



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@mijackson.org

DATE: November 7, 2019
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 September 12, 2019, meeting minutes [**ACTION**]..... 3

4. Approval of agenda

Approval of the October 10, 2019, meeting agenda [**ACTION**]

5. Request(s) for review, comment, and recommendation*

a. Consideration of township zoning amendment(s)

(1) CZ #19-27 through -33 | Leoni Township [**ACTION**] 7

(continued)

MEETING AGENDA (*continued*)

- 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
 - Jackson County Master Plan [*DISCUSSION*]
 - b. New business – *None*
 - Proposed 2020 Meeting & Submittal Deadline Schedules [*ACTION*] 13
- 7. Public comment [*2 MINUTE LIMIT*]
- 8. Commissioner comment
- 9. Adjournment

Please note that the background information for each township zoning amendment and PA 116 request will be provided in a separate volume.

The next meeting of the Jackson County Planning Commission is scheduled for December 12, 2019

* Please note that the background information for each township zoning amendment and PA 116 request is provided in a separate volume.



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MEETING MINUTES

October 10, 2019

5th Floor Commission Chambers • Jackson County Tower Building • Jackson, Michigan

Members Present: Timothy Burns, At Large; Roger Gaede, Environment; Nancy Hawley, At Large; Ted Hilleary, Education; Russ Jennings, At Large; Corey Kennedy, Jackson County Board of Commissioners, and Jim Videto, Agriculture

Members Absent: Amy Guerriero, Industry and Economics, and Jennifer Morris, At Large

Liaisons Present: Grant Bauman, Principal Planner

Others Present: Bob Elrod, Columbia Township Supervisor, and Conner Welter

Item 1. **Call to Order and Pledge of Allegiance.** The meeting was called to order at 6:00 p.m. by staff. Those in attendance rose and joined in the Pledge of Allegiance.

Due to the excused absences of the Chair and Secretary, a motion was made by Comm. Videto and Comm. Hilleary to elect Comm. Hawley as Acting Chair for the meeting. *The motion was approved unanimously.*

Item 2. **Public Comment.** There was no public comment.

Item 3. **Approval of Minutes.** A motion was made by Comm. Hilleary, and seconded by Comm. Videto, to **approve** the minutes of the September 12, 2019, meeting as presented. *The motion was approved unanimously.*

Item 4. **Approval of the Agenda.** A motion was made by Comm. Kennedy, and seconded by Comm. Hilleary, to **approve** the October 10, 2019, meeting agenda as presented. *The motion was approved unanimously.*

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

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

(1) **CZ #19-23 – Henrietta Township**

Staff summarized his report on the proposed text amendments to the *Henrietta Township Zoning Ordinance* which would allow Child Care Centers as a permitted use in the Township's 'Commercial (C-1)' district. County Planning Commissioners were advised to recommend **approval** of the text amendments (please see the staff report). Comm. Hawley announced that

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she will abstain from the vote because she also serves on the Township’s planning commission (see Sec. 107(A)(4) of the [JCPC Bylaws](#)).

A motion was made by Comm. Videto, and seconded by Comm. Hilleary, to concur with the staff advisement to recommend **approval** of the text amendments to the Henrietta Township Board. *The motion was approved by majority vote with Comm. Hawley abstaining.*

(2) **CZ #19-24 – Napoleon Township**

Staff summarized his report regarding the proposed rezoning of the subject property—known as Parcel ID# 000-14-36-477-003-03 and located in Section 36 (T3S-R1E) of the Township—from ‘Mobile Home Park (MHP)’ and ‘Single-Family Residential (R-1)’ to ‘General Commercial (GC)’. County Planning Commissioners were advised to recommend **approval** of the text amendments (please see the staff report). Comm. Videto asked about the appropriateness of the rezoning. Staff replied that the transition of the M-50 corridor within the unincorporated village of Napoleon to commercial uses has been planned for some time.

A motion was made by Comm. Kennedy, and seconded by Comm. Jennings, to concur with the staff advisement to recommend **approval** of the GC rezoning request to the Napoleon Township Board (please see the staff report). *The motion was approved unanimously.*

(3) **CZ #19-25 – Hanover Township**

Staff summarized his report on the proposed text amendments to *Hanover Township Zoning Ordinance* which would clarify the setback requirements for detached residential accessory structures in relation to bodies of water. County Planning Commissioners were advised to recommend **approval with comments** of the text amendments (please see the staff report).

A motion was made by Comm. Burns, and seconded by Comm. Hilleary, to concur with the staff advisement to recommend **approval with comments** of the text amendments to the Hanover Township Board (please see the staff report). *The motion was approved unanimously.*

(3) **CZ #19-26 – Columbia Township**

Staff summarized his report regarding the proposed rezoning of the subject property—known as Parcel ID# 000-19-13-476-004-00 and located in Sections 13 and 24 (T4S-R1E) of the Township—from Local Commercial (C-1)’ to ‘General Commercial (C-2)’. County Planning Commissioners were advised to recommend **disapproval with comments** of the rezoning (please see the staff report).

Comm. Gaede announced that he will abstain from the vote because he also serves on the Township's planning commission (see Sec. 107(A)(4) of the [JCPC Bylaws](#)). He also informed his fellow members that the Township's planning commission looked at rezoning the property to C-1 back in 2008 and that cars for sale are parked in the M-50 ROW (right-of-way) in front of the building. Staff explained the confusion at the Township level over the intensity of the initial commercial rezoning of the property in 2008 and staff referred to the staff report prepared for the County Affairs Committee of the Jackson County Board of Commissioners (the County Zoning Coordinating Committee at the time) regarding that request, and the minutes of the April 7, 2008, meeting of the Committee, which document that the request was to rezone the property to 'Local Commercial (C-1)' from 'Agricultural (AG-1)'.

A motion was made by Comm. Burns, and seconded by Comm. Videto, to concur with the staff advisement to recommend **disapproval with comments** of the C-2 rezoning to the Columbia Township Board (please see the staff report and these minutes). *The motion was approved by majority vote with Comm. Kennedy and Comm. Jennings voting no and Comm. Gaede abstaining.*

- b. **Consideration of Master Plan(s).** Comm. Gaede asked for an update regarding progress on the next edition of the *Jackson County Master Plan* and Comm. Videto requested that the role of JCPC Commissioners in the process be defined for the next meeting.
- c. **Farmland & Open Space Preservation Program (PA 116) application(s).** None.

Item 6. **Other Business.**

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

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

Item 8. **Commissioner Comment.** Comm. Hawley stated that a draft application for people interested in applying to serve on Michigan's Citizens Redistricting Commission is available. Comm. Jennings voiced his concern that elected officials (including precinct officials) and their family members are not eligible to serve on that body. Comm. Kennedy voiced his concern regarding the scrapping of Leoni Township's current draft master plan (facilitated by R2PC staff) and the proposed hiring of another consultant. He does not agree with those actions.

Item 9. **Adjournment.** The meeting was adjourned by Acting Chair Hawley at 6:50 p.m.

Respectfully submitted by:
Grant Bauman, Recording Secretary

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COORDINATED ZONING REPORT | #19-27 THROUGH -33

To: County Planning Commissioners
From: Grant E. Bauman
Date: November 1, 2019

Proposal: Marihuana Uses in Leoni Township

The Request and Background Information

Proposed amendments to Chapter 42 (*Zoning*) of the *Leoni Township Code of Ordinances* (as displayed on the following pages) would:

- Add “[m]arihuana uses as otherwise permitted by state law and the Township’s ordinances” as a permitted use in the Township’s ‘General Business (B-4)’, ‘Highway Business (B-5)’, ‘Light Industrial (ML)’, and ‘Heavy Industrial (M)’ districts and
- Significantly increase the areas of ‘maximum lot coverage’ in the following districts:
 - ‘Agricultural (AG)’ – Increase the maximum lot coverage from 10% to 50%, limiting 40% to crop production and 10% unrestricted; allow up to an additional 25% for indoor crop production as a conditional use.
 - ‘Light Industrial (ML)’ – Increase the maximum lot coverage from 25% to 50%.
 - ‘Heavy Industrial (M)’ – Increase the maximum lot coverage from 25% to 40%.

Staff Analysis and Advisement

The Township continues to amend its zoning code to accommodate marihuana uses, which is its prerogative. The comments/concerns of staff regarding the proposed increases in maximum lot coverage include:

- The proposed increases will apply to all uses in the pertinent districts.
- While the proposed initial increase in the ‘AG’ district from 10% to 50% should not increase the amount of impervious surfaces on a lot—given that 40% of that coverage is limited to ‘crop production’— it will have a large (presumably unintended) impact on new agricultural uses by limiting ‘crop production’ to 40% of a property.

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- Allowing up to 25% of an 'AG' parcel to be covered by indoor crop production will increase the amount of impervious surfaces on a parcel—and the corresponding storm water runoff—in sectors of the Township where storm sewers likely do not exist. Has any thought been given to how the increased storm water runoff will be accommodated?
- Although storm sewers are more likely to exist in the 'ML' and 'M' districts, the concern is largely the same as the 'AG' district, simply modified by the available capacity of storm sewers where they exist.
- Why is the proposed maximum lot coverage greater in the 'ML' district than the 'M' district when the impact of an 'ML' district on its surrounding area should be less than that of a 'M' district?
- Staff recognizes that Section 42-363(c) of the Township's Zoning Chapter does place the following requirements on 'hard surfacing':
 - (1) *Any customer parking area greater than 1,500 square feet shall be surfaced with approved material.*
 - (2) *Areas of 5,000 square feet or more shall incorporate drainage and erosion control.*

Based upon this above analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the proposed amendments to the Leoni Township Board, advising it to consider the effects the changes in maximum lot coverage will have on farming and storm water runoff.

Suggested Actions:

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

— • — — • — — • —

Chapter 42 - ZONING

...

ARTICLE III. - DISTRICT REGULATIONS

...

DIVISION 4. - COMMERCIAL DISTRICTS

...

Sec. 42-214. - General business district (B-4).

...

- (b) Permitted uses. Permitted uses are as follows:

...

- (60) Marihuana uses as otherwise permitted by state law and the Township's ordinances.

...

Sec. 42-215. - Highway business district (B-5).

...

(b) Permitted uses. Permitted uses are as follows:

...

(11) Marihuana uses as otherwise permitted by state law and the Township's ordinances.

...

DIVISION 5. - INDUSTRIAL DISTRICTS

Sec. 42-241. - Generally.

...

Sec. 42-242. - Light industrial district (ML).

...

(b) Permitted uses. Permitted uses are as follows:

...

(11) Marihuana uses as otherwise permitted by state law and the Township's ordinances.

...

Sec. 42-243. - Heavy industrial district (M).

...

(b) Permitted uses. Permitted uses are as follows:

...

(4) Other uses by right.

...

h. Marihuana uses as otherwise permitted by state law and the Township's ordinances.

...

DIVISION 6. - DISTRICT AREA, YARD, HEIGHT AND BULK REGULATIONS

Sec. 42-271. - Schedule of regulations.

District area, yard, height and bulk regulations shall be as set forth in the following tables:

		Lot Requirements			Maximum Allowed Density (dwelling units per gross acre)***	Minimum Yard Requirements			Maximum Building Height Requirement (see the definition of building height in section 42-5)			
Zoning District	Zoning Symbol	Minimum Lot Area	Minimum Lot Width	Maximum Lot Coverage		Front	Side	Rear	Principal	Accessory	Minimum Transition Strip Requirements	Remarks
Agricultural	AG	2 acres 5 acres	200'	50%, 10% unrestricted, 40% crop production only 25% available for indoor crop production as a condi- tional use 40%	0.5 —	60'	30' 60'*	50'	2½-story or 35'	80'*****	None	Single-family de- tached dwelling. All other uses.
...

*	Corner lot.											
**	(See section 42-275(b) .) One additional foot of side, rear, and front yard setback required for every one foot of building height over 25 feet if any part of the lot abuts a residential district.											
***	Maximum allowed density (dwelling units per gross acre) represents density per acre (43,560 square feet).											
****	17.2 units for the first acre, plus 21.7 units per acre for each additional acre.											
*****	Does not include signs.											

		Lot Requirements			Maximum Allowed Density (dwelling units per gross acre)***	Minimum Yard Requirements			Maximum Building Height Requirement (see the definition of building height in section 42-5)			
Zoning District	Zoning Symbol	Minimum Lot Area	Minimum Lot Width	Maximum Lot Coverage		Front	Side	Rear	Principal	Accessory	Minimum Transition Strip Requirements	Remarks
...
Light industrial	ML	20,000 sq. ft.	100'	25 50%	—	35'	20' 35'*	35'	35'	35'	Buffer strip shall be 5' wide and a solid masonry wall not less than 6' but not greater than 8' in height if abutting a residential or commercial district. Also 20' deep landscaped strip along a public street if adjacent to a public street.	—

Zoning District	Zoning Symbol	Lot Requirements			Maximum Allowed Density (dwelling units per gross acre)***	Minimum Yard Requirements			Maximum Building Height Requirement (see the definition of building height in section 42-5)		Minimum Transition Strip Requirements	Remarks
		Minimum Lot Area	Minimum Lot Width	Maximum Lot Coverage		Front	Side	Rear	Principal	Accessory		
Heavy industrial	M	3 acres	300'	25 40%	—	50'	60'	35'	35'	Less than 6' but not greater than 8' in height if abutting a residential or commercial district. Also 20' deep landscaped strip along a public street if adjacent to a public street.	—	

*	Corner lot.
**	(See section 42-275(b) .) One additional foot of side, rear, and front yard setback required for every one foot of building height over 25 feet if any part of the lot abuts a residential district.
***	Maximum allowed density (dwelling units per gross acre) represents density per acre (43,560 square feet).
****	Does not include signs.

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2020 MEETING & SUBMITTAL DEADLINE SCHEDULES

The Jackson County Planning Commission generally meets on the second Thursday of each month unless otherwise indicated:

2020 MEETING SCHEDULE

ICPC Meeting Date

Thursday, January 9, 2020
Thursday, February 13, 2020
Thursday, March 12, 2020

ICPC Meeting Date

Thursday, April 9, 2020
Thursday, May 14, 2020
Thursday, June 11, 2020

ICPC Meeting Date

Thursday, July 9, 2020
Thursday, August 13, 2020
Thursday, September 10, 2020

Thursday, October 8, 2020
Thursday, November 5, 2020*
Thursday, December 10, 2020

**The first Thursday of November*

The monthly meeting of the Jackson County Planning Commission is scheduled for 6:00 pm in the 5th floor Commission Chambers of the Jackson County Tower Building (120 W. Michigan Avenue, Downtown Jackson).

In order for staff to review zoning proposals and prepare reports for County Planning Commissioners in a timely manner, requests must be submitted by 12:00 noon on the following dates in order to be considered by the Commission on the corresponding meeting date.

2020 MEETING & SUBMITTAL DEADLINE SCHEDULES

ICPC Meeting Date

Thursday, January 9, 2020
Thursday, February 13, 2020
Thursday, March 12, 2020
Thursday, April 9, 2020
Thursday, May 14, 2020
Thursday, June 11, 2020

Submittal Date

Tuesday, December 31, 2019
Wednesday, February 5, 2020
Wednesday, March 4, 2020
Wednesday, April 1, 2020
Wednesday, May 6, 2020
Wednesday, June 3, 2020

ICPC Meeting Date

Thursday, July 9, 2020
Thursday, August 13, 2020
Thursday, September 10, 2020
Thursday, October 8, 2020
Thursday, November 5, 2020
Thursday, December 10, 2020

Submittal Date

Wednesday, July 1, 2020
Wednesday, August 5, 2020
Wednesday, September 2, 2020
Wednesday, September 30, 2020
Wednesday, October 28, 2020
Wednesday, December 2, 2020

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