

**CHOCOLAY TOWNSHIP  
PLANNING COMMISSION**

**Monday, March 18, 2024 Minutes**

**I. Meeting Call to Order**

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

**II. Pledge of Allegiance**

**III. Roll Call**

Members present at roll call:

Ryan Soucy (Chair)  
George Meister (Vice Chair)  
Donna Mullen-Campbell (Secretary)  
Rebecca Sloan (Vice Secretary)  
Stephanie Gencheff  
Kendall Milton

Members absent at roll call:

Don Rhein (Board)

Staff present:

Dale Throenle (Planning Director / Zoning Administrator)

**IV. Additional Agenda Items / Approval of Agenda**

*Milton moved, Sloan seconded, to approve the agenda as presented.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

**V. Minutes**

**A. February 12, 2024 joint meeting**

**B. February 12, 2024 regular meeting**

*Mullen-Campbell moved, Sloan seconded, to approve the minutes for both meetings as presented.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

**VI. Public Comment**

None

**VII. Presentations**

None

## **VIII. Unfinished Business**

### **A. Proposed Zoning Ordinance Amendments for the Agriculture / Forestry (AF) Zoning District (34-23-02)**

#### **Staff Introduction**

Throenle stated that the Commissioners were reviewing the final draft document with attorney review included. He added that Accessory Dwelling Unit (ADU) was listed as permitted in the proposed AG 1, AG 2, and AG 3 zoning districts. Throenle then outlined the reasoning for the attorney comments incorporated into the document.

#### **Commissioner Discussion**

Soucy asked about section 125.3206 in the *Zoning Enabling Act* regarding the mandated uses shown in that section. He asked about residential districts; Throenle stated that single family homes were allowed in the AG districts, making those districts residential in nature. Soucy asked about the special use clause in that section; Throenle pointed out that the Township considered special uses as conditional uses.

Soucy asked about the proposed district size minimums. Throenle stated that the numbers were changed to accommodate the attorney recommendation to set the minimum for each district to reduce confusion.

Gencheff asked if setting the minimum would address the issue of reducing non-conformances; Throenle stated that it would.

Gencheff asked about the State-mandated uses; Throenle replied that the uses were a combination of conditional and permitted, depending on the requirements in the *Zoning Enabling Act*.

Meister asked about the treatment programs and if they could be considered conditional. Throenle pointed out that the *Zoning Enabling Act* specifies that the use must be permitted.

Gencheff asked about ADUs. Meister suggested that the Commissioners discuss ADUs to determine whether ADUs should be permitted or conditional in each of the proposed AG districts.

Commissioners moved into the discussion on ADUs.

## **IX. New Business**

### **A. Proposed Accessory Dwelling Unit Language**

#### **Staff Introduction**

Throenle pointed out that the document being presented was a document designed to get the conversation about ADUs started. He began with a series of questions that were the end of the ADU document. The questions were:

1. Mixed use overlay – will change to MU (Mixed Use). ADUs for commercial properties?

2. AG 1, AG 2, and AG 3 are permitted use for ADUs. Should ADUs in those new districts be changed to conditional use?
3. What to do with a new / expired ADU? Rent? Vacation rental? Removal?
4. If a minimum size is occupiable according to County standards, will consideration be for living in square footages that accommodate tiny homes.

He also pointed out that the green highlighted language in the document was from the current zoning ordinance. He added that most of the proposed language came from other ordinances that staff had researched.

### **Commissioner Discussion**

Commissioners discussed the proposed purpose statement. Meister recommended that the word “family” be removed from the statement. Gencheff stated that one of the primary reasons for ADUs was to provide a rental income on the property, and it would not provide affordable housing.

Commissioners returned to the top of the document to review the definitions and agreed that the definitions were satisfactory.

Meister questioned the reason for not allowing lot splits with ADUs. Throenle stated that if the ADU is less than 800 square feet, the ADU would be non-conforming after the split. Meister suggested that the language be changed to state that splits would be permitted as long as the requirements of the zoning ordinance (setbacks, etc.) were met. Commissioners discussed the proposed idea, Commissioners decided to add phrasing requiring that regulations must be met prior to the split.

Commissioners discussed the owner-occupied statement, and decided to change it to “the owner must live on the property.”

Commissioners discussed the minimum and maximum square footage of the ADU. After considerable discussion, which included discussion on percentages of the original structure and attached versus detached, the Commissioners decided to move that discussion to a future meeting. They leaned toward a minimum square footage of 400 and a maximum square footage of 1,000, and are potentially looking at a percentage of the existing structure, percentage of the property, and a percentage of the property frontage as part of the future discussion.

Commissioners discussed the driveway and parking requirements for an ADU. The Commissioners decided that separate driveways would be allowed, and that on-site parking would be required.

Commissioners discussed the metering for public utilities requirement and providing a separate mailing address requirement. After discussion, they decided that the separate utilities would be acceptable, and that a separate mailing address would be discussed after staff had a conversation with the Assessor about assigning multiple addresses.

Commissioners moved on to a discussion on height. They decided to keep the height within the constraints of the zoning district height.

The Commissioners addressed the application process to determine if ADUs would require a conditional use permit from the Township. They discussed the relationship between an ADU and the appropriate zoning districts as to where the ADUs could be located. They decided to keep the ADU process as a conditional use process.

Commissioners looked at the three items extracted from the current ordinance. They removed the requirement for a five year renewal and removed the requirement for dismantling the ADU at the end of its use. They decided to bring the discussion on the first item involving reasonable conditions back for review at a future meeting.

The Commissioners requested that a map of the mixed use area be brought to the next discussion so they could discuss the question of ADUs in a commercial or mixed use district.

Commissioners discussed the permitted and conditional use for the proposed agriculture zoning districts. They decided that AG 1 will be conditional; AG 2 and AG 3 will be permitted.

Throenle suggested that the Commissioners return to the previous agenda item regarding the uses for AG 1, AG 2, and AG 3 to finish the discussion. Commissioners decided to change ADUs in the AG 1 district to conditional, and to leave the AG 2 and AG 3 districts as permitted.

Soucy asked about setting a maximum occupancy; Commissioners decided to not include that requirement.

#### **Commissioner Decision**

*Meister moved, Milton seconded, that after Commissioner review the proposed zoning ordinance language be updated for the public hearing in April as changed.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

### **B. Proposed Non-Agriculture Zoning Districts Language**

#### **Staff Introduction**

Throenle asked the Commissioners if they wanted to continue with the agenda item. Soucy asked that the item be moved to the next meeting. Throenle responded that he would move the this item and the ADU discussion to the May meeting so that the two public hearings (AG zoning districts and a home occupation hearing) could be accommodated on the April agenda.

### **IX. Public Comment**

John Smith, 2176 M-28 East

Complemented the Commissioners on the job they were doing with the projects they have been addressing.

He pointed out that farm visits and wedding barns were missing in the examples for "Agriculture - on-site agritourism" use in AG 3.

Commissioners decided to update the language to reflect the required change.

*Meister moved, Mullen-Campbell seconded, that the language for the AG 3 examples for Agriculture on site agriculture be updated in the public hearing document.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

#### **X. Commissioner's Comments**

Mullen-Campbell

Making progress.

Milton

No comments.

Gencheff

Reflected on the difficulty of making the ADU decisions.

Sloan

Agreed that progress was being made.

Soucy

No comments.

Meister

Liked the volume of work that was completed.

#### **XI. Director's Report**

Planning / Zoning Administrator Throenle

He stated there would be two public hearings at the April 15 meeting: one for a conditional use permit and the other for the AF discussion. He added that the meeting will possibly held in the fire hall fire bay if there is a large crowd for the AF discussion.

He added that Commissioner Rhein would not be at the next meeting. Throenle also said he would be sending out approximately 1,800 notices for the public hearings.

He complimented the Commissioners for the work completed on the ADU discussion.

#### **XII. Informational Items and Correspondence**

**A.** Township newsletter – February 2024

**B.** Marquette County Planning Commission minutes – 01.10.24 draft

**C.** City of Marquette Planning Commission minutes 02.20.24

#### **XIII. Adjournment**

*Milton moved, Meister seconded, to adjourn the meeting.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

Soucy adjourned the meeting at 8:25 PM

Submitted by:

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Planning Commission Secretary

Donna Mullen-Campbell