



# Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)  
120 W. Michigan Avenue • Jackson, MI 49201  
Phone (517) 788-4426 • Fax (517) 788-4635

## MEETING NOTICE

FOR FURTHER INFORMATION CONTACT:  
Grant E. Bauman, AICP  
R2PC Principal Planner  
(517) 768-6711  
[gbauman@co.jackson.mi.us](mailto:gbauman@co.jackson.mi.us)

DATE: June 8, 2017  
TIME: 6:00 p.m.  
PLACE: 5<sup>th</sup> Floor Commission Chambers  
Jackson County Tower Building  
120 W. Michigan Avenue  
Jackson, Michigan 49201

## MEETING AGENDA

1. Call to order and pledge of allegiance
2. Public comment [*3 MINUTE LIMIT*]
3. Approval of minutes  
Approval of the May 11, 2017, meeting minutes [*ACTION*] ..... 3
4. Approval of agenda  
Approval of the June 8, 2017, meeting agenda [*ACTION*]
5. Request(s) for review, comment, and recommendation
  - a. Consideration of township zoning amendment(s)
    - (1) CZ #17-17 – Leoni Township text amendment [*ACTION*] ..... 5
  - b. Consideration of master plan(s) – *None*
  - c. Farmland and Open Space Preservation Program (PA116) application(s) - *None*
6. Other business
  - a. Unfinished business - *None*
  - b. New business – *None*
7. Public comment [*2 MINUTE LIMIT*]
8. Commissioner comment
9. Adjournment

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## MEETING MINUTES

May 11, 2017

Jackson County Tower Building • Jackson, Michigan

- Members Present:** Timothy Burns, At Large; Roger Gaede, Environment; Nancy Hawley, At Large; Ted Hilleary, Education; Jennifer Morris, At Large; John Polaczyk, Jackson County Board of Commissioners; and Amy Torres, Industry and Economics;
- Members Absent:** Jared Vickers, At Large, and Jim Videto, Agriculture
- Liaisons Present:** Grant Bauman, Principal Planner, and Lexie Gozdoff, Associate Planner
- Others Present:** Amy Cyphert (CZ #17-15), Dan Decker (CZ #17-16), Bruce Gilbert (CZ #17-16), Lana Leimenstall (CZ #17-16), Liberty Leimenstall (CZ #17-16), and Rob Leimenstall (CZ #17-16)

- Item 1. **Call to Order and Pledge of Allegiance.** The meeting was called to order at 6:00 p.m. by Chair Torres. Those in attendance rose and joined in the Pledge of Allegiance.
- Item 2. **Public Comment.** There was no public comment.
- Item 3. **Approval of Minutes.** A motion was made by Comm. Polaczyk, and seconded by Comm. Hilleary, to **approve** the minutes of the April 13, 2017, meeting as presented. *The motion was approved unanimously.*
- Item 4. **Approval of the Agenda.** A motion was made by Comm. Morris, and seconded by Comm. Polaczyk, to **approve** the May 11, 2017, agenda as submitted. *The motion was approved unanimously.*
- Item 5. **Request(s) for Review, Comment, and Recommendation**
- a. **Consideration of Township Zoning Amendment(s).**
- (1) **CZ #17-14 – Rezoning in Section 19 (T2S-R2E) of Grass Lake Township**
- Staff summarized its report regarding the proposed rezoning of a property from Light Industrial (LI) to Residential (R-2), advising County Planning Commissioners to recommend approval with comments of the rezoning (please see the staff report).
- Comm. Gaede noted that the campground provides water, sewer, and electricity to its campsites even though municipal water and sewer are not available. Comm. Polaczyk observed that an expanded campground will bring more visitors into the county.
- A motion was made by Comm. Polaczyk, and seconded by Comm. Morris, to recommend **approval with comments**, as advised by staff, of the rezoning to R-2 (please see the staff report). *The motion was approved unanimously.*
- (2) **CZ #17-15 – Rezoning in Section 31 (T3S-R2E) of Napoleon Township**
- Staff summarized its report regarding the proposed rezoning of two properties from Local Commercial (LC) and Residential (R-1) to General Commercial (GC), advising

County Planning Commissioners to recommend approval of the rezoning (please see the staff report).

Comm. Polaczyk asked if the gas tanks shown on the site plan were new or existing. Ms. Amy Cyphert, representing the applicant, spoke in favor of the rezoning. She informed the Commission that Tank A is existing and Tank B is new (allowing the sale of recreational fuel), answering Comm. Polaczyk's question. Comm. Gaede asked if there were monitoring wells in the area. Ms. Cyphert stated that the documentation from the purchase of the property did not indicate the presence of any monitoring wells. She also noted that a Phase 1 Environmental Study was completed when the property was purchased, answering a question posed by Chair Torres.

A motion was made by Comm. Morris, and seconded by Comm. Hawley, to recommend **approval with comments**, as advised by staff, of the rezoning to GC (please see the staff report). *The motion was approved unanimously.*

(3) **CZ #17-16 – Rezoning in Section 22 (T2S-R1W) of Blackman Township**

Staff summarized its report and report addendum regarding the proposed rezoning of two properties and the partial rezoning of a third property from General Commercial (C-2) to Light Industrial (I-1), advising County Planning Commissioners to recommend approval with comments of the rezoning (please see the staff report and staff report addendum).

Mr. Rob Leimenstall, the applicant, spoke in favor of the rezoning. Mr. Dan Decker, Blackman Township Planning Commission Chair, concurred with the amended staff report. Comm. Polaczyk stated that the Township needs to be careful when rezoning given the potential growth of the Township. Comm. Hawley was concerned about potential noise. She and Mr. Leimenstall spoke about that issue and keeping noise levels down. Comm. Gaede asked where the 60-foot buffer came from. Mr. Decker stated that 60 feet is the required setback in the I-1 District.

A motion was made by Comm. Hilleary, and seconded by Comm. Hawley, to recommend **approval with comments**, as advised by staff, of the rezoning to I-1 (please see the staff report). *The motion was approved unanimously.*

- b. **Consideration of Master Plan(s).** None.
- c. **Farmland & Open Space Preservation Program (PA 116) application(s).** None.

Item 6. **Other Business**

- a. **Unfinished Business.** None.
- b. **New Business.** None.

Item 7. **Public Comment.** There was no public comment.

Item 8. **Commissioner Comment.** There was no Commissioner comment.

Item 9. **Adjournment.** The meeting was adjourned by Chair Torres at 6:57 p.m.

Respectfully submitted by:  
Grant Bauman, Recording Secretary



# Jackson County Planning Commission

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120 W. Michigan Avenue • Jackson, MI 49201  
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## COORDINATED ZONING REPORT | #17-17

**To:** County Planning Commissioners  
**From:** Grant E. Bauman, AICP  
**Date:** June 8, 2017

**Proposal:** Municipal standards regarding 'backyard chickens' in Leoni Township

### Background Information

The Township Planning Commission was tasked with creating standards which regulate the keeping of 'backyard chickens' (see the background information).

### The Proposed Amendments

JCPC staff thinks that the goal of allowing 'backyard chickens' as an accessory use to single-family homes in Leoni Township is laudable and has a few suggestions which will make that goal easier to implement:

- The proposed standards should be located in the Township's Zoning Ordinance (i.e., Chapter 42—Zoning—of the *Leoni Township Code of Ordinances*) given that other sections of the Zoning Ordinance are referred to: Sec. 42-364 can be created.
- Allow 'backyard chickens' as an accessory use in the Rural Nonfarm (RNF) District as well as the Suburban Residential (RS), and One-Family Residential (R-1) Districts.
- Refer to the definition of a rear yard (Sec. 42.5) which already exists in the Zoning Ordinance rather than creating a 'backyard' definition within a standard.
- A maximum chicken coop size is not needed. Limiting a coop to the rear yard and applying existing accessory structure standards found in Sec. 42-271 and 42-276 should adequately address the size concerns of the coop.

*Please note that Sec. 42-271 should be amended in the near future to place a maximum building height of 12 ft. on accessory structures in the R-1 District.*

- Setting a minimum square footage per bird may be a better approach than setting a maximum area. A minimum size of 10 sq. ft. per chicken is recommended by several websites.
- Roosters should not be allowed due to the noise factor. Hens can lay eggs without a rooster being present.
- It is not necessary to specify metal rodent proof containers. A requirement for rodent proof containers should suffice.
- The order of some of the requirements should be adjusted with the aim of making them easier to understand.

Taking the above suggestions into consideration, JCPC staff proposes the following changes to the proposed standards:

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**Chapter ~~442-Animals~~Zoning**

...

**Sec. ~~442-.2-364~~ Backyard Chickens**

~~The keeping or raising of livestock and other farm animals other than household pets or those kept as part of an active farm operation is subject to Zoning Regulations (See: AG Sec. 42-153) and land owners must follow generally accepted agricultural practices.~~

~~\*Domestic chickens.~~ Chickens may be kept on a lot ~~or premises zones Residential R-1 (Sec. 42-184) or Suburban Residential RS (Sec. 42-183) and greater than zoned~~ residentially with an area of at least one-half ( $\geq 1/2$ ) acre in size, except where prohibited by private restrictions on the use of property.

~~Private restrictions shall~~ *Please note that any private restrictions on a lot prohibiting backyard chickens remain enforceable and take precedence. Private restrictions include, but are not limited to, deed restrictions, neighborhood association by-laws, and covenant deeds.*

The keeping or housing of chickens shall comply with the following requirements:

- ~~1. The lot shall be zoned Rural Nonfarm Residential (RNF), Suburban Residential (RS), Single-Family Residential (R-1), or RS (Suburban Residential) with an area of at least one-half ( $\geq 1/2$ ) acre in size. The principal use of the property lot must be is for a single-family dwelling.~~
- ~~2. Chickens shall not be kept in any location of n the property other than the required backyard and subjected to provisions of (Sec. 42-276 accessory buildings and Sec. 42-303 accessory uses). For the purposes of this section, "backyard" means that a portion of the lot enclosed by the property's rear lot line and side lot lines to the points where the side lot lines intersect with an imaginary line established by the rear of the single family structure and extending to the side lot line means rear yard, as defined in Sec. 42-5 of this Chapter.~~
- ~~1-3. No more than ten (10) chickens\_hens shall be allowed. No roosters are allowed due to their potential noise nuisance.~~
- ~~2-1. The principal use of the property is for a single family dwelling.~~
- ~~3-4. A coop shall be built to the requirements for accessory structures listed in Sec. 42.271 and Sec. 42.276 of this Chapter. Chickens shall be confined in a coop no larger than 8x8x8. An outside run shall have a minimum size of 10 square feet per chicken. However, runs shall be no larger than 100 total square feet, and shall be attached to the coop. Fenced runs are subject to all provisions of (Sec. 42-.358 fences).~~
- ~~4. Chickens shall not be kept in any location of the property other than the backyard and subjected to provisions of (Sec. 42-276 accessory buildings and Sec. 42-303 accessory uses). For the purposes of this section, "backyard" means that a portion of the lot enclosed by the property's rear lot line and side lot lines to the points where the side lot lines intersect with an imaginary line established by the rear of the single family structure and extending to the side lot line.~~
5. The coop and any fenced run shall be designed and kept in good repair at all times to discourage rodents and wild birds from entering.
6. All feed and other items associated with the keeping of chickens that are likely to attract rats, mice or other rodents shall be stored in metal rodent-proof containers.
7. Waste materials (feed, manure, litter) shall be disposed of in such a way that does not cause a hazard or nuisance to neighboring properties.

### Analysis and Recommendation

**Township Planning Commission Recommendation** – The Napoleon Township Planning Commission recommends **approval** of the proposed amendments (see the attached Zoning Amendment Form and other background information).

**Staff Recommendation** – The standards, as revised by JCPC staff, should allow for the keeping of backyard chickens with little impact on a neighborhood.

Based upon the above analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the proposed amendments, noting the revisions suggested by staff.

<p><b><u>Suggested Actions:</u></b></p> <p>(1) Recommend <b>APPROVAL</b></p> <p>(2) Recommend <b>DISAPPROVAL</b></p> <p>(3) Recommend <b>APPROVAL WITH COMMENTS</b></p> <p>(4) Take <b>NO ACTION</b></p>
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*The section with all of the proposed revisions made is presented here for readability:*

#### Chapter 42-Zoning

...

#### Sec. 42.364 Backyard Chickens

Chickens may be kept on a lot zoned residentially with an area of at least one-half ( $\geq 1/2$ ) acre in size, except where prohibited by private restrictions on the use of property.

*Please note that any private restrictions on a lot prohibiting backyard chickens remain enforceable and take precedence. Private restrictions include, but are not limited to, deed restrictions, neighborhood association by-laws, and covenant deeds.*

The keeping or housing of chickens shall comply with the following requirements:

1. The lot shall be zoned Rural Nonfarm Residential (RNF), Suburban Residential (RS), Single-Family Residential (R-1), or RS (Suburban Residential) with an area of at least one-half ( $\geq 1/2$ ) acre in size .The principal use of the lot must be a single-family dwelling.
2. Chickens shall not be kept in any location on the property other than the required backyard. For the purposes of this section, "backyard" means rear yard, as defined in Sec. 42-5 of this Chapter.
3. No more than ten (10) hens shall be allowed. No roosters are allowed due to their potential noise nuisance.
4. A coop shall be built to the requirements for accessory structures listed in Sec. 42.271 and Sec. 42.276 of this Chapter. An outside run shall have a minimum size of 10 square feet per chicken. However, runs shall be no larger than 100 total square feet and shall be attached to the coop. Fenced runs are subject to all provisions of Sec. 42.358.
5. The coop and any fenced run shall be designed and kept in good repair at all times to discourage rodents and wild birds from entering.
6. All feed and other items associated with the keeping of chickens that are likely to attract rats, mice or other rodents shall be stored in rodent-proof containers.
7. Waste materials (feed, manure, litter) shall be disposed of in such a way that does not cause a hazard or nuisance to neighboring properties.



**ZONING AMENDMENT FORM**



**JACKSON COUNTY PLANNING COMMISSION  
(COORDINATING ZONING)**

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the JCPC recommendation will be mailed back to the Clerk, who will return a copy to the JCPC with the Township Board Action.

THE Leoni TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Jackson County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

**A. DISTRICT BOUNDARY CHANGE (REZONING):**

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. The above described property has a proposed zoning change FROM \_\_\_\_\_ ZONE TO \_\_\_\_\_ ZONE.

2. PURPOSE OF PROPOSED CHANGE: \_\_\_\_\_

**(B) ZONING ORDINANCE TEXT AMENDMENT:**

The following Article(s) and Section(s) is amended or altered: ARTICLE \_\_\_\_\_ SECTION \_\_\_\_\_

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) \_\_\_\_\_

\_\_\_\_\_

C. PUBLIC HEARING on the above amendment was held on: month MAY day 17 year 2017

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month APRIL day 30 year 2017

(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: SALESMAN

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to  APPROVE or ( ) DISAPPROVE.

John Spencer mm  Chair or ( ) Secretary 5/17/17 (enter date)

**JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:**

1. Date of Meeting: month \_\_\_\_\_ day \_\_\_\_\_ year \_\_\_\_\_

2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:

- ( ) Recommends APPROVAL of the zoning change
- ( ) Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
- ( ) Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
- ( ) Takes NO ACTION.

\_\_\_\_\_ ( ) Chair or ( ) Secretary \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (enter date)

**TOWNSHIP BOARD ACTION:**

1. Date of Meeting: month \_\_\_\_\_ day \_\_\_\_\_ year \_\_\_\_\_

2. The \_\_\_\_\_ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment ( ) PASSED, ( ) DID NOT PASS, or was ( ) REFERRED ANEW to the Township Planning Commission.

\_\_\_\_\_  
Township Clerk



## Chapter 4-Animals

### Sec. 4-2 Backyard Chickens

The keeping or raising of livestock and other farm animals other than household pets or those kept as part of an active farm operation is subject to Zoning Regulations – (See: AG Sec. 42-153) and land owners must follow generally accepted agricultural practices.

\*Domestic chickens. Chickens may be kept on a lot or premises zones Residential **R-1 (Sec. 42-184)** or Suburban Residential **RS (Sec. 42-183)** and greater than one-half (1/2) acre in size except where prohibited by private restrictions on the use of property. Private restrictions shall remain enforceable and take precedence. Private restrictions include, but are not limited to, deed restrictions, neighborhood association by-laws, and covenant deeds.

The keeping or housing of chickens shall comply with the following requirements:

1. No more than ten (10) chickens shall be allowed.
2. The principal use of the property is for a single-family dwelling.
3. Chickens shall be confined in a coop no larger than 8x8x8. An outside run, no larger than 100 square feet, shall be attached to the coop. Fenced runs are subject to all provisions of (Sec. 42-358 *fences*)
4. Chickens shall not be kept in any location of the property other than the backyard and subjected to provisions of (Sec. 42-276 *accessory buildings and Sec. 42-303 accessory uses*). For the purposes of this section, "backyard" means that a portion of the lot enclosed by the property's rear lot line and side lot lines to the points where the side lot lines intersect with an imaginary line established by the rear of the single-family structure and extending to the side lot line.
5. The coop and any fenced run shall be designed and kept in good repair at all times to discourage rodents and wild birds from entering.
6. All feed and other items associated with the keeping of chickens that are likely to attract rats, mice or other rodents shall be stored in metal rodent-proof containers.
7. Waste materials (feed, manure, litter) shall be disposed of in such a way that does not cause a hazard or nuisance to neighboring properties.

*Leoni Township Office*  
913 Fifth Street  
Michigan Center, Michigan 49254  
PHONE: (517) 764-4694 FAX: (517) 764-1380  
[Leonitownship.com](http://Leonitownship.com)

**PLANNING COMMISSION MINUTES**

**May 17, 2017**

The Leoni Township Planning Commission held a meeting Wednesday, May 17, 2017,  
@ 6:30 p.m. 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan

Members Present: J. Spencer, L. Maurer, J. Southworth, V. Beckwith, K. Cole & B. Lester

Members absent: J. Kruse (unexcused)

Persons in attendance: 9

**Public Comment: Open at 6:32 pm.**  
**None - Closed at 6:32**

Purpose of Planning Commission read by Spencer.

Motion by Beckwith, supported by Maurer, to approve of the agenda as presented.

**Motion carried by voice vote.**

Motion by Southworth, supported by Lester, to approve the minutes of May 3, 2017.

**Motion carried by voice vote.**

**Public Hearing: Backyard Chickens**

**Modeled after Grass Lake Village Ordinance.**

**#1: To change from 6 to 10 chickens allowed on a half-acre lot**

**Motion by Southworth, supported by Cole**  
**Ayes; Spencer, Cole, Lester, Southworth, Beckwith**  
**Nays; Maurer**

**Motion Carried.**

**#2: To change from single-family or two-family dwelling to single-family dwelling only.**

**Motion by Cole, supported by Southworth**  
**All in favor**

**#3: To allow roosters**

**Motion by Spencer, supported by Southworth**  
**Ayes; Spencer, Southworth, Lester & Beckwith**  
**Nays; Cole & Maurer**  
**Motion Carried.**

**#4: To require chickens to be confined in an 8x8 coop and attached 100 sq. ft. run.**

**Motion by Spencer, supported by Cole**  
**All in favor**

**#5: To strike the two-family from this section.**

**Motion by Spencer, supported by Maurer**  
**All in favor**

**#6: To stand as is.**

**Motion by Spencer, supported by Southworth**  
**All in favor**

**#7: To stand as is.**

**Motion by Spencer, supported by Lester**  
**All in favor**

**#8: To stand as is.**

**Motion by Spencer, supported by Southworth**  
**All in favor**

**#9: To strike from the Ordinance**

**Motion by Spencer, supported by Maurr**  
**All in favor**

**Close Public Hearing at 7:37.**

**Motion by Spencer, supported by Southworth to submit revised ordinance to the Board of Trustees.**

**Roll call vote. All in favor.**

**Old Business: None**

**New Business: Roadside/ditch/trash cleanup.**

**Community Service?**

**Research Programs**

**Compensation?**

**Liability?**

**Develop a program: Look into Adopt-a-Highway program.**

**Set an amount to donate to a service club? Allocate in the budget.**

**Allocate the officer on duty to be available in the area.**

**Ask Board of Trustees to address public areas/trash/litter/blight; form a committee.**

**Motion by Spencer, supported by Southworth  
All in favor.**

**Public Comment: Open at 7:52**

**Ken Stevens: Commented on the good job the Township is doing with blight, referring to the building on Ann Arbor Road that was recently demolished.**

**Closed at 7:54**

Adjournment: 7: 54 pm.

Dorothy Dickinson, secretary

**Next meeting: June 7<sup>th</sup>, 2017**