

**DELTA COUNTY PLANNING COMMISSION MEETING**  
**Delta County Service Center**  
**Friday December 17, 2021**

- I. Call to Order. The meeting was called to order at 5:00 p.m. by Chair Williams
- II. Pledge of Allegiance.
- III. Roll Call. Member(s) present: John Malnar, John Denholm, Randy Scott and Christine Williams.  
Member(s) absent: Gary Plante and Renee Barron – excused and Dave Moyle - unexcused.
- IV. Approval of the December 6, 2021 minutes.  
Motion to approve with changes made by John Malnar and seconded by John Denholm. Vote: Yes-4  
No-0. Motion carried.
- V. Approval of agenda.  
Motion to approve made by Randy Scott and seconded by John Malnar Vote: Yes-4 No-0. Motion  
carried.
- VI. Public Comment. None
- VII. Declaration of Conflict of Interest. None
- VIII. New Business. None
- IX. Unfinished Business. Solar Ordinance Draft
  - Christine quoted Henry Ford, “Coming together is the beginning. Keeping together is progress. Working together is success.”
  - Chris provided a presentation with the following:
    - Removed: small, medium and large developments; 60’ from lot line; ATC now transmission infrastructure; and lake effect.
    - Changed: 300’ to 200’ and to allow negotiations with non-property owners; decommissioning; language for tree clearing; conditional use to overlay districts; allow developers to meet requirements.
    - Added: fire safety; process outside of solar overlay (not utility scale); 1.5- mile infrastructure; 3-mile swath of line;
    - Overlay clearly defines utility.
    - Benefits: clearly define where and scale; eliminate the need for case by case conditional use and simplify Zoning Administrator position without conditional use.
    - Drawbacks: reduce transparency with developers; no permitting; and no public hearing.
  - Discussion:

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- Draft down to 2-pages.
  - Questions in regard to conditional uses, permanent uses, no PC public hearings, no public input, utility scale. Hundreds of properties – could not do conditional use for all.
  - Public did have a lot of input through meetings. Will no public hearings create a future issue with a lawsuit?
  - Should not be allowed in residential areas. Will add not to allow in R1, R2, R3, R4, RR, LSR and LSR2 Districts.
  - Should not be rules and regulations for other agencies as we have no enforcement. This is only to let them know that they need to comply with other agency regulations. DEQ and Army Corp of Engineers have their own regulations.
  - Develop and limit effects on wildlife – cannot be controlled or regulated.
  - Obligation to communities to protect people and property values.
  - Renee in lease, requirements already put into lease for wildlife and water. Goal to stay consistent.
  - All lake shore should be LSR District. Note to add this to New Business for next meeting to review. Could also remove the 1,000 ft setback for rivers, streams, inland lakes and Michigan shorelines.
  - Developers can expand initially or at later date. Possible future expansions allowed.
  - Industrial scale required to identify impacts on human, safety, and wildlife. Developers don't expect issues and would provide studies.
  - Large installations need to be fenced. Fencing must be included in ordinance. Don't believe that it is necessary except for transfer switches and dangerous areas, but we have no control over that.
- Summary:
    - Item C: not allowed in residential districts.
    - Item C, A: remove solar set back of 1,000 ft.; and add to next line: rivers, streams, inland lakes and Michigan shorelines.
    - Item C, O: remove bottom of 'likely market energy'.

Motion to table the vote to next meeting made by John Denholm, no second, motion died.

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Motion to move Solar Ordinance draft with agreed changes to the Board of Commissioners for consideration made by Randy Scott and seconded by John Malnar.

Roll Call:

|                    |     |
|--------------------|-----|
| Christine Williams | Yes |
| Randy Scott        | Yes |
| John Malnar        | Yes |
| John Denholm       | No  |

Vote Yes-3 No-1. Motion carried.

Will move forward to the Board. John D. is not comfortable moving forward. Not enough input from absent commissioners. Don't believe there was a quorum, should be majority of the 7 members. Renee cannot vote (conflict of interest), Curtis not an active member until January 1, 2022, and Dave Moyle was absent. Christine will confirm with Emily and if okay then motion stands.

- X. Correspondence. None
- XI. Public Comment. None
- XII. Board Member Comments. Next meeting re-scheduled for Wednesday January 5, 2022 at 5:30 p.m. as the County is closed on January 3, 2022.
- XIII. Adjournment.

Motion to adjourn at 6:20 p.m. made by Randy Scott and seconded by John Malnar.