



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

DATE: November 1, 2018

TIME: 6:00 p.m.

PLACE: 5th 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 October 11, 2018, meeting minutes [**ACTION**] 3
4. Approval of agenda
Approval of the November 1, 2018, meeting agenda [**ACTION**]
5. Request(s) for review, comment, and recommendation
 - a. Consideration of township zoning amendment(s)
 - (1) CZ #18-25 –Blackman Township [**ACTION**]..... 7
 - (2) CZ #18-26 –Summit Township [**ACTION**]..... 29
 - (3) CZ #18-27 –Summit Township [**ACTION**]..... 37
 - 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 – *None*
7. Public comment [**2 MINUTE LIMIT**]
8. Commissioner comment
9. Adjournment

The next meeting of the Jackson County Planning Commission is scheduled for December 13, 2018

www.region2planning.com/jackson-county-planning-commission/

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

MEETING MINUTES

October 11, 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 6:01 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. Morris, and seconded by Comm. Williams, to **approve** the minutes of the September 13, 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 October 11, 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 #18-22 – Proposed zoning ordinance text amendments regarding ‘Slaughterhouses’ in Parma Township**

Staff summarized its report on the proposed zoning ordinance text amendments that would permit ‘slaughterhouses’ as a conditional use in the Industrial (I-1) district, specifying certain codified requirements and site plan review criteria. County Planning Commissioners were advised to recommend approval with comments (please see the staff report). There was discussion among the Planning Commissioners regarding the request. Comm. Morris suggested that the area required to be fenced needs to be defined more clearly (please see Sec. 8.21.C.10 of the proposed amendments). The Commission agreed that this concern should be added to the listing of staff comments. Comm. Gaede asked if 10 acres is big enough to accommodate all of the setbacks. Comm. Morris replied that the minimum acreage was adequate.

A motion was made by Comm. Videto, and seconded by Comm. Morris, to recommend **approval with staff and commissioner comments** of the proposed text amendments to the Parma Township Board (please see the staff report). *The motion was approved unanimously.*

(2) **CZ #18-23 – Proposed rezoning in Napoleon Township**

Staff summarized its report regarding the proposed rezoning of the subject property—known as 5474 Benton Road (Parcel ID# 000-14-28-251-002-00) and located in Section 28 (T3S-R1E) of the Township—from ‘Agricultural (AG)’ to ‘Single Family Residential (R-1)’. County Planning Commissioners were advised to recommend approval (please see the staff report).

A motion was made by Comm. Hawley, and seconded by Comm. Hilleary, to recommend **approval** of the proposed R-1 (Single Family Residential) to the Napoleon Township Board. *The motion was approved unanimously.*

(3) **CZ #18-24 – Proposed zoning ordinance text amendments regarding ‘Large Solar Energy Systems’ in Grass Lake Charter Township**

Staff summarized its report on the proposed zoning ordinance text amendments that would 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 if set requirements are met. County Planning Commissioners were advised to recommend approval with comments (please see the staff report). There was discussion among the Planning Commissioners regarding the request. Comm. Hawley noted that a written contract is required between a ‘Large Solar Energy System’ and the purchaser of the electricity in the Stockbridge area. Staff pointed out that this is required in the proposed amendment (please see Sec. 14-07.TT.B.17 of the proposed amendments). Comm. Morris suggested that razor/barbed wire should be excluded from the fencing requirements. Comm. Gaede asked about the escrow requirement for the review of an application. Staff noted that it is similar to a Spring Arbor Township requirement reviewed by the JCPC earlier in the year.

A motion was made by Comm. Videto, and seconded by Comm. Williams, to recommend **approval with staff and commissioner comments** of the proposed text amendments to the Grass Lake Charter Township Board (please see the staff report). *The motion was approved unanimously.*

b. **Consideration of Master Plan(s).** None.

c. **Farmland & Open Space Preservation Program (PA 116) application(s).** None.

Item 6. **Other Business**

a. **Unfinished Business.** None.

b. **New Business.**

Staff noted that the current terms for Comm. Burns (At Large) and Comm. Gaede (Environment) expire at the end of 2018. The Commissioners should submit applications to the County Administrator’s office if they wish to be reappointed.

- Item 7. **Public Comment.** There was no public comment.
- Item 8. **Commissioner Comment.** Comm. Videto asked about the receptiveness of Townships to JCPC recommendations. Staff responded that it depends on the individual community. Comm. Comm. Torres noted that she heard a positive response from Blackman Charter Township. Hawley announced that she heard via Facebook that a view shed ordinance around Clark Lake in Columbia Township was being considered.
- Item 9. **Adjournment.** The meeting was adjourned by Secretary Morris at 6:42 p.m.

Respectfully submitted by:
Grant Bauman, Recording Secretary

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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

COORDINATED ZONING REPORT | #18-25

To: County Planning Commissioners

From: Grant E. Bauman

Date: November 1, 2018

Proposal: Rezoning of properties in Blackman Charter Township from Agricultural (AG-1) to Heavy Industrial (I-2)

Purpose

The rezoning of the subject properties is requested to expand the Jackson Technology Park.¹

Location and Size of the Properties

The subject properties have a combined area of 181.48 acres and are located in Section 19 (T2S,R1W) of the Township (see Figure 1). The southern parcel (ID# 000-08-19-401-001-00) is situated on the north side of County Farm Road (143.13 acres). The northern property (ID# 000-08-19-276-001-00) is located on the south side of Springport Road (38.35 acres).

Land Use and Zoning

Current Land Use – The subject properties are farmed (partially) and assessed agriculturally (see Figures 1 and 4). An adjacent property to the west and north is also assessed agriculturally. Commercially assessed properties (mostly vacant) are located along Springport Road, east of the Rives Junction Road intersection. Several multiple-family housing developments (also assessed commercially) are located along the north side of County Farm Road, east of the subject properties. The Jackson Seventh Day Adventist (SDA) Church campus is also located on County Farm Road, adjacent to the southern subject property. Industrial uses predominate on the south side of County Farm Road. The Windham Hills Manufactured Housing Park is located to the west of the subject properties. Single-family dwellings are located on the remaining parcels adjacent to the subject properties.

Future Land Use – The Land Use Plan map in the draft edition of the *Blackman Charter Township Master Plan* places the subject properties in an area recommended for 'Light Industrial' uses, along with the various industrial enterprises located on the south side of County Farm Road (see Figure 2); *the current LUP map places the subject properties in the Jackson Technology Park Smart Zone*. An area of 'Local Commercial' uses, located at the intersection of Springport Road and Rives Junction Road, extends onto the northern subject property. Areas recommended for 'High Density Residential' uses are located to the east and west of the subject properties. An area recommended for 'Public/Quasi-Public' uses is located along the southern edge of the southern subject property.

¹ 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.

Current Zoning – The subject properties are currently zoned AG-1 (Agricultural), as is the Jackson Seventh Day Adventist (SDA) Church campus along County Farm Road and properties to the north along Springport Road (see Figure 3). Properties along Springport Road, east of the Rives Junction Road intersection, are zoned C-2 (General Commercial). Properties on the north side of County Farm Road, east of the subject properties, are zoned PR-1 (Planned Residential). Almost all of the properties on the south side of County Farm Road are zoned I-1 (Light Industrial) and I-2 (Heavy Industrial). Windham Hills is zoned MH-1 (Mobile Home Residential).

Public Facilities and Environmental Constraints

Water and Sewer Availability – The mapping recently completed for the update to the Blackman Charter Township Master Plan confirms that water and sewer services are available along County Farm Road. However, they will need to be extended northward to fully serve the subject properties.

Public Road/Street Access – The mapping recently completed for the update to the Master Plan confirms that County Farm Road (west of Springport Road) and Springport Road (west of Rives Junction Road) are collectors which funnel traffic from local streets to arterials. County Farm Road (west to Industrial Drive) is built to Class A Road standards, according to the Jackson County Department of Transportation (JCDOT). Both roads are classified as paved county primary roads by JCDOT.

Environmental Constraints – The mapping recently completed for the update to the Master Plan shows that areas of hydric soils, 100-year flood zone, and wetlands (see the background information) are located on portions of the subject properties, particularly the northern parcel. The presence of these natural features may constrain the development of portions of the subject properties.

Analysis and Recommendation

Township Planning Commission Recommendation – The Blackman Charter Township Planning Commission recommends **approval** of the proposed rezoning to 'I-2' (see the attached Zoning Amendment Form and other background information). ***It should be noted that staff prepared the report upon which this recommendation is based.***

Staff Analysis – Blackman Charter 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 proposed Land Use Plan (LUP) map places the subject properties in an area proposed for light industrial uses (see Figure 2). The current LUP map also places the subject properties in the Jackson Technology Park Smart Zone. The Zoning Plan element of the Master Plan equates the 'Light industrial' LUP category to the I-1 (Light Industrial) and I-2 (Heavy Industrial) zoning districts.

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

Yes. Extensive industrial development is already located on the south side of County Farm Road and I-1 (Light Industrial) and I-2 (Heavy Industrial) zoning is present. Existing high-density residential and public/quasi-public development along that roadway is already affected by those industrial uses. Agricultural zoning predominates to the north. However, the Township should consider requiring appropriate buffering between industrial development and high-density residential and public/quasi-public development during the site plan review process.

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

No. County Farm Road is already built to Class A standards, west to Industrial Drive. Water and sewer services are available along County Farm Road and there is adequate capacity according to the Zoning Administrator.

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. The subject properties have been planned for industrial development under the current master plan as well as the proposed master plan. However, the presence of a 100-year floodplain, hydric soils, and wetlands may constrain development of portions of the properties.

Staff Advisement – Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the proposed 'I-2' (Heavy Industrial) rezoning to the Blackman Charter Township Board, noting that the presence of a 100-year floodplain, hydric soils, and wetlands may constrain the development of portions of the subject properties. The Township should consider initiating a rezoning to remove the remaining remnants of AG-1 zoning along the pertinent portion of County Farm Road in the near future. The Township should also consider requiring appropriate buffering between industrial development and high-density residential and public/quasi-public development during the site plan review process.

Suggested Actions:

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

**Figure 1
Location**

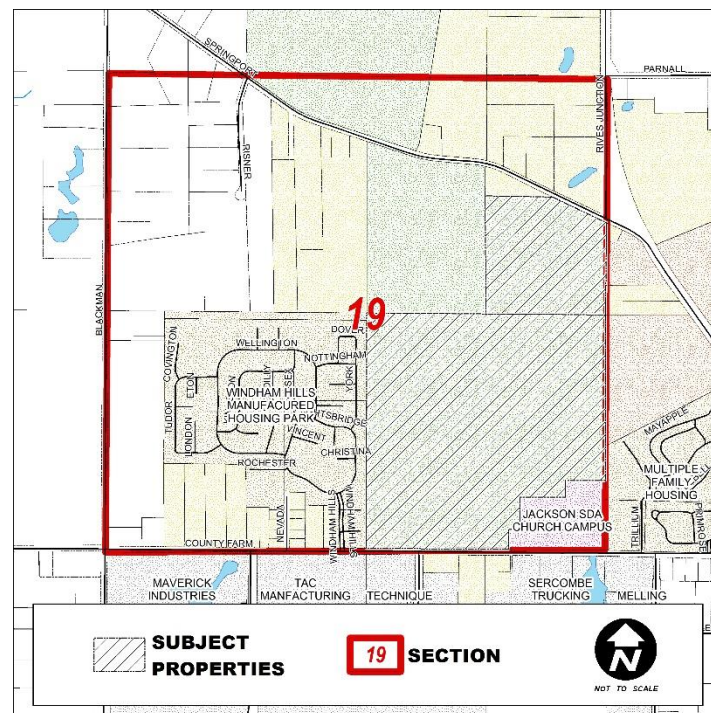


Figure 2
Generalized Municipal Future Land Use

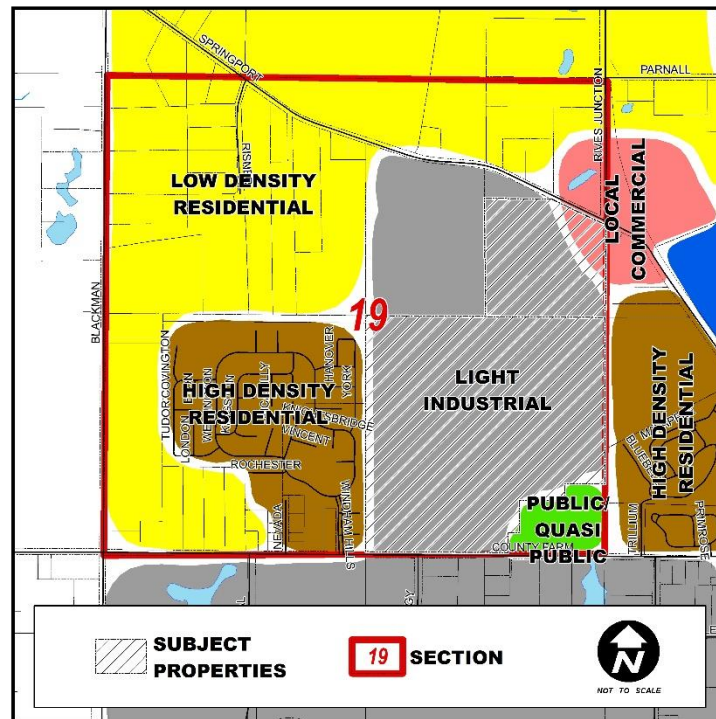


Figure 3
Generalized Municipal Zoning

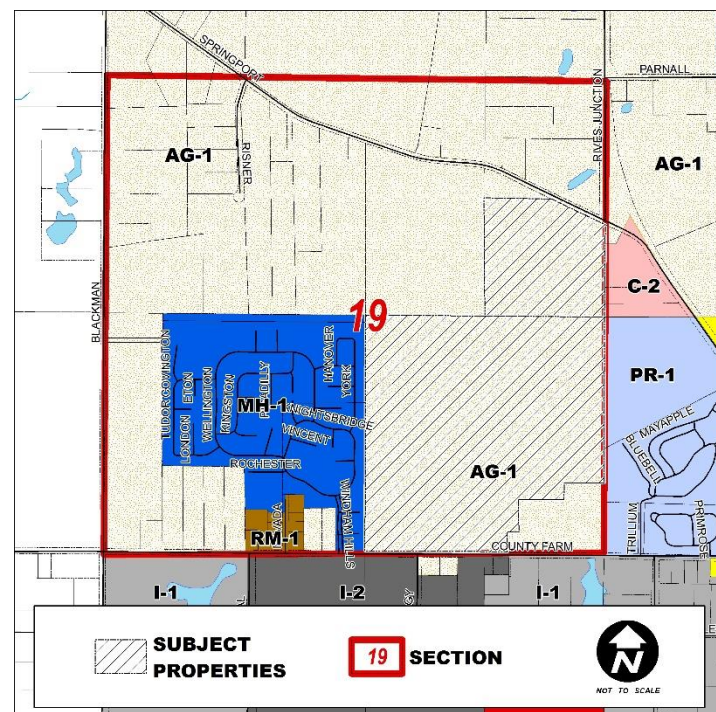


Figure 4a
Aerial Photo

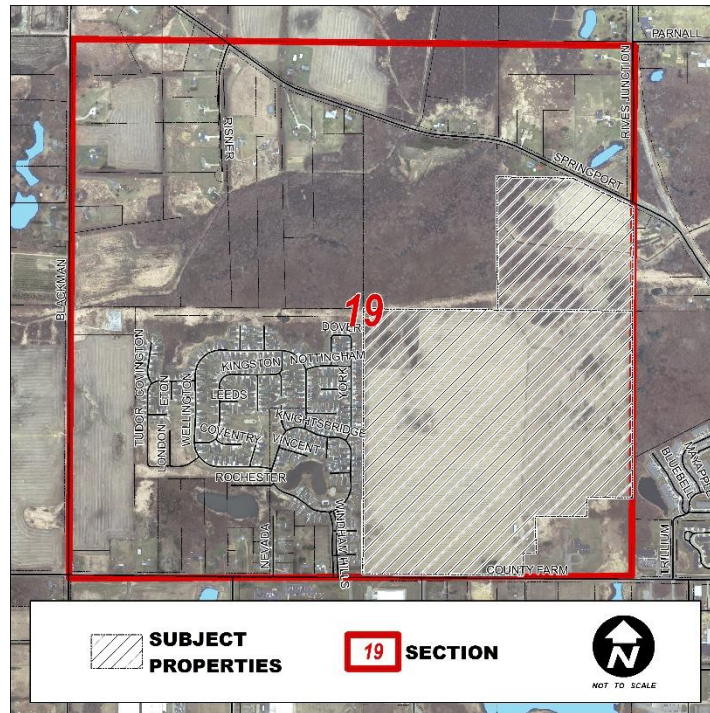


Figure 4b
Aerial Photo



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 Blackman 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.)

Parcel A is 143.13 acres 000-08-19-401-001-00

Parcel B is 38.35 acres 000-08-19-276-001-00

1. The above described property has a proposed zoning change FROM Agricultural (AG-1) ZONE TO Industrial (I-2) ZONE.
2. PURPOSE OF PROPOSED CHANGE: To allow manufacturing

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE _____ SECTION _____
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) _____

C. **PUBLIC HEARING** on the above amendment was held on: month October day 16 year 2018

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month September day 27 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: Jackson Citizen Patriot

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.

Dan Decker ☒ Chair or ☐ Secretary 10 / 18 / 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.

ZONING WORKSHEET FORM

CZC NO. _____

JACKSON COUNTY RESOLUTIONS AND LEGISLATIVE COMMITTEE

(Coordinating Zoning)

Return with the "Zoning Amendment For" for zoning district boundary changes only (not text amendments) to:

Region 2 Planning Commission, 120 W. Michigan Avenue, Jackson, Mi 48201

Phone: 517-788-4426

FAX: 517-788-4635

Township of: Blackman Charter Township Township Case # 1491

Township Official we may contact Dan Gough Phone # 517-812-1962

Applicant: Blackman Charter Townshi; Phone # 517-788-4345

Rezoning Request From: Agricultural District (AG-1) To: Heavy Industrial District (I-2)

Property Location Section(s): 19 Quarter Section(s) ☐ NW ☐ NE ☐ SW ☒ SE

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

Parcel Size-if more than on parcel, label "A" - "Z": A-143.13 acres B-38.35 acres

Please attach location map ☒ Yes ☐ No

What is the existing use of the site? Agricultural

What is the proposed use of the site? Industrial

What are the surrounding uses? (ie: Agriculture, Single-Family Residential, Commercial)

North Agricultural South Industrial East Residential West Residential

What are the surrounding Zoning Districts?

North AG-1 South 1-2 East PR-1 West MH-1

What is the suggested use of the site on the Township's Land Use Plan Map? Industrial

Is municipal water available? Or will it be made available? ☒ Yes ☐ No

Is municipal sewer available? Or will it be made available? ☒ Yes ☐ No

Does the site have access to a public street or road? ☒ Yes Name County Farm Rd. ☐ NO

Are there any know environmental constraints o the site? ☐ Yes ☒ No

☒ Wetlands

☒ Floodplains

☐ Brownfield

☐ Other

Please Specify: _____

Please attach the minutes of the Planning Commission. ☒ Yes, the minutes are attached. ☐ No, the minutes are not attached

Please attach any public comments, letter, or petitions. ☒ Yes, the minutes are attached. ☐ No, the minutes are not attached

Please include any additional information or comments as an attachment.

Region 2 Planning Commission

Serving Hillsdale, Jackson and Lenawee Counties

MEMORANDUM

To: Blackman Charter Township Planning Commission
From: Grant E. Bauman, Principal Planner
Date: September 17, 2018
Subject: **Case #1491 Rezoning Recommendation**

Location – The two subject properties are located in Section 19 (T2S,R1W) of the Township (see Figure 1). The southern parcel (ID# 000-08-19-401-001-00) is situated on the north side of County Farm Road (143.13 acres). The northern property (ID# 000-08-19-276-001-00) is located on the south side of Springport Road at the intersection with Rives Junction Road (38.35 acres).

Request – The applicant wishes to rezone the 181.48 acres comprising the subject properties I-2 (Heavy Industrial), expanding the Jackson Technology Park (see Figure 1).¹

Applicant – The Blackman Charter Township LDFA (Local Development Finance Authority) is the applicant and owner of the subject properties (please see the attached background information).

Staff Findings

Land Use and Zoning

Existing Land Use – The subject properties are farmed (partially) and assessed agriculturally (see Figures 1 and 4). An adjacent property to the west and north is also assessed agriculturally. Commercially assessed properties (mostly vacant) are located along Springport Road, east of the Rives Junction Road intersection. Several multiple-family housing developments (also assessed commercially) are located along the north side of County Farm Road, east of the subject properties. The Jackson Seventh Day Adventist (SDA) Church campus is also located on County Farm Road, adjacent to the southern subject property. Industrial uses predominate on the south side of County Farm Road. The Windham Hills Manufactured Housing Park is located to the west of the subject properties. Single-family dwellings are located on the remaining parcels adjacent to the subject properties.

Future Land Use – The Land Use Plan map in the draft edition of the *Blackman Charter Township Master Plan* places the subject properties in an area recommended for ‘Light Industrial’ uses, along with the various industrial enterprises located on the south side of County Farm Road (see Figure 2); *the current LUP map places the subject properties in the Jackson Technology Park Smart Zone*. An area of ‘Local Commercial’ uses, located at the intersection of Springport Road and Rives Junction Road, extends onto the northern subject property. Areas recommended for ‘High Density Residential’ uses are located to the east and west of the subject properties. An area recommended for ‘Public/Quasi-Public’ uses is lo-

¹ 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.

cated along the southern edge of the southern subject property.

Current Zoning – The subject properties are currently zoned AG-1 (Agricultural), as is the Jackson Seventh Day Adventist (SDA) Church campus along County Farm Road and properties to the north along Springport Road (see Figure 3). Properties along Springport Road, east of the Rives Junction Road intersection, are zoned C-2 (General Commercial). Properties on the north side of County Farm Road, east of the subject properties, are zoned PR-1 (Planned Residential). Almost all of the properties on the south side of County Farm Road are zoned I-1 (Light Industrial) and I-2 (Heavy Industrial). Windham Hills is zoned MH-1 (Mobile Home Residential).

Proposed Zoning – The applicant wants to rezone the subject properties to I-2 (Heavy Industrial), the same zoning as various adjacent properties on the south side of County Farm Road. The proposal would leave two small remnants of AG-1 (Agricultural) zoning along County Farm Road. Another remnant of AG-1 zoning is already located directly to the west of Windham Hills (see Figure 3). Those AG-1 remnants should be removed in the near future through a Township initiated rezoning.

Public Facilities and Environmental Constraints

Water and Sewer Availability – The mapping recently completed for the update to the *Blackman Charter Township Master Plan* confirms that water and sewer services are available along County Farm Road. However, they will need to be extended northward to fully serve the subject properties.

Public Road/Street Access – The mapping recently completed for the update to the Master Plan confirms that County Farm Road (west of Springport Road) and Springport Road (west of Rives Junction Road) are collectors which funnel traffic from local streets to arterials. County Farm Road (west to Industrial Drive) is built to Class A Road standards, according to the Jackson County Department of Transportation (JCDOT). Both roads are classified as paved county primary roads by JCDOT.

Environmental Constraints – The mapping recently completed for the update to the Master Plan shows that areas of hydric soils (see Figure 5), 100-year flood zone (see Figure 6), and wetlands (see Figure 7) are located on portions of the subject properties, particularly the northern parcel. The presence of these natural features may constrain the development of portions of the subject properties.

Analysis of Findings and Recommendation

The Township's Zoning Plan—an element of the *Blackman Charter Township Master Plan*—contains 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 Master Plan?**

Yes. The proposed Land Use Plan (LUP) map places the subject properties in an area proposed for light industrial uses (see Figure 2). The current LUP map also places the subject properties in the Jackson Technology Park Smart Zone. The Zoning Plan element of the Master Plan equates the 'Light industrial' LUP category to the I-1 (Light Industrial) and I-2 (Heavy Industrial) zoning districts.

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

Yes. Extensive industrial development is already located on the south side of County Farm Road and I-1 (Light Industrial) and I-2 (Heavy Industrial) zoning is present. Existing high-density residential and public/quasi-public development along that roadway is already affected by those industrial uses. Agricultural zoning predominates to the north. However, the Township should consider requiring appropriate buffering between industrial development and high-density resi-

dential and public/quasi-public development during the site plan review process.

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

No. County Farm Road is already built to Class A standards, west to Industrial Drive. Water and sewer services are available along County Farm Road and there is adequate capacity according to the Zoning Administrator.

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

Yes. The subject properties have been planned for industrial development under the current master plan as well as the proposed master plan. However, the presence of a 100-year flood plain, hydric soils, and wetlands may constrain development of portions of the properties.

Staff Advisement – Staff advises the Blackman Charter Township Planning Commission to recommend **APPROVAL** of the rezoning of the subject properties to I-2 (Heavy Industrial). Staff also suggests that the Planning Commission initiate a rezoning to remove the remaining remnants of AG-1 zoning along the pertinent portion of County Farm Road in the near future. Staff further notes that the Township should consider requiring appropriate buffering between industrial development and high-density residential and public/quasi-public development during the site plan review process. Finally, it should be noted that the presence of a 100-year flood plain, hydric soils, and wetlands may constrain the development of portions of the subject properties.

Figure 1
Location

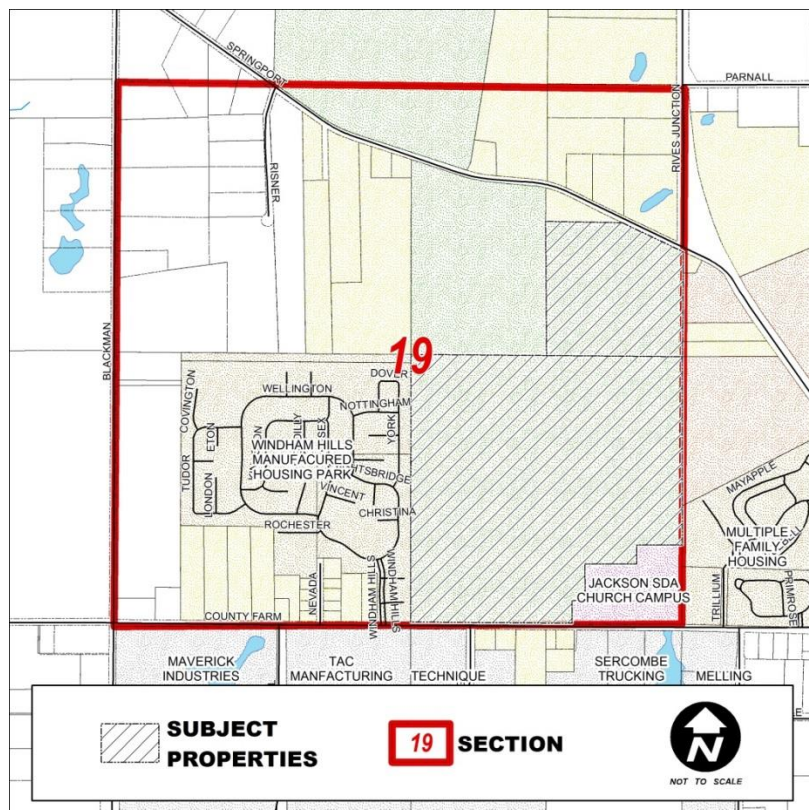


Figure 2
Township Future Land Use

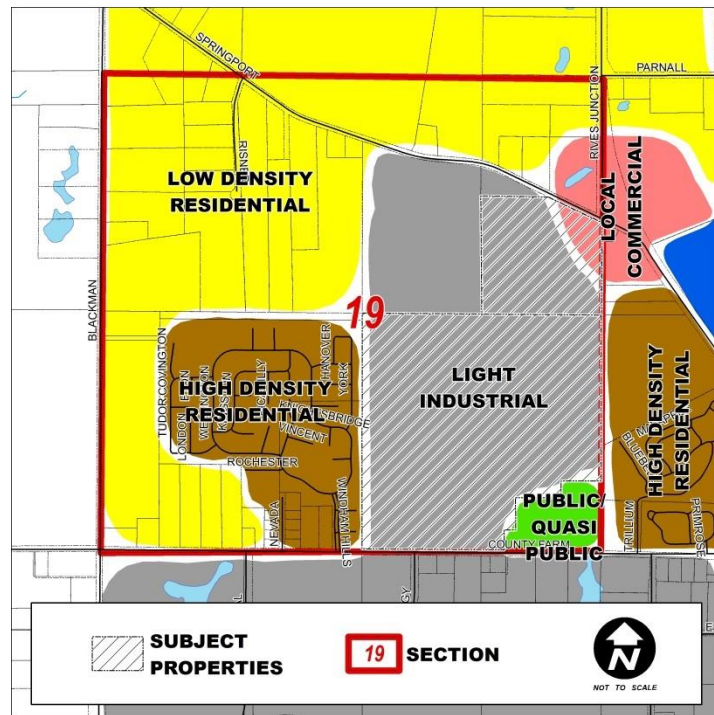


Figure 3
Current Zoning

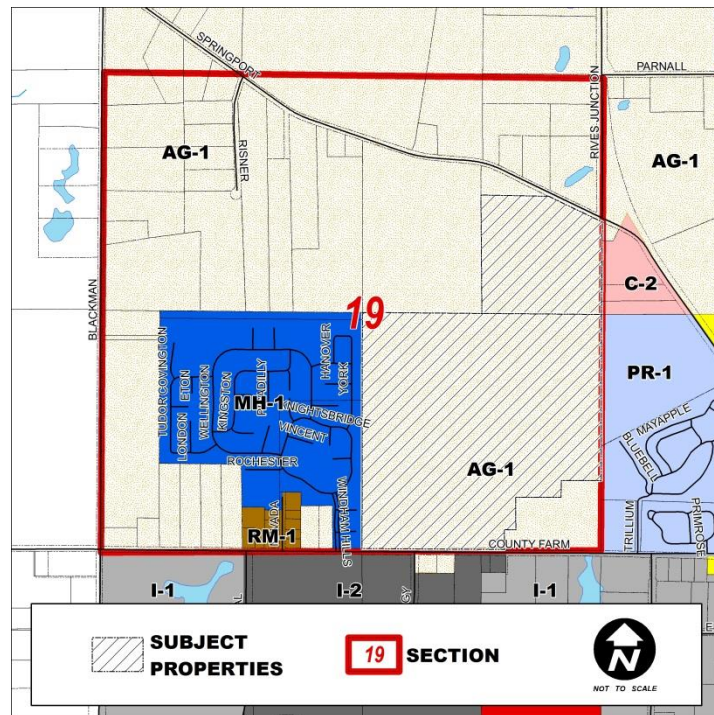


Figure 4a
Aerial Photograph

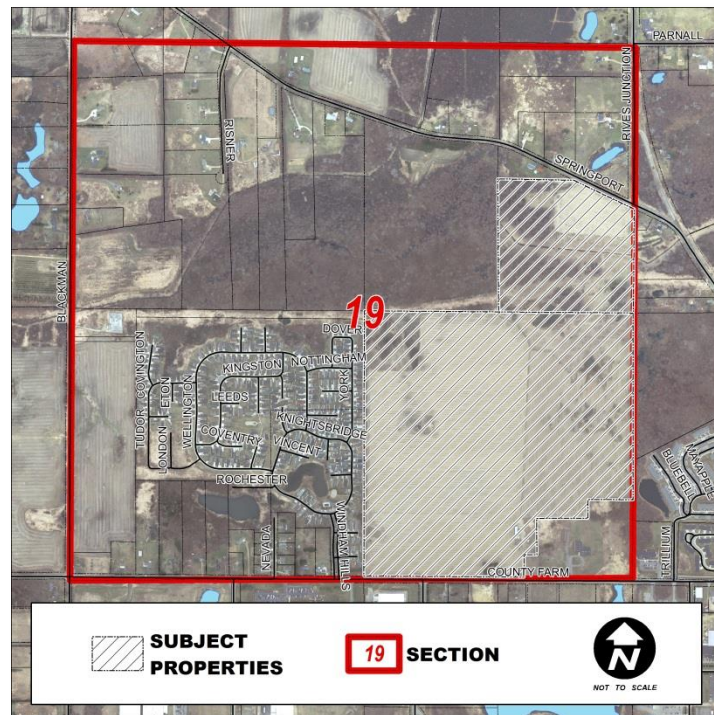


Figure 4b
Aerial Photograph

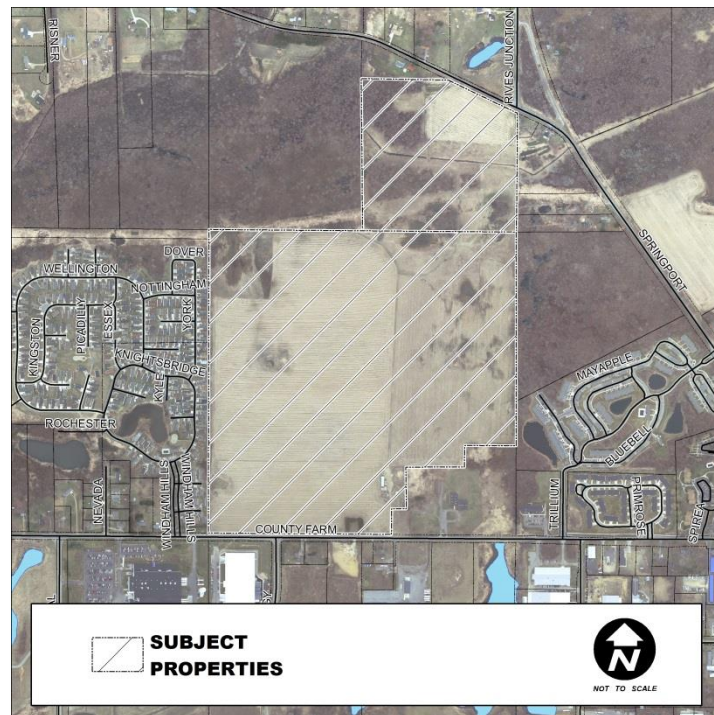


Figure 5
Hydric Soils

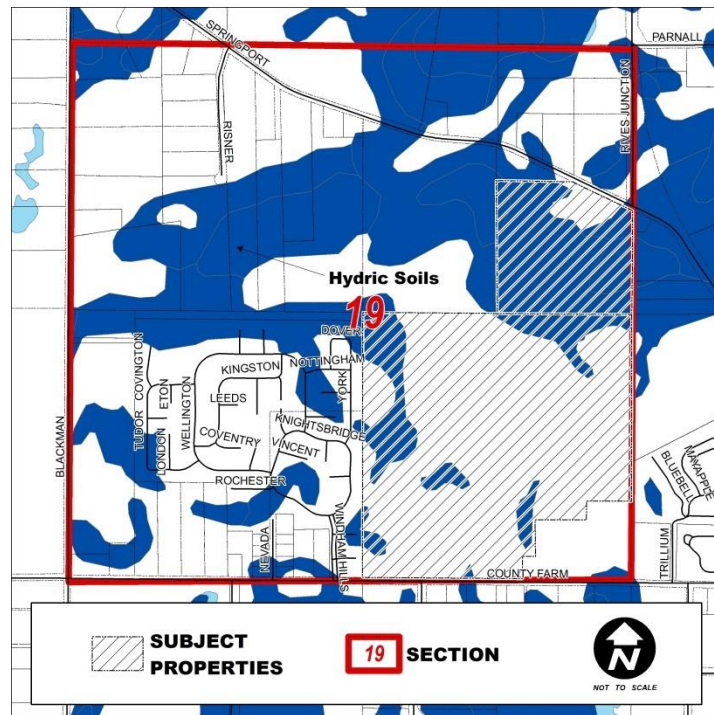
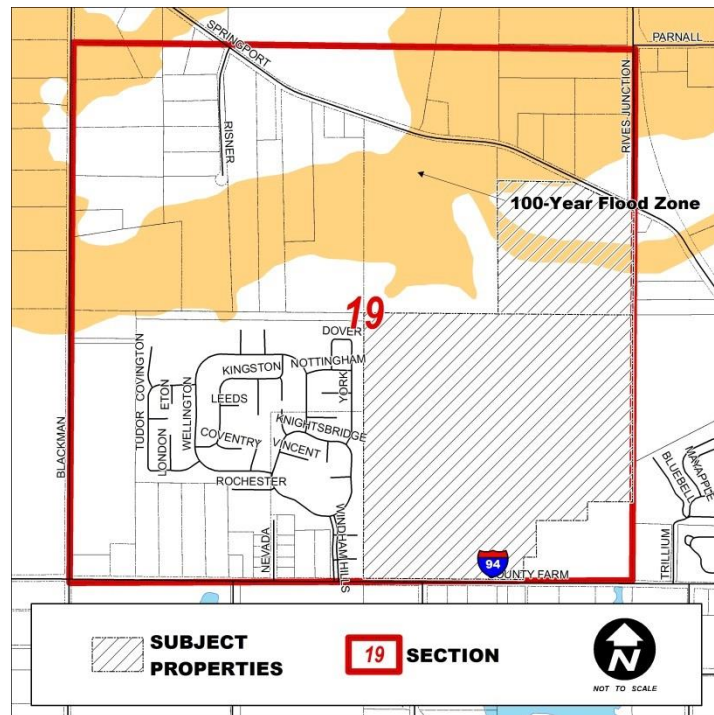
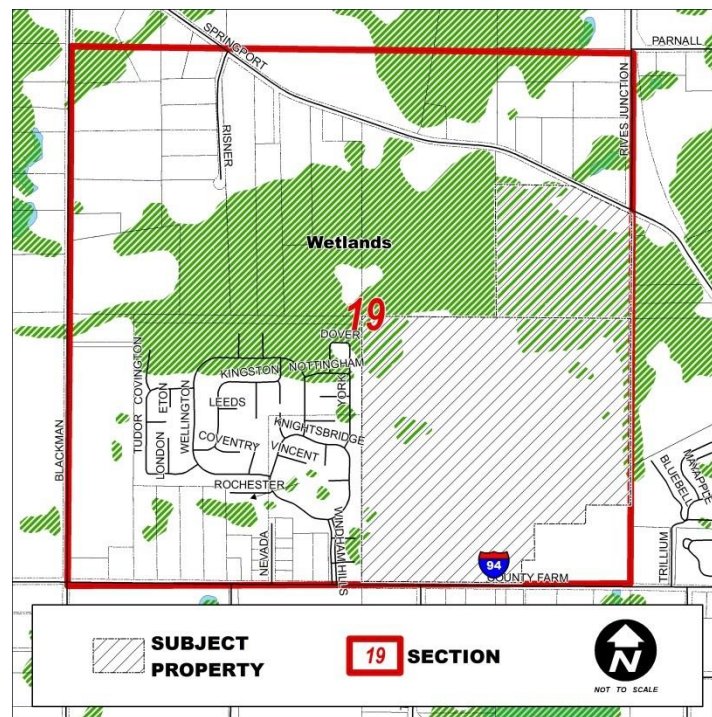


Figure 6
Floodplains



**Figure 7
Wetlands**



BLACKMAN TOWNSHIP ZONING APPLICATION

Print or Type

Case#

APPLICATION FOR

☒ Rezoning**☐ Planned Developments☐ Variance**☐ Conditional Use**☐ Site Plan Review☐ Home Occupation**☐ Site Plan Change/Renewal☐ Administrative Site Plan

This application will not be processed if incomplete. **All required materials must be submitted at least twenty one (21) days prior to the Next Planning Commission or Zoning Board of Appeals meeting. Site Plans with all documentation twelve days (12) prior to the next Planning Commission meeting.

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

Name(s) Blackman Chtr Twp LDA Phone (517) 788-4345Address 1990 W Parnall Rd Jackson MI 49201

EMAIL ADDRESS

pjanlek@blackmantwp.com

OWNER INFORMATION

Name(s) Blackman Chtr Twp LDA Phone ()

Address

EMAIL ADDRESS

PROPERTY INFORMATION

Address or Location COUNTY FARM RDPermanent Parcel # 000-08-19-276-001-00 & 000-08-19-401-001-00Zone District (Current) AG-1 Property Size 181.48 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)

* See attached Rezone Agricultural District (AG-1) to Heavy Industrial District (I-2)Expanding the Industrial Park

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

[Signature] [Signature] 9/7/2018
Signature of Applicant Signature of Applicant Date

I hereby grant permission for members of the Blackman 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.)

Signature of Applicant Signature of Applicant Date

**APPLICANT OR APPOINTED REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

*****DO NOT WRITE BELOW THIS LINE*****

Date Received _____ Fee Paid _____ Meeting Date _____

Submitted Materials: ☐ Site Plan ☐ # Of Copies ☐ Application ☐ Site Plan ChecklistRequired Letters: ☐ Legal Description ☐ Survey ☐ Pictures

Application Accepted by _____

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

Zoning Board of Appeals APPROVE/DENY request. Chairman _____ Date _____

Planning Commission recommends APPROVE/DENY. Chairman _____ Date _____

Blackman Charter Township Board of Trustees APPROVE/DENY the Conditional Use or Zone Change as requested by Applicant Clerk _____ Date _____

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

09/06/2018 1:29 PM

Parcel: 000-08-19-276-001-00
Owner's Name: BLACKMAN CHARTER TWP LDFA
Property Address: SPRINGPORT RD

Current Class: 711.TWP/CITY/VILLAGE OWNED PR
Previous Class: 102.AGRICULTURAL-VACANT
Gov. Unit: 01 BLACKMAN TOWNSHIP
MAP #
School: 38140 NORTHWEST
Neighborhood: 2 AVERAGE

Liber/Page: L2120/P181
Split: / /
Created: / /
Active: Active

Public Impr.: None
Topography: None

Mailing Address:

BLACKMAN CHARTER TWP LDFA
 1990 PARNALL RD
 JACKSON MI 49201

Description:

SE 1/4 OF NE 1/4 EXC THEREFROM THAT PART THEREOF LYING NORTH AND EAST OF CEN OF SPRINGPORT RD. SEC 19 T2S R1W

Most Recent Sale Information

Sold on 04/20/2018 for 907,400 by JENKINS GERALD J 1/5 INT & BRUCE J.

Terms of Sale: MEM LC

Liber/Page: L2120/P181

Most Recent Permit Information

None Found

Physical Property Characteristics

2019 S.E.V.: 0	2019 Taxable: 0	Lot Dimensions:
2018 S.E.V.: 41,200	2018 Taxable: 15,200	Acreage: 38.35
Zoning: AG-1	Land Value: 82,390	Frontage: 0.0
PRE: 100.000 (Qual. Ag.)	Land Impr. Value: 0	Average Depth: 0.0

Improvement Data

None

Image

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

09/06/2018 1:28 PM

Parcel: 000-08-19-401-001-00
Owner's Name: BLACKMAN CHARTER TWP LDFA
Property Address: COUNTY FARM RD

Current Class: 711.TWP/CITY/VILLAGE OWNED PR
Previous Class: 101.AGRICULTURAL - IMPROVED
Gov. Unit: 01 BLACKMAN TOWNSHIP
MAP #
School: 38140 NORTHWEST
Neighborhood: 2 AVERAGE

Liber/Page: L2120/P181
Split: / /

Created: / /
Active: Active

Public Impr.: None
Topography: None

Mailing Address:

BLACKMAN CHARTER TWP LDFA
 1990 PARNALL RD
 JACKSON MI 49201

Description:

SE 1/4 OF SEC 19 EXC BEG AT SE COR OF SEC 19 TH W ALG S SEC LN 1062.15 FT TH N 257.45 FT TH E PAR WITH S SEC LN 127.5 FT TH N 359.35 FT TH E 505.1 FT TH N 184.8 FT TH E 443.1 FT TH S ALG E SEC LN 803.25 FT TO BEG. SEC 19 T2S R1W

Most Recent Sale Information

Sold on 04/20/2018 for 907,400 by JENKINS GERALD J 1/5INT & BRUCE J.

Terms of Sale: MEM LC

Liber/Page: L2120/P181

Most Recent Permit Information

None Found

Physical Property Characteristics

2019 S.E.V.: 0
2018 S.E.V.: 258,900
Zoning: AG-1
PRE: 100.000 (Qual. Ag.)

2019 Taxable: 0
2018 Taxable: 89,333
Land Value: 508,918
Land Impr. Value: 3,220

Lot Dimensions:
Acreage: 143.13
Frontage: 0.0
Average Depth: 0.0

Improvement Data

of Agricultural Buildings: 4
 Estimated TCV: 6,950
 Cmts: NEXT TO TRAILER

Image

MINUTES
BLACKMAN CHARTER TOWNSHIP
PLANNING COMMISSION
1990 W. PARNALL RD.
TUESDAY October 16, 2018
6:00PM

Members Present: Decker, Williams, Grabert, Schroeder, Bachus
Members Absent:

Sign-in list of names present: In file

MINUTES APPROVAL: May 15, 2018

Motion by: **Grabert** supported by: **Bachus** to approve Minutes for the Planning Commission meetings held 07/17/18.

Roll Call: Ayes 5, Nays 0. Motion Carried.

MASTER PLAN REVIEW: Overview by Grant Bauman

Discussion about last changes to the Master Plan prior to approval to send to Board.

Motion by: **Williams**, supported by: **Grabert** to recommend distribution to the Board for approval.

Roll Call: Ayes 5, Nays 0. Motion Carried.

CASE# 1493 – CONDITIONAL USE PERMIT: Automobile Sales in Zoning District C-2

Parcel # 000-08-36-404-003-00, 00-08-36-404-002-00 & 000-08-36-254-008-00. 2802 & 2804 E. Michigan Ave. Requested by: David Steffes

Request by: Decker to move to next meeting due to late notice of applicant being added to Planning Commission minutes. Applicant application will be review on October 30, 2018 Planning Commission meeting.

No Roll Call: Ayes 0, Nays 0.

DISCUSSION – DOLLAR GENERAL STORE

Parcel # 000-08-05-351-001-00. 6275 Rives Junction Rd. Request by: Planning Commission
Discussion with owner's representative about storm water management issues and none compliance of original planning commission approval. Storm management is being worked on with drain commissioner and JCDOT for discharge to pond on westside of Rive Junction Rd. As for the none compliance of the nuisance fence around the pond, owner's representative said they would take this back to owner development owner and get this taken care of on the site. Planning Commission did ask for zoning administrator to follow up and give update.

SITE PLAN REVIEW: Dollar General Store

PARCEL # 000-08-36-401-001-00- Zoned C-2 General Commercial.

Requested by: Peter Oleszczuk – 2400 E. Michigan Ave.

Motion by: **Bachus**, supported by: **Grabert** to approve the Site Plan as submitted with conditions: MDOT approval, JCDOT approval and JCDC approval prior to site work commencing.

Roll Call: Ayes 5, Nays 0. Motion Carried.

CASE# 1491 – REZONING: 181.48 Acre Parcel from Agricultural (AG-1) to Heavy Industrial (I-2)

Parcel # 000-08-19-276-001-00 & 000-08-19-401-001-00. Vacant County Farm Rd. & Springport Rd.

Requested by: BLDFA

Public Comment: Scott Sturgis – Director of TAC Manufacturing, Company was in support of the concept of the proposed development but had concerns about traffic on County Farm Rd. Planning commission asked if TAC could issue a formal letter of concerns for use in developing a future plan to lesson the traffic issue on County Farm Rd.

Motion by: **Schroeder**, supported by: **Grabert** to recommend approval of the Rezoning as submitted

Roll Call: Ayes 5, Nays 0. Motion Carried.

DISCUSSION – SOLAR ENERGY ORDINANCE

Request by: Planning Commission (Brandon Williams)

Discussion about ordinance presented by Brandon Williams. Discussion about what other communities around Blackman Twp. were considering for Solar Energy and possible Region 2 input on ordinance.

Planning commission discussed the ordinance only being part of the zoning and not a general ordinance. Further review of Energy Ordinance and additional research to be done prior to any recommendation to Board.

PUBLIC COMMENT: None

TRUSTEE REPORT: Brownfield – Approval to Dysert Property Michigan Ave

ZBA REPORT: Approved 5% increase for Site Area from 25% to 30%

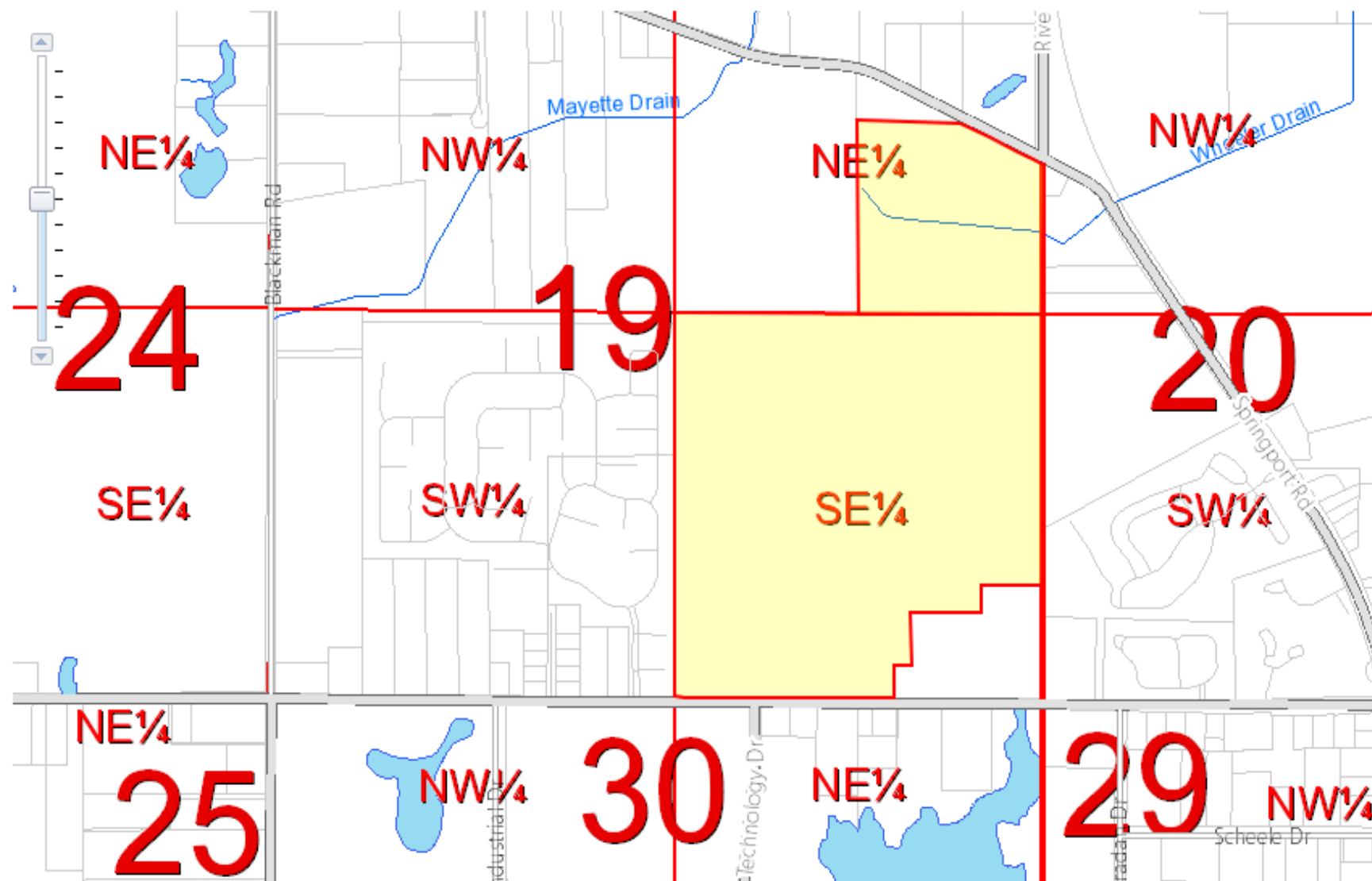
ADJOURNMENT: Meeting adjourned at 7:38 pm

Minutes prepared by: Byron Schroeder, Secretary



Jackson County, Michigan

County Parcel Viewer



Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

10/17/2018 12:28 PM

Parcel:	000-08-19-401-001-00	Current Class:	101.AGRICULTURAL – IMPROVED
Owner's Name:	JENKINS GERALD J 1/5INT & BRUCE J	Previous Class:	101.AGRICULTURAL – IMPROVED
Property Address:	COUNTY FARM RD	Gov. Unit:	01 BLACKMAN TOWNSHIP
		MAP #	
		School:	38140 NORTHWEST
		Neighborhood:	2 AVERAGE
Liber/Page:	L2017/P1017	Created:	/ /
Split:	/ /	Active:	Active
Public Impr.:	None		
Topography:	None		
Mailing Address:	Description:		
JENKINS GERALD J 1/5INT & BRUCE J	SE 1/4 OF SEC 19 EXC BEG AT SE COR OF SEC 19 TH W ALG S SEC LN 1062.15 FT TH N 257.45 FT TH E PAR WITH S SEC LN		
JENKINS PAUL F & WIELGAT MARGARET	127.5 FT TH N 359.35 FT TH E 505.1 FT TH N 184.8 FT TH E 443.1 FT TH S ALG E SEC LN 803.25 FT TO BEG. SEC 19 T2S		
10745 COUNTY FARM RD	R1W		
PARMA MI 49269-9751			

Most Recent Sale Information

Sold on 07/16/2013 for 0 by JENKINS GERALD J 1/5INT & BRUCE J.

Terms of Sale: OTHER

Liber/Page: L2017/P1017

Most Recent Permit Information

None Found

Physical Property Characteristics

2018 S.E.V.:	258,900	2018 Taxable:	89,333	Lot Dimensions:	
2017 S.E.V.:	218,100	2017 Taxable:	87,496	Acreage:	143.13
Zoning:	AG-1	Land Value:	508,918	Frontage:	0.0
PRE:	100.000 (Qual. Ag.)	Land Impr. Value:	2,074	Average Depth:	0.0

Improvement Data

of Agricultural Buildings: 4

Estimated TCV: 6,732

Cmts: NEXT TO TRAILER

Image



Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

10/17/2018 12:29 PM

Parcel:	000-08-19-276-001-00	Current Class:	102.AGRICULTURAL-VACANT
Owner's Name:	JENKINS GERALD J 1/5 INT & BRUCE J	Previous Class:	102.AGRICULTURAL-VACANT
Property Address:	SPRINGPORT RD	Gov. Unit:	01 BLACKMAN TOWNSHIP
		MAP #	
		School:	38140 NORTHWEST
		Neighborhood:	2 AVERAGE
Liber/Page:	L1906/P608	Created:	/ /
Split:	/ /	Active:	Active
Public Impr.:	None		
Topography:	None		
Mailing Address:	Description:		
JENKINS GERALD J 1/5 INT & BRUCE J	SE 1/4 OF NE 1/4 EXC THEREFROM THAT PART THEREOF LYING NORTH AND EAST OF CEN OF SPRINGPORT RD. SEC 19		
JENKINS PAUL F & WIELGAT MARGARET	T2S R1W		
10745 County Farm Rd			
Parma MI 49269-9751			

Most Recent Sale Information

Sold on 09/02/2008 for 0 by JENKINS MARIE W ET AL.

Terms of Sale: FAMILY

Liber/Page: L1906/P608

Most Recent Permit Information

None Found

Physical Property Characteristics

2018 S.E.V.:	41,200	2018 Taxable:	15,200	Lot Dimensions:	
2017 S.E.V.:	27,400	2017 Taxable:	14,888	Acreage:	38.35
Zoning:	AG-1	Land Value:	82,390	Frontage:	0.0
PRE:	100.000 (Qual. Ag.)	Land Impr. Value:	0	Average Depth:	0.0

Improvement Data

None

Image





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 | #18-26

To: County Planning Commissioners

From: Grant E. Bauman, AICP

Date: November 1, 2018

Proposal: 'Combined Residential and Office or Business Units' in Summit Township

The Request

Summit Township's Zoning Code (i.e., Chapter 150) currently permits residential dwelling units as a conditional use in the Office (O-1) and Local Commercial (C-1), General Commercial (C-2), and Highway Service Commercial (C-3) districts 'as long as the use is restricted to the owner of the unit or the business located in the unit' and subject to various development requirements. The Summit Township Planning Commission developed the following amendments to Section 150.257 (additional development requirements for certain uses), removing the 'owner of the unit or business located in the unit restriction' and clarifying other requirements:

Section 150.257 – Additional Development Requirements for Certain Uses.

A conditional use permit shall not be issued for the uses specified in this section unless complying with the site development requirements as herein specified. The Planning Commission may impose additional conditions and safeguards when deemed necessary by that body.

...

(D) Combined residential and office or business units. In addition to and as an integral part of development, the following provisions shall apply.

- (1) The principal use of the property must be office or commercial, and the residential use only incidental to the office or commercial use.
- (2) The residential use shall be ~~restricted in the same manner and subject to the same regulations as single-family residential units~~ subject to the following regulations, excluding height and setback requirements.
 - (a) Minimum living area of 750 feet for 1- or 2 – bedroom dwelling; 150 square feet of additional living area for each additional bedroom; a minimum floor to ceiling height of 7.5 feet.
 - (b) The living unit shall be connected to a public sewer and water supply or to private sewer and water supply facilities approved by the Jackson County Health Department before issuance of a certificate of occupancy
 - (c) The storage areas within the dwelling unit, in the aggregate, shall be equal to at least 15% of the minimum square foot dwelling area requirements.

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(d) There shall be two parking spaces for each dwelling unit and limited to passenger vehicles only.

(3) (a) The residential use shall not be restricted to the owner of the unit or the business located in the unit.

(b) The residential use ~~cannot may~~ be a rental use or occupied solely by non-family members of the owner of the building or the business.

(4) The residential unit must be designed and constructed as part of the office or commercial use; ~~however, rare unattached units may be permitted, and the area of the residential unit may not exceed the area of the office or commercial use.~~

...

Analysis and Recommendation

JCPC staff provides the following observations and suggestions:

- The new listing of requirements proposed as Subsection (2)(a) through (2)(c) are simply pertinent single-family dwelling requirements listed in Section 150.006.
- The parking requirement for the units are proposed as Subsection (2)(d), restricting parking to passenger vehicles.
- The proposed changes to Subsections (3) and (4) simply remove the 'owner of the unit or the business located in the unit' restriction.

Staff has no issue with allowing residential units in office and commercial districts as long as they are not the primary use of a property.

Township Planning Commission Recommendation – The Summit Township Planning Commission recommends **approval** of the proposed text amendments (see the background information).

CZC Staff Analysis – Staff informs the Jackson County Planning Commission (JCPC) that he assisted the Township in the development of the proposed amendments. Based on the above analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the proposed amendments regarding 'Combined Residential and Office or Business Units' to the Summit Township Board. The Township should check with its attorney to verify that restricting parking to passenger vehicles is legally enforceable.

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 Summit 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: see attached

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE 150.257 SECTION (D) (2), (3), and (4)
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.)

see attached

C. **PUBLIC HEARING** on the above amendment was held on: month October day 16 year 2018

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month October day 2 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: Citizen Patriot

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.

Alan C. Hooper, Recording Secretary 10/16/18 (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

TOWNSHIP OF SUMMIT

2121 Ferguson Road
Jackson, Michigan 49203
517-788-4113 - www.summittwp.com

150.257 (D) page 111

(D) Combined residential and office or business units. In addition to and as an integral part of development, the following provisions shall apply.

(1) The principal use of the property must be office or commercial, and the residential use only incidental to the office or commercial use.

(2) The residential use shall be subject to the following regulations, excluding height and setback requirements.

(a) Minimum living area of 750 feet for 1- or 2 – bedroom dwelling; 150 square feet of additional living area for each additional bedroom; a minimum floor to ceiling height of 7.5 feet.

(b) The living unit shall be connected to a public sewer and water supply or to private sewer and water supply facilities approved by the Jackson County Health Department before issuance of a certificate of occupancy.

(c) The storage areas within the dwelling unit, in the aggregate, shall be equal to at least 15% of the minimum square foot dwelling area requirements.

(d) There shall be two parking spaces for each dwelling unit and limited to passenger vehicles only.

(3) (a) The residential use shall not be restricted to the owner of the unit or the business located in the unit.

(b) The residential use may be a rental use or occupied solely by non-family members of the owner of the building or the business.

(4) The residential unit must be designed and constructed as part of the office or commercial use.

Summit Township Planning Commission

October 16, 2018

Members Present: Jack Shelby; Chairman, Thomas Biela, Robert Kendall, George Gancsos Jr, Allan Hooper, Todd Emmons; Township Board Liaison, and John Worden; Summit Township Zoning Administrator.

Members Absent: Laurie Cunningham, Mark Cesarz and John Griffin.

The Meeting was called to order by Jack Shelby; Chairman, on October 16, 2018 at 7:00 pm in the Summit Township Hall, 2121 Ferguson Rd.

Bob Kendall, acting secretary in absence of Laurie Cunningham.

A motion was made by George Gancos Jr, supported by Robert Kendall to approve the minutes of the August 21, 2018 minutes as presented. The motion carried unanimously.

Case #18-03-0003-1908 Horton Rd Poison Frog

Nothing additional has been received as requested. No action required

Case #18-08-0014 Amendment to Zoning Ordinance Solar Energy

Jack Shelby met with Lucas Olynik from Harvest Energy to get more information on the solar various solar panels, height, width, and how they work. Brochures were passed around showing the various types of residential equipment and how they may look. They are very costly and also require a lot of space, most subdivision lots are not big enough to accommodate them and still be within the required lot coverage restrictions of 30 percent. A double panel would be approximately 9 to 10 feet high. Board discussed the height of accessory buildings which is 14 feet in relation to these solar panels. A motion was made by Allan Hooper, supported by Robert Kendall to recommend to the Township Board approval of the amendments to 150.006 definitions, 150.145 solar facilities as presented by Region 2 Planning and limit the height of solar panels to 12 feet for ground mounted solar panels in residential districts based on the information received from the industry. The motion carried unanimously.

Case #18-10-0017- Amendment to Zoning Ordinance 150.257 (D) Combined Residential and Office or Business Units

John Worden has received requests for construction of residence and office or commercial venues in the same dwelling. Adding changes and restrictions for the residential use portion would allow construction of this type. (a) Minimum living area of 750 square feet for 1 or 2 bedroom dwelling, 150 square feet of additional living area for each additional bedroom; a minimum floor ceiling height of 7.5 feet. (b) The living unit shall be connected to a public sewer and water supply or to private sewer and water supply facilities. (c) The storage areas within the dwelling unit shall be equal to at least 15% of the minimum square foot dwelling area requirements (d) There shall be two parking spaces for each dwelling unit and limited to passenger vehicles only. A motion was made by Jack Shelby, supported by Thomas Biela to recommend to the Township Board approval of the Amendment to 150.257 (D) as modified. Motion carried unanimously.

Meeting adjourned at 6:55 pm by Jack Shelby, Chairman.

Respectfully submitted,

Allan Hooper, Acting Secretary

Summit Township Planning Commission

NOTICE

The Summit Township Planning Commission will hold a public hearing October 16, 2018 at 6:00 p.m. in the Township Hall Meeting Room at 2121 Ferguson Road
At this time all interested parties will be heard on the proposed amendment (s) to the Summit Township Zoning Ordinance.

Subchapter 150.257 (D) Zoning Code, Combined residential and office or business units (D) (2) (a) subject to minimum living area, ceiling height. (D) (2) (b) sewer and water, (D) (2) (c) storage areas, (D) (2) (d) parking, (D) (3) (a) residential use not restricted, (D) (3) (b) residential use may be, (D) (4) residential unit design.

Summit Township Office is open weekdays from 8:00 a.m. to 5:00 p.m. 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) 788-4113 Extension 240. Summit 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, 2121 Ferguson Rd., Jackson, MI 49203.

John Worden
Zoning Administrator

Jackson Citizen Patriot
Insertion Date: October 2, 2018

Affidavit requested. Please call C. Brown at 788-4113 Ext. 221 with cost

Copy to Meghan Dobben, Clerk

This page is intentionally blank.



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 | #18-27

To: County Planning Commissioners

From: Grant E. Bauman

Date: November 1, 2018

Proposal: 'Solar Energy Facilities' in Summit Township

The Request

The Summit Township Planning Commission developed zoning ordinance amendments to address the regulation of 'solar energy facilities'. The proposed amendments would:

- Add various definitions regarding 'solar energy facilities' and related terms to Section 150.006.
- Amend the listing of permitted and conditional uses in Section 150.145 by:
 - Adding 'small solar energy facility' as a permitted use in all zoning districts (subject to the additional development requirements listed in Section 150.180(D)).
 - Adding 'utility grid, large solar energy facility (solar farm)' as a conditional use in the Agricultural (AG-1), Light Industrial (I-1), and General Industrial (I-2) zoning districts (subject to the additional requirements listed in Section 150.257(L)).
- Add additional development requirements for a 'small solar energy facility' as Section 150.180(D)).
- Add additional development requirements for a 'utility grid, large solar energy facility (solar farm)' as Section 150.257(L)).

Background Information

The proposed amendments, if adopted, will allow a 'small solar energy facility' as a permitted use in all zoning districts and 'utility grid, large solar energy facility (solar farm)' as a conditional use in the Agricultural (AG-1), Light Industrial (I-1), and General Industrial (I-2) zoning districts. The uses are defined as follows:

- Small Solar Energy Facility. A small solar energy facility is accessory to a principal residential or small business use and converts sunlight into electricity by photovoltaics (PV) or experimental solar technologies. The sale and distribution of excess available energy shall be incidental and not the primary purpose of the facility. For ground-mounted facilities, the total area covered by solar arrays shall not exceed 10,000 square feet.
- Utility Grid, Large Solar Energy Facility. A solar farm is a utility-scale facility that converts sunlight into electricity by photovoltaics (PV) or experimental solar technologies. Any ground-mounted facility that covers more than 10,000 square feet is included in this definition.

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Section 150.180(D) provides requirements for a 'small solar energy facility'. Section 150.257(L) provides requirements for a 'utility grid, large solar energy facility (solar farm)'. This approach is similar to Spring Arbor Township's, which was recommended for approval by the JCPC. The changes in terminology accommodate the structure of Summit Township's Zoning Code (Chapter 150). JCPC staff provides the following suggestions and observations:

'Utility Grid, Large Solar Energy facility (Solar Farm)'

- **Allowable Districts.** Solar Farms are proposed as a conditional land use in the Agricultural (AG-1), Light Industrial (I-1), and General Industrial (I-2) zoning districts.
- **Minimum Lot Size.** The minimum lot size for a Solar Farm is 20 acres. However, Summit Township wants to allow for the operators of potential Solar Farms to be able to consolidate unused portions of adjacent individual properties which have a different primary use into a single Solar Farm. The solution was the creation of a 'Zoning Lot', defined as follows:

Provided that the owner(s) of any number of contiguous lots, or contiguous portions of lots, may have as many of said contiguous lots, or contiguous portions of lots, considered as a single lot for the purpose of this Ordinance as he/she so elects, and in such case the outside perimeter of said group of lots or portions of lots shall constitute the front, rear, and side lot lines thereof. This definition shall apply only to the siting of a Solar Farm.

- **Height.** The maximum height of solar panels is 14 feet. This takes into account the rotation of panels to maximize exposure to sunlight throughout the day. The height of the 'power switchyard'—the structure needed to connect the solar energy facility to electric transmission lines—is limited to the height needed to tie into the electric transmission lines. All other buildings/accessory structures must meet the height requirements of the underlying zoning district.
- **Setbacks.** Solar arrays and other structures must be set back 30 feet from all lot lines, 300 feet from the US-127 and M-60 rights-of-way, and 150 feet from all other road rights-of-way. They must also be set back at least 150 feet from residential properties and residentially zoned properties in existence at the time the Solar Farm is approved. All pertinent districts are listed.
- **Security Fencing.** Security fencing between 6 and 8 feet in height is required around the Solar Farm, inside the perimeter of any screening.
- **Noise.** Maximum allowable noise levels produced by a Solar Farm were established at a range of 45-60 decibels (see the amendments for more detail). 60 decibels is comparable to the noise generated by an air conditioner or conversational speech. All of the districts to which the 50 decibel maximum is applied are listed.
- **Screening.** An evergreen planting must be installed around the perimeter of a Solar Farm. Where natural forest vegetation (having a similar obscuring effect to the evergreen buffer) exists, the evergreen planting is not required. The evergreen buffer must be at least 6 feet tall when planted and grow to a height of 15 feet within 5 years. The spacing of evergreen plants in the buffer is 10 feet on center. Alternative screening can be approved by the planning commission.
- **Lighting.** Lighting is limited to the minimum necessary and cannot extend beyond the Solar Farm perimeter. A photometric study may be used to make that determination.

- **Glare.** Glare from a Solar Farm is prohibited from being a nuisance to neighboring properties or travelers on neighboring roads. Upon written notice of such a nuisance, the Solar Farm owner has no more than 6 months to remediate.
- **Electrical Cabling.** All medium voltage cable within the Solar Farm must be buried, with the exception of the power switchyard or within a substation. The Planning Commission may waive this requirement due to severe environmental constraints.
- **Agreements/Easements.** If a lot/zoning lot is to be leased by the owner of the Solar Farm, all property within the project boundary must be included in some type of recorded legal agreement specifying the applicable uses for the duration of the project. All necessary legal agreements between the owner of the Solar Farm and property owners must be in place prior to commencing construction (unless specified otherwise in the conditional use permit).
- **Permit Application.** A Solar Farm conditional use permit application must include a complete description of the project and sufficient documentation to demonstrate that requirements are met. Any related conditional use permit applications for substations or new transmission lines should be submitted at the same time. The intended route for connecting to the power grid and the alternative locations for any substation must be disclosed. Information to be included on the site plan is specified. A development agreement may be required.
- **Permit Review.** In addition to the standards specified for all proposed conditional uses, information must be provided on the following: project rationale; siting considerations for avoiding environmentally sensitive areas and recreation facilities; wildlife habitat areas and migration patterns; further environmental analysis (when determined necessary); hazardous waste; transportation; and public safety. A decommissioning and final land reclamation plan must also be submitted.
- **Escrow Accounts.** An escrow account is required to cover the costs of the Township associated with the conditional use permit review and approval process. A separate escrow account sufficient to restore the property to its previous condition prior to construction and operation of the Solar Farm is also required.
- **Solar Access.** No assurance of solar access is made by the local government. An applicant may provide evidence of legal documentation for abutting property owners providing solar access.

Small Solar Energy Facilities

- **Allowable Districts.** Small solar energy facilities are proposed as accessory uses in all zoning districts. Written authorization from the utility company to connect with the electrical grid is required if such connection is proposed.
- **Height.** Roof-mounted facilities may not exceed the maximum building heights (principal or accessory) specified for the underlying zoning district (and they may not extend beyond the edge of a roof). Ground-mounted facilities may not exceed a height of 12 feet.
- **Size.** The surface area for a ground-mounted facility shall be calculated as part of the allowable overall lot coverage permitted in the underlying zoning district.
- **Setbacks.** The minimum setback for a ground-mounted facility is equivalent to the principal building setback of the underlying zoning district. No ground-mounted facility or facility mounted to an accessory structure is permitted within the required front yard setback.

- **Screening.** Mechanical equipment must be screened from adjacent residentially zoned or used property. At least 50% of vegetation used for screening must be evergreen. A decorative fence that is at least 50% opaque may be used instead of vegetation.
- **Electrical Cabling.** All electrical cabling between a ground-mounted facility and a principal structure must be buried.
- **Reclamation.** Any earth disturbance resulting from the removal of a ground-mounted facility shall be graded and reseeded. An abandoned or inoperable facility shall be removed after 6 months.
- **Solar Access.** No assurance of solar access is made by the local government. An applicant may provide evidence of legal documentation for abutting property owners providing solar access.

Analysis and Recommendation

Township Planning Commission Recommendation – The Summit Township Planning Commission recommends **approval** of the proposed text amendments (see the background information).

CZC Staff Analysis – Staff informs the Jackson County Planning Commission (JCPC) that he assisted the Township in the development of the proposed amendments. Based on the above information, staff advises the JCPC to recommend **APPROVAL** of the proposed amendments regarding ‘small solar energy facilities’ and ‘utility grid, large solar energy facilities (solar farms)’.

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 Summit 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: 150.006 Definitions-150.145 adds to permitted and conditional uses-150.180 (D) and 150.267 (L) development standards - See attached

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE 150 SECTION see below

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

150.006 Definitions-150.145 adds to permitted and conditional uses-150.180 (D) and 150.267 (L) development standards - See attached

C. PUBLIC HEARING on the above amendment was held on: month October day 16 year 2018

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month October day 2 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: Jackson Citizen Patriot

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.

for Laurie Cunningham, Recording Secretary 10 / 16 / 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

**SUMMIT TOWNSHIP
JACKSON COUNTY, MICHIGAN**

An ordinance to amend Chapter 150 (Zoning Code) of the Summit Township Code of Ordinances to permit and regulate solar energy facilities by adding: (1) various solar energy facility definitions to § 150.006; (2) 'small solar energy facility' and 'utility grid, large solar energy facility (solar farm)' as uses to § 150.145; (3) 'small solar energy facility' regulations to § 150.180; and (4) 'utility grid, large solar energy facility (solar farm)' regulations to § 150.257.

The Township of Summit ordains:

Section 1 — Amendments to 'General Provisions'

'General Provisions' of the Summit Township Zoning Code is amended by adding the following definitions regarding solar energy facilities to § 150.006:

§ 150.006 — DEFINITIONS.

...

MEDIUM VOLTAGE CABLE. 34.5 kV lines which provide electricity to homes.

...

PHOTOVOLTAICS (PV). A technology that converts light directly into electricity.

...

POWER SWITCHYARD. The structure needed to tie the solar energy facility to electric transmission lines.

...

SMALL SOLAR ENERGY FACILITY. A small solar energy facility is accessory to a principal residential or small business use and converts sunlight into electricity by photovoltaics (PV) or experimental solar technologies. The sale and distribution of excess available energy shall be incidental and not the primary purpose of the facility. For ground-mounted facilities, the total area covered by solar arrays shall not exceed 10,000 square feet.

...

UTILITY GRID, LARGE SOLAR ENERGY FACILITY (SOLAR FARM). A solar farm is a utility-scale facility that converts sunlight into electricity by photovoltaics (PV) or experimental solar technologies. Any ground-mounted facility that covers more than 10,000 square feet is included in this definition.

...

ZONING LOT. Provided that the owner(s) of any number of contiguous lots, or contiguous portions of lots, may have as many of said contiguous lots, or contiguous portions of lots, considered as a single lot for the purpose of this Code as he/she so elects, and in such case the outside perimeter of said group of lots or portions of lots shall constitute the front, rear, and side lot lines thereof. This definition shall apply only to the siting of a utility grid, large solar energy facility (solar farm).

Section 2 — Amendment to 'District Use, Area, Yard, Height, and Bulk Regulations'

'District Use, Area, Yard, Height, and Bulk Regulations' of the Summit Township Zoning Code is amended by adding the following uses to § 150.145:

§ 150.145 — PERMITTED AND CONDITIONAL USES.

The following uses are permitted (P) or conditional (C) within the zoning districts. Conditional uses require approval by the Township Board according to the procedures in §§ 150.250 *et seq.*

	<i>Permitted and Conditional Uses</i>	<i>AG-1</i>	<i>RNF-1</i>	<i>RS-1</i>	<i>RS-2</i>	<i>RU-1</i>	<i>RU-2</i>	<i>RM-1</i>	<i>RM-2</i>	<i>MH-1</i>	<i>O-1</i>	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>	<i>I-1</i>	<i>I-2</i>	
	...																
<u>178</u>	<u>Small solar energy facility (see § 150.180(D) for additional requirements).</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>178</u>
	<u>Reserved – 179-181</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<u>182</u>	Telework center	-	-	-	-	-	-	-	-	-	C	-	P	P	-	-	<u>182</u>
<u>183</u>	Tourist home	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	<u>183</u>
<u>184</u>	Travel trailer parks	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>184</u>
<u>185</u>	Trucking terminals	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	<u>185</u>
<u>186</u>	Two-family dwellings	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	<u>186</u>
	<u>Reserved – 187-189</u>																
<u>190</u>	Uses not specifically authorized as permitted uses in this district, but which are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>190</u>
<u>191</u>	Utility grid, large wind energy facilities/systems with 10 acres or larger (see § 150.257(K) for additional requirements)	C	-	-	-	-	-	-	-	-	-	-	-	-	C	C	<u>191</u>
<u>192</u>	<u>Utility grid, large solar energy facility (solar farm) (see § 150.257(L) for additional requirements).</u>	C	-	-	-	-	-	-	-	-	-	-	-	-	C	C	<u>192</u>
	<u>Reserved – 193-195</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<u>196</u>	Vehicle repair garages, but not including auto junk yards	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	<u>196</u>
	<u>Reserved – 197-199</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<u>200</u>	Wholesale merchandising or storage warehouses	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	<u>200</u>

Section 3 — Amendment to ‘Supplemental Regulations’

The ‘Supplemental Regulations’ of the Summit Township Zoning Code is amended by amending § 150.180 as follows:

§ 150.180 — ADDITIONAL DEVELOPMENT REQUIREMENTS FOR CERTAIN PERMITTED USES.

A certificate of occupancy will not be issued by the Zoning Administrator for the uses specified in this section unless they comply with the development requirements specified herein.

...

(D) Small solar energy facility. Notwithstanding other provisions of this Subsection of the Code, small roof-mounted or ground-mounted solar energy facilities shall be considered a permitted use in all zoning districts as an accessory to a principal use. A small solar energy facility (as defined in § 150.006) shall be required to have appropriate building permits.

(1) All small solar energy facilities are subject to the following minimum requirements:

- (a) A small solar energy facility shall provide power for the principal use and/or accessory use of the property on which the small solar energy facility is located and shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.
- (b) A small solar energy facility connected to the utility grid shall provide written authorization from the local utility company to Summit Township acknowledging and approving such connection.
- (c) A roof-mounted facility may be mounted on a principal building or accessory building. A roof-mounted facility, whether mounted on the principal building or accessory building, may not exceed the maximum principal building height or accessory building height specified for the building type in the underlying zoning district. In no instance shall any part of the small solar energy facility extend beyond the edge of the roof.
- (d) A ground-mounted facility shall not exceed a height of twelve (12) feet.
- (e) The surface area of the solar panels of a ground-mounted facility, regardless of the mounted angle, shall be calculated as part of the overall lot coverage.
- (f) A ground-mounted facility or roof-mounted facility attached to an accessory building shall not be located within the required front yard setback.
- (g) The minimum ground-mounted small solar energy facility setback distance from the property lines shall be equivalent to the principal building setback of the underlying zoning district or the setback of the principal structure, whichever is greater.
- (h) All mechanical equipment associated with and necessary for the operation of the small solar energy facility shall comply with the following:
 - 1. Mechanical equipment shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other non-invasive plant species which provides a visual screen. At least fifty percent (50%) of plants must be evergreen. In lieu of a planting screen, a decorative fence meeting the requirements of § 150.172 and that is at least fifty percent (50%) opaque may be used.
 - 2. Mechanical equipment shall not be located within the minimum front yard setback of the underlying zoning district.
 - 3. Mechanical equipment for ground-mounted facilities shall comply with the setbacks specified for principal structures in the underlying zoning district.
- (i) Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
- (j) All power transmission lines from a ground-mounted small solar energy facility to any building or other structure shall be located underground.
- (k) A small solar energy facility shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar

materials. The manufacturers and equipment information, warning, or indication of ownership shall be allowed on any equipment of the solar energy facility provided they comply with the prevailing sign regulations.

- (l) The design of the small solar energy facility shall conform to applicable industry standards. A building/zoning permit shall be obtained prior to construction. In the case of a roof-mounted facility, the existing roof structure and the weight of the facility shall be taken into consideration when applying for a small solar energy facility permit.

All wiring shall comply with the applicable version of Michigan's construction codes. The local utility provider shall be contacted to determine grid interconnection and net metering policies. The Applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certifying organization and any such design shall be certified by an Engineer registered in the State of Michigan.

- (m) The small solar energy facility shall comply with all applicable Township ordinances and codes so as to ensure the structural integrity of such facility.

- (n) Before any construction can commence on any small solar energy facility the property owner must acknowledge that he/she is the responsible party for owning/leasing and maintaining the solar energy facility.

- (2) If a ground-mounted small solar energy facility is removed, any earth disturbance as a result of the removal of the ground-mounted facility shall be graded and reseeded.

- (3) If a ground-mounted small solar energy facility has been abandoned (meaning not having been in operation for a period of 180 consecutive days) or is defective or is deemed to be unsafe by the Building Official, the facility shall be required to be repaired by the owner to meet federal, state and local safety standards, or be removed by the property owner within the time period allowed by the Building Official. If the owner fails to remove or repair the defective or abandoned small solar energy facility, the Township may pursue a legal action to have the facility removed at the owner's expense.

- (4) **Solar access.** The Township makes no assurance of solar access other than the provisions contained within this Subsection. The applicant may provide evidence of covenants, easements, or similar documentation for abutting property owners providing access to solar energy for the operation of a solar energy facility.

Section 4 — Amendment to 'Conditional Uses'

The 'Conditional Uses' of the Summit Township Zoning Code is amended by amending § 150.257 as follows:

§ 150.257 — ADDITIONAL DEVELOPMENT REQUIREMENTS FOR CERTAIN USES.

A conditional use permit shall not be issued for the uses specified in this section unless complying with the site development requirements as herein specified. The Planning Commission may impose additional conditions and safeguards when deemed necessary by that body.

...

- (L) *Utility grid, large solar energy facility (solar farm).* The purpose of this Subsection is to establish minimum requirements and regulations for the siting, installation, operation, repair, decommissioning, and removal of utility grid, large solar energy facilities (hereafter referred to as solar farms), as

defined in § 150.006, while promoting the safe, effective, and efficient use of such energy facilities as a conditional use in specified zoning districts. The following requirements shall apply to all solar farms:

(1) **Location.** All solar farms are limited to the Agricultural (AG-1), Light Industrial (L-1), and General Industrial (I-2) districts.

(2) **Regulations and design standards.** All solar farms shall comply with the following minimum regulations and design standards.

(a) **Design standards**

1. **Minimum Lot Size.** No solar farm shall be erected on any zoning lot less than twenty (20) acres in size (as defined in § 150.006).

2. **Maximum height.** The maximum height for a solar panel shall be fourteen (14) feet. The maximum height of a power switchyard (as defined in § 150.006) shall not exceed the minimum height needed to tie into electric transmission lines. The height of all other buildings and accessory structures shall comply with the maximum building height requirements of the applicable zoning district in which the solar farm is located, as listed in § 150.146. The height of required lightning rods attached to the power switchyard or solar farm related equipment shall not be subject to the foregoing height limitations. The height of lightning rods shall be limited to that height necessary to protect the power switchyard and solar farm equipment from lightning.

3. **Setbacks.** Solar farm facilities and related structures and components shall be set back a minimum of thirty feet (30) from all lot lines. In addition, solar farm solar arrays and other structures must be located at least three hundred (300) feet from the road right-of-way along US-127 and M-50; one hundred fifty (150) feet from the road right-of-way along all other roadways, public and private; and one hundred fifty (150) feet from any lot line adjacent to all existing Rural Non-Farm Residential (RNF-1), Suburban Residential (RS-1 and RS-2), Urban Residential (RU-1 and RU-2), Multiple-Family Residential (RM-1 and RM-2), and Mobile Home Residential (MH-1) District land and any lot line adjacent to an existing residence at the time the solar farm is granted conditional use approval, unless the zoning lot is comprised of a portion of the lot containing the residence. Additional setbacks may be required to mitigate noise and glare impacts, or to provide for designated road or utility corridors, as identified through the review process.

4. **Safety/access**

a. Security fencing shall be installed around the solar farm as follows: fencing to be a minimum of six (6) feet and a maximum of eight (8) feet in height; fencing to be located inside the perimeter of screening, if any. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.

b. Appropriate warning signage shall be placed at the entrance and perimeter of the solar farm.

5. **Noise.** No component of any solar farm shall produce noise that exceeds any of the following limitations. Adequate setbacks shall be provided to comply with these limitations.

- a. Fifty (50) dBA, as measured at the property line of any adjacent Rural Non-Farm Residential (RNF-1), Suburban Residential (RS-1 and RS-2), Urban Residential (RU-1 and RU-2), Multiple-Family Residential (RM-1 and RM-2), and Mobile Home Residential (MH-1) District zoned land in existence at the time the solar farm is granted conditional use approval.
- b. Forty-five (45) dBA, as measured at any neighboring residence in existence at the time the solar farm is granted conditional use approval, between the hours of nine p.m. and seven a.m.
- c. Sixty (60) dBA, as measured at the lot lines of the project boundary.

6. Visual appearance

- a. Solar farm buildings and accessory structures shall, to the extent reasonably possible, use materials, colors, and textures that will blend the solar farm into the existing environment.
- b. The perimeter of solar farm facilities shall also be screened and buffered by installing evergreen vegetative plantings whenever existing natural forest vegetation does not otherwise continuously obscure the solar farm's entire lot perimeter from adjacent parcels, subject to the following requirements:
 - i. Unless screened and buffered at all times by natural forest vegetation having a substantially similar obscuring effect of an evergreen vegetative buffer installed pursuant to this Subsection, a continuous evergreen vegetative buffer shall be installed and maintained at all times at the perimeter of all solar farms.
 - ii. The evergreen vegetative buffer shall be composed of evergreen trees or shrubs that at planting shall be a minimum of six (6) feet in height. The evergreen trees or shrubs shall be spaced no more than ten (10) feet apart on center (from the central trunk of one plant to the central trunk of the next plant). Within five (5) years of planting, required evergreen vegetative screening shall be no less than fifteen (15) feet tall.
 - iii. Failure to continuously maintain the required evergreen vegetative buffer shall constitute a violation of this Code and sufficient grounds for revocation of any conditional use permit previously granted.
 - iv. An alternate screening method may be considered for approval by the Planning Commission as long as it has a substantially similar obscuring effect of an evergreen buffer.
 - v. If the solar farm is not visible from any road and if the solar farm is not visible from any existing residence, the screening requirements may be modified at the discretion of the Planning Commission.
- c. Lighting of the solar farm shall be limited to the minimum necessary, supplied with down lighting, and in no case shall any illumination from such lighting extend beyond the perimeter of the solar farm. A photometric study may be used to make this determination.

- d. No solar farm shall produce glare that would constitute a nuisance to occupants of neighboring properties or to persons traveling neighboring roads. Upon written notice from the Zoning Administrator, or such other person designated by the Township Board, to the owners of the solar farm that glare from the solar farm is causing a nuisance to occupants of neighboring property or to persons traveling neighboring roads, the owner of the solar farm shall have a reasonable time (not to exceed 180 consecutive days) from the date of such notice to remediate such glare.
7. **Medium voltage cable.** All medium voltage cable (as defined in § 150.006) within the project boundary shall be installed underground, unless determined otherwise by the Planning Commission because of severe environmental constraints (e.g. wetlands, cliffs, hard bedrock), and except for power switchyards (as defined in § 150.006) or area within a substation. All electrical interconnections and distribution components must comply with all applicable codes and public utility requirements.
- (b) **Local, state and Federal permits.** A solar farm shall be required to obtain all necessary permits from the Michigan Department of Environmental Quality (see § 150.257(L)(4)(b)) and any applicable municipal, county, state, or Federal permits.
- (c) **Agreements/easements.** If the zoning lot (as defined in § 150.006) on which the project is proposed is to be leased, rather than owned, by the owner of the solar farm, all property within the project boundary must be included in a recorded easement(s), lease(s), or consent agreement(s) specifying the applicable uses for the duration of the project. All necessary leases, easements, or other agreements between the owner of the solar farm and property owners must be in place prior to commencing construction, unless specified otherwise by the conditional use permit.
- (3) **Permit applications.** An application for a conditional use permit to establish a solar farm must include a complete description of the project and documentation to sufficiently demonstrate that the requirements set forth in § 150.257(L)(2)(a) will be met. Supporting documentation for addressing the review criteria of § 150.257(L)(4) is also to be provided. The Planning Commission and Township Board may require any information reasonably necessary to determine compliance with this Code. The application must also 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:
- (a) All lot lines and dimensions, including a legal description of each lot or parcel comprising the solar farm.
- (b) Names of owners of each lot or parcel within Summit Township that is proposed to be within the solar farm.
- (c) Vicinity map showing the location of all surrounding land uses.
- (d) 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 a solar farm.
- (e) Horizontal and vertical (elevation) to 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.

- (f) Location of all existing and proposed overhead and underground electrical transmission or distribution lines within the solar farm and within 1,000 feet of the outside perimeter of the solar farm.
- (g) Proposed setbacks from the solar array(s) to all existing and proposed structures within the solar farm.
- (h) Land elevations for the solar array(s) location and the relationship to the land elevations of all existing and proposed structures within the solar farm.
- (i) Access driveways within and to the solar farm, 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 approval, and shall be planned so as to minimize the use of lands for that purpose.
- (j) 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 solar farm.
- (k) A written description of the maintenance program to be used for the solar array(s) and other components of the solar farm, including decommissioning and removal when determined by the Township to be obsolete, uneconomic, or abandoned. The description shall include maintenance schedules, types of maintenance to be performed, and decommissioning and removal procedures and schedules if the solar farm becomes obsolete, uneconomic or abandoned.
- (l) A copy of the manufacturer's safety measures.
- (m) Planned lighting protection measures.
- (n) Additional detail(s) and information as required by the conditional use permit requirements of the Zoning Code, or as required by the Planning Commission.

It is preferred that any related conditional use permit applications for substations or new transmission lines be considered in conjunction with the conditional use permit application for the solar farm; however, if the details of those improvements are not available at the time of application for the solar farm, they may be considered later, through subsequent conditional use permit review. At a minimum, the intended route for connecting to the power grid and the alternative locations of any substation shall be disclosed with the application for the solar farm.

Due to the complexity of solar farm projects, the Township may require a development agreement or other appropriate instrument to address taxing, property assessment, decommissioning bond, and other related issues not addressed by this Subsection. A development agreement may be required as a condition of the permit, and must be approved by the Township Board prior to commencing construction.

- (4) **Provisions for conditional use permit review.** In addition to the standards set forth for conditional use approval in § 150.253, additional consideration shall be given to the following:
 - (a) **Project rationale.** Project rationale, including estimated construction schedule, project life, phasing, and likely buyers or markets for the generated energy.
 - (b) **Siting considerations.** Siting considerations, such as avoiding areas/locations with a high potential for biological conflict such as areas of environmental concern, parks, trails, special

- management areas or important wildlife habitat or corridors; avoiding visual corridors that are prominent scenic view sheds; avoiding areas of erodible slopes and soils, where concerns for water quality, landslide, severe erosion, or high storm runoff potential have been identified; and, avoiding known sensitive historical, cultural or archeological resources.
- (c) **Wildlife habitat areas and migration patterns.** Specifically include information on any use of the site by endangered or threatened species and whether the project is in a biologically significant area. If threatened or endangered species exist in the area, consultation with the Michigan Departments of Natural Resources and Environmental Quality will be necessary.
- (d) **Environmental analysis.** The Planning Commission may require an analysis of impacts to historic, cultural and archaeological resources, soil erosion (water and wind), flora, and water quality and water supply in the area, when there is reason to believe that adverse impacts to such may occur.
- (e) **Hazardous waste.** As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes.
- (f) **Transportation plan for construction and operation phases.** Proof of an agreement with the Jackson County Department of Transportation and the Michigan Department of Transportation (if applicable) regarding any construction phase of the project is required.
- (g) **Public safety.** Identify and address any known or suspected potential hazards to adjacent properties, public roadways, communities, aviation, etc., that may be created by the project.
- (h) **Decommissioning plan.** Describe the decommissioning and final land reclamation plan to be followed after the anticipated useful life, or abandonment, or termination of the project, including evidence of proposed commitments with affected parties (i.e., Township, any lessor or property owner, etc.) that ensure proper final reclamation of the solar farm. Among other things, revegetation and road repair activities should be addressed in the plan. 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. The ground must be restored to its original condition within 180 consecutive days.
- (5) **Application escrow account.** An escrow account shall be deposited with the Township by the applicant when the applicant applies for a conditional use permit for a solar farm. 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 conditional 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 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 review process shall cease unless and until the applicant makes the required additional escrow deposit.
- (6) **Decommissioning escrow account.** If a conditional use permit is approved pursuant to this Subsection, the Township shall require security in the form of a cash deposit, or surety bond ac-

ceptable to the Township, which will be furnished to the Township in order to ensure full compliance with this Subsection 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 the equivalent or its successor). Such financial guarantee shall be deposited or filed with the Township Clerk after a conditional use permit has been approved but before construction commences on the solar farm. 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 solar farm. Such financial security shall be kept in full force and effect during the entire time that the solar farm exists or is in place, and such financial security shall be irrevocable and non-cancelable.

- (7) **Code compliance.** Construction of a solar farm shall comply with the National Electric Safety Code and any applicable Michigan construction codes as a condition of any conditional use permit under this Subsection.
- (8) **Certified solar array components.** Components of a solar farm 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.
- (9) **Solar access.** The Township makes no assurance of solar access other than the provisions contained within this Subsection. The applicant may provide evidence of covenants, easements, or similar documentation for abutting property owners providing access to solar energy for the operation of a solar farm.

Section 5 — Severability

If any section, subsection, subparagraph, sentence, clause, phrase, or portion of this Code is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Code.

Section 6 — Repeal

All ordinances or parts of ordinances in conflict with this Code are repealed.

Summit Township Planning Commission

August 21, 2018

Members Present: Jack Shelby; Chairman, Thomas Biela, Mark Cesarz, Laurie Cunningham; Secretary, Robert Kendall, John Griffin, Todd Emmons; Township Board Liaison, and John Worden; Summit Township Zoning Administrator.

Members Absent: George Gancos Jr and Allan Hooper absent.

The Meeting was called to order by Jack Shelby; Chairman, on August 21, 2018 at 7:00 pm in the Summit Township Hall, 2121 Ferguson Rd.

Additions to the agenda- Time change of meetings, and Radiant Church New site plan.

A motion was made by Thomas Biela, supported by Robert Kendall to approve the minutes of the June 19, 2018 as presented. The motion carried unanimously.

A motion was made by Mark Cesarz, supported by Thomas Beila to change the start time of the Planning Commission meetings from 7:00 pm to 6:00 pm. The motion carried unanimously.

Radiant Church- New Revised Site Plan

New site plans were submitted and lot adjustments were made to resolve a rear yard property line issue with neighbors to give them 10 feet that they were mowing. A storm water retention pond was added in the back instead of the original proposal. Parking spaces were reduced from 167 to 132, which still meets the required 125 spaces. A motion was made by Jack Shelby, supported by John Griffin to accept the new revised site plan as presented and note also received the certified survey. The motion carried unanimously. **Note: The Drain Commissioner will not approve the new storm water plan as presented. A resolution to the problem is being worked on.**

Case #18-03-0003-1908 Horton Rd Poison Frog

John Worden informed that the owner is not responding and has not provided the required information. Question on if the poles and ropes growing hops are in compliance, are they considered a fence? Jack Shelby stated if owner would want to do any additions or patios out back he would not be able to get a permit issued as long as he has not complied with the Planning Commission requirements.

Jack Shelby and Thomas Biela talked about a landscape ordinance for commercial properties. The Planning Commission will consider adding to the landscape section of the zoning ordinance for commercial developments, without it being so strict as to turn away new business.

Case #18-08-0014 Amendment to Zoning Ordinance Solar Energy

Grant Bauman discussed the proposed addition to the zoning ordinance regulating solar energy facilities. Jack Shelby had concerns with the small solar energy facilities rules, about placing them in the front yards and the height of 14'. Tom Biela questioned about large scale solar farms He would not like to see them all over the Township. John Worden stated solar farms can only be placed on Agricultural and Industrial properties as a Conditional Use and very few in areas are available in the Township. Mark Cesarz had questions about the power grids. Robert Kendall questioned about not having them placed on the front of a roof, he asked Grant Bauman to get sources on how these actually work as it relates to size and height requirements. Discussion continued with Planning Commission members and Grant Bauman concerning the proposed 14 feet height, size of structure, rear yard placement, front roof placement, and number of panels allowed. Grant Bauman informed the height and placement of panels would depend on the location of a house to get optimal sun. A motion was made by Laurie Cunningham, supported by Robert Kendall to table the amendment and authorize Jack Shelby, Chairman to work with Grant Bauman and research to get more information to bring to next meeting. The motion carried unanimously.

Meeting adjourned at 7:57 pm by Jack Shelby, Chairman.

Respectfully submitted,

Laurie Cunningham, Secretary

Summit Township Planning Commission

Summit Township Planning Commission

October 16, 2018

Members Present: Jack Shelby; Chairman, Thomas Biela, Robert Kendall, George Gancsos Jr, Allan Hooper, Todd Emmons; Township Board Liaison, and John Worden; Summit Township Zoning Administrator.

Members Absent: Laurie Cunningham, Mark Cesarz and John Griffin.

The Meeting was called to order by Jack Shelby; Chairman, on October 16, 2018 at 7:00 pm in the Summit Township Hall, 2121 Ferguson Rd.

Bob Kendall, acting secretary in absence of Laurie Cunningham.

A motion was made by George Gancos Jr, supported by Robert Kendall to approve the minutes of the August 21, 2018 minutes as presented. The motion carried unanimously.

Case #18-03-0003-1908 Horton Rd Poison Frog

Nothing additional has been received as requested. No action required

Case #18-08-0014 Amendment to Zoning Ordinance Solar Energy

Jack Shelby met with Lucas Olynik from Harvest Energy to get more information on the solar various solar panels, height, width, and how they work. Brochures were passed around showing the various types of residential equipment and how they may look. They are very costly and also require a lot of space, most subdivision lots are not big enough to accommodate them and still be within the required lot coverage restrictions of 30 percent. A double panel would be approximately 9 to 10 feet high. Board discussed the height of accessory buildings which is 14 feet in relation to these solar panels. A motion was made by Allan Hooper, supported by Robert Kendall to recommend to the Township Board approval of the amendments to 150.006 definitions, 150.145 solar facilities as presented by Region 2 Planning and limit the height of solar panels to 12 feet for ground mounted solar panels in residential districts based on the information received from the industry. The motion carried unanimously.

Case #18-10-0017- Amendment to Zoning Ordinance 150.257 (D) Combined Residential and Office or Business Units

John Worden has received requests for construction of residence and office or commercial venues in the same dwelling. Adding changes and restrictions for the residential use portion would allow construction of this type. (a) Minimum living area of 750 square feet for 1 or 2 bedroom dwelling, 150 square feet of additional living area for each additional bedroom; a minimum floor ceiling height of 7.5 feet. (b) The living unit shall be connected to a public sewer and water supply or to private sewer and water supply facilities. (c) The storage areas within the dwelling unit shall be equal to at least 15% of the minimum square foot dwelling area requirements (d) There shall be two parking spaces for each dwelling unit and limited to passenger vehicles only. A motion was made by Jack Shelby, supported by Thomas Biela to recommend to the Township Board approval of the Amendment to 150.257 (D) as modified. Motion carried unanimously.

Meeting adjourned at 6:55 pm by Jack Shelby, Chairman.

Respectfully submitted,

Allan Hooper, Acting Secretary

Summit Township Planning Commission

NOTICE

The Summit Township Planning Commission will hold a public hearing August 21, 2018 at 7:00 p.m. in the Township Hall Meeting Room at 2121 Ferguson Road

At this time all interested parties will be heard on the proposed amendment (s) to the Summit Township Zoning Ordinance.

Chapter 150 Zoning Code, Subchapter 150.006 – various definitions regarding energy facilities, Subchapter 150.145 – a small energy facility to be added as a permitted use in all zoning districts. A utility grid, large solar energy facility (solar farm) to be added as a conditional use in the AG-1, I-1 and I-2 districts.

Subchapter 150.180 (D) – various development standards to be established regarding small solar energy facilities. Subchapter 150.267 (L) various development standards to be established regarding utility grid, large solar energy facilities (solar farms).

Summit Township Office is open weekdays from 8:00 a.m. to 5:00 p.m. 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) 788-4113 Extension 240. Summit 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, 2121 Ferguson Rd., Jackson, MI 49203.

John Worden
Zoning Administrator

Jackson Citizen Patriot
Insertion Date: August 5, 2018

Affidavit requested. Please call C. Brown at 788-4113 Ext. 221 with cost

Copy to Meghan Dobben, Clerk

NOTICE

The Summit Township Planning Commission will hold a public hearing October 16, 2018 at 6:00 p.m. in the Township Hall Meeting Room at 2121 Ferguson Road. At this time all interested parties will be heard on the proposed amendment (s) to the Summit Township Zoning Ordinance.

Chapter 150 Zoning Code, Subchapter 150.006 – various definitions regarding energy facilities, Subchapter 150.145 – a small energy facility to be added as a permitted use in all zoning districts. A utility grid, large solar energy facility (solar farm) to be added as a conditional use in the AG-1, I-1 and I-2 districts. Subchapter 150.180 (D) – various development standards to be established regarding small solar energy facilities. Subchapter 150.267 (L) various development standards to be established regarding utility grid, large solar energy facilities (solar farms).

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John Worden
Zoning Administrator

Jackson Citizen Patriot
Insertion Date: October 2, 2018

Affidavit requested. Please call C. Brown at 788-4113 Ext. 221 with cost

Copy to Meghan Dobben, Clerk