



Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

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MEETING MINUTES

June 13, 2019

Jackson County Tower Building • Jackson, Michigan

Members Present: Roger Gaede, Environment; Amy Guerriero, Industry and Economics; Nancy Hawley, At Large; Russ Jennings, At Large; Corey Kennedy, Jackson County Board of Commissioners; Jennifer Morris, At Large; and Jim Videto, Agriculture

Members Absent: Timothy Burns, At Large, and Ted Hilleary, Education

Liaisons Present: Grant Bauman, Principal Planner

Others Present: Denise Barber; Anita Fischer; Pat Gallagher; Ron Henley; Ed and Linda Hones; Sharon Kinchsular; Allen, Carol, and Glen McRae; John Wald; and Donna Woolsey

Item 1. **Call to Order and Pledge of Allegiance.** The meeting was called to order at 6:00 p.m. by Chair Guerriero. 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. Kennedy, and seconded by Comm. Morris, to **approve** the minutes of the May 9, 2019, meeting as presented. *The motion was approved unanimously.*

Item 4. **Approval of the Agenda.** The order of the cases under 'consideration of township zoning amendments' (Agenda Item #5a) was altered in order to accommodate people in attendance for several of the cases.

A motion was made by Comm. Kennedy, and seconded by Comm. Morris, to **approve** the May 9, 2019, meeting agenda as amended. *The motion was approved unanimously.*

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

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

(1) **CZ #19-09 – Summit Township**

Staff summarized his report regarding the proposed rezoning of the subject property—known as Parcel ID# 000-13-20-176-005-07 and located in Section 20 (T3S-R1W) of the Township—from Agricultural (AG-1) to 'Suburban Residential (RS-2)', noting the need to amend the Township's master plan. County Planning Commissioners were advised to recommend **approval with comments** of the rezoning request (please see the staff report).

Linda Hones, the applicant, spoke in favor of the request. She noted the high demand for new residential development. Ms. Hones also stated that the needed utilities will be extended to the property.

A motion was made by Comm. Morris, and seconded by Comm. Kennedy, concurring with the staff advisement to recommend **approval with comments** of the RS-2 rezoning to the Summit Township Board (please see the staff report and these minutes). *The motion was approved unanimously.*

(2) **CZ #19-10 – Hanover Township**

Staff summarized his report regarding the proposed rezoning of the subject properties—known as Parcel ID# 000-17-21-176-001-02 and Parcel ID# 000-17-21-176-001-07 and located in Section 21 (T4S-R2W) of the Township—from ‘Agricultural (AG)’ to ‘Light Industrial (I-1)’, noting concerns regarding spot zoning, conditional rezoning, the site plan, and the Township’s master plan. County Planning Commissioners were advised to recommend **disapproval** of the rezoning request (please see the staff report).

Donna Woolsey and Glen McRae, representing their parents, both spoke in opposition to the request. Ms. Woolsey voiced concerns regarding property values, safety, and the environment. She was also worried about the effect an industrial development would have on the surrounding area; residents moved there because of the rural atmosphere. Comm. Kennedy was concerned that the Township’s planning commission did not technically recommend disapproval.

A motion was made by Comm. Hawley, and seconded by Comm. Kennedy, concurring with the staff advisement to recommend **disapproval** of the I-1 rezoning to the Hanover Township Board (please see the staff report and these minutes). *The motion was approved unanimously.*

(3) **CZ #19-14 – Leoni Township**

Staff summarized his report on the proposed amendments to Chapter 42 (Zoning) of the *Leoni Township Code of Ordinances* that would allow ‘Sport Shooting Ranges’ as a conditional use in the ‘Agricultural (AG)’ district, noting: (1) valid concerns regarding noise and lead pollution, (2) that it is likely that shooting ranges will be allowed in the General Business (B-4) district, and (3) the need for codified conditions which address the concerns of residents and business owners. County Planning Commissioners were advised to recommend **disapproval** of the proposed amendments (please see the staff report and the staff report supplement).

John Wald spoke in opposition to the proposed amendment. He is not against guns, but is opposed to an ongoing nuisance with no regulations and safety issues. Dr. Wald noted that 200 complaints were generated from a nearby campground and also played videos of the noise coming from the existing shooting range. Pat Gallagher noted that there is no local gun range ordinance and there are no Township conditions placed on the existing shooting range. She wants the issue tabled until the Township proposes an ordinance. Denise Barber stated that the proposal is a bad idea because (1) people live in the AG district, (2) the noise is intolerable, and (3) concerns regarding property values (i.e., disclosure requirements) and stray bullets. Sharon Kinchsular says that the noise is intolerable and that she cannot state that her campsites are safe (because of the risk of stray bullets). Comm. Hawley noted that other options are available, so a disapproval would not be exclusionary. Comm. Kennedy observed that gun ranges are not inherently bad, but that the

Township has not adopted a shooting range ordinance with reasonable regulations — there are no safeguards in place.

A motion was made by Comm. Morris, and seconded by Comm. Kennedy, concurring with the staff advisement to recommend **disapproval** of the text amendment to the Leoni Township Board, but stating that the JCPC may reconsider the request when the Township passes a shooting range ordinance (please see the staff report, the staff report supplement, and these minutes). *The motion was approved unanimously.*

(4) **CZ #19-13 – Leoni Township**

Staff summarized his report on the proposed amendments to Chapter 42 (Zoning) of the *Leoni Township Code of Ordinances* that would allow ‘Indoor Sport Shooting Ranges’ as a conditional use in the ‘General Business (B-4)’ district, noting that: (1) it is not appropriate to ratify and reissue conditional use permits issued by the Township prior to this amendment and (2) there has been a lost opportunity to add codified conditions to the Zoning Code which address the general concerns of residents and business owners. County Planning Commissioners were advised to recommend **approval with comments** of the text amendment (please see the staff report and the staff report supplement).

Comm. Morris said that the use should be limited to indoor shooting ranges. John Wald interjected that the indoor gun range on Ann Arbor Road is safe. Comm. Kennedy stated that the Township should establish a shooting range ordinance. Comm. Gaede was concerned with the ventilation of indoor shooting ranges and that the connection to National Rifle Association (NRA) guidelines was too tenuous.

A motion was made by Comm. Morris, and seconded by Comm. Jennings, concurring with the staff advisement to recommend **approval with comments** of the text amendment to the Leoni Township Board, but clarifying that the use should be limited to indoor shooting ranges and a shooting range ordinance should be established (please see the staff report, the staff report supplement, and these minutes). *The motion was approved by majority vote with Comm. Gaede voting no.*

(5) **CZ #19-15 – Leoni Township**

Staff summarized his report on the proposed amendments to Chapter 42 (Zoning) of the *Leoni Township Code of Ordinances* that would allow ‘any use not otherwise provided for in the zoning ordinance of the Township’ as a conditional use in the ‘Heavy Industrial (M)’ district, noting that the Township would have to issue a conditional use permit for any use not listed elsewhere in the zoning ordinance as long as it was in compliance with ordinance standards and any imposed conditions, even if it felt that the use was not appropriate in the ‘M’ district. County Planning Commissioners were advised to recommend **disapproval** of the text amendment (please see the staff report).

A motion was made by Comm. Morris, and seconded by Comm. Videto, concurring with the staff advisement to recommend **disapproval** of the text amendments to the Leoni Township Board (please see the staff report and these minutes). *The motion was approved unanimously.*

(6) CZ #19-16 – Leoni Township

Staff summarized his report on the proposed amendments to Chapter 42 (Zoning) of the *Leoni Township Code of Ordinances* that would add ‘marihuana agriculture or processing’ to the listing of uses excluded from the ‘Agricultural (AG)’ district, noting that the exception allowing ‘currently existing local licensees to . . . expand its existing real estate property zoned AG on the effective date of the legislation’ conflicts with the nonconforming use regulations regarding the enlargement, expansion, or extension of nonconforming uses (Sec. 42-347(b)(1)). County Planning Commissioners were advised to recommend **approval with comments** of the text amendment, highlighting the conflict with Sec. 42-347(b)(1) (please see the staff report).

Comm. Morris stated that the use should be ‘medical marihuana growing or processing’, not ‘marihuana agriculture or processing’, in order to conform with state law. Comm. Kennedy does not want to limit the use to ‘medical marihuana’. Comm. Gaede wondered about the use in other districts.

A motion was made by Comm. Kennedy, and seconded by Comm. Jennings, concurring with the staff advisement to recommend **approval with comments** of the text amendment to the Leoni Township Board, clarifying that the use should be ‘marihuana growing or processing’ rather than ‘marihuana agriculture or processing’ (please see the staff report and these minutes). *The motion was approved unanimously.*

(7) CZ #19-08 – Parma Township

Staff summarized his report regarding the proposed rezoning of the subject property—known as Parcel ID# 000-06-34-201-002-02 and located in Section 34 (T3S-R3W) of the Township—from ‘Highway Service Commercial (C-2)’ to ‘Industrial (I-1)’, noting that there is no adjacent I-1 district and the request does not conform to the Township’s master plan. County Planning Commissioners were advised to recommend **disapproval** of the rezoning request (please see the staff report).

A motion was made by Comm. Morris, and seconded by Comm. Hawley, concurring with the staff advisement to recommend **disapproval** of the I-1 rezoning to the Parma Township Board (please see the staff report and these minutes). *The motion was approved unanimously.*

(8) CZ #19-11 – Blackman Township

Staff summarized his report regarding the proposed rezoning of the subject properties—known as Parcel ID# 000-08-27-178-001-01 and Parcel ID# 000-08-27-178-001-02 and located in Section 27 (T2S-R1W) of the Township—from ‘Urban Residential (RU-1)’ to ‘General Commercial (C-2)’, noting in his opinion that ‘C-2’ zoning is not appropriate for the proposed use. County Planning Commissioners were advised to recommend **approval with comments** of the rezoning request (please see the staff report).

A motion was made by Comm. Morris, and seconded by Comm. Kennedy, concurring with the staff advisement to recommend **approval with comments** of the C-2 rezoning to the Blackman Township Board (please see the staff report and these minutes). *The motion was approved unanimously.*

(9) **CZ #19-12 – Concord Township**

Staff summarized his report regarding the proposed rezoning of the subject properties—known as Parcel ID# 000-11-27-226-002-02, Parcel ID# 000-11-27-226-002-05, and Parcel ID# 000-11-27-226-002-06 and located in Section 27 (T3S-R3W) of the Township—from ‘Highway Service Commercial (C-2)’ to ‘Industrial (I-1)’, noting that there is no adjacent I-1 district and the request does not conform to the Township’s master plan. County Planning Commissioners were advised to recommend **disapproval** of the rezoning (please see the staff report).

A motion was made by Comm. Kennedy, and seconded by Comm. Morris, concurring with the staff advisement to recommend **disapproval** of the I-1 rezoning to the Concord Township Board (please see the staff report and these minutes). *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.**

- (1) **Jackson County Master Plan.** Staff informed Commissioners that the drafts of Chapter 2 (Community Description and Issue Identification) and Appendix C (Mapping) of the *Jackson County Master Plan* were sent to County officials and other stakeholders for their review and comment. Those comments continue to be submitted and changes to the text have been made.

b. **New Business.** None.

Item 7. **Public Comment.** None.

Item 8. **Commissioner Comment.** Staff informed Commissioners that he has a work conflict with the meeting scheduled for July. The Chair and Secretary also stated that they are unavailable. Accordingly, it was decided to cancel the meeting. An emergency meeting can always be called if necessary.

Item 9. **Adjournment.** The meeting was adjourned by Chair Guerriero at 7:45 p.m.

Respectfully submitted by:
Grant Bauman, Recording Secretary