18.5](#).

***Trash Receptacles: Not Applicable – See Condominium By-Laws (iii) Outdoor Storage pg. 21

FINDINGS UNDER SECTION 21.43

SECTION 21.43 UNDERGROUND UTILITY WIRES

Within the area of a plat or site plan, all distribution lines for electric, communications or similar associated services shall be placed underground. Those electric and communication facilities placed in dedicated public ways shall be installed so as not to conflict with other underground utilities. All communication and electric facilities shall be constructed in accordance with standards of construction approved by the Michigan Public Service Commission. All underground utility installations which traverse privately-owned property shall be protected by easements granted by the owner of such property.

Otsego County Planning Commission

Proposed Minutes for October 21 2019

The Planning Commission may, by resolution, waive or modify any of the above requirements for underground line installations with respect to a particular plat or site plan when the strict application of the above requirements would result in unnecessary hardship. Prior to any such waiver or modification, a public hearing regarding the proposal shall be held by the Planning Commission.

***Underground Utilities Met

FINDINGS UNDER ARTICLE 19/PERMITTED USES SUBJECT TO SPECIAL CONDITIONS:

- 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 use 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 or rate of discharge leaving the property based on 25-year storm criteria, (v) shall 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~~
- 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 related to the standards established in the ordinance for the special land use under consideration and be necessary to insure compliance with those standards.

***Motion made by Mr. Maxwell to approve Special Use Permit PZSU19-005 for the expansion of North Park Storage Condominiums consisting of an eighteen (18) unit Site Condominium; Seconded by Mr. Marlette.

Motion approved unanimously

**OTSEGO COUNTY
Planning Commission**



ADVERTISED CASE EXECUTIVE SUMMARY

AGENDA ITEM: 9	AGENDA DATE: 11/18/2019
AGENDA PLACEMENT: Advertised Cases, Item 1	ACTION REQUESTED: Motion to Recommend
STAFF CONTACT(S): Chris Churches, Planning & Zoning, Capital Projects Director Christine Boyak-Wohlfeil, Zoning Officer	ATTORNEY REVIEW: No

BACKGROUND/DISCUSSION:

A request for discussion and recommendation of the 2020-2025 Capital Improvement Plan for items presented with importance level prioritization

RECOMMENDED MOTION:

1. Motion to recommend approval of the 2020-2025 (CIP) Capital Improvement Plan to the Otsego County Board of Commissioners.

**OTSEGO COUNTY
PLANNING COMMISSION**

PUBLIC HEARING NOTICE

November 18, 2019

The Otsego County Planning Commission will hold a public hearing on Monday, November 18, 2019 at 6:00 pm in the Planning and Zoning Meeting room located at 1322 Hayes Rd Gaylord, Michigan.

The purpose of the public hearing will be to obtain citizen comment on the following:

1. 2020-2025 Capital Improvement Plan (CIP)

All citizens are welcome to attend the meeting or provide written comment. If written comments are provided the comments must be received at the Otsego County Land Use Services Office by noon (12:00 pm) the day of the meeting.

Any citizen who has questions regarding this application or needs assistance to attend this meeting should contact the Director of Land Use Services at 989.731.7400.

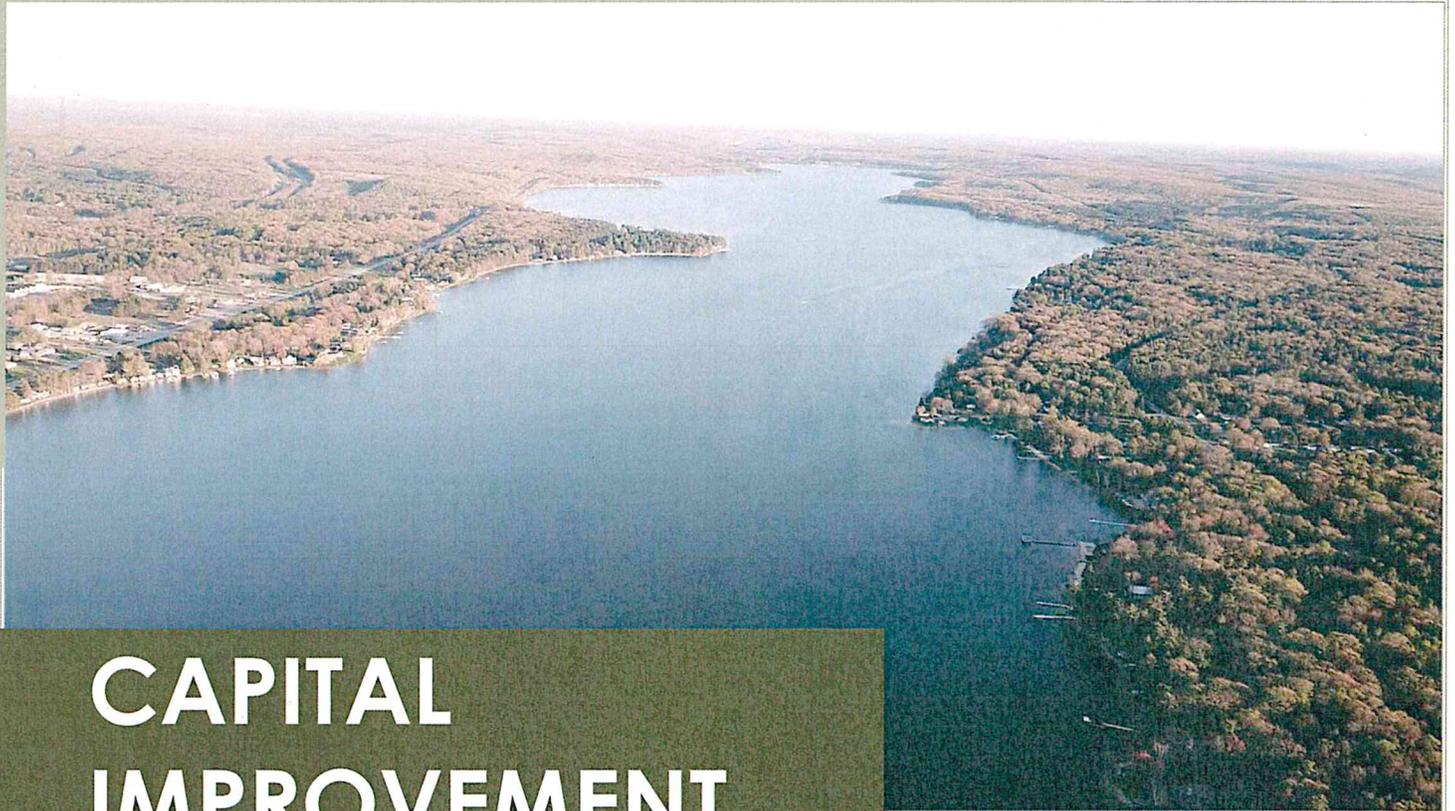


Photo Credit: Datema Media, LLC

CAPITAL IMPROVEMENT PLAN 2020-2025

OTSEGO COUNTY, MICHIGAN

Approved by the Planning Commission on XXX
Adopted by the Board of Commissioners on XXX



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INTRODUCTION

MICHIGAN PLANNING ENABLING ACT

The Michigan Planning Enabling Act requires local municipalities that have adopted a master plan to annually prepare a capital improvements program. This language is contained in Article IV, Section 65, subparts (1) and (2), which reads:

- (1) To further the desirable future development of the local unit of government under the master plan, a planning commission, after adoption of a master plan, shall annually prepare a capital improvements program of public structures and improvements, unless the planning commission is exempted from this requirement by charter or otherwise. If the planning commission is exempted, the legislative body either shall prepare and adopt a capital improvements program, separate from or as a part of the annual budget, or shall delegate the preparation of the capital improvements program to the chief elected official or a nonelected administrative official, subject to final approval by the legislative body. The capital improvements program shall show those public structures and improvements, in the general order of their priority that in the commission's judgment will be needed or desirable and can be undertaken within the ensuing 6-year period. The capital improvements program shall be based upon the requirements of the local unit of government for all types of public structures and improvements. Consequently, each agency or department of the local unit of government with authority for public structures or improvements shall upon request furnish the planning commission with lists, plans, and estimates of time and cost of those public structures and improvements.
- (2) Any township may prepare and adopt a capital improvement program. However, subsection (1) is only mandatory for a township if the township, alone or jointly with 1 or more other local units of government, owns or operates a water supply or sewage disposal system.

CAPITAL IMPROVEMENTS

Capital Improvements are generally additions to the County's assets, including the construction or purchase of land, buildings or facilities or major renovations of the same, and are long lasting and involve a substantial investment. For purposes of this Capital Improvement Program (CIP), only the following type of projects that meet this definition of a capital improvement, are included in the program, such as:

- New and expanded physical facilities.
- The acquisition of land for a community facility.
- Major renovation or replacement of existing facilities costing over \$200,000.

Inclusion of a project in this Plan fulfills the requirements of MCL 125.3861.



LIMITATION ON AUTHORITY

This CIP is not meant to appropriate the power of the Otsego County Board of Commissioners in their duty to regulate the expenditure of County funds, but merely to provide guidance and recommendations to projects that may have a long-term impact on the community. To that end, the following limitations on authority will be observed:

- A. The Otsego County Board, its departments, and agencies have every right and an obligation to make emergency repairs without prior comment from the Otsego County Planning Commission. Information on such emergency repairs, will however, be submitted as soon as practicable to the Chairperson of the Planning Commission.
- B. Grant Applications that are attempting to obtain funds for projects that would fall under the CIP guidelines will be presented to the Planning Commission as soon as practicable.



PROCEDURES

- A. The Capital Improvements Program Committee is charged with gathering project information for inclusion into the CIP. The Committee consists of the Chairperson of the Otsego County Planning Commission or his/her designee; the Otsego County Land Use Services Director; the Otsego County Planning/Zoning Director, the Otsego County Board Chairperson or his/her designee, an additional representative of the Otsego County Planning Commission; and the Otsego County Administrator. The Otsego County Planning/Zoning Director will act as the CIP Coordinator, with the responsibility of coordinating data gathering.
- B. The CIP Committee will create a draft CIP.
- C. The draft CIP will be sent to the Otsego County Planning Commission for comment/changes each year.
- D. The Planning Commission will conduct a public hearing on the draft CIP each year.
- E. Planning Commission will forward draft CIP, along with recommendation, to the Otsego County Board each year.
- F. Otsego County Board will adopt, modify, or reject with reasons, the CIP.
- G. The Capital Improvements Program Committee will annually update the CIP, and follow the above process.



PROJECT PRIORITIZING

Projects will be prioritized using the following categories:

A. Urgent (imperative, must do)

- Satisfies a legal obligation (legal mandate)
- Corrects a condition dangerous to public health or safety
- Alleviates an emergency service disruption or deficiency
- Prevents irreparable damage to a valuable public facility

B. Important (essential, should do)

- Rehabilitates or replaces an obsolete public facility or attachment to the facility
- Stimulates economic growth and private capital investment
- Reduces future operating and maintenance costs
- Leverages available state or federal funds

C. Desirable (important, could do)

- Provides a new or expanded level of service
- Promotes intergovernmental cooperation
- Enhances cultural or natural resources

CAPITAL PROJECTS

OTSEGO COUNTY PUBLIC SAFETY COMPLEX



- Agency: Otsego County
- Project Type: New Construction
- Year(s) of Project: 2020-2021
- Project Description:
 - The proposed complex would consist of a detention facility (jail), office space, and courtrooms. It would house the Sheriff's Department Road Patrol, the court system, prosecutor's office, court administration, probation/parole, and the work camp program. Preliminary analysis suggests the need for a 61,000 ft² building.
- Schedule:
 - Design: Spring 2020
 - Construction: Spring 2021
- Estimated Cost: TBD
- Basis of Cost Estimate: TBD
- Alternative Financing:
 - Funding would likely have to come from a dedicated jail millage, which has not been passed at this time.
- Agency Reported Priority: Urgent
- Planning Commission Reported Priority: **Urgent**



Legend

- Railroad
- Park
- Iron Belle Trail
- Existing Bldgs
- Contours
- Proposed Bldgs
- Roof Line
- Flag Center
- Island
- Loading Dock
- Plaza
- Trees
- Parking Lot

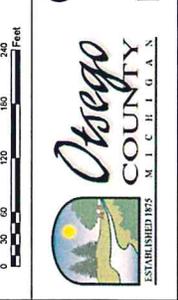
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Sheet No.
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Otsego County Planning & Zoning

Drawn By: C. Churches
Checked By:
Date: 03/26/2018

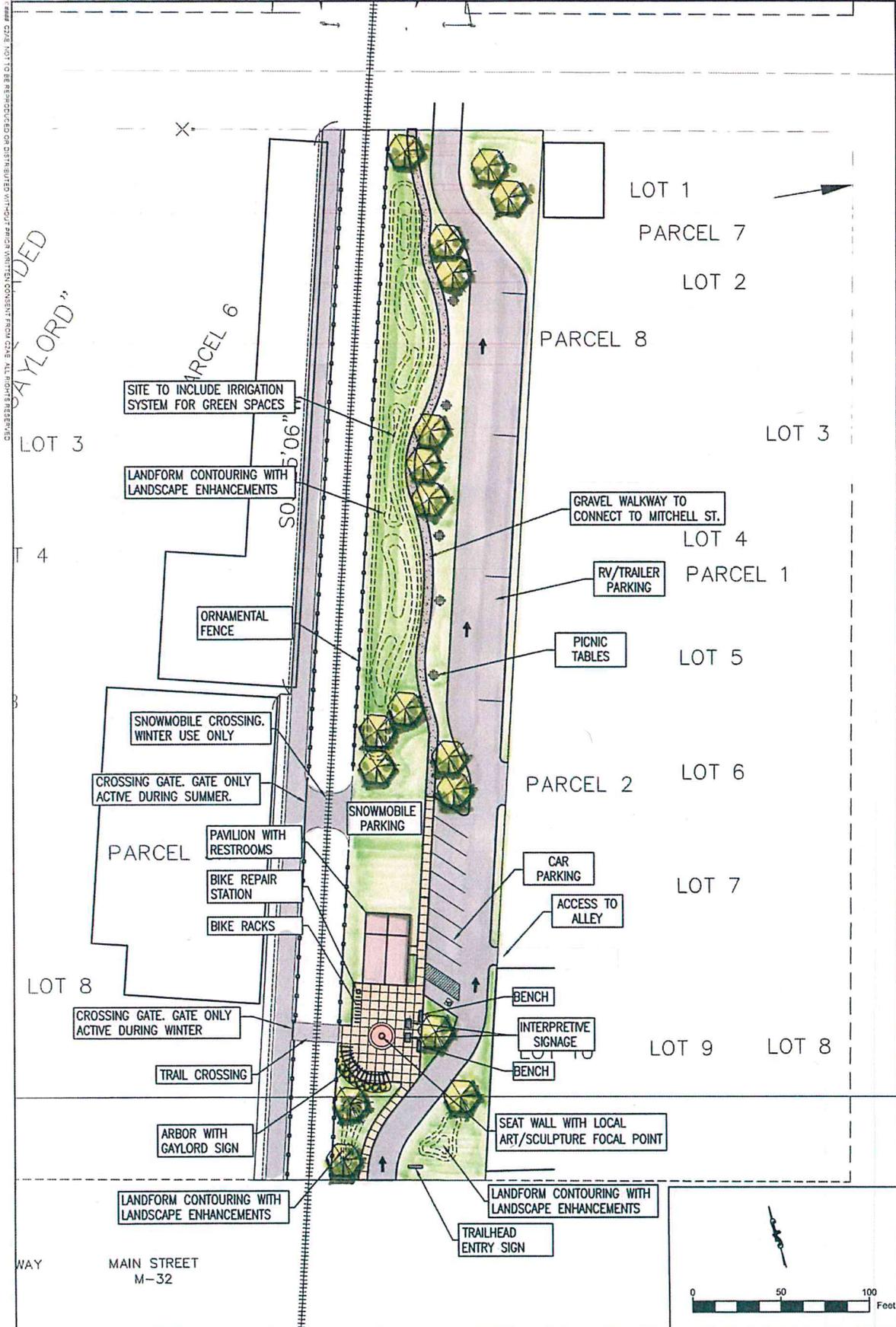
Otsego County Public Safety Complex Preliminary Design Concept



IRON BELLE TRAIL GAYLORD GATEWAY TRAILHEAD



- Agency: Otsego County
- Project Type: New Construction
- Year(s) of Project: 2020
- Project Description:
 - The Iron Belle Trailhead will be built on the east side of the railroad tracks between Main and Mitchell streets. The project is part of the Iron Belle Trail expansion and will include a pavilion with outdoor seating and restrooms, an area for parking, landscaping, and bike racks. The preliminary design incorporates key design elements from both the City Streetscape Project and the County Lawn Project. The entrance to the trailhead would be on Main and exit on Mitchell. The project is estimated to start in Spring 2020, with a completion date of Fall 2020.
- Schedule: Spring 2020
- Estimated Cost: \$1,110,000
- Basis of Cost Estimate: Engineer Estimate
- Alternative Financing:
 - Michigan Dept. of Natural Resources Trust Fund Grant (27% share): \$300,000
 - Michigan Dept. of Natural Resources Trails Program (41% share): \$450,000
 - Michigan Economic Development Corporation (27% share): \$300,000
 - Local Funds (5% share): \$ 60,000
- Agency Reported Priority: Urgent
- Planning Commission Reported Priority: Urgent



ALL RIGHTS RESERVED

1	PRELIMINARY CONCEPT #3
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**IRON BELLE TRAIL
 GAYLORD TRAILHEAD**
 GAYLORD, MI



PRELIMINARY

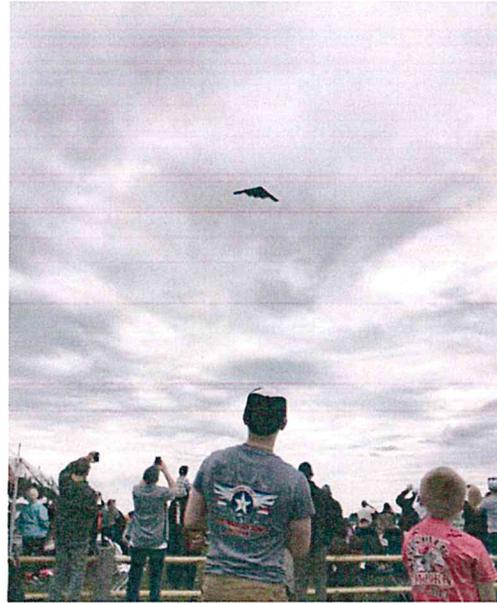
OTSEGO LAKE OUTLET STRUCTURE REPLACEMENT

- Agency: Otsego County
- Project Type: New Construction
- Year(s) of Project: 2020
- Project Description:
 - This project involves the replacement of Otsego Lake's outlet control structure located on the east side of Otsego Lake. The structure is responsible for controlling the lake level and preventing excess lake level rise during the spring. The current structure was installed in the late 1970s and has extensive damage due to ice and old age.
- Schedule: TBD
- Estimated Cost: \$200,000
- Basis of Cost Estimate: Engineer Estimate
- Alternative Financing:
 - Michigan Dept. of Agriculture and Rural Development Grant: TBD
 - Local Funds: TBD
- Agency Reported Priority: Urgent
- Planning Commission Reported Priority: **Urgent**



GAYLORD REGIONAL AIRPORT BOX HANGAR

- Agency: Otsego County
- Project Type: New Construction
- Year(s) of Project: 2020
- Project Description:
 - The project consists of construction of a new 60' x 80' box hangar large enough to allow for storage of a Caravan, King Air, or Citation II plane.
- Schedule: 2020
- Estimated Cost: \$670,000.00
- Basis of Cost Estimate: Engineer Estimate
- Alternative Financing:
 - FAA Non-Primary Entitlement Grants (91% share): \$ 609,700
 - State Funds (4.5%): \$ 30,150.00
 - Local Funds (4.5%): \$ 30,150.00
- Agency Reported Priority: Important
- Planning Commission Reported Priority: **Important**

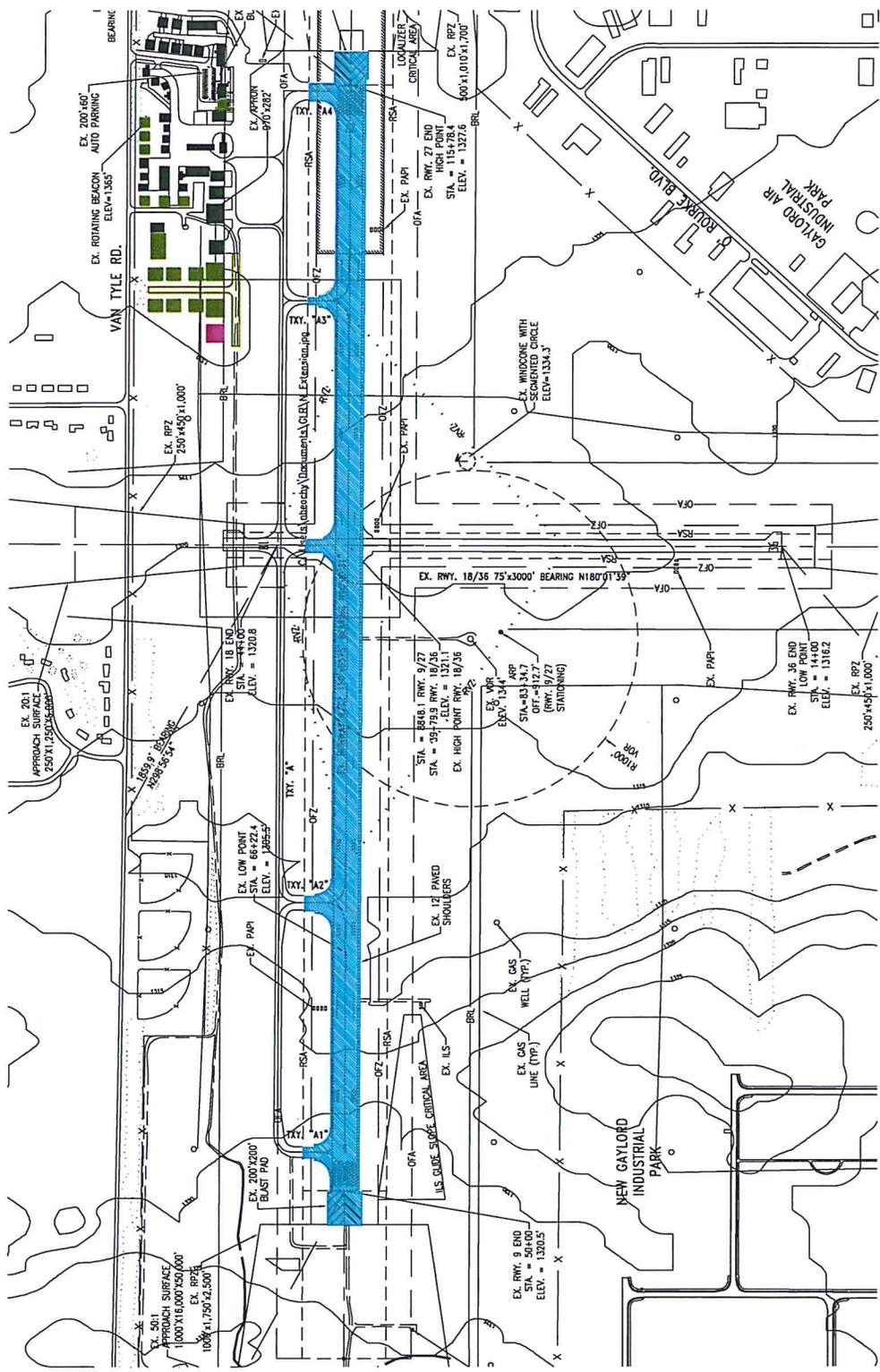


GAYLORD REGIONAL AIRPORT REHABILITATE RUNWAY 9-27



- Agency: Otsego County
- Project Type: New Construction
- Year(s) of Project: 2023
- Project Description:
 - This project is to rehabilitate the bituminous pavement of Runway 9-27. The existing runway is 6,579' x 150'. The existing pavement was last rehabilitated in 2002 and will be 21 years old at the time of this project. According to the PCI data taken in 2015, the existing pavement was listed at 73. The reports indicate low to medium severity longitudinal/transverse cracking and low severity weathering, but no significant structural concerns. The PCI for Runway 9-27 is forecasted to be at 59 in 2023. The rehabilitation will consist of a 4-inch mill and fill with full depth crack repair. Also included in this project will be the rehabilitation of the shoulders, blast pads, and existing taxiway connectors from Runway 9-27 to the hold lines. A full airfield remarking is included.
- Schedule: TBD
- Estimated Cost: \$5,650,000.00
- Basis of Cost Estimate: Engineer Estimate
- Alternative Financing:
 - FAA Non-Primary Entitlement Grants (3.17% share): \$ 179,105
 - FAA Federal Apportionment (86.83% share): \$ 4,905,895
 - State Funds (5.0% share): \$ 282,500
 - Local Funds (5.0% share): \$ 282,500
- Agency Reported Priority: Important
- Planning Commission Reported Priority: **Important**

- 2019/20-BOX HANGAR
- 2022/23-RUNWAY 9-27 REHA



Gaylord Regional Airport

Gaylord, MI

ACIP
2019-2023

PREPARED BY:
Prein&Newhof
Engineers, Surveyors & Environmental Scientists
1220 AIRPORT ACCESS RD.
TROYERVILLE, MI, 48069 (313) 946-2394

OCRC MARLETTE ROAD FROM SHERMAN ROAD TO FANTASY DRIVE PROJECT

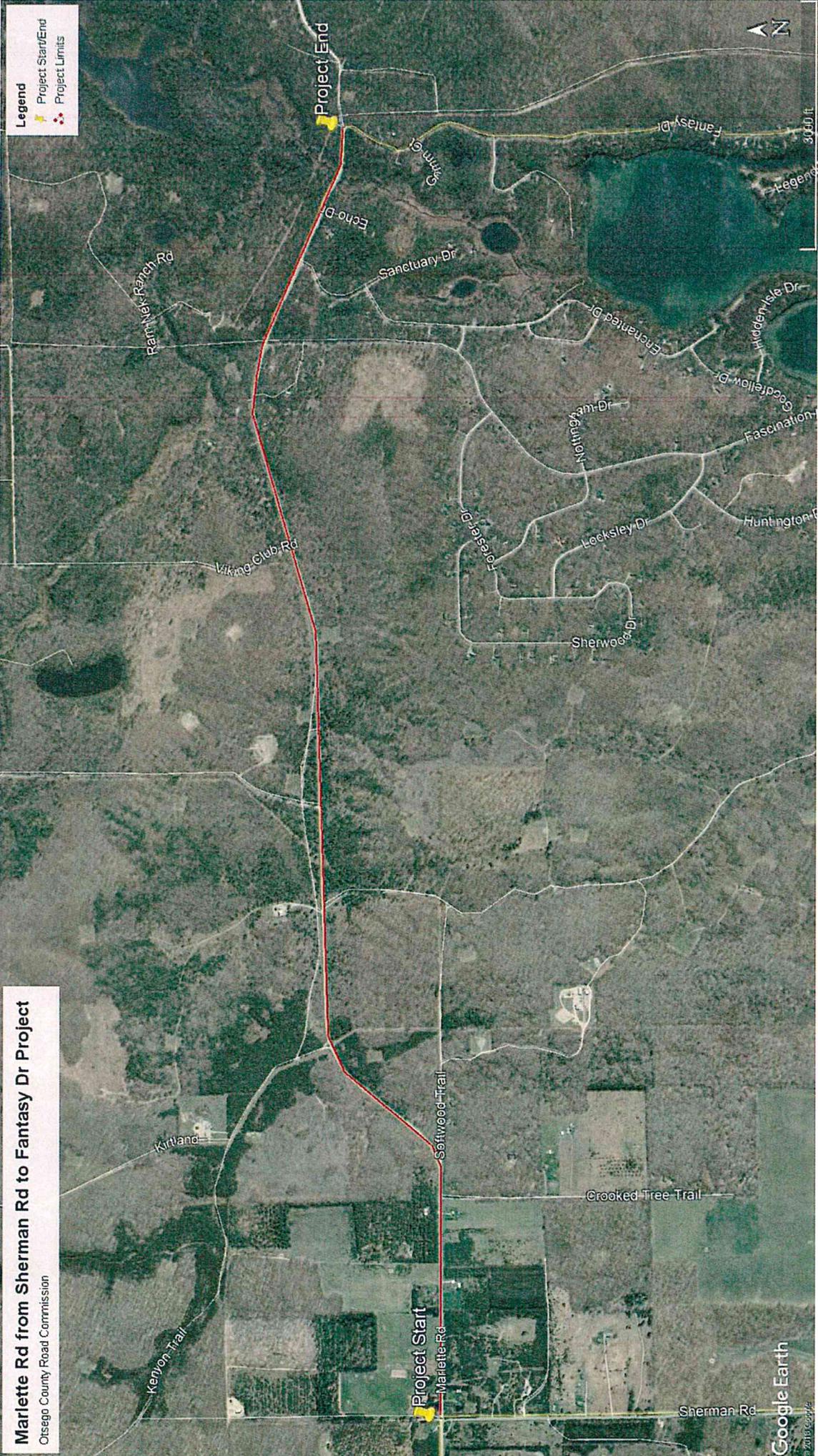
- Agency: Otsego County Road Commission
- Project Type: Major Renovation
- Year(s) of Project: 2020
- Project Description:
 - The Otsego County Road Commission plans to reconstruct Marlette Road from Sherman Road to Fantasy Drive. This will be a crush and shape project with new HMA surface and lane widening as well as vertical grade improvements.
- Schedule: TBD
- Estimated Cost: \$704,555.00
- Basis of Cost Estimate: Engineer Estimate
- Alternative Financing:
 - Federal Funds (53% share): \$ 376,176
 - Local Funds (47% share): \$ 328,379
- Agency Reported Priority: Important
- Planning Commission Reported Priority: **Important**



Marlette Rd from Sherman Rd to Fantasy Dr Project
Osage County Road Commission

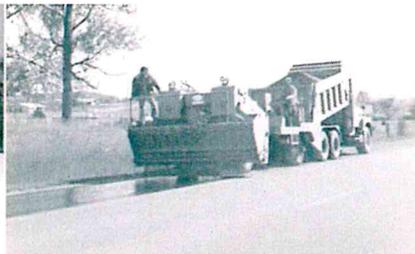
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- Project Start/End
- Project Limits



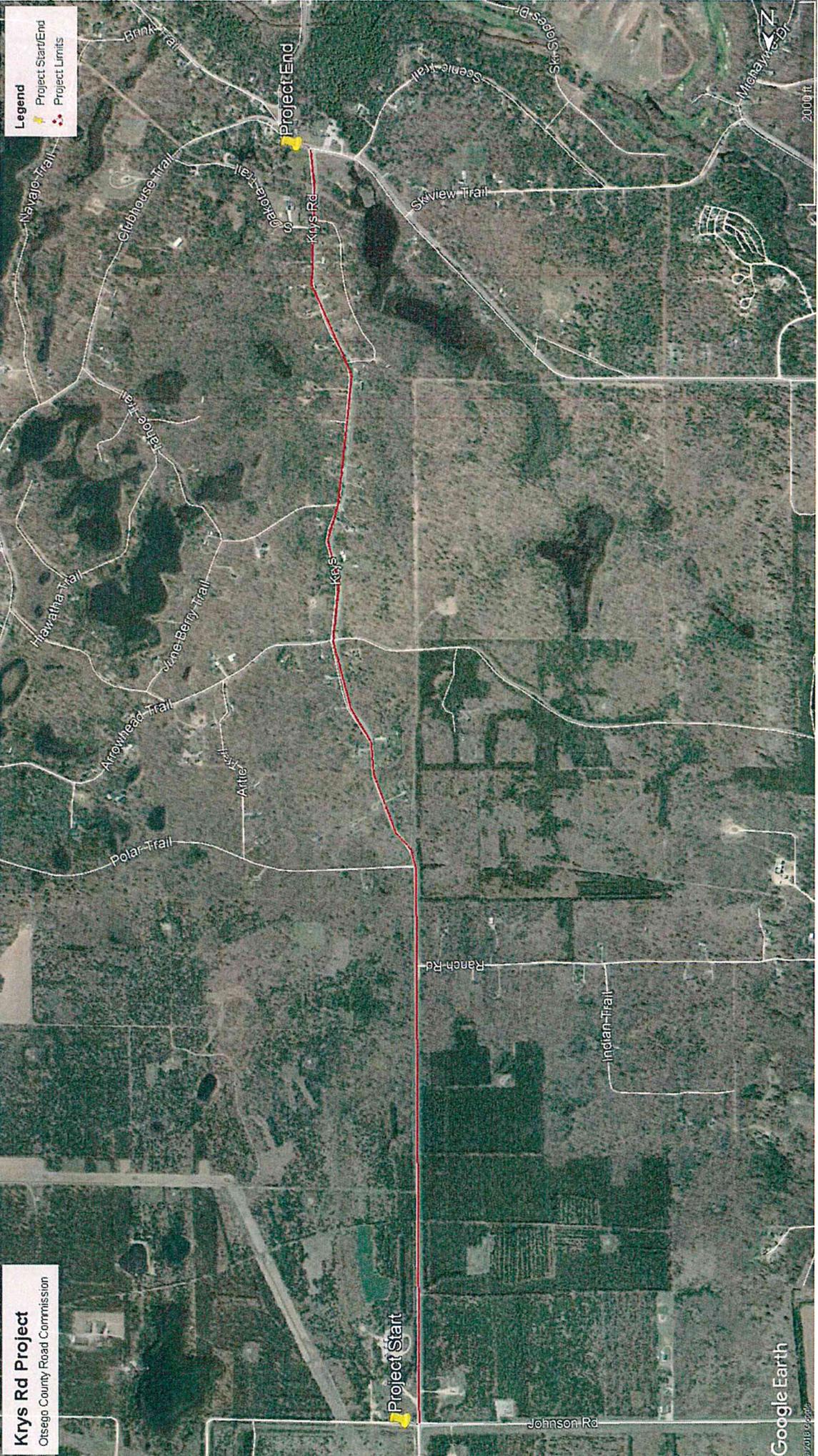
OCRC KRYS ROAD RESURFACING PROJECT

- Agency: Otsego County Road Commission
- Project Type: Major Renovation
- Year(s) of Project: 2021
- Project Description:
 - Work will include resurfacing Krys Road from Johnson Road to Charles Brink Road, approximately 2.5 miles. Improvements will include new HMA surface, lane widening, paved shoulders, and recessed pavement markings.
- Schedule: TBD
- Estimated Cost: \$450,000.00
- Basis of Cost Estimate: Engineer Estimate
- Alternative Financing:
 - Federal Funds (80% share): \$ 360,000
 - Local Funds (20% share): \$ 90,000
- Agency Reported Priority: Important
- Planning Commission Reported Priority: **Important**



Krys Rd Project
Otsego County Road Commission

Legend
Project Start/End
Project Limits



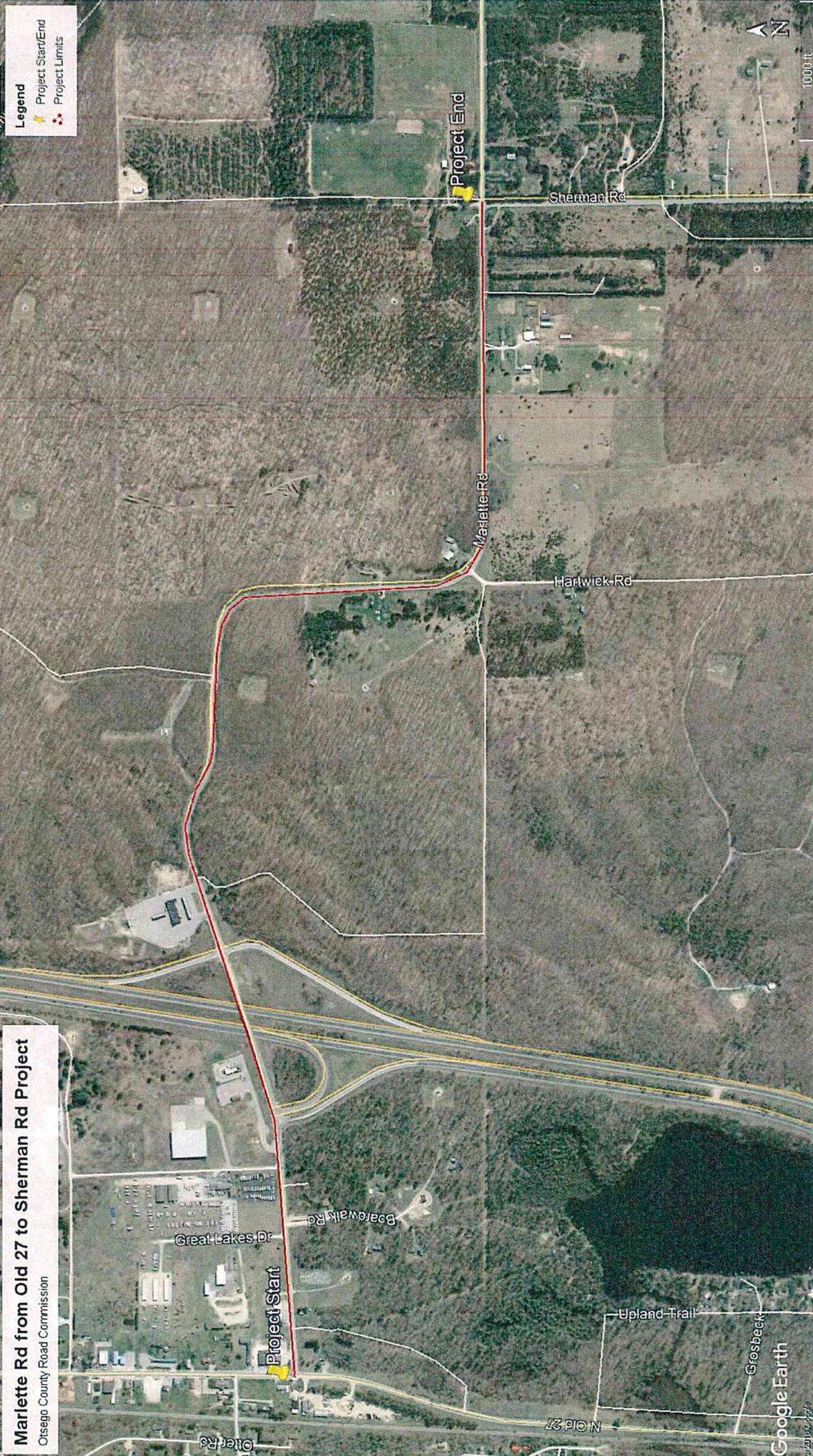
Google Earth
© 2015 Google

OCRC MARLETTE ROAD FROM OLD 27 TO SHERMAN ROAD PROJECT

- Agency: Otsego County Road Commission
- Project Type: Major Renovation
- Year(s) of Project: 2022
- Project Description:
 - Work will include crush and shape with new HMA surface from Old 27 South to Sherman Road. Improvements will include lane widening and paved shoulders.
- Schedule: TBD
- Estimated Cost: \$756,000.00
- Basis of Cost Estimate: Engineer Estimate
- Alternative Financing:
 - Federal Funds (50% share): \$ 376,176
 - Local Funds (50% share): \$ 379,824
- Agency Reported Priority: Important
- Planning Commission Reported Priority: **Important**



Legend
Project Start/End
Project Limits



Marlette Rd from Old 27 to Sherman Rd Project
Otsego County Road Commission

OCRC MURNER ROAD PROJECT

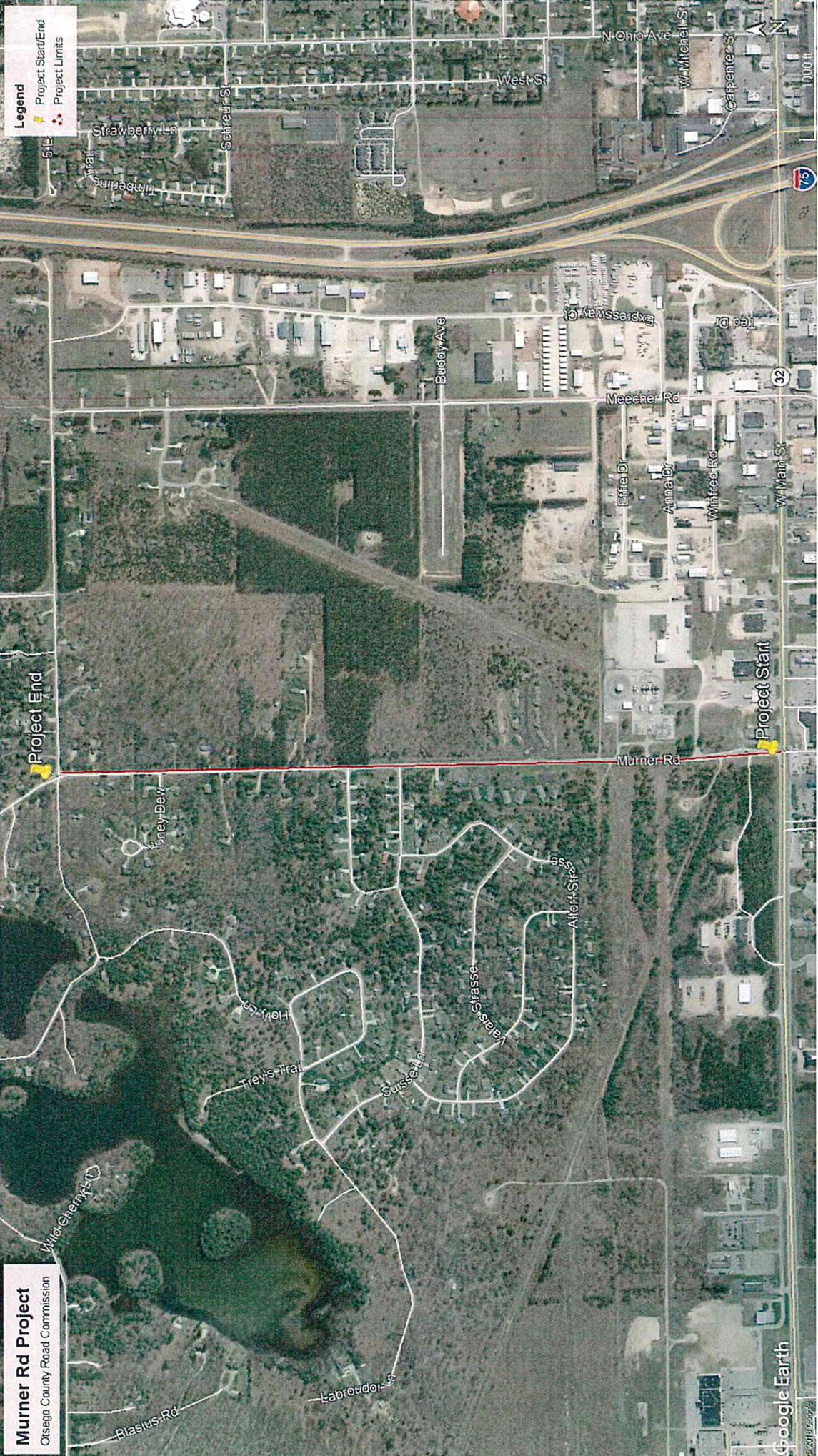
- Agency: Otsego County Road Commission
- Project Type: Major Renovation
- Year(s) of Project: 2022
- Project Description:
 - This will be a crush and shape project on Murner Road from M-32 West to Five Lakes Road. The improvements will include strengthening the aggregate base, paving shoulders, and resurfacing with HMA.
- Schedule: TBD
- Estimated Cost: \$595,000.00
- Basis of Cost Estimate: Engineer Estimate
- Alternative Financing:
 - Federal Funds (63% share): \$ 375,000
 - Local Funds (37% share): \$ 220,000
- Agency Reported Priority: Important
- Planning Commission Reported Priority: **Important**



Murner Rd Project
Osage County Road Commission

Legend

- Project Start/End
- Project Limits

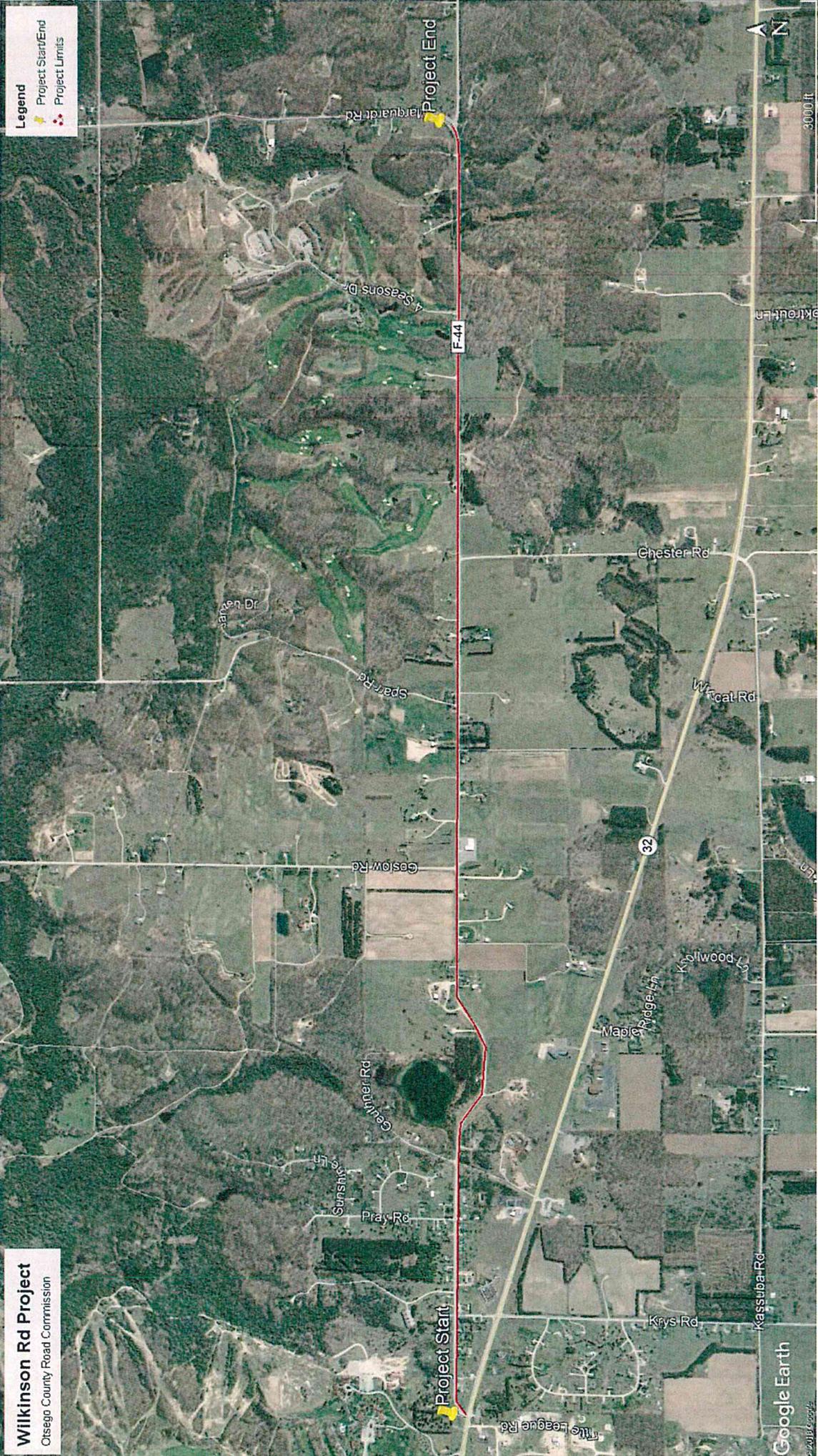


OCRC WILKINSON ROAD PROJECT

- Agency: Otsego County Road Commission
- Project Type: Major Renovation
- Year(s) of Project: 2024
- Project Description:
 - This will be primarily a crush and shape project from M-32 East to Marquardt Road. The existing pavement will be crushed and paved with two courses of HMA. At some locations, the top layer of existing pavement may be milled and resurfaced with a single course of HMA. Additional improvements may include paved shoulders, guardrail upgrades, and curb and gutter at intersections.
- Schedule: Spring 2024
- Estimated Cost: \$1,515,000.00
- Basis of Cost Estimate: Engineer Estimate
- Alternative Financing:
 - Federal Funds (25% share): \$ 376,176
 - Local Funds (75% share): \$ 1,138,824
- Agency Reported Priority: Important
- Planning Commission Reported Priority: **Important**



Legend
Project Start/End
Project Limits



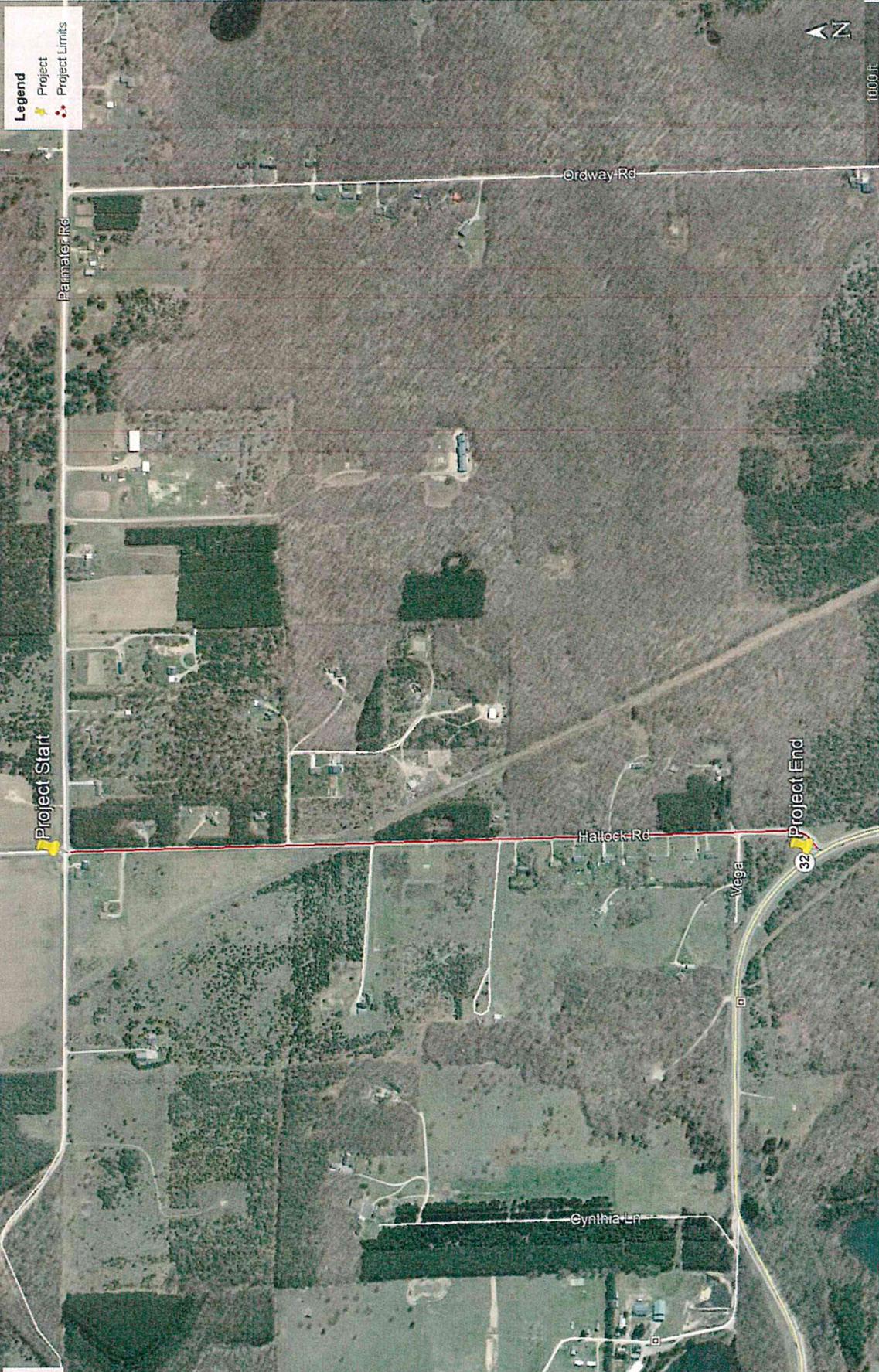
Wilkinson Rd Project
Osego County Road Commission

OCRC HALLOCK ROAD PROJECT

- Agency: Otsego County Road Commission
- Project Type: Major Renovation
- Year(s) of Project: 2025
- Project Description:
 - This project will be a crush and shape project on Hallock Road from M-32 to Theisen Road. The project will include strengthening the aggregate base, drainage improvements, and new HMA surface.
- Schedule: Spring 2025
- Estimated Cost: \$825,000.00
- Basis of Cost Estimate: Engineer Estimate
- Alternative Financing:
 - Federal Funds (46% share): \$ 376,176
 - Local Funds (54% share): \$ 448,825
- Agency Reported Priority: Important
- Planning Commission Reported Priority: **Important**



Hallock Rd Project
Ossego County Road Commission



Otsego County Six Year Capital Improvement Plan - Appendix A

Project Name	Agency	Project Type	Funding Source(s)	Estimated Cost	P.C. Priority	2020	2021	2022	2023	2024	2025
Otsego County Public Safety Complex	Otsego County	New Construction	TBD	TBD	Urgent	TBD	TBD				
Iron Belle Trail Downtown Gaylord Trailhead	Otsego County	New Construction	State 96%; Local 4% (Capital Improvement Fund)	\$1,110,000	Urgent	\$ 1,110,000					
Otsego Lake Outlet Structure Replacement	Otsego County	New Construction	TBD	\$200,000	Urgent	\$ 200,000					
Gaylord Regional Airport Box Hangar	Otsego County	New Construction	Federal 91%; State 4.5%; Local 4.5% (Airport Capital Projects Fund)	\$670,000	Important	\$ 670,000					
Gaylord Regional Airport Rehabilitate Runway 9-27	Otsego County	New Construction	Federal 90%; State 5.0%; Local 5.0% (Airport Capital Projects Fund)	\$5,650,000	Important			\$5,650,000			
Marlette Road From Sherman Road To Fantasy Drive Project	OC Road Commission	Major Renovation	Federal 53%; Local 47%	\$704,555	Important	\$ 704,555					
Krys Road Resurfacing Project	OC Road Commission	Major Renovation	Federal 80%; Local 20%	\$450,000	Important		\$ 450,000				
Marlette Road From Old 27 To Sherman Road Project	OC Road Commission	Major Renovation	Federal 50%; Local 50%	\$756,000	Important			\$ 756,000			
Murner Road Project	OC Road Commission	Major Renovation	Federal 63%; Local 37%	\$595,000	Important			\$ 595,000			
Wilkinson Road Project	OC Road Commission	Major Renovation	Federal 80%; Local 20%	\$1,515,000	Important				\$ 1,515,000		
Hallock Road Project	OC Road Commission	Major Renovation	Federal 46%; Local 54%	\$825,000	Important					\$ 825,000	
				Total Costs: \$11,165,555		\$ 1,374,555	\$ 450,000	\$ 1,351,000	\$ 5,650,000	\$ 1,515,000	\$ 825,000

Christine Boyak-Wohlfeil

From: Fults, Daniel <Daniel_Fults@Praxair.com>
Sent: Friday, November 01, 2019 10:13 AM
To: Christine Boyak-Wohlfeil
Subject: Daniel A. Fults, PZSU18-006, PZSU18-007

November 1, 2019

Daniel & Julie Fults
2196 Ramona Trl
Gaylord MI 49735

This letter is in response to the notification Julie and I received in regards to the special use permit concerning our joint property becoming expired. At this time Julie and I Request the Planning Commission grant us a one year extension so that we may commence with construction in the spring of 2020. The reasons for the construction delay were due to Julie and I being misguided and misinformed by those seeking the special use application on our behalf, which was a contingency of the property sale, due to this third party not prioritizing many aspects of the permit process and even changing representatives mid process the process was delayed numerous times which prompted my preferred contractor to fill his schedule with work that was ready available. I appreciate your consideration and understanding in this manner.

Sincerely

Daniel A. Fults

Daniel A. Fults

This e-mail, including any attachments, is intended solely for the person or entity to which it is addressed and may contain confidential, proprietary and/or non-public material. Except as stated above, any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than an intended recipient is prohibited. If you receive this in error, please so notify the sender and delete the material from any media and destroy any printouts or copies.

REMINDER:		It is encouraged that all Planning Commission members participate in committees for input from all areas of Otsego County		Adopted: November 19, 2018	
2019 OBJECTIVE LIST					
OBJECTIVE	INTENT	COMMENTS	COMPLETED		
IN PROCESS: Wireless Communications/ Section 21.46/Article 6 R3 Zoning District	Possible amendments to height and lot size for towers/R3 Zoning District	Committee / Volunteers: Mr. Arndt, Mr. Hartmann, Mr. Brown, Mr. Hilgendorf, Mrs. Jarecki	✓	Committee meeting - 9.28.18 - Sent to Twps - 10.1.18 - Attny Reviewed - Revised - 1.21.19 - Sent to Twps - 1.23.19 - Public Hearing - 4.15.19 - Recommended to BOC	
0. Administrative and Enforcement/ Article 25	Penalty Fee increase from \$50 to \$170 per enforcement occurrence	To go before the Finance Committee in December			
1. Non-Conforming Structures/Section 21.26	Language developed to insure property owners the ability to reconstruct their residence in the event of a natural disaster	Committee / Volunteers: Mr. Arndt, Mr. Hartmann, Mr. Klee, Mr. Brown	✓	Committee meeting - 1.16.19 - Attny Reviewed - Sent to Twps - 4.15.19 - Public Hearing - 7.15.19 - Recommended to BOC	
1. Schedule of Dimensions/Article 17	Setbacks - Minimum structure width R3, FR, AR	Committee / Volunteers: Mr. Arndt, Mr. Hartmann, Mrs. Jarecki, Mr. Arndt, Mrs. Norton	✓	Committee meeting - 1.14.19 - Sent to Twps - 1.23.19 - Public Hearing - 4.15.19 - Recommended to BOC	
2. Township Participation in County Zoning/ Article 27	Streamline Process/ Possible amendment to include email to Township Clerks/Timeframe	Committee / Volunteers: Mr. Hartmann, Mrs. Jarecki, Mr. Arndt, Mrs. Norton	✓	Committee meeting - 1.14.19 - Sent to Twps - 1.23.19 - Public Hearing - 4.15.19 - Recommended to BOC	
3. Pets and Other Animals/ Section 21.29	Enforcement Issue/ Define GAAMP Procedure - Regulations/ Animal Control/ Framework/ Define Pets - Residential	Committee / Volunteers: Mr. Hartmann, Mrs. Jarecki, Mr. Hilgendorf, Mrs. Norton		Committee meeting - 1.7.19 - Attny Reviewed - 1.28.19 - Sent to Twps - 3.12.19	

<p>4. Private Roads/ Emergency Vehicle Access</p>	<p>Identify Setbacks/ Easement - Develop very basic requirements for private roads within Otsego County to insure access is available to all emergency vehicles</p>	<p>Committee / Volunteers: Mr. Maxwell, Mr. Brown, Mr. Hartmann, Mr. Caverson, Mr. Scott</p>	<p>Committee meeting - 5.1.19 - 9.13.19 - Sent to Attny - 10.2.19</p>
<p>5. Lots Near Water/ Article 18</p>	<p>Enforcement Issue/ Correlate Article w/State of MI, DEQ, DNR...</p>	<p>Committee / Volunteers: Mr. Hartmann, Mrs. Jarecki, Mrs. Norton, Ms. Corfis, Mr. Stults</p>	<p>Committee meeting - 4.17.19 - Sent for guidance to Environmental Consulting & Technology Inc (ECT) - Proposal Review by ECT (\$17,800) - 7.23.19</p>
<p>6. Accessory Buildings/ Section21.1</p>	<p>Algorithm - Size/Non conformities</p>	<p>Committee / Volunteers: Mr. Hartmann, Mr. Arndt, Mr. Klee</p>	<p>Committee meeting - 2.4.19 - Sent to Twps - 2.21.19 - Public Hearing - 7.15.19 - Recommended to BOC</p>
<p>Accessory Buildings II/Guest House</p>	<p>Building Height/Living Space</p>	<p>Committee / Volunteers: Mr. Hartmann, Mr. Scott, Mr. Brown, Mr. Hilgendorf</p>	<p>Committee meeting - 8.30.19 - Sent to Attny - 10.2.19</p>
<p>Site Plan Review/ Article 23</p>	<p>Discussion/ Conditional - Not Conditional items</p>	<p>Committee / Volunteers: Mr. Hartmann, Mr. Arndt, Mr. Hilgendorf, Mr. Caverson</p>	<p>Committee meeting - 1.28.19 - No changes made</p>
<p>B1, B2, & B3 Business, Light Manufacturing Zoning District/ Article 12 - Overlay District</p>	<p>To provide consistency throughout Ordinance/ Possible amendment of 12.2.2 - Add 12.2.1/Possible Permitted Use Overlay</p>	<p>Mr. Hartmann, Mrs. Jarecki, Mr. Arndt, Mr. Hilgendorf, Mr. Brown</p>	<p>Committee meeting - 4.22.19</p>

Pigeon River - Overlay District	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.	To be discussed w/legal counsel for language	
Care Facilities	Update for compliance w/Michigan Enabling Act	Mr. Hartmann	Discussed 1.16.19 - Attnry Reviewed - Sent to Twps - 4.5.19 - Public Hearing - 9.16.19 - Recommended to BOC ✓
Restricted Uses / Section 21.34	Enforcement issues	Mr. Hartmann, Mr. Hilgendorf, Mr. Brown	Committee meeting - 2.13.19 - Attnry Reviewed - Committee meeting - 5.13.19 -



PLANNING COMMISSION 2020 MEETING DATES

Meetings are held in the conference 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, 2020

FEBRUARY NO MEETING SCHEDULED/PRESIDENT'S DAY

MARCH 16, 2020

APRIL 20, 2020

MAY 18, 2020

JUNE 15, 2020

JULY 20, 2020

AUGUST 17, 2020

SEPTEMBER 21, 2020

OCTOBER 19, 2020

NOVEMBER 16, 2020

DECEMBER 21, 2020

**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.