



# 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  
R2PC Principal Planner  
(517) 768-6711  
[gbauman@co.jackson.mi.us](mailto:gbauman@co.jackson.mi.us)

DATE: October 11, 2018  
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 September 13, 2018, meeting minutes [**ACTION**] ..... 3
4. Approval of agenda  
Approval of the October 11, 2018, meeting agenda [**ACTION**]
5. Request(s) for review, comment, and recommendation
  - a. Consideration of township zoning amendment(s)
    - (1) CZ #18-22 –Parma Township [**ACTION**] ..... 5
    - (1) CZ #18-23 –Napoleon Township [**ACTION**] ..... 19
    - (1) CZ #18-24 –Spring Arbor Township [**ACTION**] ..... 31
  - b. Consideration of master plan(s) – *None*
  - c. Farmland and Open Space Preservation Program (PA 116) application(s) – *None*
6. Other business
  - a. Unfinished business – *None*
  - b. New business  
*The current terms for Comm. Burns (At Large) and Comm. Gaede (Environment) expire at the end of 2018. They should submit applications to the County Administrator's office if they wish to be reappointed.*
7. Public comment [**2 MINUTE LIMIT**]
8. Commissioner comment
9. Adjournment  
*The next meeting of the Jackson County Planning Commission is scheduled for November 1, 2018*

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# Jackson County Planning Commission

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120 W. Michigan Avenue • Jackson, MI 49201

Phone (517) 788-4426 • Fax (517) 788-4635

## MEETING MINUTES

September 13, 2018

Jackson County Tower Building • Jackson, Michigan

**Members Present:** Roger Gaede, Environment; Nancy Hawley, At Large; Ted Hilleary, Education; Jennifer Morris, At Large; Russ Jennings, At large; Amy Torres, Industry and Economics; Jim Videto, Agriculture; and Jonathan Williams, Jackson County Board of Commissioners

**Members Absent:** Timothy Burns, At Large

**Liaisons Present:** Grant Bauman, Principal Planner

**Others Present:** None

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. Williams, and seconded by Comm. Hilleary, to **approve** the minutes of the August 9, 2018, meeting as written. *The motion was approved unanimously.*

Item 4. **Approval of the Agenda.** A motion was made by Comm. Morris, and seconded by Comm. Jennings, to **approve** the September 13, 2018, meeting agenda as written. *The motion was approved unanimously.*

Item 5. **Request(s) for Review, Comment, and Recommendation**

a. **Consideration of Township Zoning Amendment(s).**

(1) **CZ #18-21 – Proposed rezoning in Napoleon Township**

Staff summarized its report regarding the proposed rezoning of the subject property—Parcel ID# 000-14-27-126-002-01, located in Section 27 (T3S-R1E) of the Township—from 'Local Commercial (LC)' to 'Multiple Family Residential (RM)'. County Planning Commissioners were advised to recommend approval (please see the staff report). It was also noted that the township's master plan is currently being updated. There was discussion among the Planning Commissioners regarding the request. Comm. Gaede was concerned that the aerial photograph (Figure 4b in the staff report) showed that the rear building was located across the rear property line. Staff explained that the GIS (Geographic Information System) parcel layer does not always line up with the aerial photography.

A motion was made by Comm. Videto, and seconded by Comm. Hilleary, to recommend **approval** of the proposed RM (Multiple Family Residential) to the Napoleon Township Board. *The motion was approved unanimously.*

- b. **Consideration of Master Plan(s).** None.
- c. **Farmland & Open Space Preservation Program (PA 116) application(s).**
  - (1) **FA #18-04 –Pulaski Township**

Staff summarized its report regarding the application to enroll the subject property— Parcel ID# 000-16-12-100-001-02, located in Section 12 (T4S,R3W) of the Township—in the PA 116 program. Staff noted that the parcel surrounding the subject property on three sides was recommended by the JCPC for enrollment in the PA 116 program earlier in the year. Staff also identified a couple of errors/omissions regarding the application (please see the staff report). There was discussion among the Planning Commissioners regarding the request. Comm. Gaede asked what cash crop could gross \$400/acre. Comm. Videto said that corn could gross that amount.

A motion was made by Comm. Videto, and seconded by Comm. Hilleary, to recommend approval of the application with staff comments (please see the staff report). *The motion was approved unanimously.*

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.** Comm. Hawley brought up the upcoming recreational marijuana ballot measure. According to a recent issue of the *Planning & Zoning News*, the description on the ballot will be limited to 100 words. Several concerns were also identified. A community that does not want to participate in recreational marijuana will have to opt out immediately. Petitioners can override a decision to opt out by a public vote. There will be limited municipal control. Commissioners discussed the issue and it was noted that the City of Jackson is being proactive by drafting regulations. Comm. Gaede is concerned that marijuana use is not healthful and that allowing it goes against his calling as an engineer.

Item 9. **Adjournment.** The meeting was adjourned by Secretary Morris at 6:30 p.m.

Respectfully submitted by:  
Grant Bauman, Recording Secretary





# 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

## COORDINATED ZONING REPORT | #18-22

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** October 11, 2018

### Proposal: 'Slaughterhouses' in Parma Township

#### Background Information

Parma Township presented the following proposed *Parma Township Zoning Ordinance* amendments to the Jackson County Planning Commission (JCPC) for its comment and recommendation:

- An amendment to Article II, adding a definition for a 'Slaughterhouse'.
- An amendment to Article IV, Section 4.5(C), adding 'Slaughterhouses' to the listing of conditional uses in the Industrial (I-1) District.
- Amendments to Article VII, Section 7.5(B), adding 'Slaughterhouses' to the listing of uses for which site plan review information specified in a subsequent subsection must be submitted.
- An amendment to Article VIII, adding codified requirements regarding 'Slaughterhouses'.

#### Analysis and Advisement

The proposed amendments, if adopted, will permit 'Slaughterhouses' as a conditional use in the Industrial (I-1) District, specifying certain codified requirements and site plan review criteria. JCPC staff provides the following suggestions and observations:

- The Township may want to consider adding the proposed use to the listing of conditional uses in the I-1 District as 'Slaughterhouses (see Section 8.21)' in order to make it clear to applicants and future planning commissions that specific codified regulations exist.
- 'Slaughterhouses' and 'slaughterhouse' were both added to the listing of conditional uses for which submitted site plans must meet the requirements of Section 7.5(C) of the Ordinance. The Township may want to consider adding the use only once. The Township may also want to consider referencing the associated codified requirements regarding 'Slaughterhouses' in a manner similar to what was suggested in the above bullet point.
- Codified requirements regarding 'Slaughterhouses' are proposed as Section 8.21 under Article VIII (Supplemental Regulations). However, the Township may want to consider moving them to the existing Section 6.7 (Additional Development Requirements for Certain Uses) located in Article VI (Conditional Uses) for consistency.
- A total of 16 conditions are placed on 'Slaughterhouses' in Section 8.21. I-1 zoning is very limited in the Township. Was any analysis done to determine if any I-1 zoned parcels in the Township

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are capable of meeting all of those requirements? Comments and observations regarding some of those requirements follow:

- What is the purpose of the 500-ft setback from any public road?
- A 1,000-ft setback is required from residences, residentially zoned areas, hospitals, churches, licensed elder care and childcare facilities, school buildings, parks, and campgrounds. The Township may want to consider limiting the requirement to those uses and zoning districts existing at the time the conditional use permit is approved.
- How is a 25-year flood event to be determined?  
There are established 100-year flood zones for most of Jackson County.

Based on the above analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the proposed amendments regarding 'Slaughterhouses' to the Parma Township Board.

**Suggested Actions:**

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

## 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 PARMA 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 11, 14, VII, VIII SECTION 2.8, 4.5(c), 7.5(B)  
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) 8.21

- C. PUBLIC HEARING on the above amendment was held on: month 9 day 5 year 2018
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month 8 day 19 year 2018  
(Notice must be provided at least fifteen days prior to the public hearing.)
- E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: WESTERN MORNING STAR  
COUNTY PRESS  
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.  
Janette Mead Recording Secretary 9 / 14 / 18 (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

# PARMA TOWNSHIP PLANNING COMMISSION

September 4, 2018

Regular Meeting

Members Present Keith Mohnney, Janette Mead and Dan Merritt  
also attorneys Steve Dehli and Jake Witte

Call to Order 7:21 pm Janette M. presiding

Minutes for August 2018 meeting approval motion Dan M. 2<sup>nd</sup> Keith M. Voice vote.

Motion by Dan M. to recommend proposed Slaughterhouse changes to PTZO  
be forwarded to Jackson County. 2<sup>nd</sup> by Keith M. All ayes.

Medical Marajuna overlay district was presented by Steve D. This will allow the  
project on Concord Rd. & I-94 this use in C-1/C-2 district.

Motion by Keith M. an 2<sup>nd</sup> by Dan M. to schedule a Public Hearing Oct. 3, 2018  
at 7:00 pm. Voice Vote approval.

Changes to the Large Gatherings section of PTZO was presented by Steve D.  
This will allow "Wedding Barns" and other similar uses to be folded into the  
Ordinance. Motion Dan M. to add to 10/3 Public Hearing agenda. 2<sup>nd</sup> Keith M.

Public Comment: none

Move to Adjourn by Keith M. 2<sup>nd</sup> by Dan M. 7:52 pm

**PARMA TOWNSHIP  
JACKSON COUNTY, MICHIGAN  
ZONING ORDINANCE AMENDMENT  
ORDINANCE NO. \_\_\_\_\_**

At a regular meeting of the Township Board of Parma Township, Jackson County, Michigan, held at the Parma Township Hall on \_\_\_\_\_, 2018, at \_\_\_\_\_ p.m., Township Board Member \_\_\_\_\_ moved to adopt the following ordinance, which motion was seconded by Township Board Member \_\_\_\_\_:

*An Ordinance to amend the Parma Township Zoning Ordinance, as amended, to provide for the zoning regulation of Slaughterhouses; and designate such Facilities and Operations as conditional uses; in order to maintain the public health, safety and welfare of the residents and visitors to Parma Township.*

THE TOWNSHIP OF PARMA ORDAINS:

**Section 1. Amendment of Article II, Section 2.8:** The Parma Township Zoning Ordinance, Article II, Section 2.8, is amended to add a definition for the following terms, and shall read as follows:

Section 2.8

2.8.1 Slaughterhouse: Any building or collection of buildings used for the slaughtering of animals and the scalding, butchering, and storage of carcasses or animal products derived from the same for human consumption on an industrial scale. A slaughterhouse includes, but is not limited to, the physical plant structure, pens, stockyards, and cages.

**Section 2. Amendment of Article IV, Section 4.5(C):** Article IV, Section 4.5(C) of the Parma Township Zoning Ordinance is amended to add "Slaughterhouse" as a conditional use, and shall read as follows:

Conditional Uses

1. Bulk fuel storage.
2. Bus, truck, taxi, and rail terminals.
3. Places of Assembly.
4. Junk Yards.
5. Restaurants.
6. Sanitary landfills.
7. Slaughterhouses.
8. Single WECS for On-Site Service Only.

9. Trucking and cartage facilities including repairing and washing equipment and yards.

**Section 3. Amendment of Article VII, Section 7.5(B):** Article VII, Section 7.5(B) of the Parma Township Zoning Ordinance is amended to read as follows:

B. Site plans submitted for the following uses shall be subject to the requirements of sub-section 7.5(C) of this Ordinance.

1. The following conditional uses:

- a. Quarries.
- b. Junk Yards.
- c. Drive-in theaters and temporary amusement enterprises.
- d. Sexually Oriented Business (S.O.B.) (see Article VII – Section 8.18).
- e. Slaughterhouses.
- f. Airports.
- g. Amusement Parks.
- h. Automobile Service Stations.
- i. Automobile Repair Garages.
- j. Commercially operated trails for use by motorcycles, dune buggies, snowmobiles, and similar types of vehicles.
- k. County clubs.
- l. Drive-in (businesses).
- m. Drive-in theaters.
- n. Feedlots.
- o. Golf courses.
- p. Golf driving ranges.
- q. Group or organized camps, camping grounds, and general or specialized resorts.
- r. Hotels or motels.
- s. Landfills.
- t. Travel trailer parks.

- u. Mobile Home Park (MHP)/Manufactured Housing Subdivision.
  - v. Mini Warehouse – Storage Facilities.
  - w. Slaughterhouse.
2. A multiple-family building.
  3. Any building or structure in any commercial or industrial district with a floor area greater than three thousand (3,000) square feet.
  4. More than one building or structure, except a sign, on a lot, parcel, or tract of land, or combination of lots under one ownership, in any commercial or industrial district.

**Section 4. Amendment of Article VIII, Section 8.21:** Article VIII, Section 8.21 of the Parma Township Zoning Ordinance is amended to provide regulations governing Slaughterhouses, and shall read as follows:

Section 8.21 Slaughterhouses

- A. Purpose: The purpose of this Section is to establish standards for the siting and operation of Slaughterhouses within the Industrial District as a conditional use.
- B. Applicability: Slaughterhouses may be permitted as a conditional use only within the Industrial District, subject to the regulations and requirements of this Section and the general conditional use procedures, standards, and criteria.
- C. Site and Development Requirements:
  1. The minimum lot area shall be ten (10) acres per Slaughterhouse.
  2. All Slaughterhouses shall have at least one (1) continuous boundary five hundred (500) feet in length along a Class-A road.
  3. A Slaughterhouse shall be located not less than five hundred (500) feet from the nearest wetland.
  4. A Slaughterhouse shall be located not less than five hundred (500) feet from any neighboring parcel.
  5. A Slaughterhouse shall be located not less than five hundred (500) feet from any County drain.
  6. A Slaughterhouse shall be located not less than five hundred (500) feet from any public road.
  7. A Slaughterhouse shall be located not less than one thousand (1,000) feet from any residence or residentially-zoned area.

8. A Slaughterhouse shall be located not less than one thousand (1,000) feet from any hospital, church, licensed commercial elder care facility, licensed commercial childcare facility, school building, park, or campground.
9. All animal processing activities shall be conducted within a completely enclosed building, and shall be shielded in such a manner that said activities are not visible from any public road or adjacent parcel.
10. A minimum six (6) foot high chain link fence shall be provided around the entire Slaughterhouse to assure that individuals will not trespass on the property.
11. The elimination of animal waste and byproducts shall be in an environmentally and agronomically sound way. Such elimination methods shall not cause pollution of any surface or sub-surface water course or water body. Animal waste and byproducts must be stored indoors in closed containers and disposed of at least every three (3) days. Animal waste and by-products shall not be stored in a manner that unreasonably attracts insects or rodents.
12. Any odor generated by a Slaughterhouse and borne or able to be borne by the wind shall be confined within the limits of said facility to the extent possible. Any escaping odor shall not cause a nuisance or hazard on any property or public road.
13. Any smoke, fumes, or dust generated by said facility shall be confined within the limits of the facility so as not to cause a nuisance, hardship or hazard to any neighboring property or public road.
14. All Slaughterhouses shall be designed and constructed to minimize to reduce noise impact to adjacent parcels. A Slaughterhouse shall not exceed fifty-five (55) decibels of noise as measured at any boundary line.
15. Slaughterhouses shall not be constructed within a ten year time-of-travel zone designated as a wellhead protection area as recognized by the Michigan Department of Environmental Quality (MDEQ), pursuant to programs established under the Michigan Safe Drinking Water Act, PA 399 of 1976, as amended. Where no designated wellhead protection area has been established, construction or expansion of a Slaughterhouse shall not be closer than 2000 feet to a Type I or Type IIA public water supply and shall not be closer than 800 feet to a Type IIB or Type III public water supply. No Slaughterhouse shall be located within 500 feet of any known existing private domestic water supply.
16. Slaughterhouses shall not be constructed in an area where the facilities would be inundated with surface water in a 25-year flood event.

**Section 5. Severability:** The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.



**Section 6. Effective Date:** This Ordinance shall take effect seven (7) days after publication of a notice of adoption of this Ordinance, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT/ABSTAIN: \_\_\_\_\_

ORDINANCE DECLARED ADOPTED.

\_\_\_\_\_  
Wendy Chamberlain Township Supervisor

**PARMA TOWNSHIP  
PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING**

Pursuant to PA 267 of 1976 as amended, the Parma Planning Commission will hold a public hearing on September 5<sup>th</sup>, 2018 at 7:00 pm in the Township Hall, 16407 Comdon Road.

The purpose of the meeting is to present Amendments to the Parma Township Zoning Ordinance in regards to Slaughterhouses.

Copies of the above proposed amendments may be obtained at the Township Hall during normal business hours.

All written and verbal inquires will be addressed.

Donald Spangler  
Parma Township Clerk  
517-629-8277

specified for appearance and obtain  
ator desire to deny responsibility, the  
telephone, or by representation within  
d time to appear for a hearing, unless  
informal unless a formal hearing is re-  
quiring the alleged violator must appear  
opportunity of being represented by  
n person before a judge with the op-  
all contain a notice in boldfaced type  
specified in the Citation or at the time  
result in entry of a default judgment  
tation.

Bureau  
e violation notices shall not exceed  
nt of \$10.00 shall be assessed by the  
f service of the municipal. Ordinance  
the Bureau. On matters that proceed  
up to \$500 per violation.

ed Township official/employee shall  
shall account to the Township Board

be deemed to require the Township to  
vity through the issuance of an Ordi-  
ed as a municipal civil infraction the  
uance of a municipal civil infraction  
y law, including, without limitation,

clared to be severable if any part is  
on it shall not affect the remainder of

this Ordinance are hereby repealed.  
upon publication as required by law

ownship Clerk, at 121 Grover Street,  
of 8:00 a.m. and 4:00 p.m. Monday

dy Clark - Concord Township Clerk

The Leoni Township Planning Commission will hold  
a Public Hearing Wednesday, September 5, 2018, @  
6:30 p.m. in the Leoni Township meeting hall, 913 Fifth  
St., Michigan Center, Michigan to hear a request from  
David Poole Jr, for the rezoning of 8593 Page Avenue,  
from Residential (RS) to Heavy Industrial (M).

Property Code #: #000-14-12-200-001-01

Legal Description:

BEG AT N 1/4 POST OF SEC 12 TH S87°49'01"E 400  
FT TO POB TH CONT S87°49'01"E 915.89 FT TO  
THE E LN OF THE W 1/2 OF THE NE 1/4 OF SEC  
12 AND THE CEN LN OF THE HUTTENLOCKER  
DRAIN TH S0°35'15"W 1033 FT TH N87°49'01"W  
310.63 FT TH N0°34'24"E 400 FT TH N87°49'01"W  
605 FT TH N0°34'24"E 633 FT TO BEG. SEC 12 T3S  
R1E 16.16A+/-

Michele Manke, Clerk

## PARMA TOWNSHIP PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Pursuant to PA 267 of 1976 as amended,  
the Parma Planning Commission will hold  
a public hearing on September 5th, 2018  
at 7:00 pm in the Township Hall, 16407  
Comdon Road.

The purpose of the meeting is to present  
Amendments to the Parma Township Zoning  
Ordinance in regards to Slaughterhouses.

Copies of the above proposed amendments  
may be obtained at the Township Hall  
during normal business hours.

All written and verbal inquires will be  
addressed.

Donald Spangler  
Parma Township Clerk

**PLACE YOUR PUBLIC NOTICE TODAY**  
in The Salesman or Morning Star  
Call 517-524-8540 or email  
ads@salesmanpublications.com

**PARMA TOWNSHIP  
PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING**

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The purpose of the meeting is to present Amendments to the Parma Township Zoning Ordinance in regards to Slaughterhouses.

Copies of the above proposed amendments may be obtained at the Township Hall during normal business hours.

All written and verbal inquiries will be addressed.

Donald Spangler  
Parma Township Clerk

2x4"

8/19/18

Western & Morning Star

**\$93.02**

From: "Louise Boehlke" <parmatwp@core.com>  
Subject: Public Hearing Notice  
Date: Thu, August 9, 2018 11:27 am  
To: ads@salesmanpublications.com

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Please publish the attached in your Morning Star and Western editions on August 19th.

Bill: Parma Township, PO Box 51, Albion, MI 49224.

Please confirm via a return email.

Contact me if you have any questions.

Louise Boehlke

Deputy Clerk

517-629-8277

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**Attachments:**

untitled-[1.1]
Size: 0.3 k
Type: text/plain

Notice of Public Hearing September 5, 2018.doc
Size: 31 k
Type: application/msword

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# 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

## COORDINATED ZONING REPORT | #18-23

**To:** County Planning Commissioners

**From:** Grant E. Bauman

**Date:** October 11, 2018

**Proposal:** Rezoning a property in Napoleon Township from Agricultural (AG) to Single Family Residential (R-1)

### Purpose

The rezoning of the subject property is requested to “allow a Land Division so the owner can sell the house and 2 acres to daughter” (see the Zoning Amendment Form).<sup>1</sup>

### Location and Size of the Property

The subject property has an area of approximately 10 acres and is located on the west side of Benton Road, south of Brooklyn Road (M-50), in Section 28 (T3S-R1E) of Napoleon Township (see Figure 1). The parcel—known as 5474 Benton Road and Parcel ID# 000-14-28-251-002-00—is adjacent to Gauss’ Green Valley Golf Course and southwest of the Golf View Arms Apartments complex.

### Land Use and Zoning

**Current Land Use** – The subject property contains a single-family home and various outbuildings although a large pond occupies most of the property. Gauss’ Green Valley Golf Course is located directly to the north and west. Residences are located on the east side of Benton Road and a mix of residential and vacant properties are located directly to the south.

**Future Land Use** – The Township’s current Future Land Use map places the property in an ‘open space/residential’ area (see Figure 2). The proposed Future Land Use map also places the property in an ‘open space/residential’ area, but in the vicinity of a ‘high-density residential’ area along Brooklyn Road (M-50).

**Current Zoning** – The subject property is zoned ‘AG’ (Agricultural) as are adjacent properties to the north, west, and southeast. An ‘R-1’ (Single Family Residential) district is located on the east side of Benton Road and a single property is zoned ‘R-1’ directly to the south of the property. A ‘RR’ (Rural Residential) district is located to the southwest.

### Public Facilities and Environmental Constraints

**Water and Sewer Availability** – Municipal water and sewer services are not available and there are no plans to make them available (see the attached Zoning Worksheet Form).

<sup>1</sup> Please note that the proposed use is listed for informational purposes only. It should not be utilized in making the rezoning decision. Circumstances may change tomorrow which make the proposed use impractical. All of the uses that the proposed zoning designation would allow are pertinent to the rezoning request.

**Public Road/Street Access** – Direct access is provided by Benton Road, a paved county local road.

**Environmental Constraints** –The Township did not identify any environmental constraints (see the attached Zoning Worksheet Form).

### Analysis and Recommendation

**Township Planning Commission Recommendation** – The Napoleon Township Planning Commission recommends **approval** of the proposed rezoning to ‘R-1’ (see the attached Zoning Amendment Form and other background information).

**Staff Analysis** – Napoleon Township has a Zoning Plan (an element of the Master Plan) which includes the following criteria upon which a rezoning request must be considered:

1. **Is the proposed rezoning consistent with the policies and uses proposed for that area in the Township’s Master Plan?**

**Yes.** The Township’s current future land use map places the subject property in an area recommended for ‘open space/residential’ uses.

2. **Will all of the uses allowed under the proposed rezoning be compatible with other zones and uses in the surrounding area?**

**Yes.** ‘R-1’ (Single Family Residential) zoning is adjacent to the subject property. Residentially assessed parcels are adjacent to the property.

3. **Will any public services and facilities be significantly adversely impacted by a development or use allowed under the requested rezoning?**

**No.** Existing public services and facilities should not be negatively impacted by the proposed rezoning to ‘R-1’.

4. **Will the uses allowed under the proposed rezoning be equally or better suited to the area than uses allowed under the current zoning of the land?**

**Yes.** Adjacent properties are already utilized for residential uses.

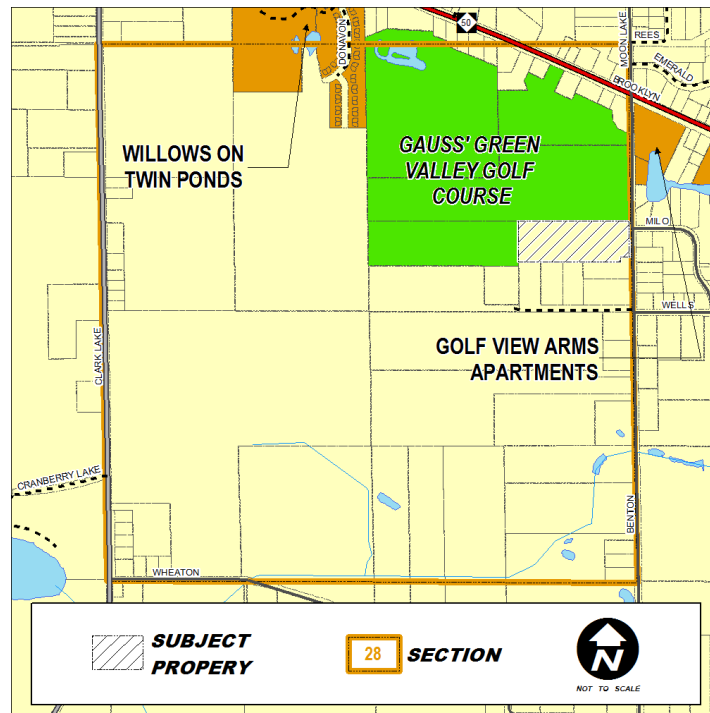
**Staff Recommendation** – Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL** of the proposed ‘R-1’ (Single Family Residential) rezoning to the Napoleon Township Board.

#### Suggested Actions:

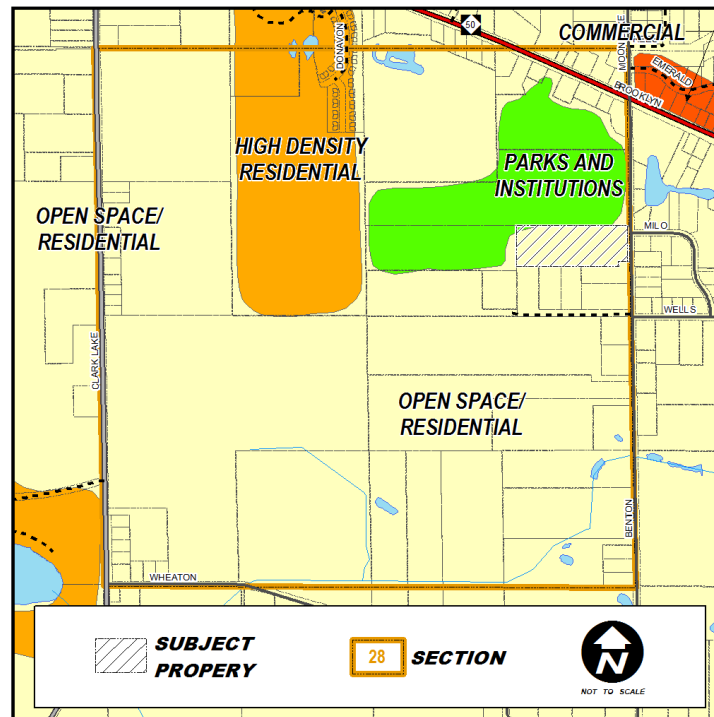
- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**



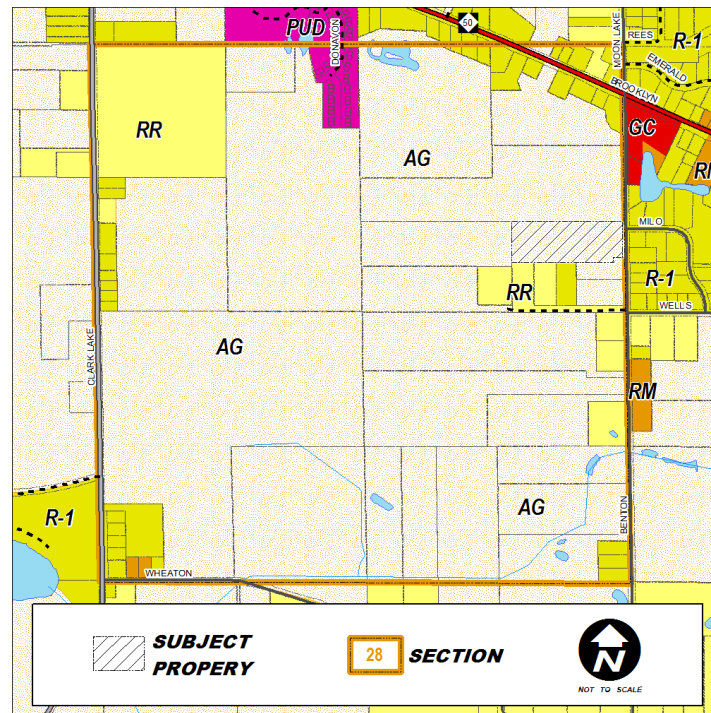
**Figure 1  
Location**



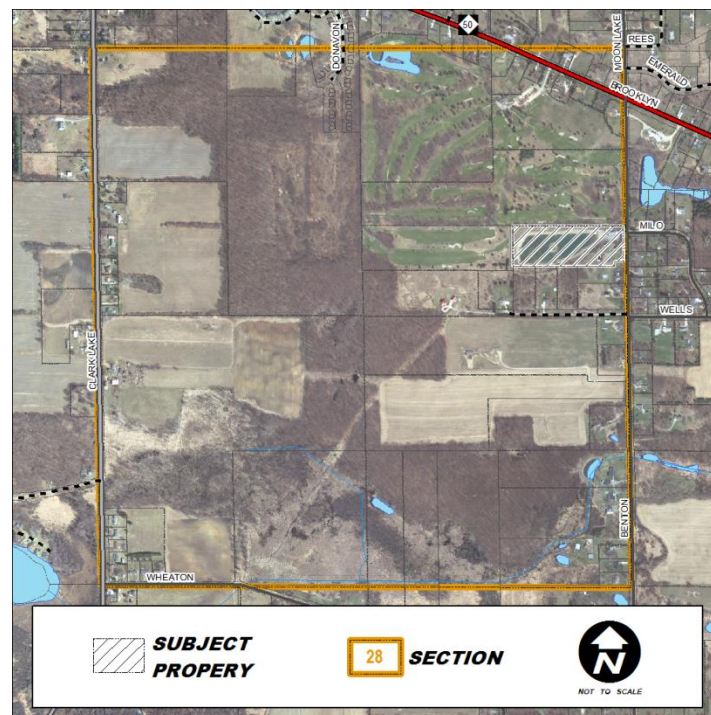
**Figure 2  
Generalized Municipal Future Land Use**



**Figure 3  
Generalized Municipal Zoning**



**Figure 4a  
Aerial Photo**



**Figure 4b**  
**Aerial Photo**





## 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 Napoleon 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.)

5474 Benton Rd., 000-14-28-251-002-00, 10.01 acres, section 28 T3S R1E

1. The above described property has a proposed zoning change FROM Agricultural (AG-1)  
ZONE TO Residential (R-1) ZONE.

2. PURPOSE OF PROPOSED CHANGE: allow a Land Division so the owner can sell the house and 2 acres to daughter

**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.)

allow a Land Division so the owner can sell the house and 2 acres to daughter

C. **PUBLIC HEARING** on the above amendment was held on: month September day 27 year 2018

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month September day 4 year 2018

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

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

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 Hummer John E. Hummer, Recording Secretary 9 / 27 / 2018 (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

## REZONING WORKSHEET 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 with the "Zoning Amendment Form" for a district boundary change (rezoning), not a text amendment.

Township of: Napoleon Township Case #: 18-09-0015

Township official we may contact: John Worden Phone #: ( 517 ) 536 - 8694

Applicant: Ronald Risner Phone #: ( 517 ) 937 - 2200

Rezoning Request: From: Agricultural ( AG-1 ) To: Residential ( R-1 )

Property Location: Section(s): 28 Quarter Section(s): ☐ NW ☒ NE ☐ SW ☐ SE

Legal Description and/or Survey Map/Tax Map (please attach) ☐ Yes ☐ No (Please do not use only the Parcel ID Number)

Parcel Size (if more than one parcel, label "A" - "Z"): 10.01

Please attach location map ☒ Yes ☐ No

What is the existing use of the site? Home with a pond

What is the proposed use of the site? With Land Division the home and 2 acres remainder a pond with a pole barn

What are the surrounding uses (e.g.: agriculture, single-family residential, highway commercial, etc.)?

North: Golf Course

South: Residential and Vacant

East: Residential

West: Golf Course

What are the surrounding Zoning Districts?

North: Agricultural ( AG-1 )

South: Agricultural ( AG-1 )

East: Residential ( R-1 )

West: Agricultural ( AG-1 )

What is the suggested use of the site on the Township's Land Use Plan map? Open Space/Residential

Is municipal water currently available? ☐ Yes ☒ No Will it be made available? ☐ Yes ☒ No If yes, when? \_\_\_\_\_

Is municipal sewer currently available? ☐ Yes ☒ No Will it be made available? ☐ Yes ☒ No If yes, when? \_\_\_\_\_

Does the site have access to a public street or road? ☒ Yes ☐ No If yes, name Benton Rd.

Are there any known environmental constraints on the site? ☐ Yes ☒ No

☐ Wetland(s)

☐ Floodplain(s)

☐ Brownfield(s)

☐ Soil(s)

☐ Other (please specify) \_\_\_\_\_

Please attach the minutes of the Planning Commission.

☒ Yes, the minutes are attached.

☐ No, the minutes are not attached.

Please attach copies of any reports, exhibits or other documented provided to the Planning Commission.

☒ Yes, copies of documentation are attached.

☐ No, copies of documentation are not attached.

Please attach any public comments, letters, or petitions.

☒ Yes, public comments are attached.

☐ No, public comments are not attached.

# NAPOLEON TOWNSHIP ZONING APPLICATION

Print or Type

CASE # 18-09-0015

This application will not be processed if incomplete. \*\*All required materials must be submitted at least thirty (30) days prior to the next Planning Commission meeting. Site Plans with all documentation thirty (30) days prior to the next Planning Commission meeting.

◆ All required materials must be submitted at least thirty (30) days prior to the next Zoning Board of Appeals meeting.

## APPLICATION FOR

☒ Rezoning \*\*

☐ Site Plan Review

☐ Planned Developments

☐ Special Land Use

☐ Amendments

☐ Variance ◆

☐ Conditional Use \*\*

☐ Home Occupation \*\*

☐ Site Plan Change/Renewal

☐ Administrative Site Plan

☐ Other

## APPLICANT INFORMATION (If different than owner, a letter of authorization from the owner must be attached)

Name(s) Ronald Risner Phone 5179372200

Address 5474 Benton Rd

Jackson MI 49201

## OWNER INFORMATION

Name(s) Ronald Risner Phone 5179372200

Address 5474 Benton Rd

Jackson, MI 49201

## PROPERTY INFORMATION

Address or Location 5474 Benton Rd

Permanent Parcel # 000-14-28-251-062-00

Zone District (Current) AGRICULTURE Property Size 10.01 Acres

Attach legal description-also a survey, site drawing and pictures may be required.

## NARRATIVE DESCRIPTION OF PROPOSED USE/REQUEST (attach additional pages as needed)

Rezone To Residential To Split House and  
2 Acres From Remaining 8 Acres and Pole barn

I hereby attest that the information on this application form is, to the best of my knowledge, true and accurate.

Ronald Risner

Signature of Applicant

8-23-2018

Signature of Applicant

Date

I hereby grant permission for members of the Napoleon Township (Planning Commission) (Zoning Board of Appeals) (Township Board) to enter the above described property (or as described in the attached) for the purpose of gathering information related to this application. (Note to Applicant: This is optional and will not affect any decision on your application.)

Ronald Risner

Signature of Applicant

8-23-2018

Signature of Applicant

Date

## DO NOT WRITE BELOW THIS LINE

Date Received 8-27-18

Application ☒

E-mail or

Submitted Materials: Site plan ☐

# of copies 24 x 36 ☐

11 x 17 ☐

CD/PDF ☐

Site plan checklist ☐

Environmental checklist ☐

Pictures\ Video ☐

Survey: Stake ☐ Mortgage ☐

Letters: JCRC ☐ JCDC ☐ JCHD ☐ DPW ☐ JCAP ☐ DEQ ☐ FIRE ☐

Application Fee 350.00

Publication/Mailing Fee \_\_\_\_\_

Meeting Dates: PC 9/20/18

ZBA

CNTY 10/11/18

TWPBD 11/13/18

Publication Dates #1 9/14/18

WEB

APPLICATION ACCEPTED BY: Rose

NOTE: Please attach all documents as required for each type of request and as listed on the attached sheets.

10/11/18 JCP & Agenda Packet

Publication and postage cost charged accordingly over and above filing fees.

Page 26

White Copy - Township

Yellow Copy - Applicant

## NOTICE

The Napoleon Township Planning Commission will hold a public hearing September 27, 2018 at 6:00 p.m. in the Township Hall, 6775 Napoleon Road, Jackson, MI. 49201

At this time all interested parties will be heard on the request of Ronald Risner of 5474 Benton Road to Rezone the property from Agricultural (AG-1) to Residential (R-1) to allow a Land Division. The property is currently zoned Agricultural (AG-1)

Napoleon Township Office is open from 7:00 a.m. to 5:00 p.m. Monday – Thursday during which time the Zoning Ordinance/Zoning Map may be examined. Written comments regarding the above may be directed to the Township, or by calling (517) 536-8694 Extension 209. Napoleon Township will provide any necessary or reasonable auxiliary aids at the meeting for persons with disabilities, upon ten (10) days written notice to the Township. John Worden, Zoning Administrator

The Exponent  
Insertion Date: September 4, 2018

Copy to John Hummer, Clerk

**TOWNSHIP OF NAPOLEON**

6755 Brooklyn Road  
P.O. Box 385  
Napoleon, Michigan 49261  
(517) 536-8694

Napoleon Township  
County of Jackson, STATE OF MICHIGAN

**AFFIDAVIT OF MAILING OF NOTICE**

I, John Hummer being first duly sworn, depose and say that on the day of September 11, 2018 I mailed a true and correct copy of the attached Notice of Public Hearing and Meeting of The Planning Commission for September 27, 2018 to the owners of each property proposed for a Conditional Use Permit in said Notice, to the applicant (s) for said Conditional Use Permit(s), to all persons to whom any real property is assessed within three hundred (300) feet of any property proposed in said Notice for a Conditional Use Permit as shown on the last assessment role of the Township, and to the occupants of all single-family and two-family dwellings located within three hundred (300) feet of any property therein proposed for a Conditional Use Permit, all as shown on the attached list, by properly addressing an envelope to each person or to "occupant" where a tenant's name was not known, placing a copy of the Notice in each envelope, and sealing the envelopes and mailing the same, First Class Mail, with postage fully prepaid, from a United States Post Office box in Jackson, Michigan, all in accordance with MCLA 125.284.

(Signature) \_\_\_\_\_

John Hummer, Clerk

Subscribed and sworn to before me on \_\_\_\_\_, 2018

(Signature) \_\_\_\_\_

, Notary Public

Jackson County, Michigan

Expiration of Commission:

Name: Risner

Mailings: 25

AFFIDAVIT.doc



Case#18-09-0015-5474 Benton Rd.-Ronald Risner Applicant  
Rezoning from Agricultural (AG) to Residential (R-1)







5474 Benton Rd

© 2018 Google

Google e  
Page 30



# 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

## COORDINATED ZONING REPORT | #18-24

**To:** County Planning Commissioners

**From:** Grant E. Bauman, AICP

**Date:** October 11, 2018

### Proposal: 'Solar Energy Systems' in Grass Lake Charter Township

#### The Request

The Grass Lake Charter Township Planning Commission developed zoning ordinance amendments to address the regulation of 'Solar Energy Systems'. The proposed amendments would:

- Add various definitions regarding 'Solar Energy Systems' and 'Unreasonable Safety Hazard' to Chapter 2 (Definitions and Illustrations of Terms).
- Add 'Small Solar Energy Systems' to the listings of permitted uses in the Agricultural (AG), Single Family Residential (R-1 and R-2), Multiple Family Residential (R-3), Manufactured Housing Community (R-4), General Commercial (GC), Highway Commercial (HC), and Light Industrial (LI) districts.
- Add 'Medium Solar Energy Systems' and 'Large Solar Energy Systems' to the listings of special land uses in the Agricultural (AG) and Light Industrial (LI) districts.
- Add a section pertaining to all 'Solar Energy Systems' to Chapter 3 (General Provisions).
- Add "All Large Solar Energy Systems" and "All Medium Solar Energy Systems" to the listing of uses requiring site plan review by the Planning Commission
- Add regulations regarding "Large Solar Energy Systems" and "Medium Solar Energy Systems" to Section 14.07 (Special Land Use Specific Requirements)

#### Background Information

The proposed amendments, if adopted, will allow 'Small Solar Energy Systems' as a permitted use in all zoning districts and 'Medium Solar Energy Systems' and 'Large Solar Energy Systems' as special land uses in the Agricultural (AG) and Light Industrial (LI) districts. The several types of uses are defined as follows:

- Solar Energy System, Large: A utility-scale solar energy system where the primary use of the land is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other conversion technology, either for the sale, delivery or consumption of the generated energy by more than one end user, or for personal use beyond what is permitted for a Medium Solar Energy System, typically with a power output [of is] equal to or greater than 1 megawatt.
- Solar Energy System, Medium: A solar energy system where the sole use is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other con-

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[www.co.jackson.mi.us/county\\_planning\\_commission](http://www.co.jackson.mi.us/county_planning_commission)



version technology, primarily for personal consumption by a single end user at the same property upon which the solar energy system is located. Medium Solar Energy Systems include all solar energy systems with power output greater than 75 kilowatts but not exceeding 1 megawatt.

- Solar Energy System, Small: A solar energy system where the sole use is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other conversion technology, primarily for personal consumption by a single end user at the same property upon which the solar energy system is located. The power output of the system shall not exceed 75 kilowatts.

Section 3.26 provides requirements for all 'Solar Energy Systems', but concentrates on 'Small Solar Energy Systems'. Section 14.07.TT provides the requirements for 'Large Solar Energy Systems'. Section 14.07.UU states that 'Medium Solar Energy Systems' shall meet the same requirements set forth for 'Large Solar Energy Systems'.

### **Analysis and Recommendation**

JCPC staff provides the following suggestions and observations:

- With the exception of the proposed definition for 'Unreasonable Safety Hazard', the Township may want to consider grouping all of the other proposed definitions together under the title 'Solar Energy Systems' and adding them under Section 2.18 of the Ordinance. This would simplify the search for applicable definitions by future applicants and planning commissions.
- Proposed regulations applicable to all 'Solar Energy Systems' are proposed as Section 3.26. Proposed regulations applicable to 'Large Solar Energy Systems' are proposed as Section 14.07.TT. Proposed regulations applicable to 'Medium Solar Energy Systems' are proposed as Section 14.07.UU. Those sections should be cited along with the use under the listings of permitted uses and special land uses for the various zoning districts, as pertinent (i.e., (see Section x.xx)).
- Section 3.26 contains proposed regulations for all 'Solar Energy Systems' although most pertain specifically to 'Small Solar Energy Systems'. The Township may want to consider adding those regulations pertaining to 'Large Solar Energy Systems' and 'Medium Solar Energy Systems' to Section 14.07.TT and Section 14.07.UU, respectively, renaming Section 3.26 'Small Solar Energy Systems' and making appropriate edits. This would eliminate the need for applicants and future planning commissions from having to consult multiple listings of requirements for each use.
- Section 3.26 does not contain a maximum height for ground-mounted 'Small Solar Energy Systems'. The Township may want to consider establishing a maximum height requirement for ground-mounted systems. Section 3.26.I pertains to screening for 'Small Solar Energy Systems' and requires the installation of solid fencing or a wall, hedge, or other vegetation at least 4 feet but not more than 8 feet in height. Why is the height requirement for solid fencing different than for the other screening options?
- Section 14.07.TT.F states that a 'Solar Array' shall not exceed 15 feet, but that other collection devices, components, or building shall not exceed 35 feet of the maximum building height permitted within the district. The Township may want to consider specifying that the 15 foot maximum applies to ground-mounted systems. This is pertinent given that Section 3.26.D regulates any 'Small or Medium Solar Energy System' (which includes most 'Large Solar Energy System' requirements). The Township may also want to address the difference of 30 feet specified in Section 3.26.D and 35 feet specified in this Section.

- Section 14.07.TT.J states that security fencing shall be 8 feet high. Section 3.25.B states that fences, wall, or other screening structures in nonresidential districts shall not exceed 12 feet. The Township may want to consider altering the section to allow for security fencing between 8 and 12 feet in height.
- Section 14.07.TT.AA lists specific terms of the Ordinance which must continue to be complied with if there is a transfer of ownership/operation. The Township may want to consider adding the special land use permit to that listing.

Based on the above analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the proposed amendments regarding 'Solar Energy Systems'.

**Suggested Actions:**

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

## 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 Grass Lake Charter 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 See attached 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 09 day 13 year 2018

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month 08 day 20 year 2018  
(Notice must be provided at least fifteen days prior to the public hearing.)

E. **THE NEWSPAPER** (having general circulation in Township) carrying the NOTICE: Grass Lake Times

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.

Jere Hinkle ☒ Chair or ☐ Secretary 09 / 17 / 2018 (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.

\_\_\_\_\_, Recording 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.

**GRASS LAKE CHARTER TOWNSHIP**  
**ZONING ORDINANCE AMENDMENT**

ORDINANCE NO. \_\_\_\_

At a regular meeting of the Township Board of Grass Lake Charter Township, Jackson County, Michigan, held at the Grass Lake Township Hall on \_\_\_\_\_, 2018, at \_\_\_\_\_ p.m., Township Board Member \_\_\_\_\_ moved to introduce the following Ordinance for first reading, posting, and publication prior to subsequent final adoption, which motion was seconded by Township Board Member \_\_\_\_\_:

*An Ordinance to amend the Grass Lake Charter Township Zoning Ordinance to authorize Small Solar Energy Systems as permitted uses in all Zoning Districts, authorize Large and Medium Solar Energy Systems as special land uses in the Agricultural and Light Industrial Districts, and establish standards for these uses.*

THE CHARTER TOWNSHIP OF GRASS LAKE, ORDAINS:

**SECTION 1. AMENDMENT TO ZONING ORDINANCE CHAPTER 2, SECTION 2.03:** Zoning Ordinance Chapter 2, Section 2.03, is amended to add a definition for the following term, and shall read as follows:

Abandoned Solar Energy System: Any Solar Energy System, Solar Array or combination of Photovoltaic Devices that remains nonfunctional or inoperative to the extent that it not used to generate electric energy for a continuous period of six months.

**SECTION 2. AMENDMENT TO ZONING ORDINANCE CHAPTER 2, SECTION 2.16:** Zoning Ordinance Chapter 2, Section 2.16, is amended to add a definition for the following term, and shall read as follows:

Photovoltaic Device: A system of components that generates electric energy from incident sunlight by means of the photovoltaic effect, whether or not the device is able to store the electric energy produced for later use.

**SECTION 3. AMENDMENT TO ZONING ORDINANCE CHAPTER 2, SECTION 2.18:** Zoning Ordinance Chapter 2, Section 2.18, is amended to add a definition for the following terms, and shall read as follows:

Solar Array: Any number of Photovoltaic Devices connected together to provide a single output of electric energy or other energy.

Solar Energy System, Large: A utility-scale solar energy system where the primary use of the land is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other conversion technology, either for the sale, delivery or consumption of the generated energy by more than one end user, or for personal use beyond what is permitted for a Medium Solar Energy System, typically with a power output of is equal to or greater than 1 megawatt.

Solar Energy System, Medium: A solar energy system where the sole use is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other

conversion technology, primarily for personal consumption by a single end user at the same property upon which the solar energy system is located. Medium Solar Energy Systems include all solar energy systems with power output greater than 75 kilowatts but not exceeding 1 megawatt.

Solar Energy System, Small: A solar energy system where the sole use is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other conversion technology, primarily for personal consumption by a single end user at the same property upon which the solar energy system is located. The power output of the system shall not exceed 75 kilowatts.

**SECTION 4. AMENDMENT TO ZONING ORDINANCE CHAPTER 2, SECTION 2.20:** Zoning Ordinance Chapter 2, Section 2.20, is amended to add a definition for the following term, and shall read as follows:

Unreasonable Safety Hazard Any condition which could reasonably be expected to create, cause, or compound the substantial likelihood that death, illness or personal injury may occur to any member of the general public, including but not limited to trespassers or emergency services personnel. Adherence by the property owner to industry standards for safeguarding against such risks will be taken into consideration in determining whether a condition poses an unreasonable safety hazard.

**SECTION 5. AMENDMENT TO ZONING ORDINANCE CHAPTER 5, SECTION 5.02:** Zoning Ordinance Chapter 5, Section 5.02, entitled "Permitted Uses," is amended to add "Small Solar Energy System" as a permitted use, and shall read as follows:

Land and/or buildings in the AG District may be used for the following purposes as Permitted Uses:

- A. Commercial greenhouses and nurseries, when operated primarily as a wholesale operation and/or retail sales.
- B. Conservation and recreation areas, including forest preserves, game refuges, nature preserves, and other similar areas of low intensity uses.
- C. Family day care homes.
- D. Farms for both general and specialized farming, together with a farm dwelling and buildings and other installation useful to farms.
- E. Roadside stands for sale of produce grown on the premises.
- F. Single-family dwellings, including home occupations in accordance with the requirements of Section 3.13.
- G. Small Solar Energy Systems.
- H. State licensed residential family care facilities; provided that such facility is not located closer than one thousand five hundred (1,500) feet from an existing or proposed similar state licensed residential facility, including group care facilities, but not including state licensed residential facilities caring for four (4) or less minors.
- I. Utility and public service buildings, without storage yards.



- J. Accessory buildings, structures, and uses, customarily incidental to any Permitted or Special Land Use.

**SECTION 6. AMENDMENT TO ZONING ORDINANCE CHAPTER 5, SECTION 5.03:** Zoning Ordinance Chapter 5, Section 5.03, entitled “Special Land Uses,” is amended to add “Large Solar Energy System” and “Medium Solar Energy System” as special land uses, and shall read as follows:

Land and/or buildings in the AG District may be used for the following purposes following approval by the Planning Commission as a Special Land Use as regulated by Chapter 14, including consideration of the Specific Special Land Use Requirements of Section 14.07:

- A. Bed and breakfast establishments.
- B. Churches.
- C. Commercial kennels.
- D. Country clubs, golf courses, riding stables, gun clubs, private athletic grounds and parks, and other similar uses, including related uses, such as snack bars, small retail shops selling goods directly related to the primary use.
- E. Home Based Business.
- F. Intensive livestock operations.
- G. Large Solar Energy Systems.
- H. Medium Solar Energy Systems.
- I. Open Air Business.
- J. Open Space Preservation Developments.
- K. Private airports.
- L. Private, elementary, middle, and high schools, and colleges.
- M. Private campgrounds.
- N. Removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources.
- O. Veterinary clinic.

**SECTION 7. AMENDMENT TO ZONING ORDINANCE CHAPTER 6, SECTION 6.02:** Zoning Ordinance Chapter 6, Section 6.02, entitled “Permitted Uses,” is amended to add “Small Solar Energy System” as a permitted use, and shall read as follows:

Land and/or buildings in the R-1 District may be used for the following purposes as Permitted Uses:

- A. Family day care homes.
- B. Farms for both general and specialized farming, together with a farm dwelling and buildings and other installations useful to such farms, including greenhouses and nurseries without a retail outlet.

- C. Single-family dwellings, including home occupations in accordance with the requirements of Section 3.13.
- D. Small Solar Energy Systems.
- E. State licensed residential family care facilities; provided that such facility is not located closer than one thousand five hundred (1,500) feet from an existing or proposed similar state licensed residential facility, including group care facilities, but not including state licensed residential facilities caring for four (4) or less minors.
- F. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- G. Accessory buildings, structures and uses, customarily incidental to any Permitted or Special Land Use.

**SECTION 8. AMENDMENT TO ZONING ORDINANCE CHAPTER 7, SECTION 7.02:** Zoning Ordinance Chapter 7, Section 7.02, entitled “Permitted Uses,” is amended to add “Small Solar Energy System” as a permitted use, and shall read as follows:

Land and/or buildings in the R-2 District may be used for the following purposes as Permitted Uses:

- A. Family day care homes.
- B. Farms for both general and specialized farming, together with a farm dwelling and buildings and other installations useful to such farms, including greenhouses and nurseries without a retail outlet.
- C. Single-family dwellings, including home occupations in accordance with the requirements of Section 3.13.
- D. Small Solar Energy Systems.
- E. State licensed residential family care facilities; provided that such facility is not located closer than one thousand five hundred (1,500) feet from an existing or proposed similar state licensed residential facility, including group care facilities, but not including state licensed residential facilities caring for four (4) or less minors.
- F. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- G. Accessory buildings, structures and uses, customarily incidental to any Permitted or Special Land Use.

**SECTION 9. AMENDMENT TO ZONING ORDINANCE CHAPTER 8, SECTION 8.02:** Zoning Ordinance Chapter 8, Section 8.02, entitled “Permitted Uses,” is amended to add “Small Solar Energy System” as a permitted use, and shall read as follows:

Land and/or buildings in the R-3 District may be used for the following purposes as Permitted Uses:

- A. Churches.

- B. Family day care homes.
- C. Multiple family dwellings (see Section 8.04, E).
- D. Single-family dwellings, including home occupations in accordance with the requirements of Section 3.13.
- E. Small Solar Energy Systems.
- F. State licensed residential family care facilities; provided that such facility is not located closer than one thousand five hundred (1,500) feet from an existing or proposed similar state licensed residential facility, including group care facilities, but not including state licensed residential facilities caring for four (4) or less minors.
- G. Two family dwellings.
- H. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- I. Accessory buildings, structures and uses, customarily incidental to any Permitted or Special Land Use.

**SECTION 10. AMENDMENT TO ZONING ORDINANCE CHAPTER 9, SECTION 9.02:** Zoning Ordinance Chapter 9, Section 9.02, entitled “Permitted Uses,” is amended to add “Small Solar Energy System” as a permitted use, and shall read as follows:

Land and/or buildings in the R-4 District may be used for the following purposes as Permitted Uses:

- A. Churches.
- B. Family day care homes.
- C. Manufactured home parks, in accordance with the requirements of this Chapter.
- D. Single-family dwellings, including home occupations in accordance with the requirements of Section 3.13.
- E. Small Solar Energy Systems.
- F. State licensed residential family care facilities; provided that such facility is not located closer than one thousand five hundred (1,500) feet from an existing or proposed similar state licensed residential facility, including group care facilities, but not including state licensed residential facilities caring for four (4) or less minors.
- G. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- H. Accessory buildings, structures and uses, customarily incidental to any Permitted or Special Land Use.

**SECTION 11. AMENDMENT TO ZONING ORDINANCE CHAPTER 10, SECTION 10.02:** Zoning Ordinance Chapter 10, Section 10.02, entitled “Permitted Uses,” is amended to add “Small Solar Energy System” as a permitted use, and shall read as follows:

Land and/or buildings in the GC District may be used for the following purposes as Permitted Uses:

- A. Financial and business service establishments, banks and credit unions, with or without drive through services.
- B. Funeral homes.
- C. Health and fitness clubs.
- D. Personal services establishments such as repair shops for personal items (watches, small appliances, shoes, etc.), beauty shops and barbershops, dry cleaning retail outlets and other similar services.
- E. Private service clubs, fraternal organizations and lodge halls.
- F. Professional offices for doctors, dentists, lawyers, architects, engineers and other similar professions.
- G. Restaurants, excluding those with drive-through services, and taverns.
- H. Retail businesses which supply commodities such as groceries, meats, dairy products, baked goods, drugs, gifts and notions, books or hardware.
- I. Small Solar Energy Systems.
- J. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- K. Veterinary clinics.
- L. Accessory buildings, structures and uses, customarily incidental to any Permitted or Special Land Use.

**SECTION 12. AMENDMENT TO ZONING ORDINANCE CHAPTER 11, SECTION 11.02:** Zoning Ordinance Chapter 11, Section 11.02, entitled “Permitted Uses,” is amended to add “Small Solar Energy System” as a permitted use, and shall read as follows:

Land and/or buildings in the HC District may be used for the following purposes as Permitted Uses:

- A. Financial and business service establishments, banks and credit unions without drive through services.
- B. Professional offices for doctors, dentists, lawyers, architects, engineers and other similar professions.
- C. Restaurants, excluding those with drive-through services.
- D. Small Solar Energy Systems.

- E. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.

**SECTION 13. AMENDMENT TO ZONING ORDINANCE CHAPTER 12, SECTION 12.02:** Zoning Ordinance Chapter 12, Section 12.02, entitled “Permitted Uses,” is amended to add “Small Solar Energy System” as a permitted use, and shall read as follows:

Land and/or buildings in the LI District may be used for the following purposes as Permitted Uses:

- A. Data processing and computer centers including the servicing and maintenance of electronic data processing equipment.
- B. Financial and business service establishments, banks and credit unions, with or without drive through services.
- C. Health and fitness clubs.
- D. Manufacturing, research, assembly, testing and repair of components, devices, equipment and systems of professional, scientific and controlling instruments, photographic and optical goods, and electronic and electrical equipment such as:
  - 1. Appliances.
  - 2. Audio units, radio equipment and television equipment.
  - 3. Communication, transmission and reception equipment such as coils, tubes, semi-conductors, navigation control equipment and systems guidance equipment.
  - 4. Computer equipment and accessory systems.
  - 5. Food products, bakery goods, candy and beverages.
  - 6. Graphics and art equipment.
  - 7. Metering instruments.
  - 8. Optical devices, equipment and systems.
  - 9. Photographic equipment.
  - 10. Radar, infrared and ultra-violet equipment and systems.
  - 11. Scientific and mechanical instruments such as calipers and transits.
  - 12. Testing equipment.
- E. Manufacturing, processing, packaging or assembling of the following:
  - 1. Fabrication of paper and wood products such as office supplies, bags, books, cabinets, furniture, and toys.
  - 2. Pharmaceutical preparation, cosmetics, and toiletries.

- 3. Prefabricated buildings and structured members.
- 4. Stone, clay, glass and leather products.
- F. Printing, publishing and related activities.
- G. Private service clubs, fraternal organizations and lodge halls.
- H. Professional offices for doctors, dentists, lawyers, architects, engineers and other similar professions.
- I. Research and design centers where said centers are intended for the development of pilot or experimental products, together with related office buildings for such research facilities where those offices are designed to accommodate executive, administrative, professional, accounting, engineering, architectural, and support personnel.
- J. Small Solar Energy Systems
- K. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- L. Veterinary clinics and commercial kennels.
- M. Warehousing, refrigerated and general storage.
- N. Accessory buildings, structures and uses, customarily incidental to any Permitted or Special Land Use.
- O. Self Service Storage Facility.

**SECTION 14. AMENDMENT TO ZONING ORDINANCE CHAPTER 12, SECTION 12.03:** Zoning Ordinance Chapter 12, Section 12.03, entitled “Special Land Uses,” is amended to add “Large Solar Energy System” and “Medium Solar Energy System” as special land uses, and shall read as follows:

Land and/or buildings in the LI District may be used for the following purposes following approval by the Planning Commission as a Special Land Use as regulated by Chapter 14, including consideration of the Specific Special Land Use Requirements of Section 14.07:

- A. Adult Uses.
- B. Asphalt and concrete mixing plants.
- C. Automobile repair (major and minor).
- D. Automobile service stations.
- E. Building material sales.
- F. Farm machinery sales.

- G. Indoor and outdoor commercial recreation including bowling, miniature golf course, outdoor skating rinks and similar uses.
- H. Large Solar Energy Systems.
- I. Medium Solar Energy Systems.
- J. Manufacturing, processing or packaging of plastic products such as laminate, pipe, plumbing products, and miscellaneous molded or extruded products.
- K. Metal fabrication.
- L. Recycling centers.
- M. Removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources.
- N. Skilled trade and general construction contractors' offices, warehouses and yards.
- O. Solid waste transfer stations and/or solid waste processing facilities
- P. Tool and die, job, machine, and skilled trade shops.
- Q. Trucking terminals.

**SECTION 15. AMENDMENT TO ZONING ORDINANCE CHAPTER 3, SECTION 3.26:** Zoning Ordinance, Chapter 3, is amended to add Section 3.26, entitled "Solar Energy Systems," providing as follows:

**SECTION 3.26 SOLAR ENERGY SYSTEMS**

- A. Any Small Solar Energy System mounted on the ground shall comply with those requirements applicable to an accessory building under Section 3.07, or those requirements applicable to an accessory building within the zoning district in which the Solar Energy System is located, whichever are more stringent.
- B. A site plan shall be prepared and submitted to the Zoning Administrator for approval prior to commencing installation. The site plan shall include the proposed location and an elevation drawing showing the proposed height and foundation details.
- C. Small Solar Energy Systems shall not be constructed or installed in the front yard of any lot, absent a showing that the Solar Energy System cannot be operated efficiently on any other location on the property, and that such operation will not unreasonably interfere with adjacent properties.
- D. Any Small or Medium Solar Energy System erected on a building shall not extend beyond the peak of the roof, provided that a Small or Medium Solar Energy System erected on a flat roof shall otherwise comply with the other requirements of this Section. In no event shall any portion of a Solar Energy System extend beyond the lesser of either thirty (30) feet or the maximum building height permitted within the district in which that Solar Energy System is located.



- E. Any Solar Energy System mounted on the roof of a property must be installed with a minimum three (3) foot setback from the edges of the roof, the peak, the eave, or the valley.
- F. No Solar Energy System shall be installed in such a way as to pose an Unreasonable Safety Hazard.
- G. All Solar Energy Systems must conform to all applicable federal, state and county requirements, in addition to other applicable Township Ordinances, as well as any applicable industry standards.
- H. All Solar Energy Systems must be installed in a manner ensuring that concentrated solar glare shall not be directed onto nearby properties or roadways.
- I. Any Small Solar Energy System mounted on the ground shall be sufficiently screened from the view of adjacent properties or roadways through the use of solid fencing consistent with Section 3.25, or the installation of a wall, hedge, or other vegetation not less than four (4) feet and no more than eight (8) feet in height.
- J. All power transmission lines from a ground-mounted Solar Energy System to any building or other structure shall be located underground. The Township Board may waive this requirement, or may limit it through conditions, if it determines that it would be impractical or unreasonably expensive to install, place or maintain such transmission lines underground.
- K. Any Solar Energy System and the surrounding premises must be kept and maintained in good repair and condition at all times, and must continuously conform with all applicable building and electrical codes. This shall include, but is not limited to, ensuring that any fencing is maintained to provide sufficient protection and screening, that the property is kept clear of trash and other debris, that all aspects of the Solar Energy System are maintained according to industry standards, and that no portion of the Solar Energy System is in a blighted, unsafe, or substandard manner.
- L. An Abandoned Solar Energy System shall be removed by the property owner within six (6) months.

**SECTION 16. AMENDMENT TO ZONING ORDINANCE, CHAPTER 15, SECTION 15.02:** Zoning Ordinance Chapter 15, Section 15.02 is amended to add the following section, requiring site plan review for any Large Solar Energy Systems or Medium Solar Energy Systems:

- A. A review of a final Site plan will be required by the Planning Commission in the following circumstances
  - 1. All special land uses.
  - 2. All Permitted Uses in the HC, GC, LI, R-3, and R-4 Districts, except as noted in B, below, including existing main buildings or principal uses where an alteration, addition, expansion, change or conversion constitutes an increase to the existing structure or use in excess of one thousand (1,000) square feet.
  - 3. All site condominium developments.
  - 4. All Large Solar Energy Systems.

5. All Medium Solar Energy Systems; and

6. All Planned Unit Developments.

B. The Zoning Administrator shall be responsible for site plan review and approval for one family detached dwellings, two-family dwellings, agricultural uses, family day care and family foster care facilities, and accessory buildings and uses.

**SECTION 17. AMENDMENT TO ZONING ORDINANCE CHAPTER 14, SECTION 14.07(SS):**  
Zoning Ordinance, Chapter 14, Section 14.07 is amended to add the following new Subsection:

**TT. Large Solar Energy Systems.**

A. Purpose and Intent: The purpose and intent of this Subsection is to establish standards for the siting, installation, operation, repair, decommissioning and removal of Large Solar Energy Systems within the Agricultural and Light Industrial Districts as a Special Land Use.

B. Site Plan Drawing and Supporting Materials: All applications for a Large Solar Energy System must be accompanied by detailed site plans, drawn to scale and dimensioned and certified by a registered engineer licensed in the State of Michigan, displaying the following information:

1. All requirements for a site plan contained in Chapter 15 of the Zoning Ordinance.
2. All lot lines and dimensions, including a legal description of each lot or parcel comprising the Large Solar Energy System.
3. Names of owners of each lot or parcel within the Township that is proposed to be within the Large Solar Energy System.
4. Vicinity map showing the location of all surrounding land uses.
5. Location and height of all proposed Solar Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing, and all above-ground structures and utilities associated with the Large Solar Energy System.
6. Horizontal and vertical (elevation) scale drawings with dimensions that show the location of the proposed Solar Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing and all above ground structures and utilities on the property.
7. Location of all existing and proposed overhead and underground electrical transmission or distribution lines within the Large Solar Energy System and within 1,000 feet of the outside perimeter of the Large Solar Energy System.
8. Proposed setbacks from the Solar Array(s) to all boundary lines and all existing and proposed structures within the Large Solar Energy System.
9. Land elevations for the Solar Array(s) location and the relationship to the land elevations of all existing and proposed structures within the Large Solar Energy System.
10. Access driveways within and to the Large Solar Energy System, together with a detailed narrative regarding dimensions, composition, and maintenance of each proposed driveway. All access drives shall be subject to Jackson County Department of Transportation or

Michigan Department of Transportation approval as appropriate, and shall be planned so as to minimize the use of lands for that purpose.

11. Planned security measures to prevent unauthorized trespass and access and to warn of potential dangers during the construction, operation, removal, maintenance or repair of the Large Solar Energy System.
12. A written description of the maintenance program to be used for the Solar Array(s) and other components of the Large Solar Energy System, including decommissioning and removal procedures when determined by the Township to be obsolete, uneconomic or an Abandoned Solar Energy System. The description shall include maintenance schedules, types of maintenance to be performed, and decommissioning and removal procedures and schedules if the Large Solar Energy System becomes obsolete, uneconomic or an Abandoned Solar Energy System.
13. A copy of the manufacturer's safety measures.
14. Planned lighting protection measures.
15. The environmental impact of the Large Solar Energy System, as reflected in an environmental impact study, including, but not limited to, a review of the following factors:
  - a. Impact on area water resources
  - b. Impact on air quality
  - c. Noise impacts caused by the Solar Energy System
  - d. Impact on utilities and infrastructure
  - e. Protection of neighboring property owners and children
  - f. Impact on wildlife
  - g. Effects on floodplains and wetlands
  - h. Unique farmlands or soils
  - i. Areas of aesthetic or historical importance
  - j. Archeological or cultural concerns
  - k. Any other environmental factors typically evaluated by other members of the commercial energy industry when evaluating locations for a proposed power-generating facility

16. A written description of measures to be taken to support the flow of rainwater throughout the Large Solar Energy System, including any measures to promote the growth of vegetation beneath the arrays and/or otherwise limit the impacts of storm water runoff. The measures shall be subject to the approval of the Jackson County Drain Commission.
  17. A written contract with any energy provider or other purchaser of the energy produced by the Large Solar Energy System, demonstrating a commitment to purchase said energy. If this information is considered a confidential trade secret, the Township, upon written request from an energy provider, will keep such information confidential to the extent and through the means authorized by Public Act 442 of 1976.
  18. Additional detail(s) and information as required by the Special Land Use requirements of the Zoning Ordinance, or as required by the Planning Commission.
- C. Application Escrow Deposit: An escrow deposit shall be paid to the Township by the applicant when the applicant applies for a Special Land Use Permit for a Large Solar Energy System. The monetary amount deposited by the applicant in escrow with the Township shall be the amount estimated by the Township to cover all reasonable costs and expenses associated with the Special Land Use Permit review and approval process, which costs shall include, but are not limited to, reasonable fees of the Township Attorney, Township Planner and Township Engineer, as well as costs for any reports or studies that are reasonably related to the zoning review process for the application. Such escrow amount shall be in addition to any filing or application fees established by resolution. At any point during the Special Land Use Permit review process, the Township may require that the applicant place additional funds into escrow with the Township if the existing escrow amount deposited by the applicant is deemed insufficient by the Township. If the escrow account needs replenishing and the applicant refuses to do so promptly, the Special Land Use Permit process shall cease unless and until the applicant makes the required additional escrow deposit. Any applicable zoning escrow resolutions or other ordinances adopted by the Township must also be complied with by the applicant.
- D. Compliance with the State Building Code and the National Electric Safety Code: Construction of a Large Solar Energy System shall comply with the National Electric Safety Code and the state construction codes as administered and enforced by the Township (as shown by approval by the Township) as a condition of any Special Land Use Permit under this section.
- E. Certified Solar Array Components: Components of a Solar Array shall be approved by the Institute of Electrical and Electronics Engineers (“IEEE”), Solar Rating and Certification Corporation (“SRCC”), Electronic Testing Laboratories (“ETL”), or other similar certification organization acceptable to the Township.
- F. Height: Maximum height of a Solar Array shall not exceed fifteen (15) feet. Other collection devices, components or buildings of the Large Solar Energy System shall not exceed thirty-five (35) feet, or the maximum building height permitted within the district in which that Solar Energy System is located, whichever is less, at any time or location on the property. The height shall be measured from the natural grade at the base of the Solar Array, device, component or building measured. The Township Board may waive or modify these height requirements for certain aspects of a Solar Energy System (such as structures associated with above-ground transmission lines) through the implementation of conditions when appropriate.

- G. Lot Size: A Large Solar Energy System shall be located on one or more parcels with an aggregate area of 10 acres or greater.
- H. Setbacks: A minimum setback distance of forty (40) feet from all property boundaries on the outside perimeter of the Large Solar Energy System shall be required for all buildings and Solar Arrays except for property boundaries where the applicable adjoining owner(s) agree to lessen or increase that setback distance by executing a signed written waiver of this requirement in recordable form, provided no such waiver shall act to permit less than the required minimum setback of the applicable zoning district.
- I. Lot Coverage: A Large Solar Energy System is exempt from maximum lot coverage limitations.
- J. Screening/Security: A Large Solar Energy System shall be completely enclosed by perimeter security fencing to restrict unauthorized access. Such fencing shall be 8 (eight) feet in height as measured from the natural grade of the fencing perimeter. Electric fencing is not permitted. The perimeter of Large Solar Energy Systems shall also be screened and buffered by installed evergreen vegetative plantings whenever existing natural forest vegetation does not otherwise continuously obscure the Large Solar Energy System's entire perimeter from adjacent parcels, subject to the following requirements:
1. Unless screened and buffered at all times by natural forest vegetation meeting the minimum spacing and height requirements, and having a substantially similar obscuring effect of an evergreen vegetative buffer installed pursuant to this Section, a continuous evergreen vegetative buffer shall be installed and maintained at all times at the perimeter of the all Large Solar Energy Systems, including without limitation between such Large Solar Energy Systems and adjacent residential or agricultural areas and/or public highways or streets. Nothing contained herein shall be construed to prevent reasonable access to any Large Solar Energy System as approved by the Special Land Use Permit.
  2. The evergreen or native vegetative buffer shall be composed of native or evergreen trees that at planting shall be a minimum of four (4) feet in height and shrubs two (2) feet in height. The evergreen trees shall be spaced no more than fifteen (15) feet apart on center (from the central trunk of one plant to the central trunk of the next plant), native trees shall be placed no more than thirty (30) feet apart on center and shrubs shall be spaced no more than seven (7) feet apart on center. All unhealthy (sixty (60) percent dead or greater) and dead material shall be replaced by the applicant within six (6) months, or the next appropriate planting period, whichever occurs first, but under no circumstances should the applicant allow unhealthy or dead material to remain in place for more than six (6) consecutive months. Failure to maintain the required evergreen vegetative buffer as required by this section shall constitute a violation of this Ordinance and sufficient grounds for revocation of any Special Land Use Permit previously granted.
  3. All plant materials shall be installed between March 15 and November 15. If the applicant requests a Final Certificate of Occupancy from the Township and the applicant is unable to plant during the installation period, the applicant will provide the Township with a letter of credit, surety or corporate guarantee for an amount equal to one and one-half (1.5) times the cost of any planting deficiencies that the Township shall hold until the next planting season. After all plantings have occurred, the Township shall return the financial guarantee.

- K. Signage: No lettering, company insignia, advertising, graphics or other commercially-oriented inscriptions or designs shall be on any part of the Solar Arrays or other components of the Large Solar Energy System. This section does not prohibit signs reasonably necessary to inform the public of potential safety hazards associated with the Large Solar Energy System, nor does it prohibit any other signs that may be required by this Ordinance, the Special Land Use Permit or other applicable law.
- L. Noise: No component of any Large Solar Energy System shall emit noise exceeding forty-five (45) dBA as measured at the outside perimeter of the project.
- M. Lighting: All lighting for parking lots, driveways, external illumination of buildings, or the illumination of signs shall be directed away from and be shielded from adjacent properties and shall be so arranged as to not adversely affect driver visibility on adjacent public roads.
- N. Glare: All solar panels shall be placed such that concentrated solar glare shall not be directed onto nearby properties or roadways.
- O. Distribution, Transmission and Interconnection: All collection lines and interconnections from the Solar Array(s) to any electrical substations shall be located and maintained underground inside the Large Solar Energy System. The Township Board may waive this requirement, or modify it with appropriate conditions, if it determines that it would be impractical or unreasonably expensive to install, place or maintain such collection lines and interconnections underground.
- P. Abandonment and Decommissioning: Following the operational life of the project, or at the time the project becomes obsolete, uneconomic or an Abandoned Solar Energy System, as determined by the Township Engineer or any other expert or specialist to be designated by the Township to make such a determination, the applicant shall perform decommissioning and removal of the Large Solar Energy System and all its components. The applicant shall prepare a Decommissioning Plan and submit it to the Planning Commission for review prior to issuance of the Special Land Use Permit. Under this plan, all structures and facilities shall be removed, including any structures below-grade, and removed offsite for disposal. No concrete, piping and other materials may be left in place. Any Solar Array or combination of Photovoltaic Devices that become an Abandoned Solar Energy System shall be removed under the Decommissioning Plan. The ground must be restored to its original condition within 180 days of becoming an Abandoned Solar Energy System, or decommissioning, whichever occurs first.
- Q. General Standards: The Planning Commission shall not recommend for approval any Large Solar Energy System Special Land Use Permit unless it finds that all of the applicable standards for Special Land Uses contained in Chapter 14 of this Ordinance are met, or will be met through the implementation of appropriate conditions.
- R. Safety: The Planning Commission shall not recommend for approval any Large Solar Energy System Special Land Use Permit if it finds the Large Solar Energy System will pose an Unreasonable Safety Hazard to the occupants of any surrounding properties or area wildlife.
- S. Conditions and Modifications: Any conditions and modifications approved by the Planning Commission shall be recorded in the Planning Commission's meeting minutes. The Planning Commission may, in addition to other reasonable conditions, require landscaping, walls, fences and other improvements that are reasonable in relation to and consistent with the nature of the

applicable or adjacent zoning districts. After approval, at least two (2) copies of the final approved Site Plan shall be signed and dated by the Chairman of the Planning Commission and authorized representative of the applicant. One copy shall be kept on file by the Township Clerk, and one copy shall be returned to the applicant's authorized representative.

- T. Inspection: The Township shall have the right at any reasonable time to inspect the premises on which any Large Solar Energy System is located. The Township may hire one or more consultants to assist with any such inspections, at the applicant's or project owner's expense.
- U. Maintenance and Repair: Each Large Solar Energy System must be kept and maintained in good repair and condition at all times. If the Township Zoning Administrator determines that a Large Solar Energy System fails at any time to meet the requirements of this Ordinance and the Special Land Use Permit, or that it poses a potential Unreasonable Safety Hazard, the applicant shall shut down the Large Solar Energy System within 48 hours after notice by the Zoning Administrator and not operate, start or restart the Large Solar Energy System until the condition has been corrected. Applicant shall keep a maintenance log on the Solar Array(s), which shall be available for the Township's review on a monthly basis. Applicant shall keep all sites within the Large Solar Energy System neat, clean and free of refuse, waste or unsightly, hazardous or unsanitary conditions.
- V. Roads: Any material damages to a public road located within the Township resulting from the construction, maintenance or operation of a Large Solar Energy System shall be repaired at the applicant's expense. In addition, the applicant shall submit to either the Jackson County Department of Transportation or MDOT (as appropriate) a description of the routes to be used by construction and delivery vehicles; any road improvements that will be necessary to accommodate construction vehicles, equipment or other deliveries; and a performance guarantee acceptable to the appropriate agency in an amount necessary to assure repair of any damage to the public roads caused by construction of the Large Solar Energy System or any of its elements.
- W. Continuing Security and Escrow: If any Large Solar Energy System is approved for construction under this Section, applicant shall be required to post continuing security and a continuing escrow deposit prior to commencement of construction, which shall remain in effect until the Large Solar Energy System has been finally removed, as provided below:
  - 1. Continuing Restoration Security: If a Special Land Use Permit is approved pursuant to this section, the Township Board shall require security in the form of a cash deposit, letter of credit, or surety bond acceptable to the Township, which will be furnished by the applicant to the Township in order to ensure full compliance with this section and all conditions of approval. When determining the amount of each required security, the Township may also require an annual escalator or increase based on the Consumer Price Index (or its equivalent or successor). Such financial guarantee shall be deposited or filed with the Township Clerk after a Special Land Use Permit has been approved but before construction commences on the Large Solar Energy System. At a minimum, the financial security shall be in an amount determined by the Township to be reasonably sufficient to restore the property to its previous condition prior to construction and operation of the Large Solar Energy System. Such financial security shall be kept in full force and effect during the entire time that the Large Solar Energy System exists or is in place, and such financial security shall be irrevocable and non-cancelable. In addition, the party operating a Large Solar Energy System approved by the Township shall inform the Township in the event that System, or a



material portion of that system is sold to a third party, and any such sale shall require the purchasing party to provide the Township with the security described by this section, along with relevant contact information.

2. Continuing Compliance and Enforcement Escrow Deposit: A continuing escrow deposit shall be held by the Township and shall be funded by a cash deposit, letter of credit, or surety bond by the applicant prior to the commencement of construction of any Large Solar Energy System and shall be maintained by the owner or operator until the Large Solar Energy System has been permanently decommissioned and removed. The monetary amount placed by the applicant in escrow with the Township shall be estimated by the Township to cover all reasonable costs and expenses associated with continuing enforcement of this Ordinance and the terms of the Special Land Use Permit, which costs can include, but are not limited to, reasonable fees for the Township Attorney, Township Planner and Township Engineer, as well as costs for any reports or studies that the Township determines are reasonably related to enforcement of the Ordinance and the Special Land Use Permit. If the Township is required to expend any portion of the escrow deposit or if the existing escrow amount paid by the applicant proves to be insufficient to cover the Township's enforcement costs, the Township may require the applicant to place additional monies into escrow with the Township.
  3. Continuing Obligations: Failure to keep any required financial security and escrow deposit in full force and effect at all times while a Large Solar Energy System exists or is in place shall constitute a material and significant violation of the Special Land Use Permit and this Ordinance, and will subject the Large Solar Energy System applicant, owner and operator to all remedies available to the Township, including enforcement action and revocation of the Special Land Use Permit. A review of security and escrow requirements shall occur no less than annually to determine compliance with this section.
- X. Conditions: In addition to the requirements of this Section, the Planning Commission may impose additional reasonable conditions on the approval of a Large Solar Energy System as a Special Land Use.
- Y. Completion of Construction: The construction of any Large Solar Energy System must commence within a period of one (1) year from the date a Special Land Use Permit is granted, and must be completed within a period of three (3) consecutive years from the date a Special Land Use Permit is granted. The Planning Commission may grant an extension not to exceed one (1) year, provided the applicant requests the extension prior to the date of the expiration of the Special Land Use approval. Failure to complete construction within the permitted time period shall result in the approved Special Land Use Permit being rendered null and void.
- Z. Quarterly Reports: The owner or operator of a Large Solar Energy System shall provide the Zoning Administrator with quarterly reports on trends and usage of that System as set by the Township Board. If this information is considered a confidential trade secret, the Township, upon written request from an energy provider, will keep such information confidential to the extent and through the means authorized by Public Act 442 of 1976.
- AA. Transfer of Ownership/Operation: Prior to a change in the ownership or operation a Large Solar Energy System, including, but not limited to, by the sale or lease of that System or the underlying property, the current owner or operator shall provide written notice to the Township at least sixty (60) days prior to that change becoming effective. This notice shall inform the

Township of the intended transfer of control of the Large Solar Energy System, and shall include a copy of the instrument or agreement effecting that transfer. Such an instrument or agreement shall include an express statement that the new owner or operator of the Large Solar Energy System shall not be permitted to operate that System until compliance with the terms of this Ordinance, including requirements for continuing security and escrow funds, has been established.

**SECTION 18. AMENDMENT TO ZONING ORDINANCE CHAPTER 14, SECTION 14.07(UU):** Zoning Ordinance, Chapter 14, Section 14.07 is amended to add the following new Subsection:

**UU. Medium Solar Energy Systems.**

- A. Purpose and Intent: The purpose and intent of this Subsection is to establish standards for the siting, installation, operation, repair, decommissioning and removal of Medium Solar Energy Systems within the Agricultural and Light Industrial Districts as a Special Land Use.
- B. Requirements: Medium Solar Energy Systems require a Special Land Use Permit and are subject to all provisions applicable to Large Solar Energy Systems as set forth in Chapter 14, Section 14.07(TT) of this Ordinance, except the following subsections or parts thereof:
  - 1. Subsection (B), part 3;
  - 2. Subsection (B), part 17;
  - 3. Subsection (Z).

**SECTION 19. SEVERABILITY:** The provisions of this Ordinance are hereby declared to be severable and if any provision, section or part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall only affect the particular provisions, section or part involved in such decision and shall not affect or invalidate the remainder of such Ordinance, which shall continue in full force and effect.

**SECTION 20. EFFECTIVE DATE:** This Ordinance shall become effective seven (7) days after its publication following final adoption or as required by law.

**SECTION 21. REPEAL:** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Roll Call:

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT/ABSTAIN: \_\_\_\_\_

INTRODUCED FOR FIRST READING, POSTING, PUBLICATION AND SUBSEQUENT FINAL ADOPTION.

Jim Stormont, Grass Lake Charter Township Supervisor

**CERTIFICATE**

STATE OF MICHIGAN                    )  
  ) ss  
COUNTY OF JACKSON                )

I, the undersigned, the duly qualified and acting Clerk for Grass Lake Charter Township, Jackson County, Michigan, HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Grass Lake Charter Township Board at a meeting held on the \_\_ day of \_\_\_\_\_, 2018, and further certify that the proposed Ordinance was introduced for first reading, posting, publication and subsequent final adoption at said meeting.

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Cathy Zenz, Township Clerk  
Grass Lake Charter Township

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**NOTICE OF PROPOSED ORDINANCE AMENDMENT**  
**ZONING ORDINANCE AMENDMENT**  
**Grass Lake Charter Township**  
**Jackson County, Michigan**  
**ORDINANCE NO. \_\_\_\_**

Please take notice that on \_\_\_\_\_, 2018, the Township Board of Grass Lake Township introduced for first reading, posting, publication, and subsequent final adoption, Ordinance No. \_\_\_\_, which amends the Zoning Ordinance to establish regulations relating to the use of solar arrays to produce energy for personal or commercial use within Grass Lake Township. Copies of the Zoning Ordinance Amendment may be obtained from Cathy Zenz, Grass Lake Township Clerk, at the Grass Lake Township Hall, 373 Lakeside Drive, Grass Lake, MI 49240.

The Zoning Ordinance Amendment provides, in summary, for the establishment of certain uses related to solar energy systems within Grass Lake Township. The Zoning Ordinance Amendment has the following sections and catch lines: Section 1: Amends Article 2, Section 2.03, to provide a definition for "Abandoned Solar Energy System;" Section 2: Amends Article 2, Section 2.16, to provide a definition for "Photovoltaic Device;" Section 3: Amends Article 2, Section 2.18, to provide definitions for "Solar Array," "Solar Energy System, Large," "Solar Energy System, Medium," "Solar Energy System, Small;" Section 4: Amends Article 2, Section 2.20 to provide a definition for "Unreasonable Safety Hazard;" Section 5: Amends Article 5, Section 5.02 to allow for small solar energy systems as a permitted use within the Agricultural District; Section 6: Amends Article 5, Section 5.03 to allow for large and medium solar energy systems as special uses within the Agricultural District; Section 7: Amends Article 6, Section 6.02 to allow for small solar energy systems as a permitted use within the R-1 District; Section 8: Amends Article 7, Section 7.02 to allow for small solar energy systems as a permitted use within the R-2 District; Section 9: Amends Article 8, Section 8.02 to allow for small solar energy systems as a permitted use within the R-3 District; Section 10: Amends Article 9, Section 9.02 to allow for small solar energy systems as a permitted use within the R-4 District; Section 11: Amends Article 10, Section 10.02 to allow for small solar energy systems as a permitted use within the General Commercial District; Section 12: Amends Article 11, Section 11.02 to allow for small solar energy systems as a permitted use within the Highway Commercial District; Section 13: Amends Article 12, Section 12.02 to allow for small solar energy systems as a permitted use within the Light Industrial District; Section 14: Amends Article 12, Section 12.03 to allow for large and medium solar energy systems as special uses within the Light Industrial District; Section 15: Amends Article 3, Section 3.26 to establish a schedule of regulations applying to all solar uses; Section 16: Amends Article 15, Section 15.02 to subject solar energy systems to site plan review; Section 17: Amends Article 14, Section 14.07(TT) to provide supplemental regulations for approval of a special use permit for large solar energy systems; Section 18: Amends Article 14, Section 14.07(UU) to provide supplemental regulations for approval of a special use permit for medium solar energy systems; Section 19: provides for the severability of the Ordinance; Section 20: establishes the effective date of the Ordinance; and Section 21: repeals all conflicting ordinances.

Published by Order of the Township Board  
Grass Lake Township, Jackson County, Michigan  
Cathy Zenz, Township Clerk  
517-522-8464

Publication Date: \_\_\_\_\_, 2018

**Unapproved Minutes**  
**Grass Lake Charter Township Planning Commission Meeting**  
**September 13, 2018 @ 7:00 PM**

CALL TO ORDER: Chairperson, Hinkle, called the meeting to order at 7:01 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL: Members present: Jere Hinkle, Ken Elliott, Tom Brennan and Roger Memmer. Members absent: Rob Doerr, Jim Warbritton and Lacey O'Quinn.

ALSO PRESENT: Doug Lammers, Township Zoning Administrator and three citizens.

APPROVAL OF AGENDA:

Moved by Elliott to approve the agenda with one modification (change item 5 to read "Approval of August 21, 2018 Meeting Minutes") and supported by Brennan. All ayes. Three absent. Motion carried.

APPROVAL OF MINUTES:

Moved by Memmer and supported by Hinkle to approve the August 21, 2018 meeting minutes. All ayes. Three absent. Motion carried.

PUBLIC HEARING, Case #18-05-0007 Zoning Text Amendment

Chairperson, Hinkle, closed the meeting and opened the public hearing for Case #18-05-0007, Zoning Text Amendment, at 7:05 pm.

Chairperson, Hinkle, gave a brief overview of the proposed zoning ordinance amendment to authorize Small Solar Energy Systems in all Zoning Districts, authorize Medium and Large Solar Energy Systems as special land uses in Agricultural and Light Industrial Districts, and establish standards for these uses.

No one spoke in favor or in opposition to the proposed amendment.

Moved by Brennan and supported by Elliott to close the public hearing at 7:16 pm. All ayes. Three absent. Motion carried.

Chairperson Hinkle reopened the meeting at 7:16 pm.

## NEW BUSINESS

### a. Case #18-05-0007 Zoning Text Amendment, Solar Energy Systems

Motion by Elliott and supported by Brennan to approve the proposed Solar Ordinance Amendment and to forward the proposed amendment to Region 2 for their review and comment. All ayes. Three absent. Motion carried.

## CITIZENS WISHING TO ADDRESS THE COMMISSION:

Al and Kathy Waters indicated that they would like to establish and Airbnb at their residence. They have a fully restored 33 feet long 1948 Spartan RV that they would like to park on their property and use as an Airbnb. Currently Airbnb's are not addressed in the Zoning Ordinance. It was indicated that this may be similar to a bed and breakfast, however there may be questions and concerns about using a mobile RV for this purpose. Zoning Administrator, Lammers, will further research this issue.

## TOWNSHIP BOARD REPORT:

Tom Brennan reported:

- a. There have been problems reported on Bohne Road near the gravel pit from dust and also from mud caused by water that is used to reduce the dust problem.
- b. The recent primary election recount for Township Trustee resulted in no change in the originally reported election results.
- c. Region 2 recommended that the Township not approve the rezoning request of Tony Spink (application #18-05-0006 for rezoning parcel 000-10-18-200-002-06 from AG-Agricultural to R-1). The Planning Commission recommended that the rezoning be approved at the June 21, 2018 Planning Commission Meeting.

## OLD BUSINESS:

### a. Zoning Ordinance, LI/HC District.

As noted at previous Planning Commission meetings, the current Township Zoning Ordinance has established a Light Industrial/Highway Commercial (LI/HC) district however, there are no regulations governing the district in the ordinance. As a remedy for this situation, Carlisle/Wortman Associates, suggested establishing an overlay district along the I-94 corridor that would be a mapped zone that imposes a set of special requirements in addition to those of the underlying zoning districts. However, prior to establishing an LI/HC overlay district it would be necessary to rezone the currently zoned LI/HC parcels to either LI or HC.

As a first step, Chairperson, Hinkle, requested that Planning Commission members review the currently zoned LI/HC parcels with the intent of rezoning them to either LI or HC.

**PROPOSED BUSINESS FOR NEXT MEETING:**

The October meeting will be held on Thursday October 11, 2018.

**GENERAL DISCUSSION:**

It was noted that no progress has been made by Todd Fodor to comply with special provisions approved by the Planning Commission in the August 17, 2017 meeting for Special Land Use Application Case #17-07-0008. Approval with special provisions requires progress be made within one year of approval.

**ADJOURNMENT:**

Moved by Brennan and supported by Elliott to adjourn the meeting at 7:58 pm.  
All ayes. Three absent. Motion carried.

Respectively submitted,

Roger Memmer, Secretary  
Grass Lake Charter Township Planning Commission