

Village of Lake Isabella

2017 Annual Planning & Zoning Report

January 2018



Planning Commission

Dave McGrath, Chairman
Bob Laraway, Vice-Chair
Jeff Grey, Village Councilman
Angela Schofield
Farzad Tafreshi
Bill Preuss
Mike Simon

Prepared By:

Tim Wolff

Village Manager & Planning Commission Secretary

Permit & Activity Historical Summary

Table 1. Zoning Activity History 1998 - 2016					
Year	Total Zoning Permits	New Home Permits	Variances Heard/ Approved	Ordinances Adopted	Planning Commission Meetings
1998	48	29	0/0	3	5
1999	90	45	9/9	2	12
2000	77	36	3/3	3	13
2001	73	35	2/2	2	12
2002	85	39	2/1	1	11
2003	59	37	2/2	0	12
2004	58	30	6/6	3	14
2005	61	27	4/3	2	13
2006	40	16	2/1	3	11
2007	40	20	3/3	5	12
2008	28	12	4/2	1	8
2009	29	4	7/4	2	11
2010	23	2	1/0	3	9
2011	20	2	3/1	5	6
2012	16	2	0/0	4	9
2013	22	2	1/0	3	8
2014	17	2	0/0	4	8
2015	33	4	1/1	6	10
2016	42	4	1/0	4	9
2017	31	4	1/0	3	9
Totals	892	352	52/38	56	193

2017 Planning Commission Activity

During the course of 2017 the Planning Commission met 9 times. This meets the requirements of the Michigan Zoning Enabling Act (MZEA). The Planning Commission's normal meeting date and time is the second Tuesday of the month at 7 PM.

Zoning Ordinances

In 2017 the Planning Commission continued work on implementing the goals and projects of the Village's 2013 Master Plan. During this calendar year, the Planning Commission recommended the following four ordinances to the Village Council:

- **Ordinance 2017-01:** The purpose of this Ordinance was to amend the zoning code of the Village of Lake Isabella to establish regulations controlling the use and construction of fences, walls, and pet enclosures in a manner which enhances and protects the public health, safety, and general welfare by ensuring quality workmanship, pleasing aesthetics, and prohibiting fences which may degrade to the overall character of the village or otherwise have a negative impact property values. This Ordinance was adopted by the Village Council.
- **Ordinance 2017-02:** The purpose of this ordinance is to amend the zoning code of the Village of Lake Isabella to enact a uniform method of regulating the establishment of uses defined in the zoning code on parcels in the Village. This ordinance creates a centralized location for development standards for uses allowed in the zoning code, and established what the specific development requirements for the various uses in the zoning code. It also identifies which districts each use may be allowed in, and what level of approval is required for a specific use in a specific district, and what information is required for each level of application of approval. This Ordinance was considered by the Village Council and ultimately returned to the Planning Commission for additional work to ensure that any land use changes comply to the adopted Airport Approach Plan as required by the Airport Zoning Act.
- **Ordinance 2017-03:** The purpose of this Ordinance is to amend the zoning code by creating Chapter 1258 of the Zoning Code titled "Chalet Overlay District." The Chalet Overlay District is hereby established to accommodate the development of detached

single-family dwellings in an area of the Village where the combination of small lot sizes and challenging conditions which impact the development of on-site wells and septic systems exist. The intent of the Chalet Overlay District is to allow for future residential development which enhances the character of the existing neighborhood by allowing future development of homes that preserve the quality of life presently enjoyed in the area by lessening the impact of new homes on existing vistas of the lake. By allowing smaller homes to be built, it is also the goal of this district to provide greater flexibility for property owners to develop on-site well and septic systems within the limited space available to them, and do so in manner that is not injurious to development on adjacent parcels. This overlay district shall only apply to the Site Development Standards and Setbacks for lots in the underlying LR-1 zoning district. The Permitted and Special Land Uses of the underlying LR-1 Zoning District are not replaced or superseded by this Overlay District. [This Ordinance was adopted by the Village Council.](#)

- **Ordinance 2017-05:** The purpose of this Ordinance is to amend the zoning code to clarify the difference between Manufactured Homes and Modular Homes when located outside of a Manufactured Home Park. It is further the intent of this Ordinance to clarify the regulation of both, including which zoning districts each type of home may be permitted in. [This Ordinance was adopted by the Village Council.](#)

Special Land Use (SLU) Applications

As part of the February 14th meeting the Planning Commission reviewed a proposed Special Land Use application for 565 N. Coldwater Rd. The request was to establish an Outdoor Wedding Venue in line with the Use Determination made by the Planning Commission in late 2016. After conducting a public hearing on the request the Planning Commission approved the request with the following conditions:

1. Hours of Operation be limited to 8 AM to 9 PM Sunday through Thursday, and 8 AM to midnight, with a cutoff for music being 11 PM and guests gone from the property by midnight on Friday and Saturday.
2. The Applicant is granted the ability to host a total of 6 wedding receptions or events which require the use of a Temporary Structure to be approved by the Zoning

Administrator under Section 1212.29 of the zoning code. Upon reaching the limit of 6 wedding receptions or events, the Applicant must return to the Planning Commission to evaluate the impact of the use on the neighborhood before any additional wedding receptions or events may be permitted which require the use of a Temporary Structure under Section 1212.29 of the zoning code. At which time if it is determined that noise has not been adequately mitigated that Special Land Use Approval may be revoked by the Planning Commission.

3. Portable Toilets shall be removed from the parcel within 48 hours of the event held.
4. Food provided for events shall not be prepared on-site unless a permit has been obtained from the Central Michigan District Health Department.
5. Damage done to the property from events shall be promptly repaired as to maintain the appearance of the property as a single-family dwelling when not in use as a wedding venue.
6. The use and consumption of alcoholic beverages on-site shall comply with State law.
7. The use of the site shall comply with the Village's adopted noise ordinance, specifically that adjacent residential properties shall not receive more than 40 decibels of noise originating from the Special Land Use.

Site Plans Reviewed

As part of the February 14th meeting the Planning Commission reviewed a proposed update to the approved Site Plan for PWGG (Isabella Pellet) at 6900 W. Baseline Rd. After holding a Public Hearing on the application the Planning Commission recommended the Site Plan to the Village Council with the following conditions:

1. While in production between the hours of 8 PM and 7 AM the overhead doors facing the west shall be kept closed, except as briefly needed for deliveries, removing finished product, and emergencies.
2. Landscaping for the berms, including trees as shown on the Site Plan and planting of a vegetative covering, shall be finished by June 1, 2017; all required landscaping shall be maintained and restored if damaged or destroyed.

3. Not more than 200 cubic yards of raw materials which are in the process of being used and all raw materials not planned for use in the next 48 hours shall be covered as required by §618.03 to prevent dust and debris from leaving the site.
4. Exterior lighting shall be shielded in such a way as to direct all light toward the Earth's surface and away from reflective surfaces, and all future lighting changes shall comply with the Village's External Lighting Ordinance.
5. The owner shall submit a list of hazardous materials to be kept on file and shared with local first responders and shall update the list as changes occur to keep first responders properly aware of hazards on-site.
6. The existing paved driveway is maintained and kept free from obstructions. Also, the "access drive" and gravel parking areas shown on the Site Plan are to be improved with gravel by June 1, 2017 and regularly maintained after that by grading and brining at least once every four months.
7. The on-site storage of raw materials and finished product shall be restricted to the areas shown on the Site Plan by October 1, 2017. In the interim period the Applicant may store raw materials and finished product on-site in areas not designated on the Site Plan provided such is not a nuisance to adjacent properties and the Applicant maintains the area in front of the overhead doors free from raw materials and finished product as shown on the Site Plan.
8. The Applicant submits an amended drawing addressing the following items:
 - a. A location designated for the bulk fuel diesel tank.
 - b. Removal of the size description of on-site parking spaces.
 - c. Removal of language relating to an additional extension of the stack height.

Capital Improvement Plan (CIP)

The CIP was reviewed by the Planning Commission as part of the March 14th meeting and April 11th meeting. The CIP was reviewed for conformity with the Master Plan, and was included in the adopted 2017-18 Budget.

Redevelopment Ready Communities (RRC)

In 2017 the Village began the process of becoming involved in the Redevelopment Ready Communities program. In April the Village Council adopted a Resolution which declared the Village's intent to become involved in the program. The Village Council then approved the required Joint Memorandum of Understanding required by the Michigan Economic Development Council as part of the program. The Village's self-assessment was submitted in late 2017, and the Village is currently awaiting a reply from MEDC. It is anticipated that any items MEDC highlights requesting Village action will be included as part of the goals for the 2018 Master Plan update.

Initial areas where the Village was lacking in compliance with the program's requirements were identified by Village staff as:

- The Village does not have a formal public participation strategy and also does not track the success of engagement efforts.
- The Village needs to update and expand its online resources that explain the development process.
- The Village does not have a desired skill and job description for board/commission appointments.
- The Village does not provide an orientation packet for new members of boards and commissions.
- The Village typically does not have a joint meeting with the Planning Commission and Village Council.
- The Village has not identified targeted development sites.
- The Village does not have a formal economic development strategy document.
- The Village does not have a formal marketing strategy document.

2017 Zoning Board of Appeals Activity

The ZBA held one meeting in 2017. In 2016 the ZBA heard an appeal regarding a fence issue and postponed action until Ordinance 2017-01 had been acted on. After that ordinance had been adopted, one of the two variance requests were no longer needed as the zoning code

was amended in a manner that eliminated the violation. The ZBA considered the remaining appeal request for that application. After discussion, the ZBA voted to deny the request (for a chain-link fence) as the applicant failed to demonstrate any hardship or difficulty in comply to the zoning code that would warrant a variance.

Member Training

During 2017 a combination of 4 members of either the Planning Commission or ZBA attended training offered by the Michigan Association of Planning. Planning Commission member Schofield attended a Site Plan Review workshop in March. Also in March, ZBA members McGrath, Prince, and Dauffenbach took MAPs training for Zoning Board of Appeals members.

Master Plan Implementation

During the 2017 year, the Planning Commission worked on addressing the following outstanding goals listed in the Village's 2013 Master Plan:

- *Review the Village's adopted regulations on windmills and solar panels and update them to reflect current best practices for residential uses.* The Planning Commission included recommended changes to the zoning code to address this issue as part of Ordinance 2017-02.
- *Amending the zoning code to reflect the goals and outcomes of the Master Plan.* The Planning Commission spent considerable time working on this and recommended numerous changes as part of Ordinance 2017-02.

In addition to the work done by the Planning Commission, the Village Council also worked on addressing the following outstanding goals listed in the Village's 2013 Master Plan:

- *The Village should monitor and keep the citizens informed about opportunities to enter into a single hauler contract for trash and refuse service for the community.* The Council began work on this goal after the closure of Dent Refuse. A draft ordinance has been prepared and community engagement on this topic is planned for 2018.

- *The Village should examine its adopted P.A. 198 abatement policy and scoring system to determine if the plan best targets industries which the Village wants to attract and that are accepted as sustainable for the regional economy.* The Village Council discussed this at its November meeting, and adopted a Resolution at its December meeting which repealed the existing P.A. 198 Policy and stated a new position that the Village would not having a standing approval policy for Industrial Facility Abatements.
- *Develop a stormwater management plan which would include ways to add filtration areas to runoff from Village streets and possible stormwater detention areas to allow such to settle before entering the lake or ground water supply.* Village Manager Wolff completed training and became a certified Industrial Stormwater Operator.

Staff Professional Development

Professional staff to both the Planning Commission and Zoning Board of Appeals is primarily provided for by the Village Manager. Tim Wolff has served in this role since 2004 and holds the following related credentials:

- Master Citizen Planner, Michigan State University Extension
- Certified Zoning Administrator, Michigan State University Extension
- Michigan Association of Planning, Member
- American Planning Association, Member
- Form-Based Codes Institute, Graduate
- Redevelopment Ready Communities Training, Graduate

During 2017, Mr. Wolff participated in a bi-monthly training series offered by MSU to maintain his Master Citizen Planner status. That training was conducted by webinar, and included the following topics:

- **Is there such a thing as rural placemaking?** - You've likely heard the term Placemaking – creating quality places where people want to live, work, play and visit. Much of the discussion is around urban placemaking, but what about rural areas? Learn about how placemaking concepts and practices can apply to rural Michigan townships.

- **Writing Parks and Recreation Plans** - Learn the steps and best practices for developing a 5-year Parks and Recreation Master Plan in this webinar. Examples of how to develop maintenance and management plans for three different park environments will also be provided. Park plans for a preserve, a Trailway, and an urban park will be explored and evaluated for different content. Learn for this webinar so you won't make mistakes when you write your plans!
- **Tools, Tips, and Techniques for local government success in the New Economy** - Many people have heard of the New Economy or global economy, but what are local governments doing to prepare for it? Now is the time for communities in Michigan to assess their planning, zoning, and local practices to support the ways many businesses think, act, and remain competitive in this new world. This webinar will provide best practices, checklists, and guides to assist urban, rural, and suburban communities to prepare for success in the New Economy.
- **Real Estate Law for Planning Commissioners** - Local land use decision-makers often interact with real estate attorneys who represent development project participants and handle the legal issues involved. This webinar will demystify the legal lingo you hear and help you review development proposals with a better understanding of real estate law, including due diligence, ownership structures, leases, easements, private land use controls, and project financing.
- **Understanding and Planning for the Shared Economy** - The Sharing Economy, characterized by the sharing and reuse of excess goods and services, has spawned opportunities for leveraging assets and fostering business ventures, thus leading to a new wave of entrepreneurs in the 21st century. As a result, ventures, such as ridesharing, shared housing, and other shared services are moving communities to rethink (and redesign) policies and plans. This program will address a number of Sharing Economy business models that have empowered entrepreneurship and discuss a number of policies communities can take to foster this growing trend. Industry, such as travel and tourism, will be used as an example.
- **Land Use Legislative and Case Law Recap for 2017** - Local government planning and zoning responsibilities and limitations are ever-changing. Learn about major legislation

and case law that has come to influence your community’s planning and zoning program during 2017. What you don’t know can still land you in court!

In addition to the training undertaken through MSU Extension, Mr. Wolff also attended a Community Mentors Event on December 6th in Mt. Pleasant. This event focused on Developing and Implementing a Community Development Plan, Strategic Community Planning, Social Determinants of Health, and Identifying Community Needs & Housing Gaps.

2017 Code Enforcement Action

The table below provides a general breakdown on the types of code violations handled by the department since 2010:

Type of Case	2010	2011	2012	2013	2014	2015	2016	2017
Animal Control	24	13	25	12	3	10	4	83
Blight	173	138	178	102	60	57	68	82
Fireworks/Burning	11	6	9	1	1	3	2	8
Miscellaneous	1	2	7	8	2	1	4	6
Noise	0	3	1	1	1	0	0	1
Rental Code	6	34	33	54	36	47	33	36
Sign Code	3	0	2	1	0	0	0	0
Streets	0	0	6	26	22	21	18	6
Trailer/RV	12	0	11	21	2	7	6	6
Zoning	9	7	23	17	12	13	24	21
TOTAL	239	203	295	243	139	159	159	249

Roster & Terms

Planning Commission	
Member	Term Expires
Jeff Grey*	January, 2019
Angela Schofield****	July 1, 2017
Farzad Tafreshi	July 1, 2018
Mike Simon	July 1, 2018
Dave McGrath, Chairman	July 1, 2019
Bill Preuss	July 1, 2019
Robert Laraway, Vice-Chair	July 1, 2020

Zoning Board of Appeals	
Member	Term Expires
Dave McGrath**	July, 2018
Arnold Griffin***	January, 2019
Lee Price	July 1, 2020
John Dauffenbach	July 1, 2018
Arvil King, Chairman	July 1, 2019

- * *Grey serves as the Village Council's representative to the Planning Commission. His term expires on the Organizational Meeting date for the Village Council following the 2018 General Election.*
- ** *McGrath serves as the Planning Commission's representative to the ZBA. His term expires at the regular Planning Commission meeting date in July.*
- *** *Griffin serves as the Village's Council representative to the ZBA. His term expires on the Organizational Meeting date for the Village Council following the 2018 General Election.*
- **** *Schofield's term expired in 2017 and she did not seek re-appointment. However, the Village has yet to appoint a replacement as no applications have been received. Schofield has agreed to serve until a replacement is appointed as allowed via MCL 125.3815(2).*