**Solon Township Planning Commission**

Solon Township Hall

9191 S. Kasson St.,

Cedar, MI 49621

**AGENDA**

Regular Meeting Agenda

Tuesday, October 29, 2024,

 6:00 P.M

**MEMBERS**

Steve Morgan – Chairman – Term expires 12/31/24

Steve Yoder – Member / Twp Board Rep 11/17/24

Meg Paxton – Member 12/31/25

Samantha Vandervlucht – Member 12/31/25

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agendas
5. Approval of Meeting Minutes; September 8, 2024, Regular Meeting Minutes
6. Conflicts of Interest
7. Public Comment; (Limited to three minutes per person unless extended by Chairman).
8. Correspondence
9. Reports
10. Township Board Representative
11. ZBA Representative
12. Zoning Administrator
13. Old Business;

1. Review Accessory Dwelling Units – Amendments

1. New Business;
2. Other Business;

1.

2.

1. ZA / Planning Commission Comments
2. Public Comments; (Limited to three minutes per person unless extended by Chairman).
3. Adjournment;

NOTE: A quorum of Solon Township Planning Commission Board Members shall be present. No Solon Township Board of Trustee business shall be conducted at this meeting.

MEETING MINUTES

September 3, 2024

**Solon Township Planning Commission**

Solon Township Hall

9191 S. Kasson St.,

Cedar, MI 49621

**Meeting Minutes**

Regular Meeting Agenda

Tuesday, September 3, 2024,

 6:00 P.M

**MEMBERS**

Steve Morgan – Chairman – Term expires 12/31/24

Todd Yeomans – Vice Chair / ZBA Rep 12/31/24

Steve Yoder – Member / Twp Board Rep 11/17/24

Meg Paxton – Member 12/31/25

Samantha Vandervlucht – Member 12/31/25

1. Call Meeting to Order **by Chairman Morgan at 6:00 p.m.**
2. Pledge of Allegiance
3. Roll Call: **Yoder, Paxton, Vandervlucht and Morgan.**

Absent: **Excused Yeomans**

1. Approval of Agenda: **Morgan suggested to move New Business up to item before Old Business.**

**Moved by Yoder to approve the agenda as amended, seconded by Paxton.**

**Passed 4-0**

1. Approval of Meeting Minutes; July 30, 2024, Regular Meeting Minutes

**Moved by** **Vandervlucht to approve the minutes as presented, seconded by Paxton.**

**Passed 4-0**

1. Conflicts of Interest: **None**
2. Public Comment; (Limited to three minutes per person unless extended by Chairman).

**Mary O’Neal:** Thanked the Recording Secretary for providing all of the handouts that were being discussed by the PC.

1. Correspondence: **Received letter from Jean Popa, Secretary read letter to the board.**

**Yoder:** Also received a note from Jean Popa, read to the PC and stated he would respond in writing to the request.

1. Reports
2. **Township Board Representative: Yoder:** We had a township board meeting on August 15, 2024, Jim Launter was not present so Yoder was asked to facilitate the meeting. Matt Hill had questions on a car that has been parked in the alley way in Cedar. Questioned the board on how to deal with vehicles being parked for long periods of time. Board discussed the possibility of vacating the alleys and splitting the alleys between the residences that they abut to. The wall is scheduled to be fixed after the Polka Festival. The score board lights are functional. The Chamber rep stated that it would be $1,400.00 per light to change the bulbs. It will take time to get these changed due to the cost. The score board was installed by the Chamber some time ago and they have continued to do maintenance on the board as needed. The dock at Perrins Landing was also discussed and what to do with the dock that is in poor condition. Joan Gauthier will contact some dock installers to see if they will remove the dock at a cost. The Township Board directed Christina to send out the Master Plan to the adjacent neighboring townships, county and other entities that are required to receive the plan before possible adoption of the Master Plan and associated maps. There was a request for a food truck for a private 501C3 Horse show. The board did approve the one time use but the applicant decided not to use the food truck and provide pre-packaged meals instead.

**Morgan:** The future land use map is beginning to hit the public and hopes the public trend will be to continue to inform the public of its possible adoption.

**Yoder:** Did bring letters from the Township board meeting. Steve will forward to Recording Secretary to be a part of the next month’s packet.

1. **ZBA Representative** – **None**
2. **Zoning Administrator:** Deeren: stated that she was picked to be on the new Airport zoning board that is being created by Cherry Capital Airport. She has been busy with permits, zoning questions and questions on land divisions.
3. New Business;
4. Heartwood Ciders – Notification of changes to originally approved SUP:

**Deeren:** Provided update on the packeted information. Spoke to Morgan prior to putting this on the agenda and it was discussed to put in the packet for informational purposes as the new proposal decreases the size of the building from 5,000 square feet to 2,500 square feet. The building location has also changed slightly and they are proposing to keep additional parking but have downsized it slightly.

 **Rachel Barnard:** Part owner of the property here to represent the proposed changes

in the structure, parking and location. They were previously approved for a 5,000

 square foot building and have reduced the footprint to 2,500 square feet. This was in

 part due to the cost, time and effort of leveling the site to accommodate the larger

 structure. Smaller building, smaller parking lot. This change makes more sense and

 to move the structure westerly.

 **Morgan:** Questioned if they were still proposing not to hold large events?

 **Barnard:** No big events, the building will not have a kitchen. They will have

prepackaged foods to sell or cooler type foods. Will also have a tent for overflow

 traffic.

 **No motion was made to accept the changes to this previously approved SUP as the**

 **building has decreased in size.**

1. Old Business;
2. Review Accessory Dwelling Units – Amendments

**Morgan:** Fears that these will become short term rentals. This ordinance would make more sense if he knew for certain that the township board wanted a short-term rental ordinance that way it could be integrated into this ordinance.

 **Vandervlucht:** The previous Zoning Administrator said it wasn’t worth it because the

State was addressing these and there could be a state wide ordinance.

 **Morgan:** Does the Township Board want us to create a short-term ordinance?

 **Yoder:** One member of the Township Board thought that they are good for the

community.

 **Vandervlucht:** Proactive vs. reactive is a good thing.

 **Paxton:** Get after it and get it done.

 **Yoder:** This could go on for years.

 **Paxton:** It would solve the issue.

 **Morgan:** It would make sense to work on a short-term rental ordinance so these do

not turn into short-term rentals. If we continue with the ADU ordinance there is no

 way to state that they would not turn into rentals.

 **Yoder:** Let’s go through with the ADU ordinance and if it gets granted then we can

 add language to prevent these from becoming short-term rentals in a short-term

 rental ordinance.

  **Paxton:** This does not take into consideration long term rentals.

 **Deeren:** Anything less than 30 days is considered to be short-term.

 **Paxton:** Rentals allow people to make money.

 **Yoder:** We should include that these are prohibited to become short-term rentals.

 **Vandervlucht:** Has owner occupied been discussed at all?

 **Yoder:** Yes. We did talk about that.

 **Morgan:** Summer residence can also have ADU’s even though they are only here six

months of the year. There is no way to monitor a summer home and an ADU from

 becoming rentals.

 **Paxton:** The long-term plan would for these to become rental income properties for

people. Important to keep generational families on these properties. This would

 create affordable housing.

 **Morgan:** Does not want to create issues for neighboring properties.

 **Vandervlucht:** What does the Bed and Breakfast ordinance state about occupancy?

Doesn’t it have to be owner occupied?

 **Deeren:** Yes, it is required that it be owner occupied as they rent out rooms within

the building that they reside in.

 **Paxton:** All we hear about is affordable housing. This solves a small problem with

people building affordably.

 **Deeren:** They can’t build affordably so that is part of the issue. Contractors are not

 going to sell for ½ the cost of construction or dip into their pockets to cover

 mortgages while collecting cheaper affordable rent.

 **Paxton:** There is nowhere in the township for people to stay as we do not have a

motel.

 **Morgan:** This will be a draw for people to just make money and do what they will.

 **Vandervlucht:** It is important to focus on making sure that this doesn’t happen.

 **Morgan:** The attitude of the people does not want changes. This was obvious at the

Township board meeting with the density increase proposals to Popa Road. Hears

 that citizens love the township as it is and do not want these types of changes. This is

 an opportunity to allow additional short-term rental opportunities that people do not

 want.

 **Vandervlucht:** We can’t punish everyone for a few that break the rules. Not everyone

has big houses with lots of money and this could help offset some people’s

 mortgages. This could help families maintain lives here in this community and allow

 for generational families to stay here.

 **Morgan:** It’s a balancing act trying to do something like this because it opens things

up for these to become something that we did not intend.

 **Vandervlucht:** Supports ADU’s and feels that this is a good ordinance.

 **Yoder:** Doesn’t think that they could ever write something that has all the magic keys.

Does not have an issue with the ADU’s. Does feel that ADU’s will help in keeping

 families here in the community. Feels strongly that we have the teeth we need to

 enforce this ordinance if it is adopted. Suggested changing these to owner occupied.

 **Morgan:** Directed Deeren to make adjustments and changes as noted and to bring

back to October meeting.

1. Landscape Ordinance – Review previous Amendments with changes

**Paxton:** We have cut this down from 13 plus pages to less than ½ of what it originally was. Feels comfortable that it can now go before the township board.

**Morgan:** Does anyone have anything against this being presented to the township board?

**Vandervlucht:** Requested a change be made by defining areas for levels.

**Yoder:** Clarify this as it is confusing which levels it applies to.

**Vandervlucht:** The table does clarify the zoning districts of what level applies to you.

**Paxton moved to present ordinance to township board with pending changes to be made prior to submittal, seconded by Vandervlucht.**

**Passed: 4-0**

1. Other Business; **None**

1.

2.

1. ZA / Planning Commission Comments: **None**
2. Public Comments; (Limited to three minutes per person unless extended by Chairman).

 **John Zelinski:** Asked the PC to reconsider future map and the property rezoning for

Allgaier Road now that they have finished a landscaping ordinance which is why he was

 told it was removed from the maps.

 **Judy Janoski:** The township doesn’t have a short-term rental ordinance wouldn’t that

mean that they are allowed?

**Deeren:** No, that is not how township zoning ordinances work. If the use is not stated in

the ordinance, then it is not an allowed use. Most ordinance state this within the ordinance, ours does as well. If an ordinance doesn’t state anything regarding a sexually explicit business you wouldn’t allow them within the township.

**Donna Kozisek:** So, if there is not an ordinance it is not allowed?

**Deeren:** Correct.

**Karen Smith:** Stated that the PC need to notify the powers that “B”, to give the Zoning Administrator a raise.

**Dan Petroskey:** There is a discrepancy on the maps with the properties south of Cedar and north and south of Popa Road as these areas are also included in the maps on the website. Was inquiring if these maps were correct?

**Yoder:** Stated that the map online was correct and incorrect as they still label the density and the density was removed and added to the ordinance but the areas outlined have not changed.

**Morgan:** Those maps are the proposed maps.

**Petroskey:** What are the next steps?

**Yoder:** The Master Plan will be sent out to the adjacent communities, county agencies and others. All the communication comes back to the township board and then they forward it back to the PC for suggested changes and amendments.

**Morgan:** We will get feedback once this is sent out to the adjacent communities. We will take the feedback into consideration before final adoption.

**Mary O’Neal:** Short term rentals is in House Bill No. 5438 and is before the Committee. The Bill does not take away all local control and these are taxed so monies come back through the state to communities. There are certain criteria that rentals would have to provide escape plans, fire extinguishers, ingress/egress windows, etc. Send letters with thoughts to the Committee.

1. Adjournment;

Morgan adjourned at 7:11 p.m.

 Respectfully submitted, Christina Deeren, Recording Secretary

Draft Minutes

OLD BUSINESS ITEM NO. 1

ACCESSORY DWELLING UNITS (ADU’S)

**SECTION 4.12A Accessory Dwelling Units**

Accessory Dwelling Units (AUD’s)– This section of the ordinance has been adopted as Ordinance No. 4.12A, adopted on September 3, 2024.

**Intent:** It is the intent of this Ordinance to permit additional affordable independent self-contained living accommodations on properties with an existing primary single-family dwelling.

**Definitions:**

**Accessory Dwelling Unit/ADU:** An Accessory Dwelling Unit is a legal and regulatory term for a secondary house or apartment that shares the same property with a, primary home.

1. **Accessory Dwelling Unit’s shall be subject to the following requirements**:

**Accessory Dwelling Units shall be allowed in Agricultural Conservation (AC), Residential Agricultural (R/A), Residential District 1 (R-1), Residential District 2 (R-2) and Resort Recreational District (RR).**

1. **General Provisions**.
2. **General Requirements**: Not more than one (1) Single Family ADU shall be permanently established on a lot or parcel in conjunction with a Primary Single-Family Dwelling. An ADU shall only be placed on properties with an existing primary residence. ADU’s are prohibited from being used as short-term rentals, Bed and Breakfast establishments or for any Commercial or Industrial use(s). ADU’s are prohibited in any approved PUD’s (Planned Unit Developments). ADU’s are One Family Dwelling units that are prohibited from being converted into Two family or Multiple Dwelling Units. Permitted ADU’s shall only contain one (1) kitchen with no additional cooking facilities in the upper or lower level(s) of the structure.
3. **Parcel Size and Setback Requirements**. ADU’s shall not be permitted on parcels less than two and half (2.5) acres in size. All ADU’s shall be subject to the same setback requirements as the principal building in the zoned district and shall be a minimum of 15 feet from any other building or accessory building.
4. **Lot Coverage**: The percentage (%) of the lot covered by buildings shall not exceed the allotted percentage defined within each of the zoned districts.
5. **Construction Limitations:** ADU’s shall not exceed the total square footage of the primary principal dwelling and may not be greater than 1,000 square feet. An ADU may be permitted with an attached or detached accessory garage/carport structure that does not exceed 480 square feet which may not be converted to living space at any time.
6. **Construction Requirements:** An ADU must be serviced with an individual well and septic that is approved and permitted through the Leelanau County Health Department and/or may be connected to an existing well and septic system if the ADU is located within 100 feet of the existing primary residence.
7. **Height Limitations:** An ADU must comply with the zoning district requirements for height as defined by the zoning ordinance.
8. **Driveways and Parking:** If a driveway is required for access to the ADU permits are required from the Leelanau County Road Commission and Solon Township prior to the placement and construction of the driveway. Parking must comply with **Section 21.03 Parking**, items 4 and 5.