

**CHOCOLAY TOWNSHIP
PLANNING COMMISSION**

Monday, July 17, 2023 Minutes

I. Meeting Call to Order

Chair Ryan Soucy called the meeting to order at 6:00 PM.

II. Roll Call

Members present at roll call:

Ryan Soucy (Chair)
George Meister (Vice Chair)
Donna Mullen-Campbell (Secretary)
Don Rhein (Board)
Stephanie Gencheff
Kendall Milton

Members absent at roll call:

Rebecca Sloan (Vice Secretary)

Staff present:

Richard Bohjanen (Township Supervisor), Dale Throenle (Planning Director / Zoning Administrator)

III. Additional Agenda Items / Approval of Agenda

Rhein moved, Meister seconded, to approve the agenda as presented.

Vote: Ayes: 6 Nays: 0 Motion carried

IV. Minutes

A. June 19, 2023 Meeting

Soucy expressed a concern received from Deboah Mulcahey that the minutes did not accurately reflect Mulcahey's comments. Commissioners discussed the comments and recommended that staff review the comments for the next meeting.

Mullen-Campbell moved, Rhein seconded, to add to Ms. Mulcahey's comments.

Vote: Ayes: 6 Nays: 0 Motion carried

V. Public Comment

Bill Sanders, 105 Country Lane

Read his email sent to the Commissioners on his concerns with the proposals related to the proposed changes to the parcel sizes in the agriculture zoning district in relation to the master plan.

Deborah Mulcahey, 633 Lakewood Lane

Agreed with Sander's comments, spoke on missing comments in minutes, the

importance of minutes, and the gathering of information from the public in regards to the agriculture discussion.

VI. Presentations

None

VII. Unfinished Business

A. Proposed Zoning Ordinance Definitions

Staff Introduction

Throenle stated that the definitions were presented as a final draft. He stated that six definitions were added to cover State-mandated additions, and asked the Commissioners to review the state definitions to determine if the language was sufficient.

Commissioner Discussion

Soucy stated that he was in favor of leaving the State definitions as written. Gencheff asked if the definitions could be changed if they were state-mandated. Throenle responded that minor changes could be written to make the definition more readable.

Meister asked if the definitions could include a statement that said they were from the State so that if the definition changed the ordinance would not have to change.

Gencheff asked if the requirement was to include all the State-required facilities in the residential district; Throenle responded that was the case.

Soucy questioned the location of child care centers; he felt that the requirement was not in the language to require location in a residential district. After further discussion, Soucy requested that staff look into that to clear up the confusion.

Gencheff pointed out that there was a conflict in use for group child care home in the use table; the table showed conditional, where it should show permitted.

Meister asked about the note included above the definitions in the document. Throenle stated that it was designed for information only. Meister asked if the state definitions could be referenced in that section, instead of including the direct language in the ordinance. Soucy added that definitions should be included to establish a way to directly find the necessary definitions.

Commissioner Decision

Rhein moved, Meister seconded, that after Commissioner review the proposed zoning ordinance definitions be approved as presented.

Vote: Ayes: 6 Nays: 0 Motion carried

B. Proposed Agriculture Zoning District Language

Staff Introduction

Throenle stated that the discussion was a continuation of previous meeting discussions.

Commissioner Discussion

Gencheff asked about medium density in AG 1. She pointed out there was a discrepancy in density between two pages in the document. Throenle stated she was correct that medium density was the determination.

Commissioners discussed the differentiation of density across the three districts. Soucy added that the discussion was an exploration of the possibilities for each district, and that the Commissioners were developing a concept for the public to review.

Gencheff asked where the districts would be located, and how would they identified. Meister stated that the intent was not to make new small parcels, but to adjust the parcels to meet what already existed. He requested that maps be drafted to see where the different parcel sizes would be. Throenle added the intent was to review and adjust acreage for those parcels that were changed in 2008; he stated that it was not the intent to set parcels up for development.

Meister added that the smaller parcels should not be held to the same constraints as those that have larger acreage. He requested that staff come back with maps showing the relationship with the language the Commissioners are trying to develop.

Commissioners continued to discuss the mapping and locations of the proposed districts. Throenle added that staff could provide the requested maps.

Throenle asked if there were any changes requested for the proposed language. Gencheff asked if AG 1 should be changed to one to three acres; Throenle responded it would be better to state less than three acres to accommodate the smaller parcels with the understanding that the County Health Department would determine if there was adequate space for well and septic on the property prior to building.

Meister added a request to state that an AG 1 lot could not be divided into lots less than one acre. Soucy requested the language be considered a regulation; Throenle added the statement in the regulations section of the proposed document.

Meister stated he had a question about the examples under the medium processing, and whether any of those should be included in the agricultural districts. Throenle stated that they were listed as not permitted; Meister asked if that should be reconsidered. Commissioners decided to change the requirement to conditional in AG 2 and AG 3 for parcels of 20 acres or more.

Soucy asked that child care center be highlighted across the uses as well.

C. Proposed Zoning District Intent Statements and Land Uses

Staff Introduction

Throenle stated that the use table covered all uses across all zoning districts. He requested Commissioners review the intent statements and the use table.

Commissioner Discussion

Gencheff pointed out that medium density should be added to the AG 1 intent

statement; Commissioners decided to change the density statement to low in AG 1 and AG 2 districts.

Commissioners discussed mobile home parks. Meister expressed that the intent was to provide multi-family units in higher density residential with mobile home parks set as a conditional use. Commissioners agreed on the change.

Commissioners discussed the proposed use cross reference table. Gencheff asked how many accessory dwelling units could be allowed on the property. Throenle and Rhein stated that the language regarding that would be decided later on when discussing the language within the ordinance.

Commissioners changed the accessory dwelling unit MU district to conditional use.

They changed accessory residential home occupation – tier 1 and tier 2 to conditional use in the I district and changed the daycare example to relative care.

Commissioners changed the CR district to conditional use for accessory structure.

Commissioners added sales to the title for agriculture – commercial soil modifications.

Commissioners changed the CR district to conditional use for auditorium and place for public assembly.

Commissioners changed the I district to conditional use for charitable or philanthropic organization sales.

Staff will research the child care center uses.

Commissioners changed the GP district to conditional use for commercial recreation – indoor and commercial recreation - outdoor.

Commissioners changed the MFR district to conditional use for culture center.

Commissioners changed the MFR and MU districts to conditional use for emergency services facility.

Commissioners changed the AG 2 and AG 3 districts to conditional for the food packaging and bottling works.

Commissioners changed the AG 2 and AG 3 districts to not permitted for the food truck or other mobile vendor as a principal use of a lot.

Commissioners changed the MU district to conditional use for funeral home.

Commissioners changed the CR district to conditional use 40 acres minimum for hunting or shooting preserve; staff will look at state requirements for a hunting or shooting preserve.

Commissioners added outdoor drive-in theatre with conditional use in the AG 1, AG 2, AG 3, I, and MU districts.

Commissioners split kennel into indoor and outdoor, with conditional for the indoor in the AG 1, AG 2, AG 3, I, and MU districts.

Commissioners changed the AG 1, AG 2, and AG 3 districts to conditional use for

light intensity processing with accessory storage.

Commissioners changed the AG 1, AG 2 and MFR districts to conditional use for medical clinic.

Commissioners changed the AG 2 and AG 3 districts to conditional 20 acres minimum use for medium intensity processing and handling.

Commissioners changed the MFR district to conditional use for mobile home park.

Commissioners removed funeral services and gas station from the examples for moderate regional commercial - moderate traffic intensity.

Commissioners changed the AG 1, AG 2 and AG 3 districts to conditional use for outdoor food and beverage service.

Commissioners changed the I, MFR, MU, R1, R2, and SR districts to conditional use for planned unit development.

Commissioners changed the AG 1, AG 2, and AG 3 districts to conditional use for private club.

Commissioners added not related to agriculture to retail food and drink.

Commissioners added not related to agriculture to retail sales.

Commissioners changed the AG 2 and AG 3 districts to permitted use 20 acres for riding stable or animal breeding facility accessory to a residence.

Commissioners changed the AG 2 and I districts to conditional use, and not permitted in GP for site condominiums.

Commissioners changed the MFR, MU, R1, R2 and SR districts to conditional use for solar energy system (SES) – accessory ground mounted

Staff will look at State law to see if large commercial arrays can be left out of an ordinance.

Commissioners changed the MFR district to conditional use for transportation – high impact.

Staff will look at the State mandates to determine if wind energy conservation systems must be included in the ordinance.

Commissioners changed the CR district to conditional use for wildlife management.

Commissioners changed the CR district to not permitted and the MU district to conditional use for wireless communication facility.

Throenle stated he would bring the revised chart to a future meeting.

VIII. New Business

A. Proposed Zoning Ordinance Document Layout

Staff Introduction

Throenle stated that he extracted the document layout from the master plan to

prepare for inclusion of language as it is written in the future, with a cross-reference to the current zoning ordinance. He added that a cross-reference document was included to show the relationship to the current zoning ordinance.

Commissioner Discussion

Soucy recommended that section 5.3 be changed to 5.1, and numbering would change within the section to match the change; Meister agreed.

Commissioners discussed the location of site plan review and conditional use, and decided to keep the sections where they are.

Throenle indicated that there were sections identified at the end of the document that were not referenced in the new format.

Commissioner Decision

Meister moved, Rhein seconded, that the proposed zoning ordinance document be approved as revised.

Vote: Ayes: 6 Nays: 0 Motion carried

IX. Public Comment

Bill Sanders, 105 Country Lane

Spoke on uses such as solar and wind that had to be included, and to do so as conditional uses. He added comments in support of the inclusion of a one-page summary of site plan review and conditional use, and spoke about the AF property sizes.

Richard Bohjanen, 140 Edgewood Drive

Added a humorous comment that “grow things” was not discussed in relation to uses in the agriculture district.

X. Commissioner’s Comments

Rhein

No comments.

Gencheff

Expressed that she was concerned about promoting sprawl.

Milton

Asked if the Parker property was going to be a contractor yard. Throenle responded that the equipment was being used for the properties within the development.

Mullen-Campbell

Felt that it was a good work session, and that everyone was asking good questions.

Soucy

Thanked the Commissioners for a good job.

Meister

Stated that it was good meeting, with the bonus of completing the agenda. He added

it would be good to continue to look at the solar and wind energy requirements.

XI. Director's Report

Planning / Zoning Administrator Throenle

Throenle stated the next meeting on August 21 would be a joint meeting with the Board that starts at 6 PM, and the regular meeting would start at 7:30 PM.

He added that the Board had two agenda items; the first would be a presentation on where the Commissioners were on the AF topic, and the second would be a discussion on the minimum square footage requirement for a residential development; Rhein followed with additional information on the square footage topic.

Throenle stated that the agenda for the 7:30 meeting would be a discussion of the topics from the joint meeting, and that items discussed during tonight's meeting would be brought back in September.

Throenle again thanked the Commissioners for finishing off the definitions and the use table.

XII. Informational Items and Correspondence

- A. Township Board minutes – 06.12.23
- B. Marquette County Planning Commission minutes 06.07.23 draft
- C. City of Marquette Planning Commission minutes 05.16.23
- D. City of Marquette Planning Commission minutes 06.06.23

XIII. Adjournment

Rhein moved, Meister seconded, to adjourn the meeting.

Vote: Ayes: 6 Nays: 0 Motion carried

Soucy adjourned the meeting at 8:26 PM

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell