

CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
AGENDA

REGULAR MEETING

July 28, 2014

Town Hall Room, Meridian Municipal Building
5151 Marsh Road, Okemos, MI 48864

Regular Meeting

1. Call meeting to order at approximately 7:00 p.m.
2. Approval of agenda
3. Approval of minutes
 - A. July 14, 2014
4. Public remarks
5. Communications
6. Public Hearings
7. Unfinished Business
 - A. Zoning Amendment #14040 (Planning Commission), amend Section 86-368 to allow more than one residence on an RR (Rural Residential) zoned site 50 acres or more in size
 - B. Zoning Amendment #13040 (Planning Commission), amend multiple sections of the zoning ordinance to add Adult Day Care Centers
8. Other Business
9. Township Board, Planning Commission officer, committee chair, and staff comment or reports
10. New Applications
11. Site Plans Received
12. Site Plans Approved
13. Public Remarks
14. Adjournment

Post Script: Holly Cordill

Planning Commission Agenda

July 28, 2014

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The Planning Commission's Bylaws state agenda items shall not be introduced for discussion or public hearing that is opened after 10:00 p.m. The chair may approve exceptions when this rule would cause substantial backlog in Commission business (Rule 5.14 Limit on Introduction of Agenda Items).

Persons wishing to appeal a decision of the Planning Commission to the Township Board in the granting of a Special Use Permit must do so within ten (10) days of the decision of the Planning Commission (Sub-section 86-189 of the Zoning Ordinance)

**TENTATIVE
PLANNING COMMISSION AGENDA**

**August 11, 2014
Regular Meeting 7:00 p.m.**

Regular Meeting

1. Public Hearings
 - A. Rezoning #14050 (Planning Commission), rezone approximately 16 acres from C-2 (Commercial) to RR (Rural Residential) located on the east side of Saginaw Highway between Lake Lansing and Newton Roads
2. Unfinished Business
3. Other Business

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
July 14, 2014**

DRAFT

**5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room, 7:00 P.M.**

PRESENT: Commissioners Cordill, Deits, Hildebrandt, Ianni, Jackson, Salehi, Scott-Craig, Van Coevering
ABSENT: Commissioner Honicky
STAFF: Principal Planner Oranchak

1. Call meeting to order

Chair Jackson called the regular meeting to order at 7:01 P.M.

2. Approval of agenda

Commissioner Ianni moved to approve the agenda. Seconded by Commissioner Scott-Craig.

VOICE VOTE: Motion carried 8-0.

3. Approval of Minutes

Commissioner Scott-Craig moved to approve the Regular Meeting Minutes of June 23, 2014. Seconded by Commissioner Ianni.

VOICE VOTE: Motion carried 8-0.

4. Public Remarks

Chair Jackson opened the floor for public remarks.

Michael Anderson, 2020 Central Park Drive, Okemos, spoke to a recent ruling that the residents of Autumn Park do not have standing under court challenge relative to construction of the new central fire station, questioning the premise that any Meridian Township taxpayer does not have standing. He also questioned how any voting taxpayer of Meridian Township does not have the right to question how tax money is spent, alleging he knew residents have that right, both in court and at the ballot box. Mr. Anderson addressed the bids received for construction of the fire station, indicating the project was delayed and costs increased due to Township error. He added trees have been cut, even though there is not a finalized site plan. Mr. Anderson stated it is time to replace the central fire station with a fire station which the Township can afford.

David Strobl, 1320 Cove Court, Okemos, displayed pictures on the overhead of the current condition of the parcel of land upon which the new central fire station is to be located. He spoke to the massive clear cutting which has already taken place, despite the timeline of events surrounding the process and the ultimate need for reduction in the footprint of the new station.

Susan Simkin, 2034 Central Park Drive, Okemos, addressed the increased cost of the proposed central fire station, alleging the additional cost was a result of administrative "greed." She expressed concern with the precedent set by the Township when it "violates" its own laws.

Vance Kincaid, 4530 Nakoma Drive, Okemos, stated several of the trees “assured” by the Township to remain on the property to house the new central fire station were clear cut. He spoke to what he alleged was slander, deception and administrative incompetence surrounding the issue of construction of the new central fire station. Mr. Kincaid stated there was no soil analysis performed, no landscape plan created prior to tree cutting or engineering traffic study conducted for the fire station. He cautioned the Planning Commission to “do the right thing” when the project comes before the Planning Commission again as required by Section 86-155 of the Township ordinances.

Chair Jackson closed public remarks.

5. Communications (None)

6. Public hearings

- A. Zoning Amendment #14040 (Planning Commission), amend Section 86-368 to allow more than one residence on an RR (Rural Residential) zoned site 50 acres or more in size

Chair Jackson opened the public hearing at 7:20 P.M.

- Introduction by the Chair (announcement of procedures, time limits and protocols for public participation and applicants)
- Summary of subject matter
Principal Planner Oranchak summarized the proposed zoning amendment as outlined in staff memorandum dated July 10, 2014.
- Public
David and Joan Johnson, 6503 Park Lake Road, East Lansing, owners of the subject property which initiated this request, spoke in support of the simplified amendment proposed by the Township Attorney as contained in the staff memorandum.

Leonard Provencher, 5824 Buena Parkway, Haslett, expressed concern with changing the Township long-standing zoning requirement of one residence per parcel for a single applicant. He also voiced concern with the two other parcels in the Township to which this zoning amendment would apply and their commensurate possible need for utilities.

- Planning Commission discussion:
Commissioner Ianni believed this zoning change serves a public purpose by preserving the rural residential and potential farming properties within the Township.

Commissioner Cordill noted only three (3) parcels in the Township would fit this situation. She expressed concern with how road access would be addressed if ownership of this parcel changed hands.

Principal Planner Oranchak replied there would be two options available; requirement for a land division or a planned unit development (PUD). This zoning amendment simply allows for two (2) residences on one (1) lot of 50 acres or more in size

Commissioner Cordill noted approval would allow this as a use permitted by right and inquired what mechanism the Township would use to address a change in ownership.

Principal Planner Oranchak responded the language assumes there is one (1) owner for the subject parcel of land.

Commissioner Deits noted this amendment would allow the owner to live in one home and possibly rent out the other home, adding he did not believe the Township could enforce a family occupied restriction on the second home. He asked if the 50 acre parcel is all within Meridian Township.

Principal Planner Oranchak replied this parcel is solely located in Meridian Township.

Commissioner Deits requested staff offer a short summary as to why a rezoning, PUD or land division would be "off the table."

Principal Planner Oranchak responded a rezoning, PUD or land division were not being considered as it seemed with the original request there may be an assumption they were already permitted whereas going through a separate process because it was a special use permit (SUP) v. a use permitted by right. She noted the process for a PUD is similar to a SUP process and the applicant would have already been through a process to allow a second residence on the parcel.

Commissioner Deits stated he believed one of the issues which precluded that scenario was the road access question.

Principal Planner Oranchak responded the road access is still an issue and will require a variance from the lot width as the subject parcel does not meet that ordinance standard.

Commissioner Deits echoed a previous comment that the Planning Commission would be "kicking the can down the road" to the Zoning Board of Appeals (ZBA).

Principal Planner Oranchak replied in this case, Mr. and Mrs. Johnson would need to request a variance from the ZBA.

Commissioner Scott-Craig noted that in general, definitions are contained in the rural residential district and they apply to all other residential zoning districts, but this language would preclude that. He also believed the issue with 15 feet of frontage is the crux of this request. Commissioner Scott-Craig indicated the property on one side has a different owner in another county and the other side is the gold course and ditches.

Principal Planner Oranchak added it is something like a shared driveway and does not have the appropriate amount of lot width, adding they would need to obtain a variance to allow for a shared driveway.

Commissioner Scott-Craig noted the other two (2) properties covered by this amendment have ample frontage and access would not be a problem for those properties, adding that the other two properties could undergo a land division.

Commissioner Salehi inquired why the size of fifty (50) acres was selected. He did not want the Township to change its ordinance for one homeowner, but supported the concept of multiple residences on large parcels. He questioned where the boundary should be located (10 acres, 20 acres, 25 acres, etc.?)

Commissioner Scott-Craig inquired if language should be included in the ordinance which states that if sufficient frontage is available, land division should be required.

Commissioner Ianni believed the selection of 50 acres provides limited applicability to the Township and is more amenable for farming and other similar uses.

Commissioner Cordill stated she preferred not to include language about the frontage as there is a small pool of applicable parcels (i.e., three), which should be handled on an individual basis.

Commissioner Scott-Craig believed the selection of 50 acres is arbitrary, and preferred to use the mechanism regarding frontage for sufficient access.

Commissioner Hildebrandt inquired as to what happens if ownership of the property changed.

Principal Planner Oranchak replied if an applicant wanted to sell the second home, they would utilize a method which creates the ability to have separate residences on an existing lot (e.g., land division, PUD, condominium, etc.) She noted that the road issue for the subject parcel will have to be addressed, adding that the ZBA will be handling that particular situation.

Commissioner Deits requested staff provide data which breaks down the number of parcels which fall into specific categories (e.g., parcels in five-acre blocks beginning with 30 acres and ending at 50 acres). He believed the data may reveal why 50 acres was selected.

Commissioner Cordill expressed interest in obtaining information at what specific acreage the land is more suitable for farming and would find the distribution data helpful.

Commissioner Ianni presented a legal perspective that what the Planning Commission needs to look at in these types of cases is a rational basis for its decision. He cited the selection of 50 acres provides limited applicability to the Township, minimal disruption to the zoning ordinance, more suitable for farming and preservation of rural residential neighborhoods in areas of the Township. He recalled the applicant mentioning at the last meeting on this issue that it was possible to construct a road at some point in the future which would negate the need for a variance. Commissioner Ianni asked if the applicant was pursuing that avenue.

Mr. Johnson responded if the property was sold as mentioned earlier by Ms. Oranchak, a county road to access that property would need to be constructed. However, as long as he owned the property, Mr. Johnson believed the road unnecessary. He pointed out that the road is actually 66 feet in width, but the other portion of it is in Bath Township.

Mrs. Johnson added the 50 acre parcel is attached to another 1,450 acre farm in Clinton County and their home services that farm.

Commissioner Deits posed a hypothetical if it was within the purview of the ZBA to grant a variance to place the second home on their property. He stated that would obviate the need for an ordinance and could be considered as a first step prior to going through the zoning amendment process.

Commissioner Van Coevering listed one of the criteria for the ZBA to grant a variance is that it cannot be a self-created hardship.

Principal Planner Oranchak added one reason to grant a variance can be related to circumstances of the lot in this case, as the applicant is caught between a county boundary and another piece of privately owned property. She reminded the Planning Commission that the issue before it is whether to allow a second residence on a single lot that is 50 acres in size.

Commissioner Van Coevering expressed support for the Township attorney amendment language included in the July 10, 2014 staff memorandum.

Commissioner Deits summarized the process which will take place over the next few months once the Planning Commission proposes the zoning amendment to the Township Board. He pointed out there is no reason, in parallel, the owners could not pursue a ZBA action and if that action comes to fruition more quickly than the zoning amendment process, there would be no need to continue to pursue the amendment.

Principal Planner Oranchak stated the applicant has no reason to go before the ZBA unless a second residence can be built on the property because they are “grandfathered in.”

Commissioner Salehi asked why land division is preferable when it is possible to have an ordinance change which allows multiple homes on a single parcel.

Principal Planner Oranchak responded it is a solution to a problem which came up because of the subject parcel, and the criteria were proposed by the applicant’s attorney. She indicated this would provide a new option which would otherwise have to be accomplished through a land division, rezoning to a multiple category, etc.

Commissioner Salehi inquired as to the applicant’s cost for the land division process.

Principal Planner Oranchak explained the steps to the process which included an application fee.

At the prompting of Commissioner Salehi, Commissioner Scott-Craig explained that in a residential district, the ordinance permits one residence on a parcel and the most direct way to acquire two residences is to divide the property under land division.

Commissioner Deits added if a land division was pursued at the ZBA, the issue of frontage precludes “the whole story.”

Principal Planner Oranchak responded in the affirmative, noting the land division is a separate issue from the subject of this hearing. She was hesitant to speak to that process should it go before the ZBA, as there is additional frontage in Bath Township.

Chair Jackson summarized the issue before the Planning Commission for the purpose of the public hearing, stating the frontage issue is peripheral to the zoning amendment.

Commissioner Scott-Craig restated an earlier inquiry as to the rationale basis for one parcel, one house.

Principal Planner Oranchak responded the one parcel one house is a long-standing Township policy.

Commissioner Ianni believed that part of the reason for land division historically is because it creates property law issues, ingress/egress issues, easement issues, etc. In this case, he believed the reason was to preserve some of the larger rural residential parcels in the Township.

Commissioner Cordill expressed support for the Township Attorney’s language amendment for the reasons cited by Commissioner Ianni.

Commissioner Salehi voiced support for the ordinance change if there was Planning Commission consensus to do so, including language which addressed the inability of parcels which exceeded ten (10) acres to go through the land division process.

Commissioner Deits expressed concern with having an ordinance which is based on the inability to carry out an administrative task.

Principal Planner Oranchak added that was one reason the Township Attorney recommended not obtaining a special use permit because it had a statement regarding the land division, a completely separate ordinance of the Township based on a state act. She voiced concern with overriding the state land division act.

Commissioner Deits expressed his viewpoint that building a second home on a single parcel is extremely restrictive and, as such, the ordinance will not have a large impact in the Township.

Principal Planner Oranchak added the concept of one home per lot is a position the residents of Meridian Township have stood behind for many years.

Commissioner Deits explored the premise that two homes on a single lot could be built closer together than would otherwise be the case if they were on two (2) rural residential lots.

Chair Jackson voiced concern with the language “and other applicable zoning district requirements...” and inquired which requirement would be involved.

Principal Planner Oranchak gave one example as setbacks from the front, side or rear, lot coverage, building height and whatever else was contained in that section of the ordinance.

Commissioner Scott-Craig stated inter-county cooperation to place the 66 foot wide road onto the subject parcel would solve the problem for the applicant as there would be sufficient frontage, acknowledging such action would be an expensive process.

Commissioner Salehi preferred to include language which allows a second residence on large parcels in which road frontage prohibits land division.

Commissioner Van Coevering inquired if the suggested language proposed by Commissioner Salehi would tread on the state land division act.

Principal Planner Oranchak replied it is treading on the ZBA as well if it is placed in the ordinance as a use permitted by right without proper road frontage, as the ZBA would have to hear the case.

Chair Jackson conducted a straw poll and there was consensus to support the proposed language.

Chair Jackson closed the public hearing at 8:20 P.M.

7. **Unfinished Business** (None)
8. **Other Business** (None)
9. **Township Board, Planning Commission officer, committee chair, and staff comment or reports**

Commissioner Deits reported the Van Atta Road bridge is now open and summarized the circumstances surrounding the walkway to access the bridge.

Commissioner Hildebrandt expressed appreciation to the Ingham County Road Department (ICRD) for maintaining a low profile and building a beautiful bridge.

Commissioner Scott-Craig reported that at the last Township Board meeting, Harmony Gmazel, Land Use Planner with Tri-County Regional Planning Commission (TCRPC), indicated TCRPC will host a farmland bus tour in September and gave a brief overview of the Health Impact Assessment (HIA) toolkit and available training.

Commissioner Van Coevering announced several public events hosted by the Greater Lansing Area Clean Cities Coalition in the near future and offered information to interested Planning Commissioners.

Chair Jackson suggested Commissioner Van Coevering share the information from the Greater Lansing Area Clean Cities Coalition with staff who will then disseminate the same to other Planning Commissioners.

Chair Jackson suggested the Planning Commission set up a work session to commence work on the 2015 Master Plan in mid-to-late August, possibly August 18th. She stated Commissioner Scott-Craig obtained information he believed would be helpful to all Commissioners titled "Planning and Zoning Essentials" published by the Michigan Association of Planning. Commissioners also suggested the possibility of a work session after a regular meeting where the agenda is light.

Commissioner Scott-Craig inquired as to the publishing requirements for a work session on August 18th. Staff outlined the options available for adequate notice to the public.

10. New applications

- A. Special Use Permit #14-86301 (Courtesy Ford), request for a minor amendment to construct a 3,000 square foot addition at 1830 Grand River Avenue

11. Site plans received

- A. Site Plan Review #14-87-02 (Courtesy Ford), request to amend an approved site plan to construct a 3,000 square foot addition at 1830 Grand River Avenue

12. Site plans approved

- A. Site Plan Review #14-09 (Meridian Township), request to construct a new fire station on Okemos Road south of Central Park Drive.

13. Public remarks

Chair Jackson opened public remarks.

Mr. Provencher, 5824 Buena Parkway, Haslett, voiced appreciation for the technical knowledge, analytical ability, and the experience of Planning Commissioners. He spoke to the congenial manner in which Planning Commission business is conducted. Mr. Provencher also articulated his appreciation for the professional presentations by staff at Planning Commission meetings.

Chair Jackson closed public remarks.

14. Adjournment

Chair Jackson adjourned the regular meeting at 8:34 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary

CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

DATE: July 24, 2014

TO: Planning Commission

FROM: 
Gail Oranchak, AICP
Principal Planner

RE: Zoning Amendment #14040 (Planning Commission), amend Section 86-368 to allow more than one residence on an RR (Rural Residential) zoned site 50 acres or more in size

The Planning Commission held the public hearing regarding Zoning Amendment #14040 at its July 14, 2014 regular meeting. Commissioners asked about the origin of the policy of “no more than one dwelling unit upon each lot” stated in Section 86-368 (b) (1) and carrying through to all single family residential zoning districts. Quoting the Michigan Planning Enabling Act, Section 201 (1):

A local unit of government may provide by zoning ordinance for the regulation of land development and the establishment of one or more districts within its zoning jurisdiction which regulate the use of land and structures to meet the needs of the state’s citizens for . . . places of residence . . . to ensure that use of the land is situated in appropriate locations and relationships to limit the inappropriate overcrowding of land and congestion of population, transportation systems, and other public facilities, to facilitate adequate and efficient provision for transportation, systems, sewage disposal, water, energy, education, recreation, and other public service and facility requirements and to promote public health, safety and welfare.

Like most Michigan communities with zoning ordinances, Meridian Township’s ordinance includes districts restricting the use of land to one residential dwelling per lot, the hallmark of a suburban community. This policy began in Meridian Township with the Township’s first adopted zoning ordinance in 1948.

Support for the one dwelling per lot policy has been supported in the Township’s Comprehensive and Master Plans. The 1970 Comprehensive Development Plan indicated housing was predominantly single-family prior to 1965 yet by 1969 approximately 29 percent were multiple-family units. The Plan assumed that by 1990 55 percent of the population would reside in single-family residences with the remaining 45 percent in multiple-family dwellings. An objective of the 1993 Master Plan was to “maintain a community of desirable, attractive residential neighborhoods, with at least 60 percent of the housing units in single-family, owner-occupied homes” while a strategy of the 2005 Plan states, “Ensure that the future land use map results in a housing supply that emphasizes single-family owner-occupied homes.”

Commissioners questioned the arbitrariness of the 50-acre size requirement. Fifty acres was first suggested when the ordinance was initially presented to the Planning Commission for consideration by the property owner’s attorney. In reviewing the proposed ordinance and recommending a simplified version, the Township attorney retained the 50-acre plus size

ZA #14040 (Planning Commission)
Planning Commission (7/24/14)
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requirement without comment. If the Planning Commission revises the acreage or any part of the amendment, it should identify its reasons to inform the Township Board.

Using the Township's Geographic Information System data, a map has been prepared showing the original three properties of 50-acres or more in size and new parcels between 15 acres and 25 acres and 25 acres and 50 acres.

Changes were not proposed and have not been made to the simplified amendment to the RR (Rural Residential) district provided by the Township attorney for the public hearing. It remains as written in the July 10 staff report:

Section 86-368 (b) Uses permitted by right.

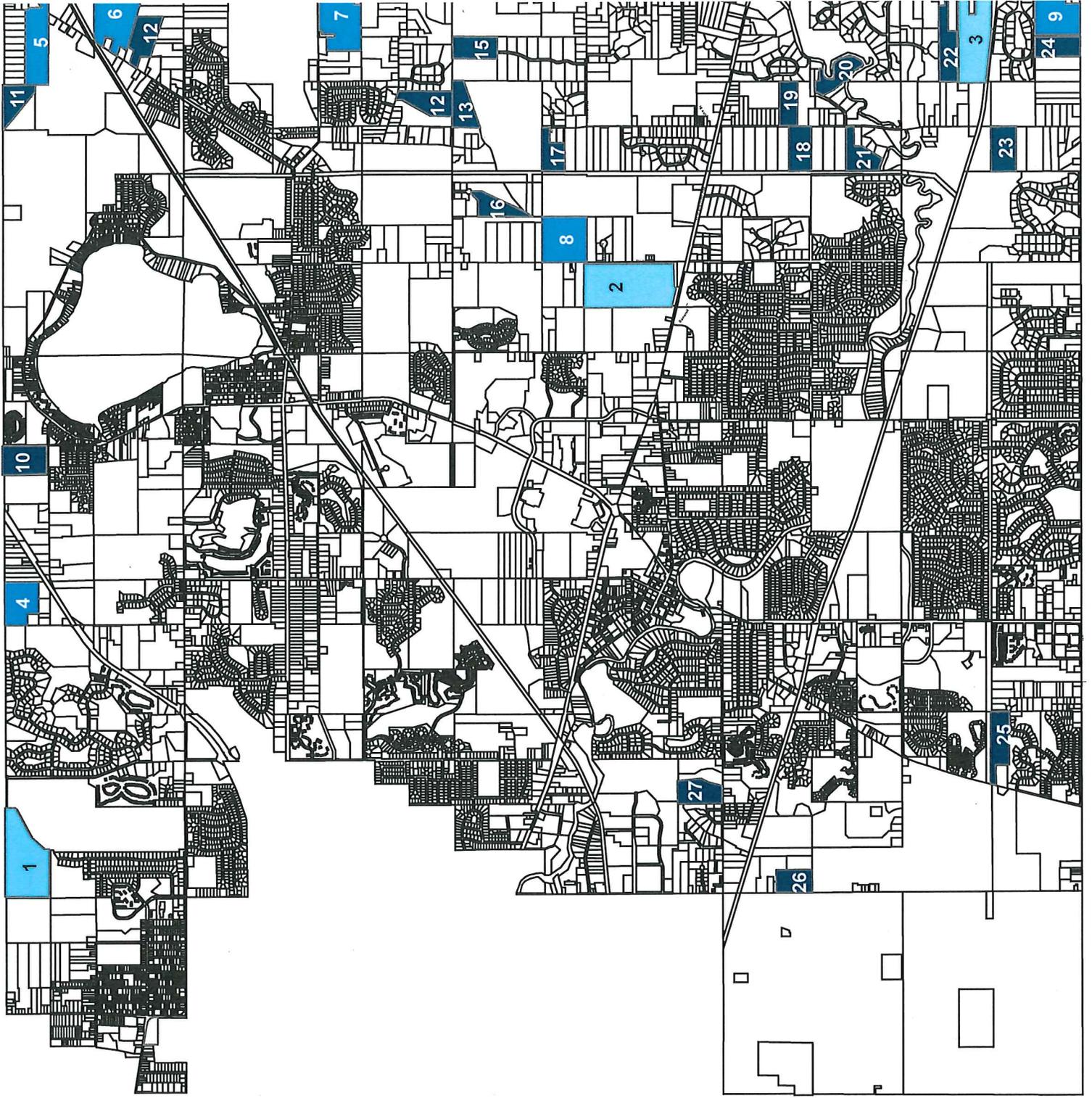
- (1) Single-family dwellings, provided that, EXCEPT FOR RR ZONED PARCELS EQUAL TO OR GREATER THAN 50 ACRES IN AREA, there shall not be more than one dwelling upon each lot and that such dwelling is either constructed on the site or manufactured off the site, which shall meet each of the following standards.
- (2) – (16) No change.
- (17) ONE ADDITIONAL SINGLE-FAMILY RESIDENTIAL DWELLING AND ASSOCIATED ACCESSORY STRUCTURES MAY BE CONSTRUCTED ON A PARCEL OCCUPIED BY NOT MORE THAN ONE SINGLE-FAMILY RESIDENTIAL DWELLING UNIT AND ASSOCIATED ACCESSORY STRUCTURES PROVIDED, THE SUBJECT PARCEL IS ZONED RR (RURAL RESIDENTIAL), IS EQUAL TO OR GREATER THAN 50 ACRES IN AREA, AND OTHER APPLICABLE ZONING DISTRICT REQUIREMENTS ARE MET.

Planning Commission Options

The Planning Commission may recommend approval of the proposed draft or a revised version to the Township Board. Since the majority of Planning Commissioners in attendance at the last meeting indicated support for the draft as written, a resolution to recommend approval has been provided.

Attachments

1. Map of parcels 15, 25 and 50 acres or greater in size
2. Resolution to approve



Legend

- 50-ACRE PARCELS, RR-ZONED,
WITH EXISTING RESIDENCE
- 25-ACRE PARCELS, RR-ZONED,
WITH EXISTING RESIDENCE
- 15-ACRE PARCELS, RR-ZONED,
WITH EXISTING RESIDENCE

NUMBER ACRES

1	58
2	52
3	78
4	25
5	35
6	41
7	46
8	39
9	34
10	9
11	16
12	22
13	20
14	18
15	20
16	16
17	15
18	20
19	15
20	15
21	23
22	18
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26	16
27	18



RESOLUTION TO APPROVE

**Zoning Amendment #14040
Planning Commission
Section 86-368(b)**

RESOLUTION

At the regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 28th day of July, 2014, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, the Planning Commission, on April 10, 2014 initiated the zoning amendment to amend Section 86-368(b) Uses Permitted by Right in the RR (Rural Residential) district; and

WHEREAS, the Planning Commission held a public hearing on the proposed zoning amendment on July 14, 2014 and reviewed staff material forwarded under cover memorandums dated July 10, 2014 and July 24, 2014; and

WHEREAS, the proposed zoning amendment would allow a second single family residence on a lot 50 acres or more in area and zoned RR (Rural Residential) as a use permitted by right; and

WHEREAS, the proposed zoning amendment is consistent with Board Policy 1.4.1 to enhance or sustain the Township's cultural heritage by potentially minimizing the loss of current or former farmsteads by providing flexibility with regard to land uses permitted in the RR (Rural Residential) zoning districts.

WHEREAS, the proposed zoning amendment is consistent with Board Policy 1.5.1 to enhance or sustain diversity in population by permitting diverse housing opportunities.

NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Zoning Amendment #14040, to amend Section 86-368(b) of the Code of Ordinances to permit the construction of a second single-family dwelling unit on an RR (Rural Residential) zoned parcel 50 acres or larger in area provided all applicable zoning district requirements are met.

ADOPTED: YEAS: _____

NAYS: _____

ZA #14040 (Planning Commission)

July 28, 2014

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STATE OF MICHIGAN)
) ss
COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Chair of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 28th day of July, 2014.

Patricia Jackson
Planning Commission Chair

CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

TO: Planning Commission

FROM: 
Gail Oranchak, AICP
Principal Planner

DATE: July 24, 2014

RE: Zoning Amendment #13040 (Planning Commission), amend multiple sections of the zoning ordinance to add Adult Day Care Centers

The Planning Commission last discussed ZA #13040, an amendment initiated by the Commission to establish guidelines for establishing and operating adult care facilities in the Township, at its May 19, 2014 meeting. A request to establish an adult day care facility in a local church resulted in the approval last year of Zoning Amendment #13030 to add "adult day care centers" to Section 86-654 Nonresidential structures and uses permitted in residential districts. Adult and child day care facilities were already listed as permitted conditional uses in the C-1, C-2 and C-3 (Commercial) districts.

The word "owner" has been highlighted in the definitions of "family adult care home" and group adult care home." The use of the term "owner" precludes a tenant from establishing an adult care facility in a rental residence. The definitions of family and group child care homes do not include this restriction.

In response to comments made at the meeting, text in "bold" reflect changes made to the previous draft. A "clean" draft has also been provided.

Planning Commission Options

The Planning Commission may recommend approval of the attached draft or a revised version to the Township Board. A resolution will be provided for a future meeting.

Attachment

1. ZA #13040 draft amendment with revisions highlighted
2. ZA #13040 draft amendment with revisions incorporated
3. May 19, 2014 minutes

Zoning Amendment #13040
(Planning Commission)

Adult Day Care

Section 86-2. Definitions.

~~ADULT DAY-CARE CENTER~~ MEANS A NON RESIDENTIAL FACILITY, ~~WHICH THAT~~ PROVIDES SUPERVISED AND GROUP CARE FOR ADULT PERSONS, EIGHTEEN (18) YEARS OF AGE OR OLDER, ~~WHO ARE AGED, MENTALLY ILL, DEVELOPMENTALLY DISABLED, OR PHYSICALLY HANDICAPPED THAT REQUIRE SUPERVISION ON AN ONGOING BASIS.~~ THE HOURS OF OPERATION SHALL BE ~~LESS FEWER~~ THAN TWENTY-FOUR (24) HOURS PER DAY. ~~AN ADULT DAY CARE CENTER DOES NOT INCLUDE ALCOHOL OR SUBSTANCE ABUSE REHABILITATION CENTERS, OR RESIDENTIAL CENTERS FOR PERSONS RELEASED FROM OR ASSIGNED TO A CORRECTIONAL FACILITY.~~ ADULT DAY CARE CENTERS ARE NOT LICENSED; HOWEVER, THOSE RECEIVING FUNDS THROUGH AN AREA AGENCY ON AGING ~~MUST~~ **SHALL** COMPLY WITH ADULT ~~DAY SERVICES~~ STANDARDS PROMULGATED BY THE MICHIGAN OFFICE OF SERVICES TO THE AGING.

~~ADULT FAMILY ADULT DAY-CARE HOME~~ MEANS A DAY CARE PROGRAM OPERATED IN A SINGLE FAMILY DWELLING WHERE THE OWNER RESIDES AND PROVIDES SUPERVISED CARE FOR UP TO SIX (6) ADULT PERSONS EIGHTEEN (18) YEARS OF AGE OR OLDER ~~WHO ARE AGED, MENTALLY ILL, DEVELOPMENTALLY DISABLED, OR PHYSICALLY HANDICAPPED THAT REQUIRE SUPERVISION ON AN ONGOING BASIS.~~ THE HOURS OF OPERATION SHALL BE ~~LESS FEWER~~ THAN TWENTY-FOUR (24) HOURS PER DAY. ~~AN ADULT GROUP DAY CARE HOME DOES NOT INCLUDE ALCOHOL OR SUBSTANCE ABUSE REHABILITATION CENTERS, RESIDENTIAL CENTERS FOR PERSONS RELEASED FROM OR ASSIGNED TO A CORRECTIONAL FACILITY.~~ FAMILY ADULT ~~DAY-CARE~~ HOMES ARE NOT LICENSED; HOWEVER, THOSE RECEIVING FUNDS THROUGH AN AREA AGENCY ON AGING ~~MUST~~ **SHALL** COMPLY WITH ADULT DAY CARE STANDARDS PROMULGATED BY THE MICHIGAN OFFICE OF SERVICES TO THE AGING.

~~ADULT GROUP ADULT DAY-CARE HOME~~ MEANS A DAY CARE PROGRAM OPERATED IN A SINGLE FAMILY DWELLING WHERE THE OWNER RESIDES AND PROVIDES SUPERVISED GROUP CARE FOR MORE THAN SIX (6) BUT NOT MORE THAN TWELVE (12) PERSONS EIGHTEEN (18) YEARS OF AGE OR OLDER ~~WHO ARE AGED, MENTALLY ILL, DEVELOPMENTALLY DISABLED, OR PHYSICALLY HANDICAPPED THAT REQUIRE SUPERVISION ON AN ONGOING BASIS.~~ THE HOURS OF OPERATION SHALL BE ~~LESS FEWER~~ THAN TWENTY-FOUR (24) HOURS PER DAY. ~~AN ADULT GROUP DAY CARE HOME DOES NOT INCLUDE ALCOHOL OR SUBSTANCE ABUSE REHABILITATION CENTERS, RESIDENTIAL CENTERS FOR PERSONS RELEASED FROM OR ASSIGNED TO A CORRECTIONAL FACILITY.~~ ADULT GROUP DAY CARE HOMES ARE NOT LICENSED; HOWEVER, THOSE RECEIVING FUNDS THROUGH AN AREA AGENCY ON AGING ~~MUST~~ **SHALL** COMPLY WITH ADULT DAY CARE STANDARDS PROMULGATED BY THE MICHIGAN OFFICE OF SERVICES TO THE AGING.

Family **CHILD day-care** home means . . .

Group **CHILD day-care** home means . . .

Section 86-368. RR district: One-family rural residential district.

REVISE Section 86-368(b) *Uses permitted by right*

(15) Foster family homes AND Foster family group homes and family day care homes.

(17) **CHILD FAMILY CHILD CARE HOMES.**

(18) **ADULT FAMILY ADULT DAY CARE HOMES.**

REVISE Section 86-386(c) *Uses permitted by special use permit*

(10) Public, private or quasi-public education and social institutions. Elementary schools through secondary schools and institutions for higher education, auditoriums, and other places for assembly, centers for social activities, **FRATERNITIES AND SORORITIES, CHILD CARE CENTERS, ADULT CARE CENTERS, GROUP CHILD CARE HOMES AND GROUP ADULT CARE HOMES.**

Section 86-403. C-1 commercial district.

REVISE Section 86-403(d) *Permitted conditional uses*

(1) Child and Adult **Day** care centers, provided

- a. Such uses shall be licensed by the ~~state department of industry and consumer services~~ STATE OF MICHIGAN.
- b. Such uses shall maintain an on-site screened and fenced, outdoor play area equal to a size required by the state. Play areas shall be separated from streets, access drives, and parking areas with a landscaped buffer at least 20 feet in width.
- c. Twenty percent, but no less **FEWER** than two, of all required parking spaces shall be clearly marked for drop-off and pickup and shall be located as close as possible to the front entrance to minimize the necessity for ~~students~~ CHILDREN to cross a parking lot or driveway.

(2) **ADULT DAY CARE CENTERS. ADULT DAY CARE CENTERS PROVIDED STRUCTURES AND SITES ARE INSPECTED BY THE TOWNSHIP FOR ADA AMERICANS WITH DISABILITIES ACT COMPLIANCE AND FIRE SAFETY BEFORE OCCUPANCY.**

RENUMBER old (2) and (3)

Section 86-404. C-2 commercial district.

REVISE Section 86-404 (d) *Permitted conditional uses:*

(1) NO CHANGE

(2) ~~Child and adult day care centers.~~ In addition to compliance with subsection 86-403(d)(1), in this district the property line of a child care **facility CENTER** shall be set back 100 feet from incompatible uses, including BUT NOT LIMITED TO gas stations, bars, taverns, and lounges.

(3) ~~ADULT DAY CARE CENTERS.~~ ADULT ~~DAY~~ CARE CENTERS PROVIDED STRUCTURES AND SITES ARE INSPECTED BY THE TOWNSHIP FOR **ADA AMERICANS WITH DISABILITIES ACT** COMPLIANCE AND FIRE SAFETY BEFORE OCCUPANCY.

RENUMBER old (3) and (4)

NO CHANGE needed to C-3 Section 86-405. It refers to 86-404(d)

Section 86-654. Nonresidential structures and uses in residential districts.

REVISE (c)(3) *Educational and social institutions:*

ADULT ~~DAY~~ CARE CENTER

REVISE (c)(6): *Other*

~~ADULT GROUP ADULT DAY CARE HOMES~~

Group CHILD day care homes

Offices used exclusively by philanthropic, eleemosynary, religious, fraternal, or educational institutions which are accessory to any of the enumerated uses of subsection (c) of this section.

REVISE (f) (1) to read:

For all uses that may be permitted, except clinics, public utility transformer stations and substations, telephone exchange buildings, gas-regulator stations, ~~ADULT GROUP ADULT DAY CARE HOMES~~, **CHILD** group **CHILD day** care homes, and housing for religious personnel attached to a church or school function.

REVISE (f) (2) to read:

For clinics, ~~ADULT GROUP ADULT DAY CARE HOMES~~, ~~CHILD~~ group **CHILD** care homes, and housing for religious personnel.

Section 86-755. Schedule of requirements for parking space.

REVISE:

Child CARE CENTERS and adult day-care centers

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**Zoning Amendment #13040
(Planning Commission)**

Adult Day Care

Section 86-2. Definitions.

Adult care center means a nonresidential facility, that provides supervised and group care for adult persons, eighteen (18) years of age or older. The hours of operation shall be fewer than twenty-four (24) hours per day. Adult day care centers are not licensed; however, those receiving funds through an Area Agency on Aging shall comply with adult services standards promulgated by the Michigan Office of Services to the Aging.

Family adult care home means a day care program operated in a single family dwelling where the owner resides and provides supervised care for up to six (6) adult persons eighteen (18) years of age or older. The hours of operation shall be fewer than twenty-four (24) hours per day. Family adult care homes are not licensed; however, those receiving funds through an Area Agency on Aging shall comply with adult day care standards promulgated by the Michigan Office of Services to the Aging.

Group adult care home means a day care program operated in a single family dwelling where the owner resides and provides supervised group care for more than six (6) but no more than twelve (12) persons eighteen years of age or older. The hours of operation shall be fewer than twenty-four (24) hours per day. Group adult day care homes are not licensed; however, those receiving funds through an Area Agency on Aging shall comply with adult day care standards promulgated by the Michigan Office of Services to the Aging.

Family child care home means . . .

Group child care home means . . .

Section 86-368. RR district: One-family rural residential district.

REVISE Section 86-368(b) *Uses permitted by right*

- (15) Foster family homes and foster family group homes.
- (17) Family child care homes.
- (18) Family adult care homes.

REVISE Section 86-386(c) *Uses permitted by special use permit*

- (10) Public, private or quasi-public education and social institutions. Elementary schools through secondary schools and institutions for higher education, auditoriums, and other places for assembly, centers for social activities, fraternities and sororities, child care centers, adult care centers, group child care homes and group adult care homes.

Section 86-403. C-1 commercial district.

REVISE Section 86-403(d) *Permitted conditional uses*

- (1) Child care centers, provided
 - a. Such uses shall be licensed by the state of Michigan.
 - b. Such uses shall maintain an on-site screened and fenced, outdoor play area equal to a size required by the state. Play areas shall be separated from streets, access drives, and parking areas with a landscaped buffer at least 20 feet in width.
 - c. Twenty percent, but no fewer than two, of all required parking spaces shall be clearly marked for drop-off and pickup and shall be located as close as possible to the front entrance to minimize the necessity for children to cross a parking lot or driveway.
- (2) Adult care centers. Adult care centers provided structures and sites are inspected by the Township for Americans with Disabilities Act compliance and fire safety before occupancy.

RENUMBER old (2) and (3)

Section 86-404. C-2 commercial district.

REVISE Section 86-404 (d) *Permitted conditional uses:*

- (1) NO CHANGE
- (2) Child care centers. In addition to compliance with subsection 86-403(d)(1), in this district the property line of a child care center shall be set back 100 feet from incompatible uses, including but not limited to gas stations, bars, taverns, and lounges.
- (3) Adult care centers. Adult care centers provided structures and sites are inspected by the Township for Americans with Disabilities Act compliance and fire safety before occupancy.

RENUMBER old (3) and (4)

NO CHANGE needed to C-3 Section 86-405. It refers to 86-404(d)

Section 86-654. Nonresidential structures and uses in residential districts.

Add to (c)(3) *Educational and social institutions:*

Adult care center

REVISE (c)(6): *Other*

Group adult care homes

Group day care homes

Offices used exclusively by philanthropic, eleemosynary, religious, fraternal, or educational institutions which are accessory to any of the enumerated uses of subsection (c) of this section.

REVISE (f) (1) to read:

For all uses that may be permitted, except clinics, public utility transformer stations and substations, telephone exchange buildings, gas-regulator stations, group adult care homes, group child care homes, and housing for religious personnel attached to a church or school function.

REVISE (f) (2) to read:

For clinics, group adult care homes, group child care homes, and housing for religious personnel.

Section 86-755. Schedule of requirements for parking space.

REVISE to read:

Child care centers and adult care centers

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CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
May 19, 2014

APPROVED

5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room, 7:00 P.M.

PRESENT: Commissioners Cordill, Deits, Hildebrandt, Honicky, Ianni, Jackson, Salehi, Scott-Craig,
Van Coevering
ABSENT: None
STAFF: Principal Planner Oranchak

1. Call meeting to order

Chair Jackson called the regular meeting to order at 7:00 P.M.

2. Approval of agenda

Commissioner Cordill moved to approve the agenda. Seconded by Commissioner Hildebrandt.

VOICE VOTE: Motion carried unanimously.

3. Approval of Minutes

Commissioner Hildebrandt moved to approve the Regular Meeting Minutes of May 12, 2014 as amended. Seconded by Commissioner Scott-Craig.

VOICE VOTE: Motion carried unanimously.

4. Public Remarks

Chair Jackson opened the floor for public remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, critiqued grammar and language contained in Zoning Amendment #13040 (add Adult Day Care Centers to the zoning ordinance). He offered several clarifications/amendments to the proposed revision of the Planning Commission Bylaws.

Chair Jackson closed public remarks.

5. Communications (None)

6. Public hearings (None)

7. Unfinished Business

A. Zoning Amendment #13040 (Planning Commission), amend multiple sections of the zoning ordinance to add Adult Day Care Centers

Principal Planner Oranchak summarized the proposed zoning amendment as outlined in staff memorandum dated May 15, 2014.

Planning Commission discussion:

- Appreciation to staff for the initial draft which is expansive and inclusive in order to apply to people of all ages who may be in need of day care services
- Adult care centers, family adult care homes and group adult care homes are the three adult categories contained in the proposed zoning amendment
- Federal and state funding is passed through Office of Services to the Aging (OSA) for persons 60 years of age or older

- Facilities which service persons who are under 60 years of age may receive funding from other sources
- Commissioner concern language which states “adult care centers are not licensed” is informational, not a regulation/rule and should not be included
- Commissioner concern that language which requires any organization which receives funds to adhere to the rules of the funding agency is not necessary and should be removed
- Commissioner preference to leave agency reference in the language as it is an agency which has regulations and standards
- Commissioner preference to add the word “day” back in the definitions
- “Day” was removed to align with the state definition and terminology in child care act and guidelines
- Hours of operation need to be defined to differentiate from 24-hour care
- Keeping the language which references compliance with state regulations allows the Township to issue an ordinance violation
- Township expectation that persons who run the center will comply with OSA standards
- Explanation of “an area agency on aging”
- As part of the SUP process, the Planning Commission can restrict hours for group child care and group adult care homes on a case-by-case basis
- State of Michigan states the Township cannot require a SUP for family child care homes; consequently, there is no method to place conditions on hours of operation
- State definition for a child care home states the hours of operation are less than 24 hours per day
- Township has no experience with a group home desiring to stay open 24 hours per day
- Definition of group adult care home
- Any group home will require a SUP
- Family adult care home is a use by right to care for up to six (6) individuals
- All child and adult day care centers would require a SUP
- More than six (6), but not more than 12 individuals in a family adult care home requires a SUP
- Adult day care center is a non-residential facility and should not have restricted hours
- Adult care home (by right in a residential area) should have no more than 18 hours of operation
- Change the family adult care home and group adult care home definitions to parallel the construction of the adult care center definition
- Family adult care homes are allowed in residential districts by SUP and must meet certain conditions
- Suggestion for definition 2 and 3 to state “means a non-residential care program operated in a single family dwelling”
- Alcohol and substance abuse rehabilitation facilities must be licensed by the state
- Meridian Township currently does not have an ordinance which addresses alcohol and substance abuse rehabilitation facilities
- Staff will research information on how an applicant would apply to locate an alcohol and substance abuse rehabilitation facility in Meridian Township
- Inquiry if alcohol and substance abuse facilities are specifically addressed in other parts of the zoning ordinance
- Request by the chair to extend an invitation to the applicant who springboarded this topic
- State of Michigan’s Department of Industry and Consumer Services has changed to Department of Licensing & Regulatory Affairs
- Public hearing was held on this proposed zoning amendment on August 12, 2013
- Staff will consider the comments offered during public remarks
- Chair will entertain a second public hearing dependent upon the amount of change within the proposed ordinance

CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

TO: Planning Commission

FROM: 
Gail Oranchak, AICP
Principal Planner

DATE: July 25, 2014

RE: 2014 Planning Commission Meeting Schedule Change

At the July 14, 2014 meeting, the Planning Commission agreed to hold a work session meeting on Monday August 18, 2014. A resolution is attached to revise the 2014 meeting schedule to add this meeting.

Attachment

1. Resolution to approve addition of August 18, 2014 work session

**2014 Planning Commission
Meeting Schedule Revision**

RESOLUTION

At a regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 28th day of July 2014 at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by Commissioner _____ and supported by Commissioner _____.

WHEREAS, the Planning Commission desires to announce the time, date, and place of all meetings of the Commission pursuant to the provisions of Act 267 of the Public Act of 1976;

WHEREAS, the Planning Commission adopted a 2014 meeting schedule; and

WHEREAS, the Planning Commission wishes to amend the meeting schedule to add a work session on August 18, 2014; and

WHEREAS, all meetings will begin at 7:00 p.m. and will be held in the Town Hall Room of the Meridian Municipal Building, 5151 Marsh Road, Okemos MI 48864.

NOW THEREFORE BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby revises the 2014 meeting schedule by adding a work session on Monday, August 18, 2014.

ADOPTED: YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)ss
COUNTY OF INGHAM)

I, the undersigned, the duly qualified Chairperson of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Planning Commission held on the 28th day of July 2014.

Patricia Jackson, Chair
Meridian Township Planning Commission