

1                                   **TYRONE TOWNSHIP PLANNING COMMISSION**  
2                                   **REGULAR MEETING & PUBLIC HEARING MINUTES**

3                                   October 10, 2017 at 7:00 p.m.

4  
5   **PRESENT:** Mark Meisel, Dave Wardin, Cam Gonzalez, Al Pool, Ron Puckett, Kurt Schulze,  
6   and Bill Wood.

7   **ABSENT:** None.

8   **OTHERS PRESENT:** Tyrone Township Planner Brian Keesey, Tyrone Township Planning &  
9   Zoning Administrator Ross Nicholson.

10 **CALL TO ORDER (7:00 PM):** By Chairman Meisel.

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12 **PLEDGE OF ALLEGIANCE (7:01 PM):**

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14 **CALL TO THE PUBLIC (7:02 PM):** No comments received.

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16 **APPROVAL OF THE AGENDA (7:03 PM):**

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18 Dave Wardin made a motion to approve the agenda as presented. Kurt Schulze supported the  
19 motion. The motion carried by unanimous voice vote.

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21 **APPROVAL OF THE MINUTES (7:05 PM):** September 12<sup>th</sup>, 2017

22  
23 Several revisions were made to the September 12<sup>th</sup>, 2017 meeting minutes draft. Cam Gonzalez  
24 made a motion to approve the September 12<sup>th</sup>, 2017 meeting minutes, as amended. Dave Wardin  
25 supported the motion. The motion carried by unanimous voice vote.

26  
27 *The regular meeting was adjourned at 7:35 pm for a scheduled public hearing regarding*  
28 *proposed ordinance text amendments.*

29  
30 Chairman Meisel addressed the public in attendance and inquired if they would be agreeable if  
31 the Planning Commission waived the reading of the public hearing notice. There was only one  
32 person in attendance, who agreed she would have no objection to the reading of the public  
33 hearing notice being waived.

34  
35 The purpose of the public hearing is to receive public comment on various ordinance text  
36 amendments in the Zoning Ordinance #36, the Subdivision Control Ordinance #16, and the Land  
37 Division Ordinance #25. The proposed amendments include: The removal of certain open space  
38 requirements and increasing the minim lot sizes in certain single-family zoning districts;  
39 Inclusion of a reference to the Michigan Condominium Act (Act 59 of 1978, as amended); The  
40 modification of cemetery special land use requirements regarding access, road design, setbacks,  
41 and fencing; Updating registered designer requirements for Site Plan Review and Impact  
42 Assessment; The addition of Open Space Dependent Properties, to address properties created  
43 when open space was required as part of the land division; Updating the Subdivision Control

44 Ordinance #16 to update legal basis, definitions, procedures, specifications, and requirements;  
45 And amend the Land Division Ordinance #25 to update registered designer requirements.  
46  
47

48 **PUBLIC HEARING (7:36 PM): Remove Certain Open Space Requirements**  
49

50 Chairman Meisel summarized the proposed text amendments to: Article 4 FR and RE Residential  
51 District, Article 5 R-1 Single Family Residential District, Article 6 R-2 Single Family Residential  
52 District, Article 8 Open Space Preservation (OSP) Option, Article 20 Schedule of Regulations, and  
53 Article 26 Nonconformities. The purpose of the proposed text amendments is to eliminate the open  
54 space requirement for newly created parcels in the FR, RE, R-1, and R-2 zoning districts and increase  
55 the minimum lot sizes to compensate for the land area that would have been dedicated as permanent  
56 open space under the current Zoning Ordinance requirements. The minimum lot area for newly  
57 created parcels would essentially be the same as the current requirements, but with no open space  
58 requirement. This would allow property owners of newly created Parcels [under the proposed text, if  
59 adopted] to utilize more of their land for building or similar uses. Chairman Meisel inquired if  
60 anyone had any questions or comments regarding the removal of open space requirements and  
61 increase in minimum lot sizes. No questions or comments were received.  
62

63 Chairman Meisel continued summarizing the proposed open space amendments. In Article 8 of the  
64 Zoning Ordinance #36, Open Space Preservation (OSP) Option, several changes were proposed.  
65 Most of the proposed changes are minor updates to ensure the text reflects the current State Act and  
66 regulations. The Cluster Development Option (CDO) calculation table in Article 8 would also be  
67 revised to reflect the new minimum lot sizes in the applicable zoning districts and several minor  
68 revisions to text regarding sanitary waste disposal requirements to improve clarity.  
69

70 Dave Wardin brought up a concern regarding the requirement for a minimum parent parcel size to  
71 qualify for development utilizing the CDO. A brief discussion amongst the Planning Commission  
72 followed. The Planning Commission concluded that the current minimum parent parcel size of ten  
73 (10) acres would not be necessary because the amount of newly created parcels in a CDO  
74 development is already dictated by the total parent parcel area and the zoning district regulations. It  
75 was decided that Brian Keesey would revise the proposed ordinance text draft to eliminate the  
76 requirement that a parent parcel is at least ten (10) acres in size to qualify for a CDO development.  
77

78 Chairman Meisel then summarized the proposed amendments in Article 20, Schedule of Regulations,  
79 and Article 26, Nonconformities. In Article 20, the Table of Schedule of Regulations Dimensional  
80 Requirements would be updated to reflect the proposed minimum lot sizes for each applicable zoning  
81 district. In Article 26, new text would be added to address open space dependent properties. The  
82 proposed text would provide property owners of land containing open space the ability to eliminate  
83 the open space as long as they provide evidence that it can be done legally.  
84

85 **PUBLIC HEARING (8:06 PM): Condominium Standards and Site Plan Review**  
86

87 Brian Keesey opened the discussion. He explained that the only significant proposed text  
88 amendment in the Zoning Ordinance regarding Condominium Standards and Site Plan Review  
89 (Article 21, Section 21.43) is an update to reference the current Michigan Condominium Act  
90 (Act 59 of 1978, as amended). Chairman Meisel stated that there are also several proposed  
91 amendments to the Subdivision Control Ordinance #36. He mentioned that the Ordinance is

92 somewhat antiquated. Several typos would be corrected, the Planned Unit Development (PUD)  
93 definition would be updated to improve clarity, and the references to the Michigan  
94 Condominium Act would be updated to reflect the current version.  
95

96 Dave Wardin suggested that the Planning Commission should verify the road design standards in  
97 the Zoning Ordinance and Subdivision Control Ordinance to ensure they reflect the current  
98 Livingston County Road Commission standards. It was decided that the information would be  
99 verified.  
100

101 Chairman Meisel mentioned the proposed amendment to change all references to the Livingston  
102 County Health Department (LCHD) to the Livingston County Department of Health (LCDH) to  
103 ensure the department is referred to by the correct name. He brought up the Livingston County  
104 website to verify which title would be correct. The website indicated that the department is  
105 referred to both ways. It was decided that the information would be verified.  
106

107 The Planning Commission briefly discussed other potential future revisions to the Subdivision  
108 Control Ordinance. Chairman Meisel stated that the Ordinance is regulatory and is not bound to  
109 the same amendment process as zoning ordinance amendments, therefore the topic can be  
110 discussed in the future and further amendments can be made, if deemed necessary. The Planning  
111 Commission agreed to move on with the remaining agenda items and revisit the topic at a later  
112 date.  
113

114 **PUBLIC HEARING (8:36 PM): Site Plan Review and Impact Assessment**  
115

116 Chairman Meisel opened the discussion with a summary of the proposed text amendments to  
117 Article 23 of the Zoning Ordinance #36. One amendment would be a minor update to reference  
118 the types of registered professionals qualified to prepare surveys or drawings for Site Plan  
119 Review and Impact Assessments. Another suggested amendment would be to update the  
120 requirement that drawings/surveys include a raised seal and signature to comply with the current  
121 Michigan law which permits the recording of electronically transmitted documents without a  
122 raised seal.  
123

124 **PUBLIC HEARING (8:43 PM): Cemeteries**  
125

126 Chairman Meisel introduced the topic with an explanation of why amendments to the cemetery  
127 special land use standards (Article 22, Section 22.05.C) are being proposed. He explained that  
128 the Planning Commission had received a special land use application for a cemetery earlier in the  
129 year, which brought to light several outdated requirements that should be updated to ensure the  
130 proposed use would be reviewed thoroughly (utilizing modern design standards).  
131

132 He stated that the first proposed amendment is to change the access requirement. The current  
133 Ordinance text requires that all cemeteries containing structures shall have direct access on an  
134 arterial road with at least two (2) access drives spaced at least two hundred (200) feet apart along  
135 the road frontage. The proposed amendment is to eliminate the minimum driveway spacing  
136 requirement and require that the location and number of ingress and egress driveways shall be  
137 designed in accordance with the Township Access Management Standards in Section 21.54 of

138 the Zoning Ordinance and be subject to the requirements and recommendations of the regulatory  
139 body responsible for the road from which access is planned. In addition to the modification of  
140 the access standards, additional road design standards would be included for the purpose of  
141 ensuring the internal road system design is built to current Township and County specifications.  
142 Additional requirements for increased minimum setbacks and fencing requirements would also  
143 be included in the amended text.

144

145 There was a brief discussion amongst the Planning Commission regarding the possibility of  
146 including acceleration and or deceleration lanes for cemeteries. Chairman Meisel explained that  
147 the Township alone would not have the authority to require acceleration or deceleration lanes.  
148 The Livingston County Road Commission would be responsible for reviewing the proposed  
149 access point to determine whether or not acceleration and or deceleration lanes would be  
150 necessary depending on a number of factors including sight distance, traffic volume, traffic  
151 speed, frequency and duration of funerals, and etc.

152

153 *Chairman Meisel summarized the public hearing items that had been discussed and closed the*  
154 *public hearing at 9:07 pm.*

155

156 **NEW BUSINESS # 1 (9:10 PM): Review Comments from Public Hearing**

157

158 No comments had been received.

159

160 **NEW BUSINESS # 2 (9:11 PM): Recommendation for Proposed Zoning Amendments**

161

162 Dave Wardin made a motion to recommend approval of the proposed Zoning Ordinance  
163 amendments and forward them to the Livingston County Planning Department for review and  
164 recommendations. Al Pool supported the motion. The motion carried by unanimous voice vote.

165

166 **NEW BUSINESS # 3 (9:13 PM): Solar Farm Regulations**

167

168 Chairman Meisel introduced the topic and explained that the reason solar farm regulations are  
169 being discussed is due to several inquiries from potential developers who may be interested in  
170 purchasing or leasing land within the Township for the purpose of constructing and operating a  
171 solar farm. He mentioned that the Zoning Ordinance currently would only permit solar farms as  
172 a special land use in the PIRO-C (Planned Industrial Research Office- General Industry) and  
173 PIRO-B (Planned Industrial Research Office- Light Industry) zoning districts. Due to the recent  
174 inquiries received by the Township, it was determined that the current solar production facility  
175 standards should be revisited to determine whether or not they adequately cover all aspects of a  
176 solar farm or similar facility and to determine whether or not solar and similar “green” energy  
177 production facilities could be permitted in the FR (Farming Residential) zoning district.  
178 The Planning Commission briefly discussed the topic of potential locations for a solar energy  
179 production facility. One significant factor involved in determining the best suited location(s) is  
180 whether or not the proposed site(s) are within the sewer district. It could be argued that requiring  
181 a low-impact operation such as a solar farm in a zoning district that could accommodate larger  
182 commercial and industrial land uses would be nonsensical since the amount of developable real  
183 estate within the Commercial and Industrial zoning districts is relatively limited. Solar energy

184 production facilities typically do not require any full-time employees on site and therefore most  
185 do not include commercial structures other than the panels, mounting equipment, and wiring.  
186 For that reason, there would be little to no benefit for a solar farm or similar facility to be located  
187 within the sewer district. Due to the low-impact nature of solar production facilities, it could be  
188 argued that they could be permitted as a special land use outside of the commercial/industrial  
189 zoning districts.

190  
191 Brian Keeseey presented some information on residential and commercial solar energy production  
192 equipment to be used for reference by the Planning Commission when developing or modifying  
193 the existing regulations for commercial and residential solar energy production  
194 equipment/facilities. The Planning Commission briefly discussed the current solar panel  
195 technology and capabilities. Efficiency, cost, potential applications, placement of equipment,  
196 and similar details were included in the discussion.

197  
198 It was decided that the topic would be discussed in more detail in the future. No action was  
199 taken.

200  
201 *The Planning Commission briefly discussed the possible topics to discuss at the next workshop*  
202 *meeting on 10/18/2017.*

203  
204 **MISCELLANEOUS BUSINESS: NONE**

- 205  
206 1) Planning and Zoning Administrator's Report: None  
207 2) Other Business Items: None  
208 3) Township Board Actions: None  
209 4) ZBA Report: None  
210 5) Future Items: N/A  
211 6) Correspondence: N/A

212  
213 **ADJOURNMENT (9:42 PM):** By Chairman Meisel