



**ACME TOWNSHIP PLANNING COMMISSION MEETING  
ACME TOWNSHIP HALL  
6042 Acme Road, Williamsburg MI 49690  
7:00 p.m. Monday, December 18, 2006**

**Meeting called to Order with the Pledge of Allegiance at 7:00 p.m.**

**Members present:** M. Vermetten (Chair), B. Carstens, C. David, R. Hardin, D. Krause, J. Pulcifer, E. Takayama, L. Wikle, P. Yamaguchi

**Members excused:** None

**Staff present:** J. Hull, Zoning Administrator  
S. Corpe, Recording Secretary  
J. Iacoangeli, Planning Consultant  
C. Bzdok, Legal Counsel

**1. Consent Calendar:**

**Motion by Wikle, support by Carstens to approve the Consent Calendar as Amended to remove consideration of the 12/11/06 FLUM Work Session minutes for further discussion.**

**Receive and File:**

- a) **Draft Unapproved Minutes of**
  1. **12/5/06 Regular Board of Trustees Meeting**
  2. **Planning & Zoning News November 2006**
- b) **Approve minutes of the 11/27/06 regular Commission meeting and 12/11/06 FLUM Work Session**
- c) **Review and approve agenda, inquiry as to conflicts of interest:** Agenda amended to add a new business section for review of the 12/11/06 minutes and a proposed 2007 regular meeting schedule.

**Motion carried unanimously.**

**2. Correspondence:**

**3. Limited Public Comment:**

Andy Andres, Jr. commended the Commission for last week's meeting. He enjoyed the level of interaction and hopes it continues this evening with open conversation regarding agenda issues.

Ken Engle, 8755 Bates Road, noted that an item of concern in the township is farmland preservation, and we have a PDR program in place. As land development ordinances are developed, he hopes that tools will be incorporated that promote farmland preservation, such as transfer of development rights (TDR).

**4. Public Hearings:**

- a) **Development Options amendment to Zoning Ordinance - An amendment to adopt language permitting open-space, cluster housing, and planned-unit developments:**

**Public Hearing opened at 7:06 p.m.**

Mr. Iacoangeli summarized the ordinance amendments under consideration this evening that allow for housing to be clustered, open space subdivisions and PUDs, as well as for some changes to the existing business district regulations. All of the

residential ordinances share in common that they preserve the existing number of allowable units and allow under certain circumstances for increases in density. The PUD ordinance allows for even greater flexibility.

Cluster housing would be allowed in the R-1, R-2, R-3 and A-1 districts. If a property contains an operating farm or orchard which is maintained as active farmland on at least 51% of the land a 20% density bonus is allowed. Land with significant natural features such as wetlands or that are adjacent to preserved areas can also achieve up to an additional 20% density if the special areas are preserved as open space.

For open space subdivisions there is not a density bonus for traditional subdivision layout; however, lot sizes may be decreased to permit construction of all units of allowed density while avoiding and preserving open space for the development and community on sensitive areas.

The PUD is specifically tied to the proposed Future Land Use Map (FLUM). Depending on the FLUM classification, a PUD could include housing, housing and limited commercial space, commercial or industrial uses. The landowner has enhanced flexibility for how to develop, and the township has more flexibility in land use regulation, but development density is not reduced from that permitted by the zoning ordinance.

Vermetten asked Mr. Iacoangeli to discuss the ability to transfer development rights under the proposed PUD ordinance. They allow two private landowners to negotiate a transfer of development rights from one parcel to another. To complete the transaction a document must be recorded with the Register of Deeds indicating that the sending parcel has limited development rights. The government does not broker the transaction.

John Hull noted that the proposed ordinances would replace the existing Open Space Development Ordinance (OSD) and also the existing Mixed Use Development Ordinance (MUD). He believes that there are areas in the township zoned for business development that might benefit from allowance for mixed uses.

Vermetten asked Bzdok if he had comments relative to the proposed three new ordinances; he had some questions. His firm reviews many ordinances and these are generally excellent. Bzdok asked Mr. Iacoangeli to discuss the open space subdivision and clustering options. He perceives that the clustering ordinance will be viewed as more advantageous by most landowners because it provides for more density with fewer restrictions. He also asked if it would be wise for the township to look at our maps and designate sending and receiving areas for development rights rather than having them be transferable to and from any property in the township. Designating sending and receiving areas might enhance the preservation aspects of the ordinances.

Mr. Iacoangeli concurred with Bzdok's assessment of the relative attractiveness of the open space subdivision and clustering options. The former exists because some developers prefer a development model where each home has a discrete lot to be owned rather than a condominium-style ownership model. Cluster housing creates a variable range of allowable lot sizes. As to the density transfer question, he agrees that the proposed FLUM should have areas designated for sending and receiving zones, with the sending zones being primarily agricultural lands desired for preservation for continued farming. It would help clarify areas of the community where there should be greater or lesser housing densities. Vermetten asked why these

areas would be spoken of in the ordinance but not in the ordinance. Also, the table in the proposed ordinances regarding which PUD options can be used in which FLUM designation areas would have to be deferred until or amended after adoption of a FLUM. The ordinances are specific that Master Plan goals have to be met.

Carstens asked if ordinance language that speaks generally to preservation of natural features need to be more specific regarding trails and wildlife corridors; Mr. Iacoangeli believes they are sufficient as they are.

Yamaguchi noted that the proposed PUD ordinance discusses which zoning districts may utilize this option. In one part of this ordinance the A-1 district is included in the list and in another part it is not; it was clarified that both portions should show A-1 as being able to use these provisions. What if a PUD is proposed on a property not currently served by regional water and/or sewer infrastructure? Mr. Iacoangeli stated that the language could be amended to read “public or private” to make it clear that private systems sufficient to serve a development are acceptable.

Hardin asked about the PUD ordinance section “all requirements for the granting of a SUP have been satisfied.” He asked if the general SUP ordinances have been reviewed to ensure that they don’t accidentally conflict with the provisions of the proposed new ordinance. Mr. Iacoangeli stated that all of the proposed land use options will require SUP approval. Hardin asked if TDR sending zones would exclusively send and receiving zones exclusively receive and was told this would be the case. The Open Space Subdivision designation allows for smaller lot sizes; Hardin asked whether required building setbacks per the ordinance for each zoning district would apply even though the lot sizes were smaller, and they would.

Carstens referred back to Yamaguchi’s comments about the districts allowed to use the PUD ordinance, and asked why the B-4 industrial district is not included on the list. Iacoangeli stated it would be added.

Mr. Engle asked about the cluster housing ordinance as pertains to the A-1 district. The listed allowable number of dwellings per acre seems to have the biggest “jump” and he asked if it could be explained further. How many houses could he have on a 40-acre parcel in the A-1 district? If currently 40 acres may have 8 homes, he would still be allowed 8 homes but they could be clustered at a density of 1.5 units per acre rather than 1 for every 5 acres. If at least 51% of the land is maintained in active agriculture an additional 20% houses could be built.

Mr. Engle stated he has an easement to the federal government on some of his land. The ordinance recognizes easements to local units of government and the land conservancy, but does not seem to recognize federal easements. Mr. Iacoangeli suggested the addition of language recognizing state and federal easements.

Mr. Engle asked about the PUD ordinance; he is glad of the sending and receiving zone language. He proposed a scenario where a sending parcel is zoned A-1 and the receiving parcel is in R-1, R-2 or R-3. How do the densities work out, particularly if the sending parcel has a conservation easement on it? Mr. Iacoangeli stated that to begin with we would have to consider the number of units that the A-1 landowner could achieve; this would be the maximum number that could be sold. It is possible that, by looking at the possibility of clustering, bonus density could be transferred.

Mr. Engle asked if a subdivision could become a PUD? Mr. Iacoangeli stated that the PUD ordinance could be used to develop a subdivision. The PUD and open space

subdivision ordinances would not be used concurrently; under the PUD the landowner and township would negotiate the amount of required open space.

Mr. Engle asked if some but not all of the units of density could be sold/transferred from one parcel to another; they could. As to sending/receiving area designation, he believes that there should not be any receiving areas within the area defined on the PDR Eligibility Map. However, he believes it could be desirable to allow density to be transferred between two parcels within the sending area.

Jim Goss, 4105 Bay Valley Drive asked for clarification that the PUD ordinance would replace Section 8.22, Mixed Use Development, in the ordinance, which it does. Mr. Iacoangeli stated that the MUD ordinance currently requires nearly fully engineered design drawings for approval, where as the PUD allows for a more conceptual level plan for initial approval that can be fleshed out during build-out over time. Mr. Goss asked how the allowable density levels would be defined. Mr. Iacoangeli stated that the density levels and mix of uses would be negotiated between applicant and the township. Certain of the PUD mix designations that are primarily residential have a maximum commercial space cap in them. For higher ratios of commercial use, the applicant would want to use a different one of the PUD mix designations.

Mr. Andres asked about the Shoreline Residential district and what he believes is a statement that only residential uses can be instituted in this district in the future. What happens to the owners of existing hotels who want to sell? Mr. Iacoangeli pointed out that the section Mr. Andres refers to only applies if someone in the B-1S district wants to use the PUD ordinance. They can still use the B-1S zoning to institute other commercial uses. Mr. Andres also asked if densities could be transferred between parcels under common ownership in a sending zone area; Mr. Iacoangeli stated that in general this would be a township policy decision. Mr. Andres believes it would be beneficial to allow someone with two small, separated parcels of farmland to put all the development on one and leave the other open rather than creating two small developments on each property.

Lewis Griffith, 5181 Lautner Road was disappointed by the idea of setting up designated density sending and receiving zones. Many farmers have large portions of their land that are unfarmable due to land conditions. Every landowner should be able to transfer density at the same rate, whether they have a woodlot or open farmland, anywhere in the township. Mr. Iacoangeli stated that if all of the township was zoned identically, nobody's property value would be impacted because people in the sending and receiving zones would have the exact same rights. The system is set up to function under the free market. People in the receiving area can sell rights, and people in the sending area can develop. Development rights remain a commodity that can be freely bought and sold. Mr. Griffith believes that if only people in a sending area can sell, the person next door not in the sending district who cannot is being treated unfairly. Mr. Iacoangeli stated that in a typical situation, agricultural landowners are far enough from water and sewer infrastructure that they cannot reasonably participate in development opportunities. They can participate by selling their development density to more central areas.

Margy Goss, 4105 Bay Valley Drive asked for definitions of "sending" and "receiving" areas, and how one can tell them apart? Mr. Iacoangeli stated that the map would be clearly marked as to which areas are which. If the areas are not marked on a FLUM as adopted originally, they could be appended to it later or displayed on a separate map.

Mr. Engle proposed a scenario whereby the entire township could be the sending zone, but only certain areas are set up receiving zones based on sensitive areas that should not be over-developed. Hull can appreciate the idea of the whole township being a sending zone, but if people can sell density out of receiving zones one is diluting the usefulness of this as a tool to concentrate development in key areas.

Gayle Hanna, 3000 Mt. Vernon Road, Midland is concerned that the ordinances being considered today could be used by future administrations to remove property rights to development in the future. There is no guarantee that sending areas could continue to build residentially if they desired, whether they sell development rights or not. What would prevent a future administration from limiting personal property rights into non-existence in the future. Vermetten feels that these proposal enhance property rights by providing tools that enhance maximizing of property value. Mr. Iacoangeli noted that the township already allows for a transfer of development rights through its OSD ordinance. Mrs. Hanna is still concerned that an undue limitation might occur. Vermetten stated that each property owner may choose freely to send or not send development rights to other parcels, and if they do no they can use clustering options to increase density. In his work as an attorney for development interests, his clients regularly find enhanced opportunities through clustering and PUD options. Mr. Engle could receive a density bonus for maintaining open space on his property, even when that property is already receiving favorable treatment through a federal easement.

Pat Salathiel, 4882 Five Mile Road, concurred with Vermetten that the township is trying to provide good options for landowners that allow for high density areas such as a town center while preserving other areas from extensive development. The point is that all the options are voluntary. She also favors the concept of keeping the township "buildout neutral" by moving development from one area to another as the affected people desire.

Jay Zollinger, 4232 Williamston Court, believes that the question is less whether sending and receiving zones are desirable tools and more a question of how we decide which properties are in sending zones and which are in receiving zones while still preserving individual rights to choice? Mr. Iacoangeli suggested that receiving zones should be areas where roads, water and sewer infrastructure already exist. The sending areas would be where there is an opportunity and desire to preserve working farms and orchards or sensitive natural features. He hopes that people will not perceive sending and receiving areas as potentially decreasing property values. Everyone may develop their properties according to the zoning ordinance. Those landowners not near infrastructure can realize an economic benefit by selling development rights to areas where they can truly be used.

Mrs. Goss asked if TDR and some of the other options under discussion are legally defensible or whether they open the township to litigation from parties who believe they have been abused? Bzdok stated that all of the tools under consideration are legally viable; the key is to ensuring that everything is very clearly defined. Perhaps sending and receiving areas are defined through FLUM designations, or perhaps by zoning district. None of these tools was newly invented for us; they are successfully in use in other places. Mr. Engle noted that all of these tools are subject to special use permit approval and a public hearing and input process. Vermetten noted again that all of these things are voluntary for all landowners no matter their specific situation.

**Public Hearing closed at 8:06 p.m.**

Hardin clarified that use of any tools under discussion does not conflict with the uses allowed by right in any zoning district. Hull confirmed this. He also noted that state land division law sets forth basic land division rights. He is aware of an individual who became concerned that their family-owned parcel of land couldn't be kept because of rising taxes, but was unaware that state law allows them to divide off a portion and sell it to support the rest, and was grateful when Hull pointed this out.

Hardin recalled Mr. Engle's comments about a subdivision becoming a PUD, and Mr. Iacoangeli stating that a subdivision could be created pursuant to the PUD ordinance. Hardin asked if a subdivision could approach the township to have its regulations and designation changed from the subdivision rules under which it was approved to the PUD ordinance. Mr. Iacoangeli has never seen this happen. Hardin also noted that there are subdivisions in the township with vacant lots in them. Could those developers, who are seeing little action, transfer development rights to a different development and thereby reducing the density of the subdivision? If there were a relatively new and completely unsold development, it might be possible for the owner to reapply under a different set of terms, but if any lots have been sold or the development is an older traditional subdivision under state law it would be much more difficult and unlikely.

Takayama asked what would happen with agricultural land in terms of density bonuses of some of the land is fallow because of natural conditions or federal easements prohibiting crop production? The proposed ordinances allow for density bonuses not only for maintaining working farmland or for creating permanent open space on fallow or naturally-sensitive land. Bzdok stated that some ordinances talk about density (lots/acre) or intensity (spacing.) It might be prudent to spell out somewhat better in the table rules about how closely housing units can be grouped as opposed to overall allowable density. Vermetten has seen some ordinances containing schematics that are easier to read than tables.

Pulcipher, looking at the cluster housing ordinance, finds most of the proposal clear-cut. A(7)(a)(c,d and e) seem to be somewhat mutually conflicting, and in some cases too open to subjective interpretation. What is a scenic view that should remain unblocked? What is a prominent hilltop or ridge? Different people may have differing opinions. Carstens recalled some work Russ Clark did to show people the visual impact of development on ridgelines. Krause feels that each individual petitioner will explain their project and unique site, and each much be evaluated individually. He feels that these blanket statements can be put in context on a site-by-site basis. Hardin disagreed, feeling something more concrete is required of an ordinance. Mr. Iacoangeli stated that his goal was to provide guidance and overall goals for site development without removing all flexibility from either landowner or township. These items are "objectives" and not "mandates." Objectives have the ability to conflict on a particular site, and through the SUP hearing process the landowner and township should work together to decide in any specific situation which objectives carry more weight than others. Each plan does not have to meet every single objective. Hardin and Pulcipher were concerned that the ordinance not be read to require this; Mr. Iacoangeli stated that they are written to require that these elements be considered, as a checklist for how to think about an application. He specifically avoided tying these elements back to elements of the Master Plan such as the numbered viewshed list. He agrees that the word "prominent" should be removed, leaving that item as simply recommending against siting buildings on hilltops or ridgelines.

Carstens noted language about protecting wildlife habitat species that are endangered, threatened or of “special local concern.” He noted that the Audubon Society has lists of endangered, threatened and special concern species that are universal. To him the word “local” makes no sense. Mr. Iacoangeli countered that while a species may not be special in one geographic location, it might be of higher interest or importance than another. Carstens feels that use of “local” makes the criterion too narrow in its justification of wildlife habitat. It’s not only necessary to protect certain species but to ensure biodiversity. Wikle sees little different in making a change. Bzdok opined that if the township believes that protecting wildlife of any kind warrants special consideration for building flexibility, then extraneous language is not needed. It would suffice to say that wildlife habitat and corridors should be protected. Vermetten feels the ordinance provides both sides a lot of flexibility to consider applications in a site-specific way.

Yamaguchi looked at the clustered housing option. The portion discussion how land area containing a body of water is treated says that the area may be included if the area bordering the shoreline is left as open space and suggested a language clarification to remove the word “developed” from “as open space.” She also noted under Development Standards and Requirements item a) “with an architectural wall detail that does not form unusable interior room space. She could not imagine how such a situation would occur.

David asked for clarification regarding density transfer concepts. Discussion has led to the possibility that sending areas might have attributes that would allow for density bonuses. Could density bonuses that might occur if the land was developed be transferred to a piece of land that would be unable to earn the bonus based on its characteristics? It could, which he sees as undesirable. Mr. Iacoangeli offered the idea that such receiving properties are the ones where we want to encourage increased densities because they lack special characteristics.

Yamaguchi stated having found some typographical errors that need to be addressed.

Vermetten believes these are “cutting-edge” ordinances also in use locally and in other areas of the state, and these have been well-crafted. He believes there should be clearly defined development rights sending and receiving areas.

**Motion by Carstens, support by David to recommend adoption of the Cluster Housing, Planned Unit Development and Open Space Subdivision Ordinances as amended and corrected.**

Wikle referred to the fact that the ordinances refer to the future land use designations, but the FLUM has not been adopted. Vermetten agreed that the FLUM has not been adopted and these ordinances depend to some extent on it. The Commission has recommended adoption of these ordinances by the Board of Trustees. Hull noted that the next step would be for these ordinances to be reviewed by County Planning and then Board consideration. It would be inefficient to adopt the ordinances and then amend them shortly thereafter; perhaps it could be tabled by the Board and not granted final approval until the FLUM adoption process on which it depends is complete. Bzdok felt that a motion of general support for these ordinances and concepts might be in order, and that perhaps one or two Commissioners could be detailed to oversee final detail work on them and make corrections discussed this evening before they are forwarded on. He would be glad to assist as part of his monthly retainer. It could come back to the Commission for a final recommendation with relatively little discussion and in conjunction with the FLUM.

**Motion failed by a vote of 1 in favor (David) and 8 opposed (Carstens, Hardin, Krause, Pulcifer, Takayama, Vermetten, Wikle, Yamaguchi).**

**Motion by Hardin, support by Takayama to follow Bzdok's advice, tabling the matter until changes discussed this evening can be made by an appropriate group of individuals and discussed and a recommendation on a final version can be forwarded through the rest of the process. Motion carried by unanimous roll call vote.**

There will be a special meeting to discuss the FLUM on January 22, and the next regular meeting would be on January 29. Vermetten would like to see all of the required changes made by that latter date.

- b) **Business District Revisions amendment to Zoning Ordinance** – An amendment to reorganize the business district text and alter the permitting requirements for some forms of commercial use: Mr. Iacoangeli reviewed the B-1S, B-1P, B-2, B-3 and B-4 zoning districts. In some of these districts there were no specified uses by right, now each district contains some uses by right (administrative approval of a site plan) and some by special use permit.

**Public Hearing opened at 8:45 p.m.**

Yamaguchi asked about the B-1S district uses by right, where six items are listed. One is “interior design studio;” she asked why this was specified. Mr. Iacoangeli stated it is already specifically listed in the B-1S ordinance. Docking facilities would require SUP approval; Yamaguchi wondered if a dock condominiums should be specifically mentioned and regulated as an addition to the list. Vermetten observed that the East Bay Harbor is selling docks in this manner.

Mr. Goss noted that some uses in the commercial districts have sizes associated over which an SUP is required and under which the approval is administrative. How where these sizes decided and by what criteria? Mr. Iacoangeli stated that he used existing standards for grocery stores in planning literature such as Krogers and Farmer Jack's, approximately 65,000 sq. ft. in size. This literature identifies stores from 60,000 – 70,000 sq. ft. as “mini-boxes” that generate more traffic than smaller stores but less than larger big-box stores. This activity may require road and signal enhancements.

Mrs. Goss previously noted that interior design studios are specifically mentioned in various districts, feeling it denotes some form of bias. Should it remain specifically mentioned? Mr. Iacoangeli stated that he was asked to reorganize currently-defined uses, but not to redefine uses. The intent of the project was to open the business districts to some permitted uses by right but not to undertake a total revision of the ordinance at this time. When that larger task occurs, redefinition would be appropriate. As defined it's essentially a professional office without retail sales.

Mr. Engle asked what happens if a new business type evolves that is not listed. Mr. Iacoangeli stated typically with ordinances, if a use is new it would go to the Zoning Board of Appeals for an interpretation as to where it would fit into the ordinances. Corpe observed that this occurred with Mr. Engle when he approached the township about development of a winery, we examined how such as use would fit into the ordinance. We determined it did not fit into an existing category and new ordinance language was needed, which Mr. Engle helped to develop.



**Public Hearing closed at 8:55 p.m.**

Hull stated that the Commission could either forward this ordinance through the rest of the process, or defer until January to go along with the other ordinance amendments under consideration if any additional editing is required.

Bzdok noted that currently B-2 allows shopping centers under 50,000 sq. ft. by SUP. The proposed revised ordinance allows for retail businesses over 60,000 sq. ft. or shopping centers containing a store of such a size. He observes, without implication, that this would seem to be creation of a new use not currently allowed in the district. Mr. Iacoangeli stated that the Board asked that some retail uses be better "pigeonholed." Bzdok is specifically offering no opinion either way as to if this is appropriate; he is only noting that it appears that a retail use of greater intensity than present would be allowed.

Vermetten believes the proposed revisions are generally an improvement but perhaps there are a few small tweaks to be made by staff and consultants. He suggested that they provide a finished product for the January 29 meeting.

**Motion by Krause, support by Carstens to continue consideration of the business district ordinance amendments to the January 29 meeting. Motion carried by unanimous roll call vote.**

**5. Old Business:**

- a) **Consider approval of 10/30/06 regular Commission meeting minutes:** Ms. Knopf, who raised a concern about the minutes was not present. Corpe recalled that she had concerns with the fact that the minutes from October 30 as presented say that her property assessment had decreased over the past several years, but it was important to her that she said they had declined over the past several tax statements. Corpe provided a memo containing a transcription of her comments as best could be done; Ms. Knopf had not approached the microphone that evening and some of her comments were unintelligible. Vermetten read aloud the transcription and the original wording of the minutes.

The commission did not find significant difference between the meaning of the transcribed comments or the meaning of the characterization and consolidation of her statements in the minutes. The question focuses on the characterization of the assessment changes being over several years vs. over several tax statements. Corpe wrote "years" because she knows the assessments only change once per year, so it made more sense to her than "tax statements."

**Motion by Carstens, support by Takayama to amend Ms. Knopf's comments in the October 30 minutes to substitute the words "tax statements" for the word "years." Motion carried unanimously.**

**6. New Business:**

- a) **Consider approval of 12/11/06 FLUM Work Session Commission meeting minutes:** John Kennedy felt that his comments were incompletely recorded, and has proposed a suggested addition to his comments as follows: "He also said that eminent domain for developing property was voted down last election in Michigan by about two million votes. Mr. Vermetten said that was different. Mr. Kennedy agreed in that the landholder is paid for the land and here the value is taken and the owner keeps the land and pays taxes on it but it has no value."

**Motion by Carstens, support by Pulcipher to accept Mr. Kennedy's proposed changes as presented. Motion carried unanimously.**

**b) Consider adoption of proposed 2007 Regular Meeting Schedule:**

**Motion by Krause, support by Takayama to approve the 2007 Regular Meeting Schedule as presented.**

Hardin noted that a special meeting has been scheduled that is not on the schedule; it was intended as a regular meeting schedule only.

**Motion carried unanimously.**

**7. Public Comment/Other Matters that May Come Before the Commission**

Mr. Engle complimented the Commission for the amount of work they accomplished this evening. Comments about connecting sending and receiving areas to zoning have a lot of merit in his mind. Since staff will be working on this issue, he suggests a chart specifying which zoning designations are sending zones and which are receiving zones should be developed and included in the draft ordinance for proposal.

Pat Salathiel asked about the January 22, special meeting, which will be for further discussion of the proposed FLUM.

Mr. Kennedy asked if the proposed Conservation/Recreation FLUM designation has any development rights to transfer according to the chart in the proposed ordinance; Mr. Vermetten stated that this chart will be entirely reworked and not tied to the FLUM. Mr. Kennedy also asked if one property owner can transfer rights to himself between parcels; it should be possible.

Mr. Zollinger stated that Corpe works hard to take minutes and sometimes when they are questioned it has been difficult to understand the recordings to resolve the issue. Is there anything that can be done or equipment purchased to help? Corpe responded that the recorder was replaced recently and generally the microphones we use are helpful; people don't always take advantage of them.

Mr. Engle stated that he and Rick Sayler have had problems with the state designations of land use on their properties being changed from agricultural to residential. The proper forum to protest assessments is the Board of Review, so this is the group someone should approach if they feel their property values have been raised or lowered inappropriately, not the Planning Commission.

Yamaguchi noted that she has provided everyone with additional proposed language revisions for FLUM descriptions and encouraged them to contact her early and often with questions and proposed changes before the meeting.

**Meeting adjourned at 9:23 p.m.**