

**APPROVED MINUTES**

**DELTA COUNTY PLANNING COMMISSION MEETING  
Delta County Service Center  
Monday, November 4, 2024**

- I. Call to Order. The meeting was called to order at 5:30 p.m.
- II. Pledge of Allegiance.
- III. Roll Call. Member(s) present: John Denholm, Amy Berglund, Clayton Harris, Curtis Larsen, Charles Lawson, Matthew Jensen, Kelli van Ginhoven. Recording Secretary present: Kasja Nelson.
- IV. Approval of the September 5, 2024 minutes.  
Motion to approve with no corrections made by Amy Berglund and seconded by Kelli van Ginhoven.  
Vote: Yes-6 No-0 Abstain-1. Motion Carried.
- V. Approval of agenda.  
Motion to approve with the following amendments: 1- Add New Business item #4 by Matt Jensen seconded by Kelli van Ginhoven.  
Vote: Yes-7 No-0. Motion Carried.
- VI. Public Comment. None
- VII. Declaration of conflict of interest. None
- VIII. New Business.
  - 1. CASE 3-24-PC – Pauline Brown.  
Presented by Assistant Building Zoning Administrator: property owner requesting to rezone from AP to RR for purpose of splitting into smaller parcels to sell.  
**Public hearing opened:** 5:45 p.m.
    - Pauline Brown made a short comment regarding her parcel intent to split & sell. The parcel is mostly wooded and not really usable as Agricultural.**Public hearing closed:** 5:47 p.m.  
**Worksheet:** It meets Ordinance requirements; location is appropriate for use; no effect on district; adjacent property owners’ concerns heard; no environmental impact and is not a spot zone. Zoning Administrator’s recommendation is to approve.  
  
Motion to approve the application that was submitted and revised was made by Curt Larsen and seconded by Kelli van Ginhoven.

Roll Call:	John Denholm	Yes	Curt Larsen	Yes
	Amy Berglund	Yes	Matthew Jensen	Yes

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Clayton Harris	Yes	Kelli van Ginhoven	Yes
Charles Lawson	Yes		

Vote: Yes-7 No-0. Motion Carried.

### 2. PA233 Compatible Renewable Energy Zoning Ordinance.

#### **Discussion.**

- **Commissioner Denholm** explained that a lot of time and effort has been put into Delta County's wind ordinance. Following that a solar ordinance was incorporated into Delta County's zoning ordinance. Commissioner Denholm also mentioned that there may be grant money involved in developing a compatible renewable energy zoning ordinance. Commissioner Denholm agreed that the current ordinance would have to be gone through to see if it's compatible with PA233 although the commissioner expressed that the county already has a comprehensive plan in place right now. Commissioner Denholm suggested adding wording that amended our current zoning ordinance to match what was required in PA233.
- **Rachel Pascoe** (Assistant Zoning Administrator) explained that the zoning administrator had been asked to have the planning commission develop an ordinance so that the county would be in compliance with PA233. The assistant zoning administrator also explained that there was a sample ordinance included in the packet that was obtained from the Michigan Township Association and a second copy of that ordinance with some suggested changes that the planning commission would need to decide on.
- **Randy Scott** made a short statement that it is possible that some of the county's current restrictions in the ordinance are more restrictive than those proposed by the state. The resident suggested a comparison between our current ordinance and the proposed ordinance. It was expressed that the proposed ordinance is very similar to what is already in the county's zoning ordinance.
- **Commissioner van Ginhoven** commented that the commission shouldn't, and she wouldn't, be making decisions based on grant money that hadn't been officially confirmed. Commission van Ginhoven expressed that her interest was in not having any decision-making taken away from Delta County.
- **Commissioner Harris** expressed concern regarding the fact that the ordinance presented to the commission had been edited. Commissioner Harris expressed a desire to see a compatible ordinance that another county had approved because he felt that what was provided was too vague for him to make a decision. Commissioner Harris stated that the proposed ordinance should have been given to the planning commission three

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months ago so that commissioners would be in a better position to make decisions about a compatible ordinance. Commissioner Harris acknowledged the work that had been done on the current ordinance and felt it was an unfair expectation that the planning commission would have to make changes just to be compatible with PA233.

- **Commissioner Jensen** explained that it was important that this be focused on as there is a deadline at the end of November involved and our ordinance is already more restrictive and would need to be edited so that it is compatible with PA233.

Commissioner Jensen also explained that if Delta County did not have a compatible ordinance in place, then the Public Service Commission would be making decisions where this ordinance is concerned instead of the county. Commissioner Jensen explained that the implementation of PA233 is happening rapidly and in his opinion the planning commission was receiving information as it was becoming available. Commissioner Jensen suggested forming a subcommittee to go through the current ordinance line by line and then a special meeting would be called to go over the suggested changes.

- **Commissioner Lawson** commented that Delta County wouldn't have anything to cover the county at the end of the month the way the ordinance is currently written.
- **Commissioner Larsen** wanted to know what would happen if the proposed ordinance wasn't approved tonight. Commissioner Larsen felt that the commission hadn't been given enough information to decide at this meeting.

Motion to approve forming a subcommittee (members: Matt Jensen, John Denholm, Curtis Larsen, and the Zoning Administrator) to review the ordinance to develop a working document for the planning commission's consideration at least a week prior to the special meeting that will be held was made by Kelli van Ginhoven and seconded by Amy Berglund.

Vote: Yes-7 No-0. Motion Carried.

### 3. 2025 Meeting Calendar.

Motion to approve the 2025 proposed meeting schedule with the following amendments: the September meeting will be moved to September 8, 2025 by Curtis Larsen seconded by Matt Jensen.

Vote: Yes-7 No-0. Motion Carried.

### 4. Planning Commission Ordinance Changes.

Matt Jensen requested that a public hearing be held regarding the amended planning commission ordinance to be held during the December meeting.

## IX. Unfinished Business.

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### 5. LSR Discussion.

Motion to table the LSR discussion until January 1, 2025 and form a subcommittee to make recommendations to the planning commission by Kelli van Ginhoven seconded by Curtis Larsen.

Vote: Yes-7 No-0. Motion Carried.

### X. Correspondence.

1. Escanaba Township Letter dated 9/16/2024
2. Escanaba Township Letter dated 10/15/2024
3. Garden Township Ordinance Amendment 2024-1
4. Garden Township Ordinance Amendment 2024-2
5. Masonville Township Zoning Amendment

Motion to place correspondence on file by Matt Jensen and seconded by Curtis Larsen.

Vote: Yes-7 No-0. Motion Carried.

### XI. Public Comment.

1. Jodi St. John – There has been no changes following the complaints made at previous meetings. There are times when they are working from 5pm to 9pm in a rural residential zone. Resident has no idea how a commercial business was allowed in a rural residential zone without notification to residents. Resident stated that nowhere in the ordinance does it say that a junkyard is allowed in a rural residential area. Resident wants something done.
2. Tim Callahan (Masonville Township Zoning) - Wanted the commission to be aware that if they don't act on zoning amendments that are sent to the county the townships have 30 days that they have to wait for a reply from the county. Callahan is looking for the county to investigate the process and possibly waive that requirement.

### XII. Planning Commission Member Comments.

Commissioner Denholm – If it's going to take the townships more time to get things done when the planning commission doesn't respond it should be something we add to our agenda and possibly send to the County Board of Commissioners to waive the 30-day window.

Commissioner Harris – Wanted to know if townships were required to send their zoning amendments to the county. (Tim Callahan explained the process according to the MSU Guidelines).

Commissioner Jensen – Is going to follow up with Tim Callahan after the meeting about his concerns and he will get ahold of subcommittee members to set up a meeting time.

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Commissioner van Ginhoven – In regard to the issue brought up by Jodi St. John, that has been brought up at several meetings, this is an issue that needs to be given attention and resolved. It was suggested that the zoning administrator, Jodi St. John, a planning commissioner, and the owner of the business in question meet and come to a resolution. This is an issue that has been going on for quite some time without resolution. No updates from the zoning administrator have been received by the commission. Asked that this issue be put on the agenda for the next meeting.

Commission Harris – Also concerned about Jodi St. John's issue and how it is being handled. Commissioner Harris expressed that issues like this should be handled in writing and the commissioner feels that it might be a situation where Jodi St. John is being driven out of her home. In instances such as this there should be a complaint form or some sort of documentation.

### XIII. Adjournment.

Motion to adjourn at 6:48 p.m. made by Charles Lawson and seconded by Amy Berglund.