

Tuscola County Planning Commission

Annual Report 2022

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1.0 INTRODUCTION

The Tuscola County Planning Commission functions under and has their powers and duties set forth by both the Michigan Planning Enabling Act (PA 33 of 2008) and the Michigan Zoning Enabling Act (PA 110 of 2006). The Michigan Planning Enabling Act (MPEA) provides for the creation, organization, powers, and duties of Planning Commissions. The Michigan Zoning Enabling Act (MZEA) provides for the adoption of zoning ordinances and the establishment of zoning districts and prescribes powers and duties of certain officials including the Planning Commission.

Section 19 of the MPEA (MCL 125.3819) requires the Tuscola County Planning Commission to make an annual written report to the County Board of Commissioners. This report is to provide the Board with a summary and status of planning activities over the past year.

2.0 MEMBERSHIP

The MPEA states that the membership of the Planning Commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geography of the local unit of government to the extent practicable.

In 2022, the Planning Commission's membership consisted of:

Rick Boylan
Cynthia Kapa*
Lonnie Kester, Chair
Robert McKay
Albert Pearsall, Vice Chair
Heidi Stark**
Ann Westover, Secretary*
Lori Selvidge~

*member has Citizen Planner Certification through MSO Extension.

**member has completed Master Citizen Planner requirements through MSU Extension.

~ Appointed September

The Board of Commissioner's Liaison was Kim Vaughan.

3.0 MEETINGS

At the January 5, 2022 meeting the Planning Commission set their 2023 meetings for the first Wednesday of each month at 5:00 p.m. Meetings are to be held at the Purdy Building.

In 2022, the Commission met monthly. No special meetings or closed sessions were held. All meetings were held in compliance with the Open Meetings Act (PA 267 of 1976).

3.1 Attendance

The Planning Commission held twelve (12) regular meetings in 2022. Member attendance is indicated with an X. Excused attendance is marked with an E. U indicates an unexcused absence.

| Name | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
|-----------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Rick Boylan | X | E | X | X | X | X | E | X | E | X | X | X |
| Cynthia Kapa | X | X | X | X | X | X | X | X | E | E | E | X^ |
| Lonnie Kester | X | X | X | X | X | X | X | X | X | X | X | X |
| Robert McKay | X | X | X | X | E | X | X | X | X | X | X | E |
| Albert Pearsall | X | X | X | X | X | X | X | X | X | X | X | X |
| Heidi Stark | X | X | X | X | X | X | X | X | X | X | X | X |
| Ann Westover | X | X | X | X | E | X | X* | | | | | |
| Lori Selvidge | | | | | | | | | U~ | | | |

^ Member resigned- no longer meets residency requirements.

* Member resigned- military service

~ Member resigned during meeting via text.

4.0 PLANNING COMMISSION RESPONSIBILITIES

The Planning Commission has a broad range of responsibilities and duties. While many duties are statutory, the scope of certain roles is directed, defined, and approved by the Board of Commissioners. The Planning Commission's basic duties and responsibilities as defined by the MZEA and the MPEA include the following:

- Review and make recommendations, as required by the MZEA, on zoning amendments for any township in the County that has its own zoning ordinance
- Review and comment on any proposed master plans or master plan amendments for any community within or adjacent to Tuscola County as required by the MPEA
- Reviews applications into the Farmland and Open Space Preservation Program (PA 116)
- Serves as the coordinating agency for all planning in the county
- Cooperates with neighboring and area local governments, state and federal governments and other agencies of Tuscola County government

- Oversees, creates, modifies and maintains the Tuscola County Master Plan. Part of this work includes promoting public interest and understanding of the master plan and the master plan process. The Planning Commission also makes ordinance proposals, plan amendments, and sub-plans as required by the Board of Commissioners in accordance with the MZEA, Tuscola County Zoning Ordinance, and the Tuscola County Master Plan.
- Creates studies of existing and future conditions, surveys, and probable growth. These studies should include economic development, social development, physical development, and environmental concerns.
- Recommends Capital Improvement Program (CIP) elements for capital expenditures of the government (and creates the CIP if not assigned to another agency).
- Conducts infrastructure reviews of proposed physical improvements in the government
- Prepares an annual report and submits a yearly budget and an annual work program.
- Keep public records of its meetings and other documents, all complying with the Freedom of Information Act.

5.0 PLANNING COMMISSION ACTIVITY IN 2022

5.1 Master Plan Reviews and Filing

City of Vassar Master Plan
 Village of Kingston Master Plan
 Tuscola County Parks and Recreation Master Plan
 City of Caro Master Plan

5.2 Zoning Amendments, review and revisions

Almer Township Zoning Ordinance Amendment -solar
 Wisner Township Zoning Changes
 Fairgrove Zoning Ordinance-town
 Freemont Township Zoning Ordainment Amendment - marijuana
 Columbia Zoning Ordinance- Agritourism

5.4 Review of Local Development Plans

Tuscola Township – Blasius Inc. Telecommunication Tower and Outbuilding.
 Village of Cass City Wastewater Treatment Plan
 Village of Reese Parks and Recreation Plan
 Tuscola Township -Karr Automotive Site
 Village of Millington Capital Improvement Plan

5.5 Farmland Agreement Applications (PA 116)

In 2022, the Commission reviewed and commented on a total of 29 farmland agreement application packages in 15 different townships applying to enter the Farmland and Open Space Preservation Program.

| Township | Number |
|--------------|--------|
| Almer | 7 |
| Arbela | 1 |
| Akron | 1 |
| Dayton | 3 |
| Columbia | 1 |
| Denmark | 2 |
| Gilford | 2 |
| Fairgrove | 1 |
| Juniata | 1 |
| Kingston | 1 |
| Indianfields | 1 |
| Millington | 1 |
| Tuscola | 1 |
| Wells | 1 |
| Wisner | 2 |

In addition, The State of Michigan rejected one PA 116 previously filed for lacking proper acreage under agriculture (Kingston- 120 Acres). One Pa 116 was also withdrawn from the PA116 program in Denmark township (40 Acres).

5.6 FOIA requests

The Planning Commission received no FOIA requests in 2022.

5.7 Topics Reviewed and Discussed

The following topics were discussed in the context of having a potentially large and long-lasting impact on the future of Tuscola County.

- Tuscola County Master Plan – Review and updating of the plan was a major focus of the year.
- Activities and processes of the Parks and Receptions Board
- Parks and Receptions formation of an “ON-line” store and formation of a non-profit organization.
- Tuscola County Airport Zoning Board- On-going litigation and case updates.
- Incubator Kitchen (Big Boy location) and potential tourism impact

- Military Sales Pilot Training Center – Potential impact of F-35 bed down on Selfridge and surrounding area. The topic was updated numerous times.
- Selfridge Air National Guard Base.
- Safety at M-81 and Higgins Road in Juniata township.
- Assessors availability, training, and assessments in Tuscola County
- Home Businesses including marijuana, farm business, and remote work.

5.8 County Master Plan

The Tuscola County Master Plan was last updated in 2013. The Planning Commission began work on the Master Plan in late 2021. The draft plan was completed and a public hearing was scheduled for January 5, 2023.

5.9 County Ordinances

Tuscola County currently has eight (8) ordinances.

- Airport Zoning Ordinance 2010*
- County of Tuscola Dog Ordinance 2022
- County Property Smoking Ordinance of Tuscola County 2006
- Farmland and Open Space Preservation Ordinance 2008*
- Hazardous Materials Incident Cost Recovery Ordinance 1995
- Off-Road Vehicle Ordinance 2012
- Ordinance Governing Activities at All Tuscola County Parks and Recreational Areas 2015
- Public Well Water Testing Ordinance of Tuscola County 2003

*Planning and zoning ordinance.

6.0 ZONING PERMIT AND VIOLATION ACTIVITY IN 2022

SAFEBuilt (Contracted 2021, October) is responsible for administering building permits and inspections.

Tuscola Airport Zoning Administrative Agency is the organization responsible for administering the Tuscola County Airport Ordinance. Municipalities that have all or part of the Airport Hazard Area within their boundaries may choose to administer the ordinance by adopting the County Airport Ordinance as written.

7.0 ZONING BOARD OF APPEALS ACTIVITY IN 2022

7.1 Airport Zoning Board of Appeals

The Airport Zoning Board of Appeals (AZBA) has the powers defined in the Tuscola County Airport Zoning Ordinance, Ordinance number 2010-01. They have the power to issue certificates of variance under the provisions of ordinance 2010-01 and to otherwise decide

appeals from any order, requirements, rule, regulation, decision, or determination made by the Airport Zoning Administrative Agency/Airport Zoning Administrator.

The 2022 AZBA members were:

- Keith Kosik, Chairman
- Tim Kenney, Vice Chairman
- Bill Campbell, Secretary*
- Don Clinesmith
- Paul Hoose

*Secretary duties are performed by Jodi Fetting, Tuscola County Clerk.

The AZBA met twice in 2022. The first meeting was the required organizational meeting. All members were present. The AZBA reelected its board of officers. 2022-M-AZ-003

The second meeting addressed the ongoing litigation regarding wind turbines. The decisions were as follows:

- Follow the Circuit Court's order to issue variances for 33 turbines without conditions. 2022-M-AZ-009
- File an Application for Leave to Appeal with the Michigan Supreme Court Case No. 355715. (MI Court of Appeals regarding the issuance of variances for 8 turbines) 2022-M-AZ-012
- File a 2022-M-AZ-013 File an Application for Leave to Appeal to the Michigan Supreme Court on the Tall Structure Cases File No. 357209 and File No. 357210 (Lack of Standing in the MDOT Tall Structures permitting process) which have been consolidated.

8.0 TRAINING AND LOCAL OUTREACH

The Planning Commission published a January newsletter for distribution to township governments.

Provided assistance to Indianfields Planning Commission members regarding County Airport Ordinance administration.

9.0 PLANNING COMMISSION GOALS

9.1 2022 Goal Accomplishment

Complete Master Plan – Met/Not Met. The Master Plan is ready to go to the public hearing on January 5, 2023. The Master Plan has not complete the process of adoption.

Promote County-wide Planning Commission learning by publishing and distributing a newsletter to governmental bodies that have a planning function -Met. The newsletter was published in January.

Respond to information requests in a timely fashion. Met. All requests were dispatched within 30 days.

Provide timely and constructive reviews of submitted plans, ordinances, and PA 116 packages. Met. All requests and filings were dispatched within the allotted time frame.

Continue growth of Planning Commission knowledge by attending education courses as required. These include Citizen Planner, planning and zoning courses, and other courses related to the function and knowledge needs of the Planning Commission. Met. Two courses were attended.

Create “white” information papers on various county entities, projects, and topics as requested and needed. Met

9.2 2023 Planning Commission Goals.

Complete the Master Plan process.

Promote County-wide Planning Commission learning by publishing and distributing a newsletter to governmental bodies that have a planning function.

Respond to information requests in a timely fashion.

Provide timely and constructive reviews of submitted plans, ordinances, and PA 116 packages.

Continue growth of Planning Commission knowledge by attending education courses as required. These include Citizen Planner, planning and zoning courses, and other courses related to the function and knowledge needs of the Planning Commission.

Create “white” information papers on various county entities, projects, and topics as requested and needed.

Tuscola County Planning Commission

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May 4, 2023

Tuscola County Board of Commissioners
Via Clayette A. Zechmeister, County Controller

RE: Tuscola County Planning Commission Budget Amendment Request

The Tuscola County Planning Commission requests the following budget amendments:

| DL Number | Description | 2022 Budget | 2023 Current | 2023 Request |
|-----------------|-----------------------------|-------------|--------------|--------------|
| 101-400-727.000 | Supplies, Printing, Postage | \$20.00 | \$0.00 | \$100.00 |
| 101-400-957.000 | Employee Training | \$800.00 | \$0.00 | \$800.00 |

The Tuscola County Planning Commission has a direct and immediate need for supply funding to complete the 2022 County Development Plan. Supply funding will allow the Commission to complete the review and publish the document for review and passage by the Board of Commissioners.

The Planning Commission further requests funds to purchase training supplies and enable one or two members to attend planning and zoning classes. The Planning Commission has three new members that require basic planning training. This funding would enable basic training manuals to be purchased. It would also enable at least one new member the opportunity to receive Citizen Planning Certification and work toward Master Citizen Training. (At this time, only one person on the Planning Commission has this level of training). Funds would also be expended on training classes and presentations on subjects useful to local governments and the overall development of Tuscola County.

Heidi Stark
Tuscola County Planning Commission
Member

Lonnie Kester, Chairperson – Albert Pearsall, Vice Chairperson – Donald Wellington
Jane Rymarczyk – Rick Boylan – Matt Webb - Heidi Stark – Kim Vaughan, Board Representative