



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: May 13, 2021

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 April 8, 2021, meeting minutes [**ACTION**] 3
4. Approval of agenda
Approval of the May 13, 2021, meeting agenda [**ACTION**]
5. Request(s) for review, comment, and recommendation
 - a. Consideration of township zoning amendment(s)
 - (1) CZ | #21-09 | Napoleon Township rezoning [**ACTION**] 7
 - (2) CZ | #21-10 | Leoni Township rezoning [**ACTION**] 25
 - (3) CZ | #21-11 | Leoni Township rezoning [**ACTION**] 47
 - 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
 - (1) Goals and Objectives 61
 - (2) Future Land Use and Agricultural Preservation Maps 73
 - b. New business – *None*
7. Public comment [**2 MINUTE LIMIT**]
8. Commissioner comment
9. Adjournment

The next scheduled meeting of the Jackson County Planning Commission is June 10, 2021

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MEETING MINUTES

April 8, 2021

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

Members Present: Mr. Roger Gaede, Environment; Ms. Pat Gallagher, At Large; Ms. Nancy Hawley, At Large; Mr. Ted Hilleary, Education; Mr. Corey Kennedy, Jackson County Board of Commissioners; and Mr. Jim Videto, Agriculture

Members Absent: Mr. Eric Beda, Industry and Economics; Mr. Timothy Burns, At Large; and Mr. Russ Jennings, At Large

Liaisons Present: Mr. Grant Bauman, Principal Planner

Others Present: Ms. Cindy Lammers and Mr. Doug Lammers

Item 1. **Call to Order and Pledge of Allegiance.** Chair Hawley called the meeting to order at 6:05 p.m. 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.** Comm. Videto made a motion, seconded by Comm. Hilleary, to **approve** the February 11, 2021, meeting minutes as presented. *The motion was approved unanimously.*

Item 4. **Approval of the Agenda.** Comm. Hilleary made a motion, seconded by Comm. Videto, to **approve** the April 8, 2021, 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 | #21-05 | Rives Township**

Staff summarized his report regarding proposed text amendments that would:

- require that a use be listed as a permissible conditional use in the pertinent zoning district prior to granting a conditional use permit;
- replace the existing Industrial District with a Light Industrial District, with new listings of permitted and conditional uses, a standalone table and figure portraying dimensional requirements, and several supplemental standards;
- removing the old Industrial District from the table of dimensional requirements; and
- adding standards for several of the conditional uses included in the new Light Industrial District.

Staff endorsed the proposed amendments, noting various suggested changes contained in his report, including:

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- revamping the regulations pertaining to the other zoning districts in the future, using the new Light Industrial format
- making sure that the various conditional use standards are not contradictory or confusing; and
- assigning approval roles to pertinent officials or boards.

Staff advised County Planning Commissioners to recommend **approval with comments** of the text amendments, with the comments/suggestions made by staff (please see the staff report).

Comm. Gallagher asked about the use of escrow accounts. Staff explained that they are most often utilized to recoup the cost of bringing in an expert (e.g., engineer) to review complicated development proposals (e.g., conditional use permits), such as solar farms and wind farms.

Comm. Kennedy made a motion, seconded by Comm. Hilleary, to concur with the staff advisement to recommend **approval with comments** (see the staff report and these minutes) of the proposed text amendments to the Rives Township Board. *Commissioners approved the motion unanimously.*

(2) **CZ | #21-06 | Napoleon Township**

Staff summarized his report regarding the proposed rezoning of a property located on Wolf Lake Road, northeast of Little Wolf Lake, and known as Parcel ID #000-15-20-306-001-03, to 'single-family residential (R-1)'. Staff observed that the rezoning is consistent with the future land use plan, that properties to the east and southwest are already zoned 'R-1', that no negative impacts to public services/facilities are anticipated, and that the property already contains a single-family residence. Staff advised County Planning Commissioners to recommend **approval** of the rezoning (please see the staff report).

The email in opposition to the rezoning was mentioned, which also expressed concern over the "constant sprawling development of agricultural and other undeveloped land in rural areas". Staff explained that the property already contains a single-family residence and that it is wooded; no farmland will be lost.

Comm. Videto made a motion, seconded by Comm. Hilleary, to concur with the staff advisement to recommend **approval** of the proposed 'R-1' rezoning to the Napoleon Township Board. *Commissioners approved the motion unanimously.*

(3) **CZ | #21-07 | Grass Lake Township**

Staff summarized his report regarding the proposed rezoning of a property located on Norvell Road, opposite from the Eagle Crest Condominiums, and known as Parcel ID #000-15-04-400-002-04, to 'agricultural (AG)'. Staff explained that the rezoning will allow for the expansion of an existing agricultural business as a conditional use and that it is part of a court order. Staff observed that the rezoning is consistent with the future land use plan, that there is the potential for conflict with surrounding 'R-1' zoning, that no negative impacts to public services/facilities are anticipated, and that the property is already used as an agricultural business. Staff advised County Planning Commissioners to recommend **approval** of the rezoning and that other land in the general area should also be rezoned 'AG' at some point (please see

the staff report).

Commissioner Videto expressed his concern that the rezoning would cause a 'spot zone'. Staff explained that given the future land use plan recommendation for agricultural uses, rezoning the single property would not be considered 'spot zoning'. However, the rezoning of the other properties would negate the appearance of a 'spot zone'. Doug Lammers, Grass Lake Township Zoning Administrator, also answered Commissioner questions.

Comm. Kennedy made a motion, seconded by Comm. Gallagher, to concur with the staff advisement to recommend **approval** of the proposed 'AG' rezoning to the Grass Lake Township Board. *Commissioners approved the motion unanimously.*

(4) **CZ | #21-08 | Grass Lake Township**

Staff summarized his report regarding the proposed rezoning of properties located on both sides of Norvell Road, north of Grass Lake Road, and known as Parcel ID #000-10-33-476-001-06 and #000-10-34-301-003-00, to 'planned unit development (PUD)'. Staff explained that while the site plan report was provided for informational purposes, the Commission is limited to the rezoning. Staff observed that the rezoning is not consistent with the future land use plan, that residential uses already exist to the south, that no negative impacts to public services/facilities are anticipated, and that all of the proposed uses are allowed under the current mix of zoning. Staff advised County Planning Commissioners to recommend **approval with comments** of the rezoning, noting the need to revise the future land use plan (please see the staff report).

Comm. Gallagher made a motion, seconded by Comm. Hilleary, to concur with the staff advisement to recommend **approval with comments** of the proposed 'PUD' rezoning to the Grass Lake Township Board. *Commissioners approved the motion unanimously.*

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

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

Item 6. **Other Business.**

a. **Unfinished Business.** None.

b. **New Business.** None.

Item 7. **Public Comment.** Doug Lammers, Grass Lake Township Zoning Administrator, wished everyone a great evening.

Item 8. **Commissioner Comment.** Comm. Hawley announced that one of the hearings regarding the Independent Citizens Redistricting Commission will be held in Jackson on May 18, 2021.

Item 9. **Adjournment.** Chair Hawley adjourned the meeting at 6:51 p.m.

Respectfully submitted by:

Grant Bauman, Recording Secretary

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

COORDINATED ZONING REPORT | #21-09

To: County Planning Commissioners
From: Grant E. Bauman
Date: May 3, 2021

Proposal: **A rezoning in Napoleon Township**

Request

A portion of the subject property—7900 Napoleon Road, ID #000-14-36-151-007-01—is proposed for rezoning from ‘agricultural (AG)’ to ‘single-family residential (R-1)’ (see Figure 1 and the background information).

Purpose

The applicants own the subject property as well as an associated property located directly to the south (see Figures 1 and 2). Both properties contain single-family dwellings. The applicant wishes to split off a 1-acre lot—containing a single-family dwelling and a couple of accessory buildings (see portion A on Figure 2)—located in the northeastern corner of the subject property. The applicants plan to combine the remainders of the property (see portions B-1—containing a barn—and B-2 on Figure 2) with the associated property to the south. The requested rezoning to R-1 will allow for the creation of the proposed 1-acre parcel.¹

Location and Size of the Property

The approximately 10-acre subject property is situated in Section 36 (T3S-R1E) of the Township. It is located on the west side of Napoleon Road, south of Brooklyn Road (M-50) (see Figure 1). Napoleon Township Hall and the local BP terminal are located to the east. The 1-acre portion of the subject property proposed for rezoning is located in its northeastern corner (see Portion A on Figure 2).

Land Use and Zoning

Current Land Use – The subject property contains a dwelling and several accessory structures as well as vacant land. The dwelling and most of the accessory structures are contained in the 1-acre portion of the property proposed for rezoning (see Figure 2). The Township currently assesses the property for ‘residential’ use (see Figure 3). Parcels to the northeast and south are also assessed for ‘residential’ use. Parcels to the north are assessed for ‘commercial’ or ‘commercial vacant’ uses. Parcels to the southeast and west were exempt from assessment.

¹ Please note that this report lists the proposed use for informational purposes only. Do not utilize it 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.

Future Land Use Plan – The *Napoleon Township Master Plan* recommends ‘open space/residential’ uses for the subject property (see Figure 4). Adjacent properties to the south and west are also recommended for ‘open space/residential’ uses. ‘Commercial’ uses are proposed for parcels to the north and northeast along Brooklyn Road (M-50).

Current Zoning – The subject property is currently zoned ‘agricultural (AG)’, as are properties located to the south (see Figure 5). Most of the properties to the north along Brooklyn Road (M-50) are zoned ‘general commercial (GC)’. Properties to the east are zoned ‘light industrial (LI)’. Properties to the west are zoned ‘single-family residential (R-1)’.

Public Facilities and Environmental Constraints

Water and Sewer Availability – Municipal sewer service is available to the subject property. Municipal water service, however, is not provided. Nor, according to the Township, are there plans to make water service available in the future (see the rezoning worksheet form).

Public Road/Street Access – Napoleon Road, a paved county local roadway south of Brooklyn Road (M-50), provides direct access to the subject parcel.

Environmental Constraints – The subject parcel has no known environmental constraints, according to the Township (see the rezoning worksheet form).

Analysis and Recommendation

Township Planning Commission Recommendation – The Napoleon Township Planning Commission recommends **approval** of the proposed rezoning of the subject property to ‘single-family residential (R-1)’ (see the attached zoning amendment form).

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

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

Yes. The Future Land Use Plan (an element of the Master Plan) recommends ‘open space/residential’ uses on the west side of Napoleon Road, south of Brooklyn Road (M-50) (see Figure 4). The Zoning Plan includes ‘single-family residential (R-1)’ in the listing of districts that equate with ‘open space/residential’ uses.

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

Yes. Properties on the west side of Napoleon Road, south of Brooklyn Road (M-50), are currently assessed for ‘residential’ uses (see Figure 3). A few of those properties are already zoned ‘single-family residential (R-1)’ (see Figure 5). Accordingly, the Township may wish to consider rezoning the entire area ‘R-1’ in the near future.

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

No. Public services and facilities are not likely to be significantly impacted by the rezoning.

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 parcel already contains a single-family dwelling. Other single-family dwellings surround the property.

JCPC Staff Advisement – The proposed rezoning conforms to the *Napoleon Township Master Plan*, which recognizes ‘open space/residential’ development on the west side of Napoleon Road, south of Brooklyn Road (M-50). Based upon this analysis, staff advises the Planning Commission to recommend **APPROVAL WITH COMMENTS** to the Napoleon Township Board of the proposed rezoning of approximately 1 acre of the subject property (ID #000-14-36-151-007-01) to ‘single-family residential (R-1)’, noting that the other residentially used, but ‘agriculturally AG’ zoned, properties in the general area could also be rezoned ‘R-1.’

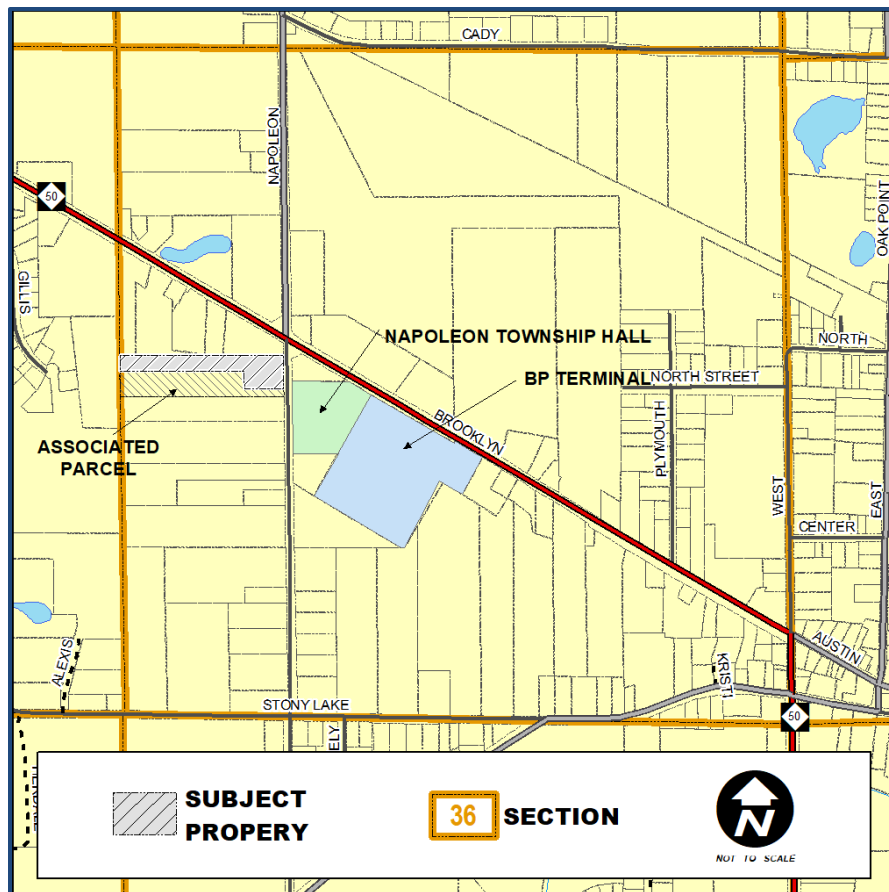
Suggested Actions:

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

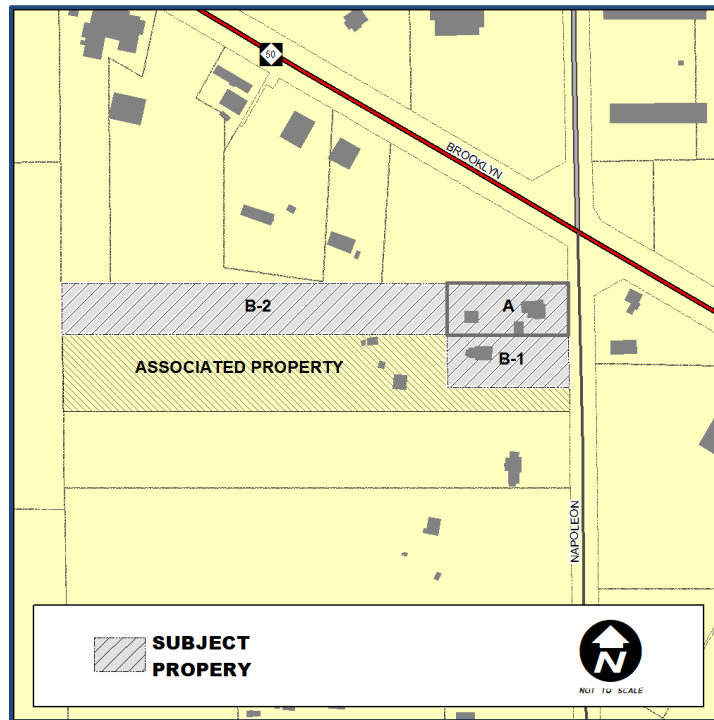
Staff Report Attachment(s):

- Background information provided by Napoleon Township

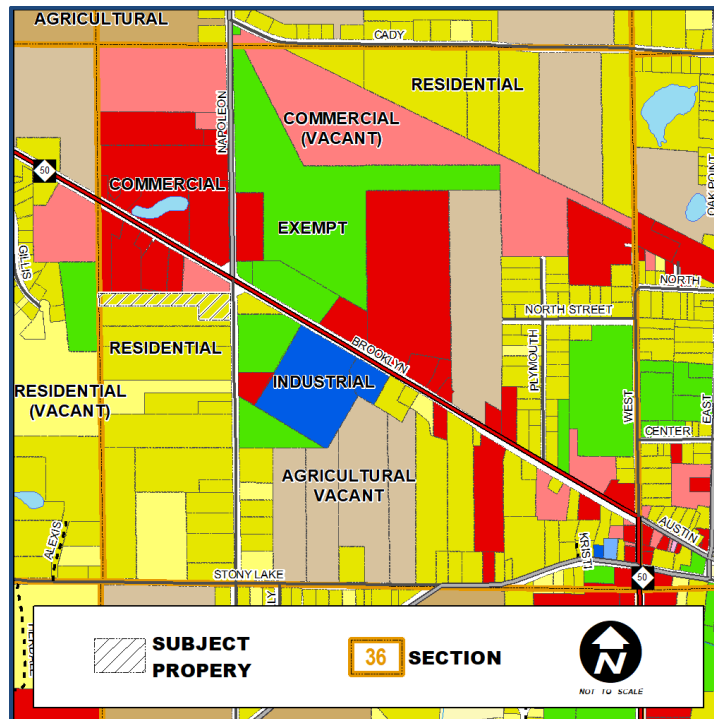
**Figure 1
Location**



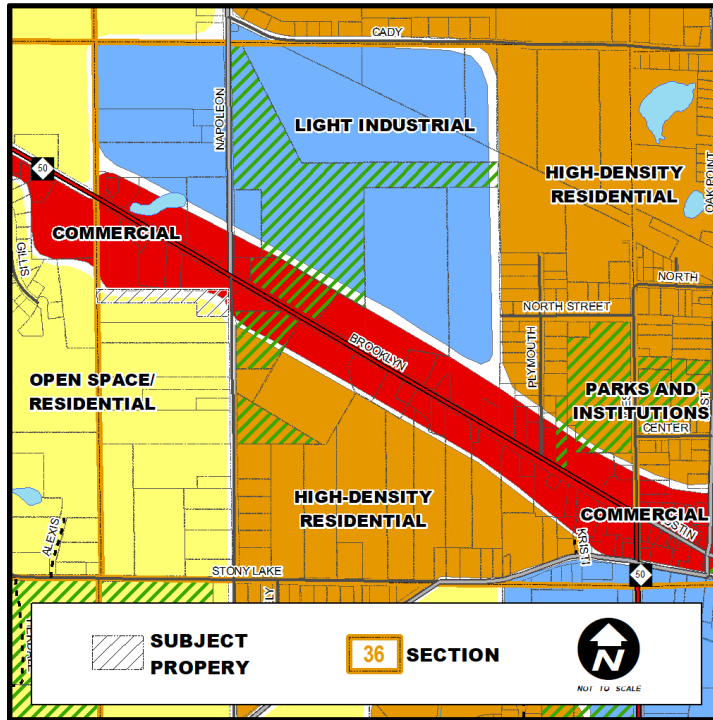
**Figure 2
Detail**



**Figure 3
Property Assessment**



**Figure 4
Municipal Future Land Use**



**Figure 5
Municipal Zoning**

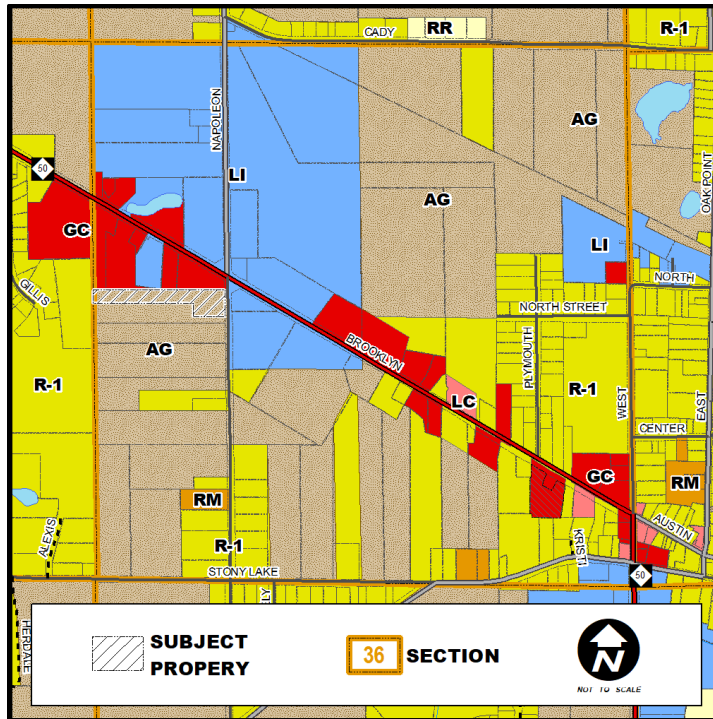
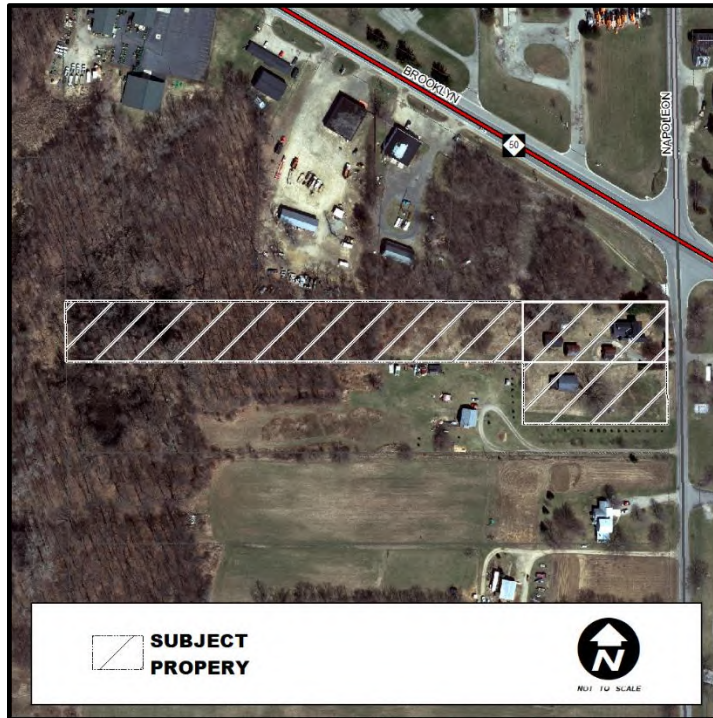


Figure 6 (a and b)
Aerial Photos



ZONING AMENDMENT FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

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

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

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

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

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

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

7900 Napoleon Rd.-Current is 7908 Napoleon Rd. Property# 000-14-36-151-007-01-Current acres is 10.2 acres- rezoning 1 acre for 7900 Napoleon Rd.

1. The above described property has a proposed zoning change FROM Agricultural (AG-1) ZONE TO Residential (R-1) ZONE.
2. PURPOSE OF PROPOSED CHANGE: Allow parcel (A) to be sold as a single family residential unit. Remainder to be combined with 7908 Napoleon Rd.

B. ZONING ORDINANCE TEXT AMENDMENT:

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

Allow parcel (A) to be sold as a single family residential unit. Remainder to be combined with 7908 Napoleon Rd.

- C. PUBLIC HEARING on the above amendment was held on: month April day 22 year 2021
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month April day 6 year 2021
(Notice must be provided at least fifteen days prior to the public hearing.)
- E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Exponent

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

John E. Korman, Recording Secretary April / 22 / 2021 (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

1. Date of Meeting: month May day 13 year 2021
2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:
() Recommends APPROVAL of the zoning change
() Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
() Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
() Takes NO ACTION.
_____, () Chair or () Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment () PASSED, () DID NOT PASS, or was () REFERRED ANEW to the Township Planning Commission.

Township Clerk

REZONING WORKSHEET FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

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

Please submit with the "Zoning Amendment Form" for a district boundary change (rezoning), not a text amendment.

Township of: _____ Township Case #: _____

Township official we may contact: _____ Phone #: (____) ____ - _____

Applicant: _____ Phone #: (____) ____ - _____

Rezoning Request: From: _____ (____) To: _____ (____)

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

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

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

Please attach location map ☐ Yes ☐ No

What is the existing use of the site? _____

What is the proposed use of the site? _____

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

North: _____ South: _____

East: _____ West: _____

What are the surrounding Zoning Districts?

North: _____ (____) South: _____ (____)

East: _____ (____) West: _____ (____)

What is the suggested use of the site on the Township's Land Use Plan map? _____

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

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

Does the site have access to a public street or road? ☐ Yes ☐ No If yes, name _____

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

☐ Wetland(s) ☐ Floodplain(s) ☐ Brownfield(s) ☐ Soil(s)

☐ Other (please specify) _____

Please attach the minutes of the Planning Commission.

☐ Yes, the minutes are attached. ☐ No, the minutes are not attached.

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

☐ Yes, copies of documentation are attached. ☐ No, copies of documentation are not attached.

Please attach any public comments, letters, or petitions.

☐ Yes, public comments are attached. ☐ No, public comments are not attached.

NAPOLEON TOWNSHIP ZONING APPLICATION

Print or Type

CASE # 21-04-0004

①

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

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

APPLICATION FOR

☒ Rezoning **

☐ Site Plan Review

☐ Planned Developments

☐ Special Land Use

☐ Amendments

☐ Variance ◆

☐ Conditional Use **

☐ Home Occupation **

☐ Site Plan Change/Renewal

☐ Administrative Site Plan

☐ Other

②

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

Name(s) Matthew Malson + Vanessa Paz Malson Phone 517-262-2190

Address 7908 Napoleon Rd
Jackson, MI 49201

③

OWNER INFORMATION (Same as applicant)

Name(s) Matthew Malson + Vanessa Paz Malson Phone 517-262-2190

Address 7908 Napoleon Rd
Jackson, MI 49201

④

PROPERTY INFORMATION

Address or Location 7908 Napoleon Rd Jackson, MI 49201

Permanent Parcel # 38000 14-36-151-007-01

Zone District (Current) non conforming Ag Property Size 5 acres - see attached

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

⑤

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

See Attached.

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

Matthew Malson

Signature of Applicant

Vanessa Paz Malson

Signature of Applicant

3/3/2021

Date

⑥

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

Signature of Applicant

Signature of Applicant

Date

DO NOT WRITE BELOW THIS LINE

Date Received 3-3-21

Application ☒

E-mail or

⑦ Submitted Materials: Site plan ☐ # of copies 24 x 36 ☒ 11 x 17 ☒ CD/PDF ☒

Site plan checklist ☐ Environmental checklist ☐ Pictures/ Video ☐

Survey: Stake ☐ Mortgage ☐

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

Application Fee 350.00

Publication/Mailing Fee _____

APPLICATION ACCEPTED BY: Rose

Meeting Dates: PC 4/22/21

ZBA May 13, 2021

CNTY June 8, 2021

TWPBD April 6, 2021

Publication Dates #1 April 6, 2021

WEB April 6, 2021

NOTE: Please attach all documents as required for each type of request and as listed on the attached sheets. Publication and postage cost charged accordingly over and above filing fees.

Napoleon Township Planning Commission
Minutes – April 22, 2021

Call to Order: 6:00 p.m.

Commission Members Present: Scott Miles, chair; John Hummer, recording secretary and township board liaison; Jeff Kirkpatrick; Mark LaRocque; Heidi Richardson; Susan Sayles

Commission Members Absent: Jim Gray

Also Present: John Worden, Napoleon Township Zoning Administrator; Matthew Malson and Vanessa Paz Malson, applicant for Case #21-04-0004.

Pledge of Allegiance

Approval of Agenda: MOTION by J. Kirkpatrick, seconded by J. Hummer, to approve the agenda. All ayes. Motion passed.

Minutes of March 25, 2020: MOTION by S. Miles, seconded by H. Richardson, to approve the March 25 minutes as presented. All Ayes. Motion passed.

Case #21-04-0004 - Rezoning one acre from Agricultural (AG-1) to Residential (R-1) - property located at 7900 Napoleon Rd. - Matthew Malson and Vanessa Paz Malson/Owner/Applicant: S. Miles invited the applicant to provide information on the case. M. Malson stated that the subject property at 7900 Napoleon Rd. is currently five acres zoned Agricultural (AG-1) and that they want to rezone it as one acre of Residential (R-1) and join the other four acres with another five adjacent acres they own which would remain Agricultural. This rezoning and future parcel updates would allow the applicant to sell the home and outbuildings on the one acre to a local resident that has already contacted them about with their interest in purchase and renovation of the home. The applicant would keep the remaining property for their use. The rezoning of the one acre to residential would also allow the applicant to redo the property lines to fit the current rules for road frontage. S. Miles checked with J. Worden on the side yard setbacks to ensure they were within the parameters of the zoning ordinance. J. Worden confirmed they are. S. Miles stated the rezoning is consistent with the township's future land use plan. J. Hummer confirmed the location of the subject parcel, which is located across the street from the township building on Napoleon Rd. at the corner of M-50. MOTION by J. Kirkpatrick, seconded by M. LaRocque, to recommend approval of the rezoning of one acre of the property located at 7900 Napoleon Rd. from Agricultural (AG-1) to Residential (R-1) as presented. All Ayes. Motion passed. J. Worden stated that the next step for the rezoning takes place at the Jackson County Planning Commission meeting on the second Thursday of May. Following that, it goes before the township board the second Tuesday of June.

Public/Commission Comment - Non-Agenda Items:

Public: None.

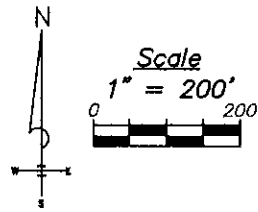
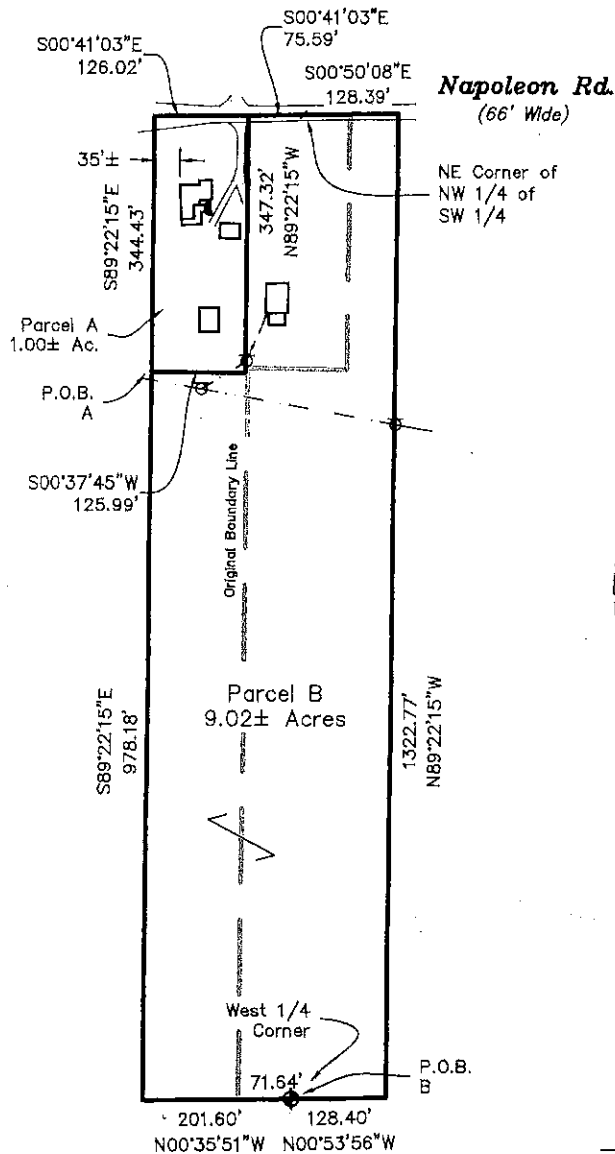
Commission: J. Worden noted that an individual from a solar company contacted him inquiring about zoning regulations for solar farms. The interested party is looking at the possibility of a solar farm on 16 acres of property at 6383 Oak Point Rd. The proposed project would have to tie into Consumers Energy on the grid. J. Worden indicated one action the township board could do is to put a temporary moratorium on solar development to allow the township time to develop its own solar ordinance. The planning commission and township board began discussions about a solar ordinance back in 2018 and heard a presentation on solar developments from Harvest Energy in Jackson. An effort to get Consumers Energy to come to the township for a presentation hit a dead end. From those discussions, the commission obtained copies of both the Summit and Grass Lake townships' solar ordinances. J. Kirkpatrick offered to take Summit's ordinance and format it as a starting template for Napoleon Township's solar ordinance. J. Hummer indicated he would get a copy of Columbia Township's solar ordinance, since a new solar project was recently approved there, and get it to J. Kirkpatrick for distribution with the starter ordinance document(s). The commission set a meeting for Thursday, April 29 at 6 p.m. for a work session on the solar ordinance. S. Miles asked members to review Summit, Columbia, and Grass Lake townships' ordinances for the meeting.

Adjourned 6:48 p.m.

Proposed Land Division

For:
Matt Malson
7908 Napoleon Road
Jackson, MI 49201

Part of the W 1/2 of
Sec. 36, T3S, R1E
Napoleon Twp., Jackson County, MI

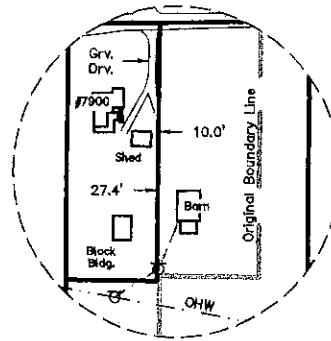


Note

A Survey is Required for
Exact Location of Boundary Lines

Basis of Bearings

State Plane Coordinate System
Michigan South Zone 2113 (G12AUS)



Detail

Not to Scale



David E. Erickson

PROFESSIONAL SURVEYOR #29245

Parcel A - Proposed Description:

A parcel of land in the NW 1/4 of Section 36, Town 3 South, Range 1 East, Napoleon Township, Jackson County, Michigan, being more particularly described as:

Commencing at the West 1/4 Corner of said Section 36, thence N00°35'51"W along the West Line of said section, 201.60 feet; thence S89°22'15"E 978.18 feet to the Point of Beginning of this description; thence continuing S89°22'15"E 344.43 feet to the East Line of the West 1/2 of the Northwest 1/4; thence S00°41'03"E along said East Line, 126.02 feet; thence N89°22'15"W 347.32 feet; thence N00°37'45"E 125.99 feet to the Point of Beginning. Containing 1.00 acres, more or less.

Subject to the rights of the public to Napoleon Road. Also to all easements and restrictions, if any.

Parcel B - Proposed Description:

A parcel of land in the West 1/2 of Section 36, Town 3 South, Range 1 East, Napoleon Township, Jackson County, Michigan, being more particularly described as:

Beginning at the West 1/4 Corner of said Section 36, thence N00°35'51"W along the West Line of said section, 201.60 feet; thence S89°22'15"E 978.18 feet; thence S00°37'45"W 125.99 feet; thence S89°22'15"E 347.32 feet to the East Line of the West 1/2 of the Northwest 1/4; thence S00°41'03"E along said East Line, 75.59 feet; thence S00°50'08"E along the East Line of the West 1/2 of the Southwest 1/4 of said section, 128.39 feet; thence N89°22'15"W 1322.77 feet to the West Line of said section; thence N00°53'56"W along said West Line, 128.40 feet to the Point of Beginning. Containing 9.02 acres, more or less.

Subject to the rights of the public to Napoleon Road. Also to all easements and restrictions, if any.

JOB #: 2020.4296

DRAWN: RST

DATE: 1-17-20

SCALE: 1" = 200'

PAGE: 1 OF 1

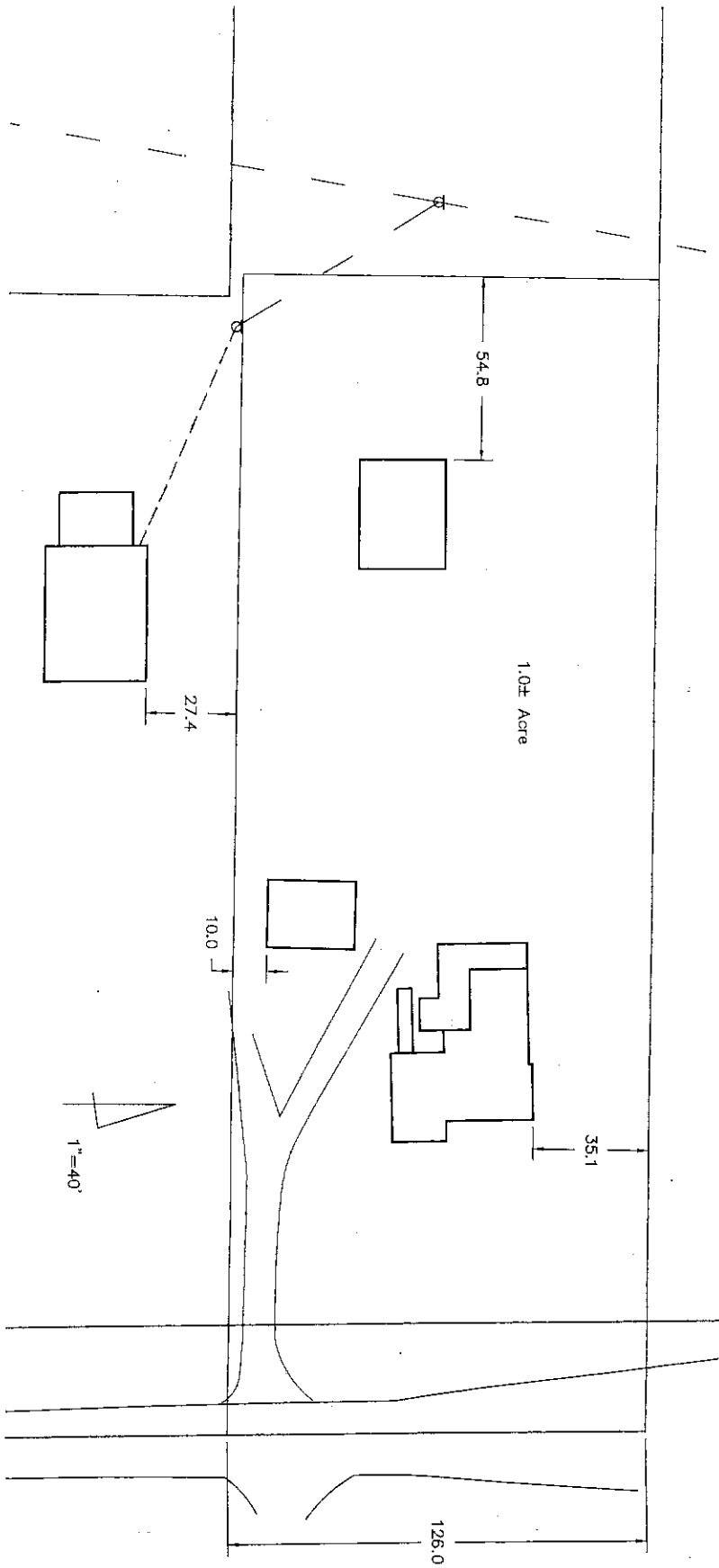


SHERIDAN SURVEYING CO.

910 Fifth Street
517-764-0440

Michigan Center, MI 49254
sheridansurveying.com

* Detailed Measurements
of 7900 Napoleon Rd
after future changes to
the property lines.



NAPOLEON TOWNSHIP

PLANNING COMMISSION

Check the Township Website at www.napoleontownship.us prior to the meeting to see if the meeting is Live or Virtual

April 22, 2021 - 6:00 P.M.

Please Note: The Chairman may ask for public comment before a formal vote of the Planning Commission is taken. All comments are directed to the Planning Commission. Public comments are limited to a maximum of 3 minutes per person. After being recognized by the Chairman, please state your full name and residence address for the record before giving your public comment.

Pledge of Allegiance

1. Approval of the Agenda
2. Minutes of March 25, 2021
3. Case#21-04-0004 -Rezoning 1 acre from Agricultural (AG-1) to Residential (R-1) -Property located at 7900 Napoleon Rd. – Matthew & Vanessa Paz Malson /Owner/Applicant
5. Public Comment/Commission – Non-Agenda Items
6. Adjourn

Attachments:

NOTICE

Check the Township Website prior to the meeting to see if the meeting is Live
www.napoleontownship.us

The Napoleon Township Planning Commission will hold a public hearing April 22, 2021 at 6:00 p.m. in the Township Hall, 6775 Napoleon Road, Jackson, MI. 49201

At this time all interested parties will be heard on the request of Matthew and Vanessa Paz Molson of 7908 Napoleon Rd. to rezone 1 acre in the North East corner of 7900 Napoleon Rd from Agricultural (AG-1) to Residential (R-1) allowing the sale of the rezoned parcel. The property and request are more particularly described and on display at the Township Office.

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

The Exponet
Insertion Date: April 6, 2021

Copy to John Hummer, Clerk

MESSAGE TO TAXPAYER

PAYABLE AT NAPOLEON TOWNSHIP OFFICE MON-THURS 7:00AM-5:00PM. FOR AFTER HOURS PAYMENT, DROP BOX IS LOCATED NEAR THE BUILDING ENTRANCE OR MAKE ONLINE PAYMENTS AT NAPOLEONTOWNSHIP.US. YOUR CANCELLED CHECK IS YOUR RECEIPT.

TREASURER: ANITA GRAHAM 517-536-8694 EXT 200

PROPERTY INFORMATION

Property Assessed To:

MALSON, MATTHEW & VANESSA
7908 NAPOLEON RD
JACKSON, MI 49201

NAPOLEON

Prop # 38000-14-36-151-007-01 School: 38130

Property Address: 7900 NAPOLEON RD

Legal Description:

BEG AT W 1/4 POST OF SEC 36 TH N00°36'24''W 71.64 FT
TO A PT FOR PL OF BEG OF THIS DESCN TH N00°36'24''W
129.96 FT TH S89°22'58''E 1322.61 FT PAR WITH E&W
1/4 LN TO E LN OF W 1/2 OF NW 1/4 TH S00°41'46''E
201.61 FT TH S00°50'51''E 62.39 FT TH N89°22'58''W
344 FT PAR WITH E&W 1/4 LN TH N00°37'02''E 134 FT TH
N89°22'58''W 982.05 FT PAR WITH E&W 1/4 LN TO BEG.
SEC 36 T3S R1E 5 ACRES M/L

BALANCE OF DESCRIPTION ON FILE

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County: 01/01/2020 - 12/31/2020
Twn/Cty: 07/01/2020 - 06/30/2021
School: 07/01/2020 - 06/30/2021
State: 10/01/2019 - 09/30/2020
Does NOT affect when the tax is due or its amount.

PAYMENT INFORMATION

This tax is due by: 09/14/20 without penalty
Pay by mail to: NAPOLEON TOWNSHIP
P.O. BOX 385
NAPOLEON, MI 49261

Mortgage Code:

TAX DETAIL

Taxable Value: 44,428 RESIDENTIAL-401
State Equalized Value: 53,200 Class: 401
PRE/MBT %: 0.0000

Taxes are based upon Taxable Value.
1 mill equals \$1.00 per \$1000 of Taxable Value.
Amounts with no millage are either Special
Assessments or other charges added to this bill.

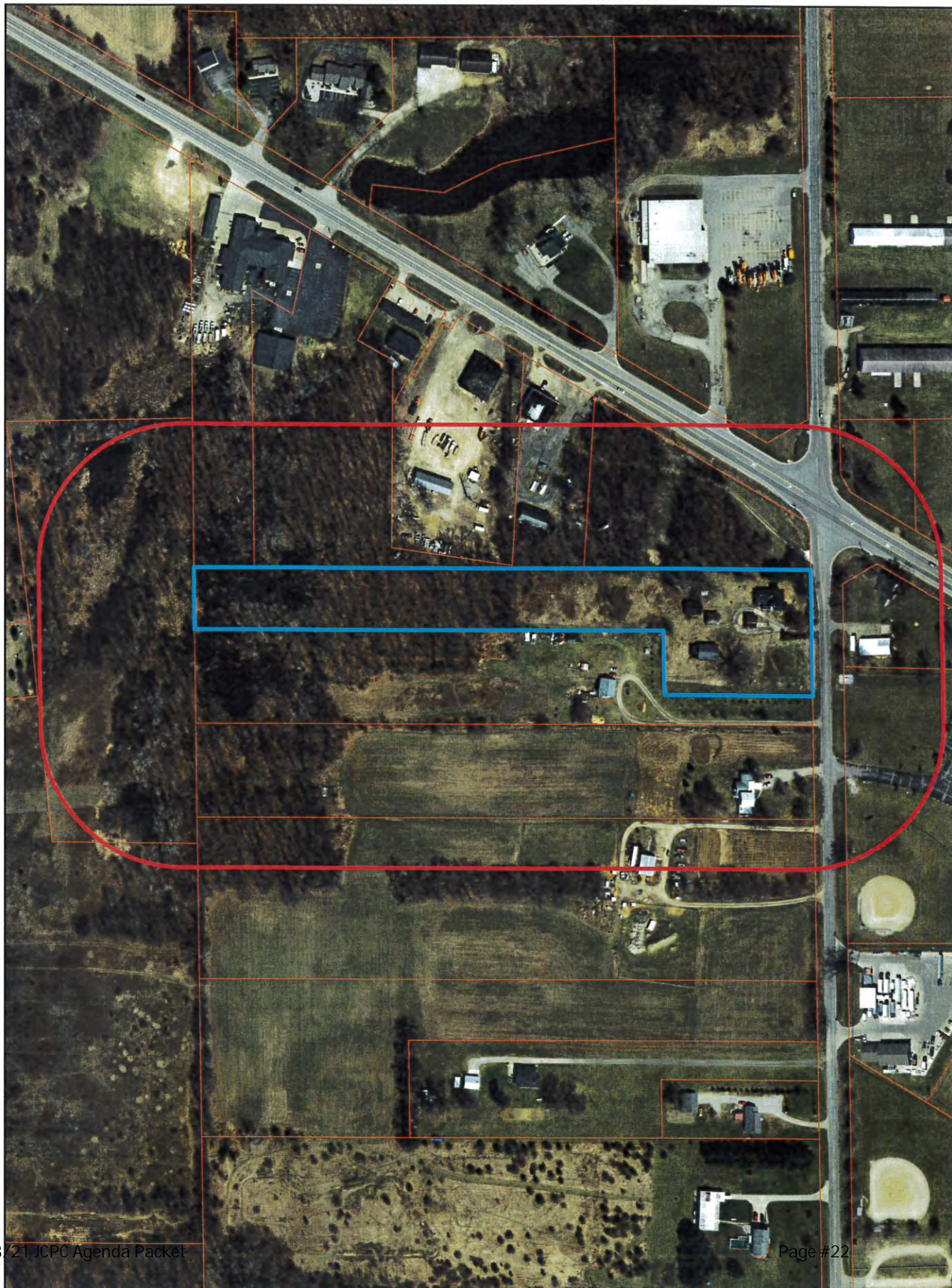
DESCRIPTION	MILLAGE	AMOUNT
NAPOLEON OPER	18.00000	799.70
NAPOLEON DEBT	4.20000	186.59
JACKSON ISD	4.37200	194.23
STATE EDUC. TAX	6.00000	266.56
JACKSON COLLEGE	1.13900	50.60
COUNTY <input type="checkbox"/> CASH CHECK #	5.09410	226.32

SEP 09 2020

Anita K. Graham
TREASURER, NAPOLEON TWP.

Total Tax	38.80510	1,724.00
Administration Fee		17.24
TOTAL AMOUNT DUE		1,741.24

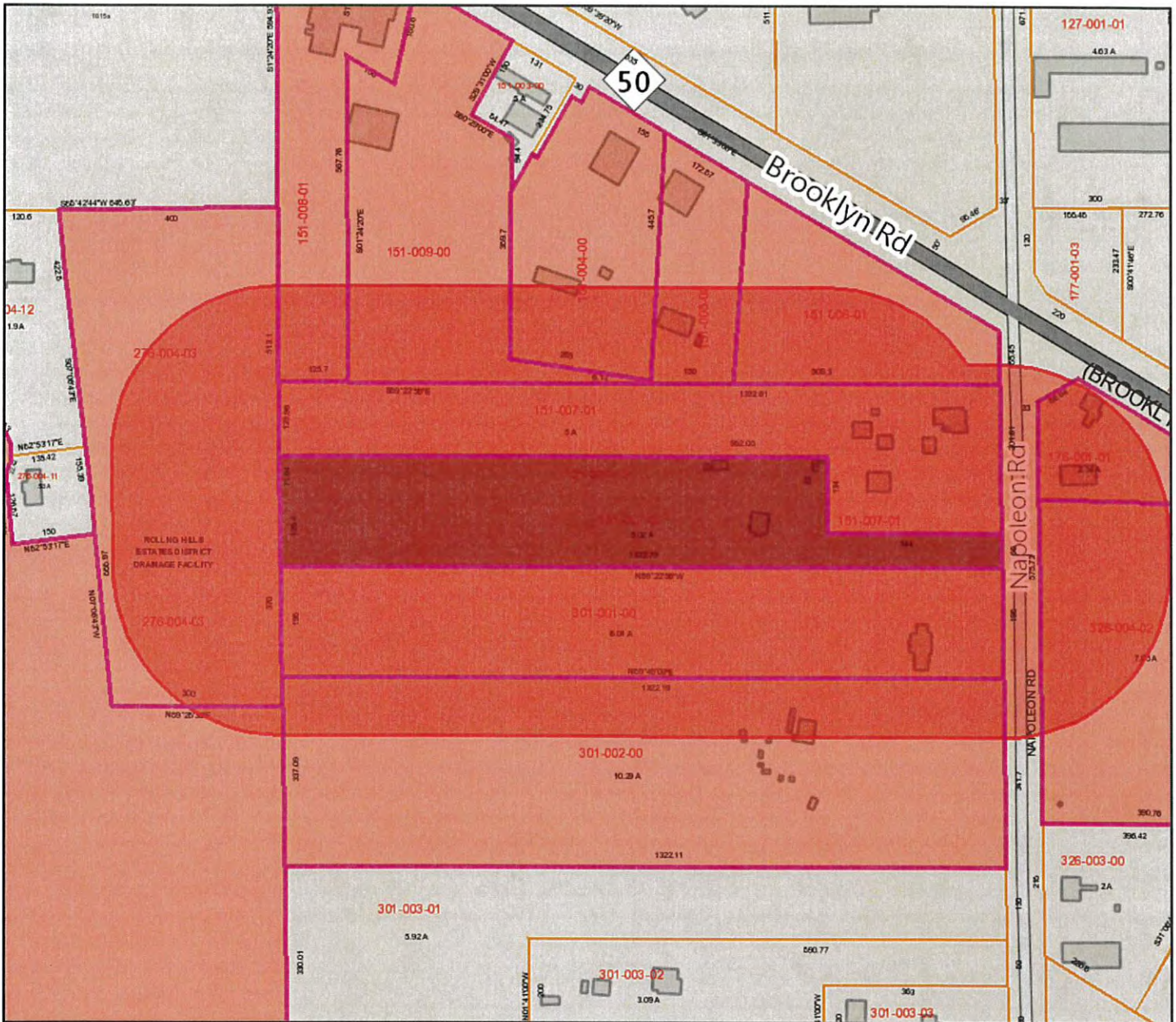
Case#21-04-0004-7900 Napoleon Rd.- Rezoning 1 Acre
AG-1 to R-1-Matthew&Vanessa Malson





Parcel Report - Parcel ID: 000-14-36-151-007-00

3/10/2021



Owner Name PAZ VANESSA & MALSON MATTHEW
Owner Address 7908 NAPOLEON RD
JACKSON, MI 49201
Homestead 100
Parcel Address 7908 NAPOLEON RD
JACKSON, MI 49201
Property Class 401 - RESIDENTIAL
Status Active
Acreage 5.02
Gov't Unit Napoleon
Tax Unit Napoleon
School District NAPOLEON SCHOOL
Liber/Page 2034-1081

	2018	2019	2020
Taxable Value	\$48,298	\$49,400	\$50,338
Assessed Value	\$52,674	\$50,900	\$73,900

Tax Description:

BEG IN SLY LN OF HWY M-50 AT CEN OF NAPOLEON RD TH S ALG CEN OF NAPOLEON RD 85.45 FT TO A PT WH IS THE PL OF BEG OF THIS DESCN TH W TO W LN OF SEC 36 TH S ALG SD W LN 330 FT TH E PAR WITH E&W 1/4 LN TO CEN OF NAPOLEON RD TH N IN CEN OF SD RD 330 FT TO BEG EXC BEG AT A PT ON W LN OF NW 1/4 OF SEC 36 TH N00DEG 36°24'W 71.64 FT FROM W 1/4 POST TH N 00DEG 36°24'W 129.96 FT TH S89DEG 22°58'E 1322.61 FT PAR WITH E&W 1/4 LN TO E LN OF W 1/2 OF NW 1/4 TH S00DEG 41°46'E 201.61 FT TH S00DEG 50°51'E 62.39 FT TH N89DEG 22°58'W 344 FT PAR WITH E&W 1/4 LN TH N00DEG 37°02'E 134 FT TH N89DEG 22°58'W 982.05 FT PAR WITH E&W 1/4 LN TO BEG. SEC 36 T3S R1E 5.0200 ACRES



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Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

120 W. Michigan Avenue • Jackson, MI 49201

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

COORDINATED ZONING REPORT | #21-10

To: County Planning Commissioners

From: Grant E. Bauman

Date: May 3, 2021

Proposal: **A rezoning in Leoni Township**

Request

The subject properties (Ann Arbor Road, ID #000-09-24-103-017-00 and #000-09-24-103-018-00) are proposed for rezoning from 'suburban residential (RS)' to 'general business (B-4)' (see the background information).

Purpose

The applicant wishes to combine the subject properties and install a 50-ft. x 100-ft. steel building to store trucks (see the Rezoning Worksheet Form and background information).¹

Location and Size of the Property

The subject properties have a combined area of approximately 1.4 acres. Situated in Section 24 (T2S-R1E) of the Township, the properties are located on the north side of Ann Arbor Road, near the Race Road interchange with Interstate 94 (see Figure 1). The properties comprise units 17 and 18 of the Vineyard Hills Site Condominium.

Land Use and Zoning

Current Land Use – The subject properties are vacant and currently assessed by the Township for residential use (see Figure 2). Lone Oak Vineyard Estate is located to the east and properties to the north and east are assessed for agricultural use. The property directly to the south is assessed for commercial use. The majority of the Vineyard Hills Site Condominium is located to the west.

Future Land Use Plan – The *Leoni Township Master Plan* recommends 'commercial' uses for the subject properties as well as properties to the north, east, south, and southwest (see Figure 3). 'Residential' uses are recommended for the properties located to the west (i.e., the majority of the Vineyard Hills Site Condominium).

Current Zoning – The subject properties are currently zoned 'suburban residential (RS)' (see Figure 4). Properties located to the north, east, and west are also zoned 'RS'. Properties located to the south side of Ann Arbor Road are zoned 'general business (B-4)'.

Public Facilities and Environmental Constraints

Water and Sewer Availability – Municipal water and sewer services are not available according to the Township.

¹ Please note that this report lists the proposed use for informational purposes only. Do not utilize it in making the rezoning decision. Circumstances may change tomorrow which make the proposed use impractical. All of the uses that the proposed zoning designation would allow are pertinent to the rezoning request.

Public Road/Street Access – Ann Arbor Road, a county primary road, provides direct access to the subject properties. The roadway also serves as Business Route 94.

Environmental Constraints – The subject properties have no known environmental constraints according to the Township (see the Rezoning Worksheet Form).

Analysis and Recommendation

Township Planning Commission Recommendation – The Leoni Township Planning Commission recommends **disapproval** of the proposed rezoning of the subject properties to ‘general business (B-4)’ (see the attached Zoning Amendment Form and background information).

Staff Analysis – Leoni 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 Master Plan?**

Yes. The Future Land Use Plan recommends ‘commercial’ uses on Ann Arbor Road (see Figure 3). Only the Vineyard Hills Site Condominium (excluding the subject properties) is recommended for ‘low density residential’ uses. *It should be noted that the subject properties are on the edge of the area recommended for commercial uses and that the future land use plan is not necessarily meant to be property specific.*

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

Yes. Properties on the south side of Ann Arbor Road are currently zoned ‘general business (B-4)’ (see Figure 4).

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

No. Ann Arbor Road is a county primary road.

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 proposed 5,000 sq. ft. building may be objectionable to neighbors. However, that type of use is already possible with the adjacent ‘general business (B-4)’ zone on the south side of Ann Arbor Road.

The subject properties comprise units 17 and 18 of Vineyard Hills Site Condominium, which is covered by a master deed. This may place additional restrictions that will not allow commercial development of the properties. That, however, is a private matter not under the purview of local government (see the background information).

JCPC Staff Advisement – Based upon the analysis provided in his report, staff advises the Planning Commission to recommend **APPROVAL WITH COMMENTS** to the Leoni Township Board of the proposed rezoning of the subject properties (ID #000-09-24-103-017-00 and #000-09-24-103-018-00) to ‘general business (B-4)’, noting the master deed issue.

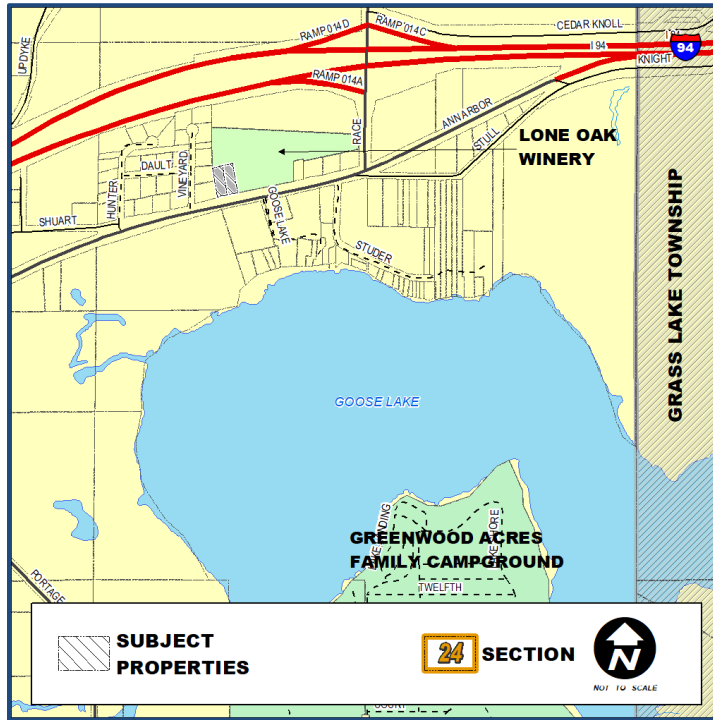
Staff Report Attachment(s):

- Background information provided by Leoni Township

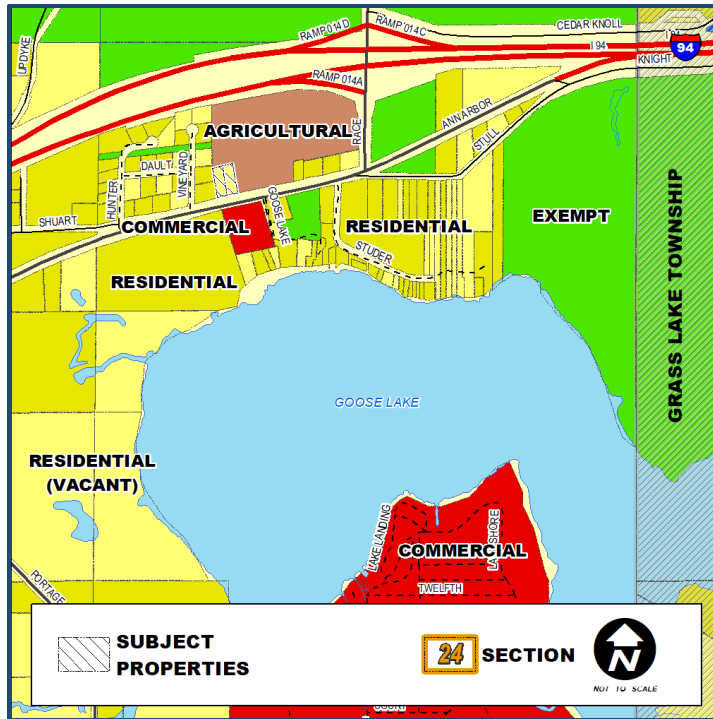
Suggested Actions:

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

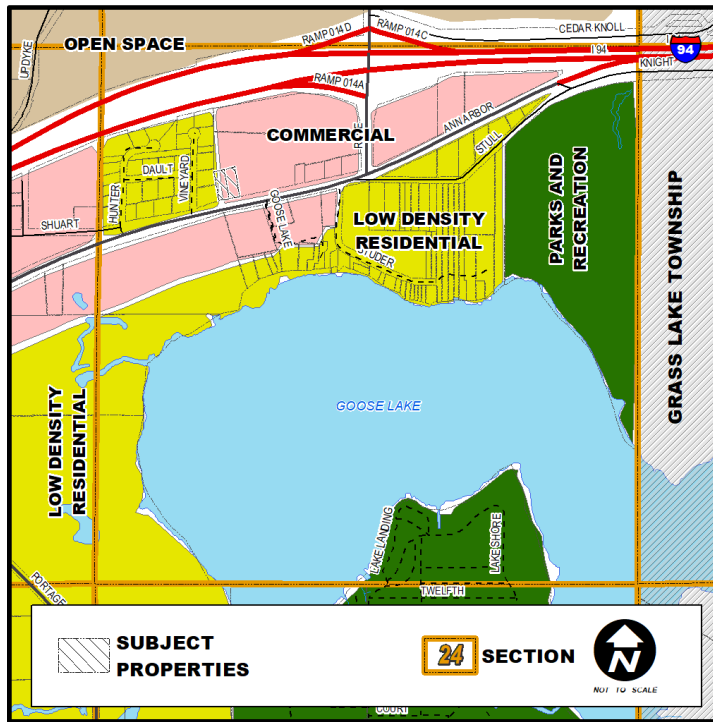
**Figure 1
Location**



**Figure 2
Property Assessment**



**Figure 3
Municipal Future Land Use**



**Figure 4
Municipal Zoning**

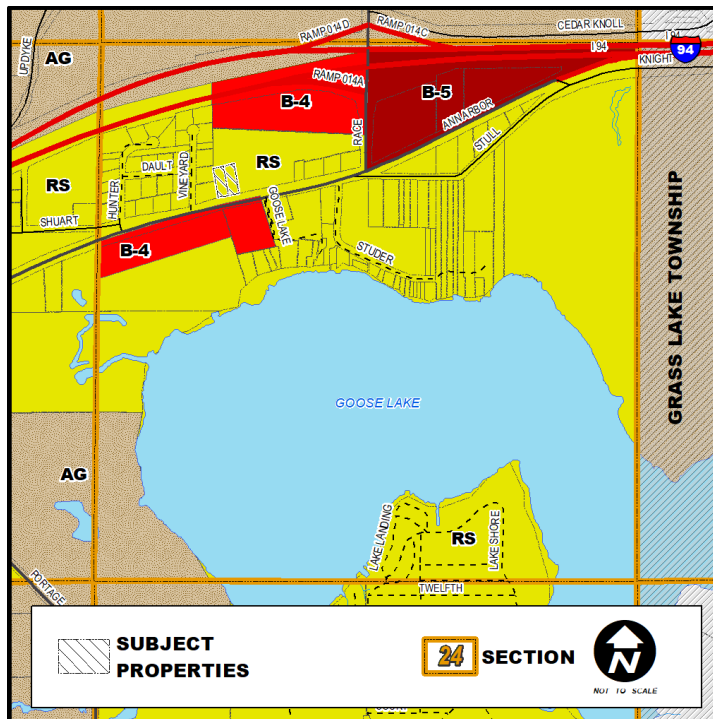


Figure 5
Aerial Photo



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 Leon 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.)

000-09-24-103-017-00 & 000-09-24-103-018-00, 123 on both parcels
Unit 17218 Vineyard Hills Site Condo. Sec 24 T2S R1E Split on 355/19
from 000-09-24-102-002-00

1. The above described property has a proposed zoning change FROM Residential (RS)
ZONE TO General Business (B4) ZONE.

2. PURPOSE OF PROPOSED CHANGE: Install a pole barn to store trucks

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 April day 21 year 2021

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month March day 28 year 2021
(Notice must be provided at least fifteen days prior to the public hearing.)

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

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

☐ Chair or ☒ Secretary 4/22/21 (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.

Township Clerk

JCPC Case #: _____
(For JCPC Use Only)

REZONING WORKSHEET FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

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

Please submit with the "Zoning Amendment Form" for a district boundary change (rezoning), not a text amendment.

Township of: Leoni Township Case #: _____
Township official we may contact: Cindy Norris Phone #: (517) 936-2290
Applicant: Charles Elkins Phone #: (734) 231-2657
Rezoning Request: From: Residential (RS) To: General Business (B4)
Property Location: Section(s): _____ Quarter Section(s): ☐ NW ☐ NE ☐ SW ☐ SE

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

Parcel Size (if more than one parcel, label "A" - "Z"): 1.23 acres for 000-09-24-103-017-00 & 1.23 acre on 000-09-24-103-018-00

Please attach location map ☒ Yes ☐ No

What is the existing use of the site? Vacant land

What is the proposed use of the site? Steel pole barn for storing trucks

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

North: Residential, Agricultural
East: Residential, Agricultural

South: Commercial
West: Residential, Suburban

What are the surrounding Zoning Districts?

North: (AG) Agricultural
East: (AG) Agricultural

South: (B4) General Business
West: (RS) Residential Suburban

What is the suggested use of the site on the Township's Land Use Plan map? _____

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

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

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

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

☐ Wetland(s) ☐ Floodplain(s) ☐ Brownfield(s) ☐ Soil(s) ☐ Other (please specify) _____

Please attach the minutes of the Planning Commission.

☒ Yes, the minutes are attached. ☐ No, the minutes are not attached.

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

☒ Yes, copies of documentation are attached. ☐ No, copies of documentation are not attached.

Please attach any public comments, letters, or petitions.

☐ Yes, public comments are attached. ☐ No, public comments are not attached.

Please include any additional information or comments as an attachment.

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

PLANNING COMMISSION MINUTES
April 21, 2021 DRAFT

The Leoni Township Planning Commission held a meeting Wednesday, April 21, 2021 @ 6:00 p.m. 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:00 pm

Members Present: V. Beckwith, J. Southworth, B. Lester, D. Perrine, W. Miles and R. Kinch
Members absent: Connie Gibson

Persons in attendance: 13

Pledge of Allegiance

Purpose of Planning Commission read by V. Beckwith

Motion by V. Beckwith supported by D. Perrine to approve the April 21st Agenda as written
Motion adopted by voice vote

Motion by W. Miles and supported by D. Perrine to approve the April 7 minutes as written.
Motion adopted by voice vote

Public Comment: **Open at 6:03 pm.**
 Closed at 6:25 pm.

NEW BUSINESS:

- 1. 000-09-24-103-017-00 & 000-09-24-103-018-00 -Charles Elkins – Ann Arbor Rd.**
Rezone

Discussion: J. Southworth explained that the Planning Commission cannot approve combining the two properties, that Mr. Elkins will need to go before the land division board for that. Mr. Elkins was advised by the Commission members that he will need to start with the subdivision Association and get approval from them.

Motion by J. Southworth, supported by V. Beckwith to approve the rezone for parcels 000-09-24-103-017-00 and 000-09-24-103-018-00.

Roll call Vote: 0 Ayes:

6 Nays: Southworth, Kinch, Perrine, Miles, Lester, Beckwith

Motion Failed

2. 000-09-21-101-002-01 -Golden Investments LLC Rezone

Discussion: R. Kinch stated that he wants to see this property sold but believes this would be spot zoning to make this happen and that is not in the best interest of the residents of the township.

J. Southworth and W. Miles agreed with R. Kinch statement as well.

Some of the residing neighbors spoke their sentiments about the spot zoning aspect as well.

Motion by R. Kinch, supported by D. Perrine to approve the rezone for parcel 000-09-21-101-002-01.

Roll call Vote: 0 Ayes:

6 Nays: Southworth, Kinch, Perrine, Miles, Lester, Beckwith

Motion Failed

Public Comment:	Open at	6:43 pm.
	Closed at	6:45 pm.

Motion by J. Southworth, supported by R. Kinch to adjourn the meeting.

Meeting Adjourned 6:48 pm.

Next meeting: May 5, 2021

550

Leoni Township Office

913 Fifth Street Michigan Center, Michigan 49254
PHONE: (517) 764-4694 FAX: (517) 764-1106
www.leonitownship.com

DATE OF APPLICATION: 3-17-2021

APPLICATION #: _____

APPLICATION FOR ZONING CHANGE or CONDITIONAL USE

TO: PLANNING COMMISSION, LEONI TOWNSHIP

(We) Hereby make application with the Township of Leoni to:

- ☐ Add to or change the text of the Ordinance.
- ☐ Change the district boundaries.
- ☒ Re-Zone the property to another classification.
- ☐ Conditional Use.
- ☐ Home Occupation.
- ☐ Extending Residential Non-Conforming Use.

Applicants Name: Charles Elkins Phone: 734-231-2657
Address of Property Involved: _____
Legal Description of Property: 000-09-24-103-017-00 and 000-09-24-103-018-00
Combined as one Commercial Lot
The above property is presently zoned: _____
I wish the zoning to be changed from: Residential to: Commercial
I wish the boundaries to be changed from: _____ to: _____
I wish the change in the text from section: _____
The proposed use(s) and nature(s) of operation is/are: Install a 50x100 Steel Building
To store trucks.

NOTE: Attach an ACCURATE SURVEY DRAWING of said property drawn to scale showing existing and proposed building and structures, the type thereof and their uses, and the distances from property lines.

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND THAT I AM THE OWNER OF THE PROPERTY.

GRANT PERMISSION FOR MEMEBERS OF THE LEONI TOWNSHIP PLANNING COMMISSION AND/OR TOWNSHIP BOARD TO ENTER THE ABOVE PROPERTY FOR THE PURPOSE OF GATHERING INFORMATION RELATED TO THIS APPLICATION. (NOTE TO APPLICANT: This will not affect any decision on your application.)

IN CASE OF CANCELLATION OR FAILURE TO APPEAR AT THE HEARING, I UNDERSTAND THAT ALL FEES WILL BE FORFEITED.

SE: _____
SIGNATURE OF OWNER APPLICANT

PLANNING COMMISSION RECOMMENDATION: Having review the submitted data, hereby recommend the Township Board
) Approve () Disapprove the Application for the following reasons (or with these restrictions) _____

DATE: _____ CHAIRMAN: _____
SIGNATURE

TOWNSHIP BOARD OF TRUSTEES: Having reviewed the submitted data, hereby () APPROVE () DISAPPROVE the application for the following reasons: _____

**LEONI TOWNSHIP OFFICE
913 FIFTH ST
MICHIGAN CENTER MI 49254
517-764-4694 PHONE 517-764-1106 FAX**

NOT I CE

The Leoni Township Planning Commission will hold a ZOOM Public Hearing, Wednesday, April 21, 2021 at 6:00 P.M. in the Leoni Township Meeting Hall, 913 Fifth St., Michigan Center, Michigan, 49254.

“This meeting is being held by ZOOM because of the COVID-19 State of Emergency and in conformance with Executive Orders issued by the Governor of the State of Michigan.”

Please visit the Leoni Township website at <http://www.leonitownship.com> prior to the meeting for instructions regarding remote access and any updates that may be needed due to COVID-19 requirements.

000-09-24-103-017-00 & 000-09-24-103-018-00
Charles Elkins
Ann Arbor Rd.

Purpose of hearing: Rezone

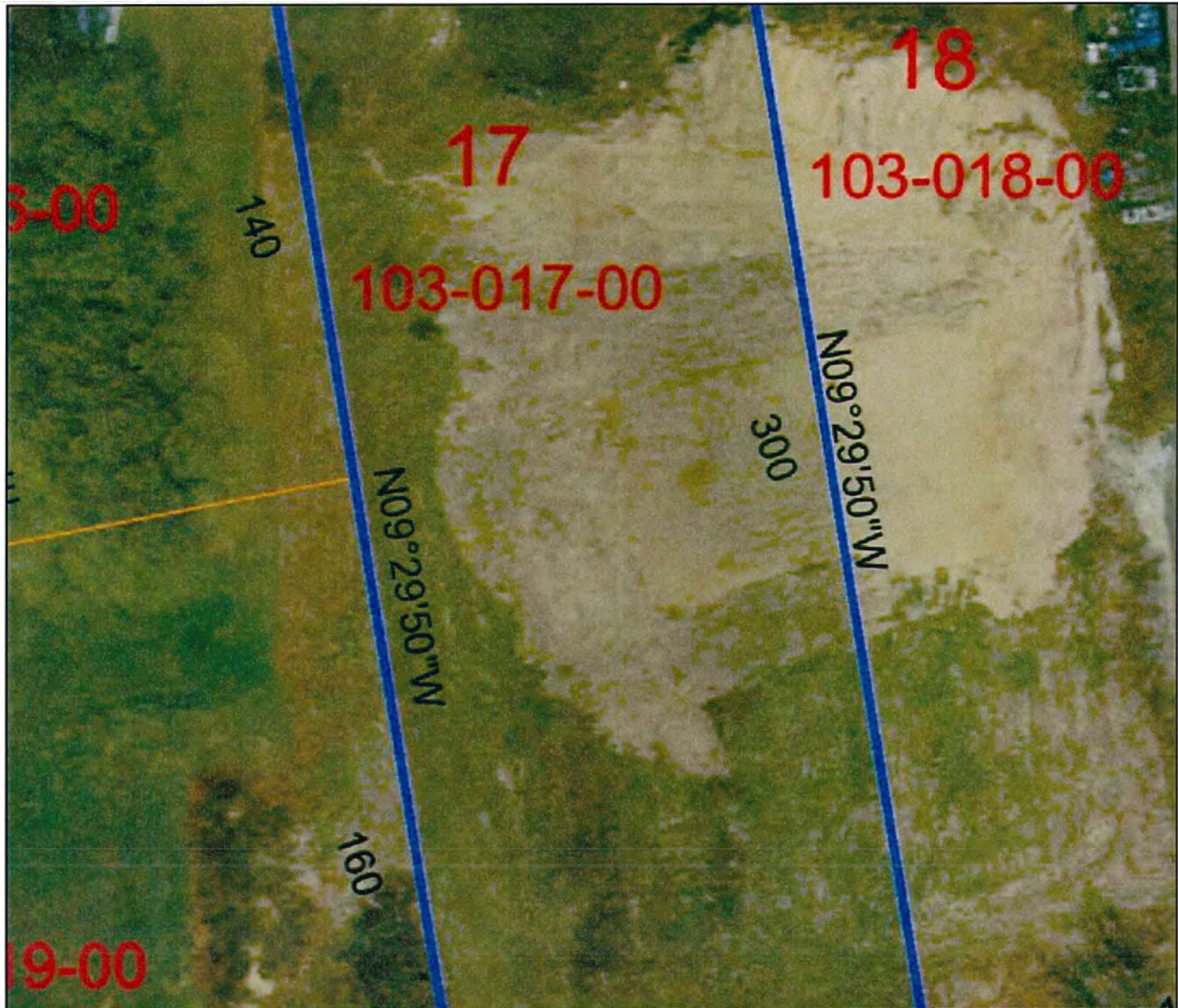
Legal Description: UNIT 17 VINEYARD HILLS SITE CONDOMINIUM SEC 24 T2S R1E SPLIT ON 03/25/1999 FROM 000-09-24-102-002-06;
UNIT 18 VINEYARD HILLS SITE CONDOMINIUM SEC 24 T2S R1E SPLIT ON 03/25/1999 FROM 000-09-24-102-002-06;

Cindy Norris, Clerk



Parcel Report - Parcel ID: 000-09-24-103-017-00

3/24/2021



Owner Name PRATTO BRANDON
Owner Address 3501 VINEYARD AVE
GRASS LAKE, MI 49240
Homestead 0
Parcel Address ANN ARBOR RD
GRASS LAKE, MI 49240
Property Class 402 - RESIDENTIAL VACANT
Status Active
Acreage 0.72
Gov't Unit Leoni
Tax Unit Leoni
School District GRASS LAKE SCHOOL
Liber/Page 2135-582

	2018	2019	2020
Taxable Value	\$7,396	\$7,573	\$16,849
Assessed Value	\$10,393	\$16,849	\$16,849

Tax Description:

UNIT 17 VINEYARD HILLS SITE CONDOMINIUM SEC 24
T2S R1E SPLIT ON 03/25/1999 FROM 000-09-24-102-002-06;



WARNING: Displayed boundaries are NOT SURVEY GRADE and may not reflect legal property description.
The intent of this map is to allow easy access and visual display of government information and services.
Every reasonable effort is made to ensure the accuracy of this map and data; nevertheless, errors may occur.



000-09-24-103-014-00
RADKA ALAN W
3530 CLEAR LAKE RD
GRASS LAKE, MI 49240

000-09-24-103-015-00
ILEY RICHARD
3938 VIKING DR
JACKSON, MI 49201

000-09-24-103-027-00
CAMERON LAWRENCE C
16347 SEYMOUR RD
GRASS LAKE, MI 49240

000-09-24-103-018-00
PRATTO BRANDON
3501 VINEYARD AVE
GRASS LAKE, MI 49240

000-09-24-103-016-00
BUSH MARY LF EST
3557 VINEYARD AVE
GRASS LAKE, MI 49240

000-09-24-103-017-00
PRATTO BRANDON
3501 VINEYARD AVE
GRASS LAKE, MI 49240

000-09-24-103-026-00
WEBB DOUGLAS R & MONA S
7979 DAULT RD
GRASS LAKE, MI 49240

000-09-24-103-019-00
PRATTO BRANDON & STEPHANIE
23073 BEACH DR
CHELSEA, MI 48118

000-09-24-151-001-00
RYAN THOMAS J
7710 ANN ARBOR RD
GRASS LAKE, MI 49240

000-09-24-102-002-04
BARBER JAMES K & DENNISE L
8400 ANN ARBOR RD
GRASS LAKE, MI 49240

000-09-24-103-020-00
WEBB DOUGLAS R
7979 DAULT CT
GRASS LAKE, MI 49240

000-09-24-103-999-00
DAULT THOMAS F
14325 HARVEY RD
GRASS LAKE, MI 49240

000-09-24-176-001-00
FRANKS DAVID
127 KENYON DR
TROY, MI 48083

Grantor	Grantee	Sale Price	Sale Date	Inst Type	Terms of Sale	Liber & Page	Verified by	Prct Trans
DAULT, THOMAS & MAE E	BARBER, JAMES K & DENNISE L	43,350	07/07/1997	WD	SPLIT	1546-375	OWNER/BUYER	100.0

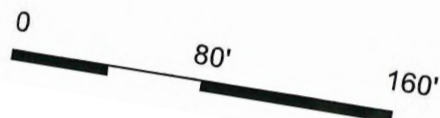
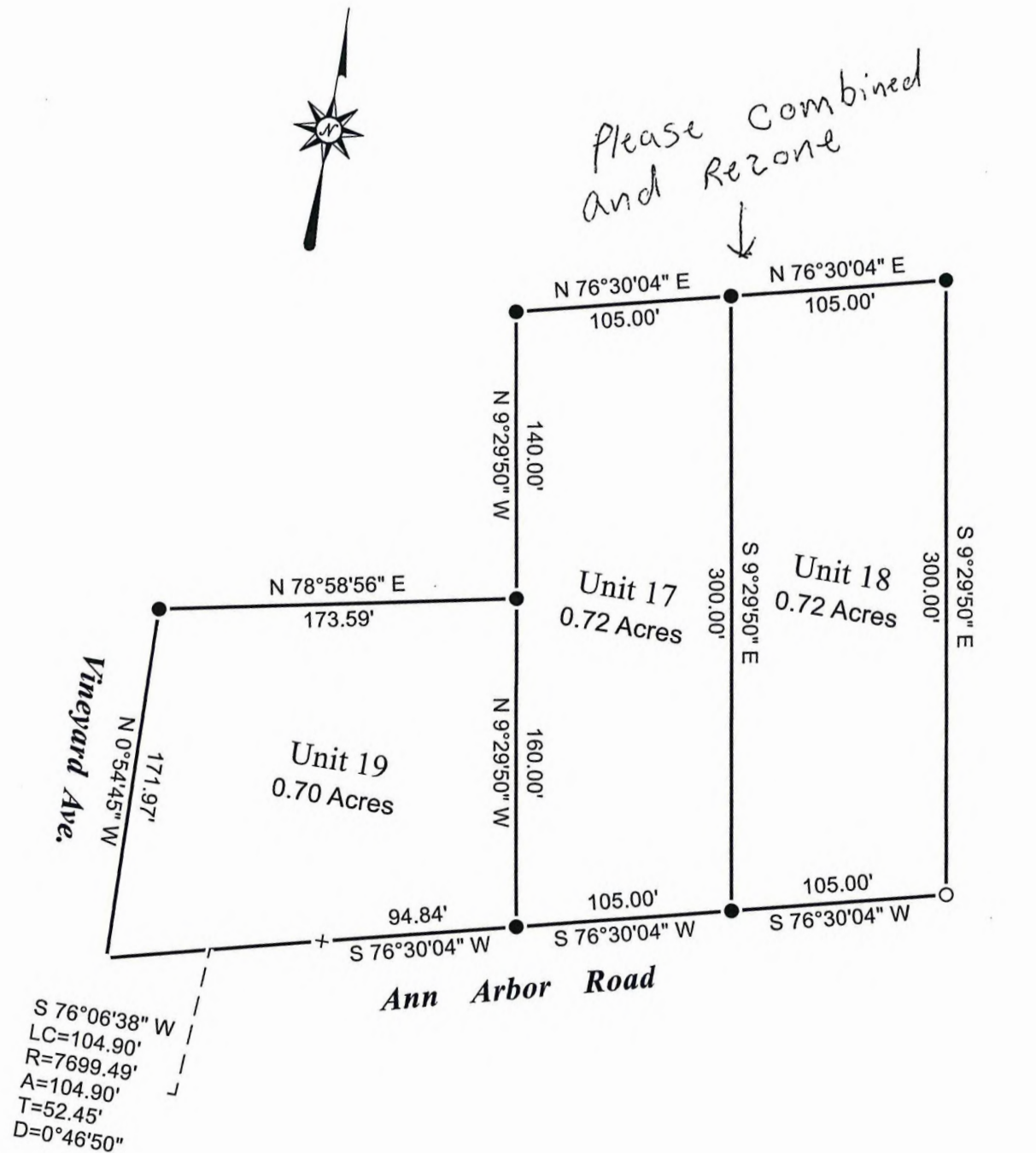
Property Address RACE RD	Class: AGRICULTURAL VAC	Zoning: B-4 GE	Building Permit(s)	Date	Number	Amount						
Owner's Name/Address BARBER, JAMES K & DENNISE L	School: GRASS LAKE 38050											
3400 ANN ARBOR RD	Hmstd 100% 09/11/2003											
GRASS LAKE MI 49240-9586	Map #: 98-09											
	2004 Est TCV 52,020											
Legal Description BEG AT W 1/4 POST OF SEC 24 TH N00°54'45''W 1673.81 FT ALG W SEC LN TO SLY LN OF HWY I-94 TH NELY ALG SD SLY LN 1155.60 FT ON THE ARC OF A CURVE TO THE RIGHT RADIUS OF 12629.40 FT, CENTRAL ANGLE OF 005°14'33'', A CHORD WH BEARS N71°23'36''E 155.20 FT TO A PT FOR PL OF BEG OF THIS DESCN TH CONTINUING NELY ALG SD SLY LN 439.99 FT ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 12629.40 FT, CENTRAL ANGLE 001°59'46'', A CHORD WH BEARS N75°00'46''E 439.97 FT TH CONTINUING ALG SD SLY LN NELY 165.82 FT ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 2773.93 FT, CENTRAL ANGLE N03°25'30'', A CHORD WH BEARS N77°43'24''E 165.80 FT TH CONTINUING ALG SD SLY LN N83°54'35''E 261.67 FT TH CONTINUING ALG SD SLY LN SELY 282.07 FT ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 727.51 FT, CENTRAL ANGLE N22°12'52'', A CHORD WH BEARS	Improved	X	Vacant	Land Value Estimates for Land Table 04.METES/BOUNDS: A 4								
	Public Improvements			*Factors for*								
	Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.			Description	Frontage	Depth	Frontage	Depth	Rate	%Adj.	Reason	Value
				PROD SOILS	VAC	AC/10-20	AC	11.56	Acres	4500	100	52,020
				11.56 Total Acres			Total Est. Land Value =				52,020	
	Topography of Site											
	Level Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain											
Comments/Influences 998 OUT OF 1546-375-W	Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/ Other	Taxable Value		
				2004	26,000		26,000			13,579C		
				2003	26,050		26,050			13,579C		
				2002	24,250		24,250			13,379C		
				2001	21,400		21,400			12,965C		

EXHIBIT "A"

Land situated in the Township of Leoni, County of Jackson, State of Michigan, described as follows:

Units 17 & 18, VINEYARD HILLS SITE CONDOMINIUM, according to the Master Deed recorded in Liber 1596, page 859, Jackson County Records, and designated as Jackson County Condominium Subdivision Plan No. 61, together with rights in general common elements and limited common elements as set forth in the above described Master Deed and Amendments thereto and as disclosed by Act 59 of the Public Acts of 1978, as amended.

MAP OF SURVEY



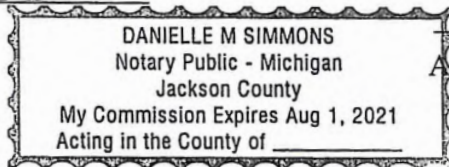
**QUIT CLAIM DEED***-furnished by AMERICAN TITLE COMPANY OF JACKSON***The Grantor(s):** *Brandon Pratto*whose address is: *3501 Vineyard Hills Ct, Grass Lake, MI 49040***Quit-Claims to:** *Charles Elkins*whose address is: *23073 Beech Dr, Chelsea, MI 48118*The following property is located in the Township of Leoni
and the State of MichiganCounty of *Jackson**See Attached*for the sum of: *\$1,00*Dated: *March 17th* 20 *21**Brandon Pratto*

STATE OF Michigan)
)ss.
COUNTY OF Jackson)

The foregoing instrument was acknowledged before me this 17th day of March, 2021,
by Brandon Pratto

My Commission Expires:

08.01.2021



Danielle M Simmons
Danielle M Simmons, Notary Public
Jackson County, MI
Acting in Jackson County, MI

Drafted By:

Brandon Pratto
3501 Vineyard Hills Ct
Brass Lake, MI
49240

When recorded return to:

Charles Elkins
23073 Beech Dr
Chelsea, MI
48113

Tax Parcel:

Send tax bills for:

From: bldg@leonitownship.com
Sent: Monday, April 5, 2021 3:46 PM
To: 'Elkins Trucking'
Subject: RE: Rezoning

Hello Chuck, I want to inform you that there is a Master deed for Vineyard Hills .The parcel map shows that your property is part of the Vineyard Hills subdivision . I show no record that the association no longer exists . Nor do I find that your property is no longer part of the subdivision . Your re-zone request will be going in front of the Planning Commission on 4-21-21 , at 6pm via zoom .

From: Elkins Trucking <elkinstruckingllc@aol.com>
Sent: Tuesday, March 30, 2021 2:45 PM
To: bldg@leonitownship.com
Subject: Rezoning

Hello,

Per our discussion, I would like to continue with rezoning.

It is my understanding that the association no longer exists.

This property is located with Ann Arbor road access and is not apart of the subdivision.

The adjoining property is a commercial property as well.

Thank you,
Chuck Elkins
734-231-2657

Eric C. White
eric@whiteandhotchkiss.com
Kenneth R. Hotchkiss
ken@whiteandhotchkiss.com
Michael K. Falahee
michael@whiteandhotchkiss.com



White & Hotchkiss, PLLC
Attorneys at Law

1000 Laurence Avenue
Jackson, Michigan 49202
Telephone 517.784.6250
Facsimile 517.784.6011

whiteandhotchkiss.com

December 3, 2008

Leoni Township
Attn: Todd Brittain, Supervisor
P.O. Box 375
Michigan Center, MI 49254

RE: Enforcement of Deed Restrictions

Dear Mr. Brittain:

Please find attached/enclosed an email from your predecessor asking for an opinion as to the Township's obligation to enforce deed restrictions. The following is my legal opinion on this issue.

Pursuant to statute, the Township has the right to regulate the use of land through the Michigan Zoning Enforcement Act, *MCL 125.3101 et seq.* This includes zoning and land use for the public health, safety, and welfare of the Township. Obvious examples include lot size and coverage, establishment of zoning districts, and specific uses of property.

It is my understanding that a certain group of homeowners are requesting that the Township enforce private, restrictive covenants that only pertain to this development. Usual provisions in these types of restrictive covenants include home size and style, type of construction (normally no modular homes), and even home color. These types of covenants are usually contained in the master deed of a site condominium project or in the individual deeds of the homeowners in a subdivision.

I am not privy to what types of private restrictive covenants that this group of homeowners are requesting enforcement of. But, the Township does not have the authority to take action on any that are not part of the zoning ordinance. Of course, the Township has the right and obligation to enforce its zoning ordinance for items such as commercial operations in a residentially zoned area or a home whose size would exceed the lot coverage restrictions. But again, the Township could not take enforcement action against a homeowner that violated a restrictive covenant by using vinyl siding instead of brick or having a home that is modular or pre-fabricated.

Any actions for violations of restrictive covenants like these need to be taken by the homeowners association or an adjacent property owner. In short, the Township has no authority or legal standing whatsoever to enforce restrictive covenants that do not violate the zoning ordinance.

I did note in the attached email that some of the complaints include the operation of a business in a residential district as well as parking commercial vehicles in a residential district. Those may indeed be violations of the Township zoning ordinance and should be enforced.

I hope this letter clarifies this issue. If you have any questions or concerns or would like to discuss this further, please do not hesitate to contact me.

Sincerely,

WHITE & HOTCHKISS, PLLC



Eric C. White

ECW:sem

Enclosure

AFFIDAVIT OF PUBLISHER

STATE OF MICHIGAN }
County of Jackson

Bettie Watson

Bettie Watson

being duly sworn, says: I am the Publisher of The Salesman, a shopping guide printed and circulated in said county since 1948.

The attached is a printed copy of an ad which was published in The Salesman (Publications) March 28, 2021

Sworn to and subscribed before me this 12th day
of April 2021.

Coreen Chase

Notary Public, Jackson County, Michigan

COREEN CHASE
NOTARY PUBLIC, Jackson County, MI
My Commission Expires Aug. 31, 2023

LEONI TOWNSHIP NOTICE

The Leoni Township Planning Commission will hold a ZOOM Public Hearing, Wednesday, April 21, 2021 at 6:00 P.M. in the Leoni Township Meeting Hall, 913 Fifth St., Michigan Center, Michigan, 49254.

"This meeting is being held by ZOOM because of the COVID-19 State of Emergency and in conformance with Executive Orders issued by the Governor of the State of Michigan."

Please visit the Leoni Township website at <http://www.leonitownship.com> prior to the meeting for instructions regarding remote access and any updates that may be needed due to COVID-19 requirements.

000-09-24-103-017-00 & 000-09-24-103-018-00
Charles Elkins
Ann Arbor Rd.

Purpose of hearing: Rezone from Residential to Commercial

Legal Description: UNIT 17 VINEYARD HILLS SITE CONDOMINIUM SEC 24 T2S R1E SPLIT ON 03/25/1999 FROM 000-09-24-102-002-06;

UNIT 18 VINEYARD HILLS SITE CONDOMINIUM SEC 24 T2S R1E SPLIT ON 03/25/1999 FROM 000-09-24-102-002-06;

Cindy Norris
Leoni Township Clerk



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 | #21-11

To: County Planning Commissioners
From: Grant E. Bauman
Date: May 3, 2021

Proposal: **A rezoning in Leoni Township**

Request

The old Bertha Robinson Elementary School property (5400 Seymour Road, ID #000-09-21-101-002-01) is proposed for rezoning from 'agricultural (AG)' to 'light industrial (ML)' (see the background information).

Purpose

A commercial cannabis grow operation is identified as the purpose behind the proposed change (see the Rezoning Worksheet Form and background information).¹

Location and Size of the Property

The subject property has an area of approximately 32 acres. Situated in Section 21 (T2S-R1E) of the Township, the property is located on the northwest side of Seymour Road, southwest of Brills Lake Road (see Figure 1).

Land Use and Zoning

Current Land Use – The subject property contains a vacant school building and is currently 'exempt' from assessment (see Figure 2); much of the property is wooded. Surrounding properties are assessed for 'residential' or 'residential (vacant)' uses.

Future Land Use Plan – The *Leoni Township Master Plan* recommends 'public/quasi-public' uses for the subject property. An 'agricultural preservation area' is located to the north. 'Low density residential' uses are proposed for properties to the east, south, and west (see Figure 3).

Current Zoning – The subject property is currently zoned 'agricultural (AG)' (see Figure 4). Surrounding properties located on the northwest side of Seymour Road are also zoned 'AG'. Properties located on the southeast side of Seymour Road are zoned 'suburban residential (RS)' and 'open space (OS)'.

Public Facilities and Environmental Constraints

Water and Sewer Availability – Municipal water and sewer services are not available according to the Township (see the Rezoning Worksheet Form).

¹ Please note that this report lists the proposed use for informational purposes only. Do not utilize it in making the rezoning decision. Circumstances may change tomorrow which make the proposed use impractical. All of the uses that the proposed zoning designation would allow are pertinent to the rezoning request.

Public Road/Street Access – Seymour Road, a county primary roadway, provides direct access to the subject property.

Environmental Constraints – The subject property has no known environmental constraints according to the Township (see the Rezoning Worksheet Form).

Analysis and Recommendation

Township Planning Commission Recommendation – The Leoni Township Planning Commission recommends **disapproval** of the proposed rezoning of the subject properties to ‘light industrial (ML)’, citing ‘spot zoning’ (see the attached Zoning Amendment Form and background information).

Staff Analysis – Leoni 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 Master Plan?**

No. The proposed rezoning is not consistent with the Master Plan. The Future Land Use Plan identified ‘public/quasi-public’ uses for the subject property. However, this is likely due to the presence of an active school at the time the plan was developed. Now that the school is vacant, the ‘low density residential’ uses proposed for surrounding parcels to the east, south, and west should be extended to the subject property.

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

No. The introduction of a ‘light industrial (ML)’ zoning district in the midst of an agricultural/residential area is incompatible with existing uses.

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

No. Seymour Road is a county primary roadway.

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?**

No. The uses allowed under the existing ‘agricultural (AG)’ zoning are better suited to the area than the potential introduction of light industrial uses. The proposed rezoning would also result in a ‘spot zone’, given that there is no adjacent ‘light industrial (ML)’ or ‘heavy industrial (M)’ zoning.

JCPC Staff Advisement – Based upon the analysis provided in his report, staff advises the Planning Commission to recommend **DIS-APPROVAL** to the Leoni Township Board of the proposed rezoning of the subject property (ID #000-09-21-101-002-01) to ‘light industrial (ML)’.

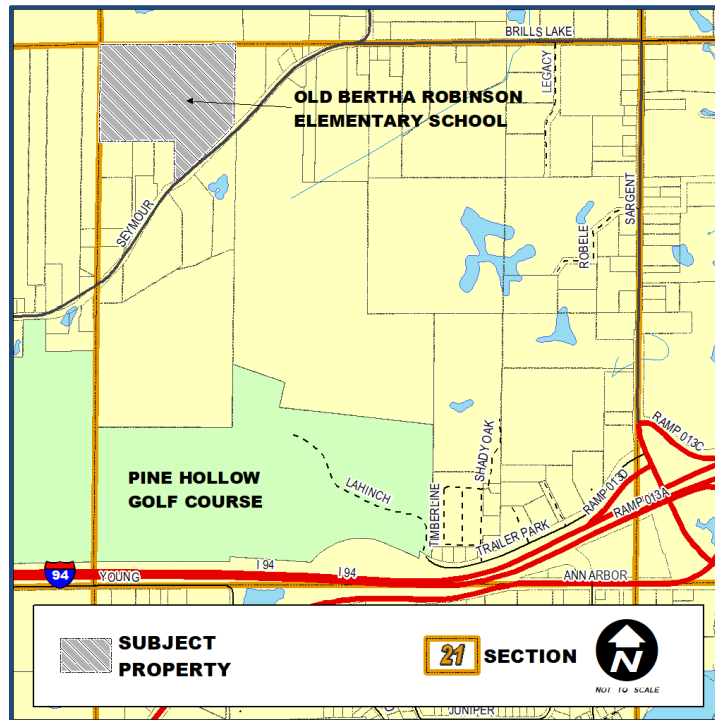
Staff Report Attachment(s):

- Background information provided by Leoni Township

Suggested Actions:

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

**Figure 1
Location**



**Figure 2
Property Assessment**

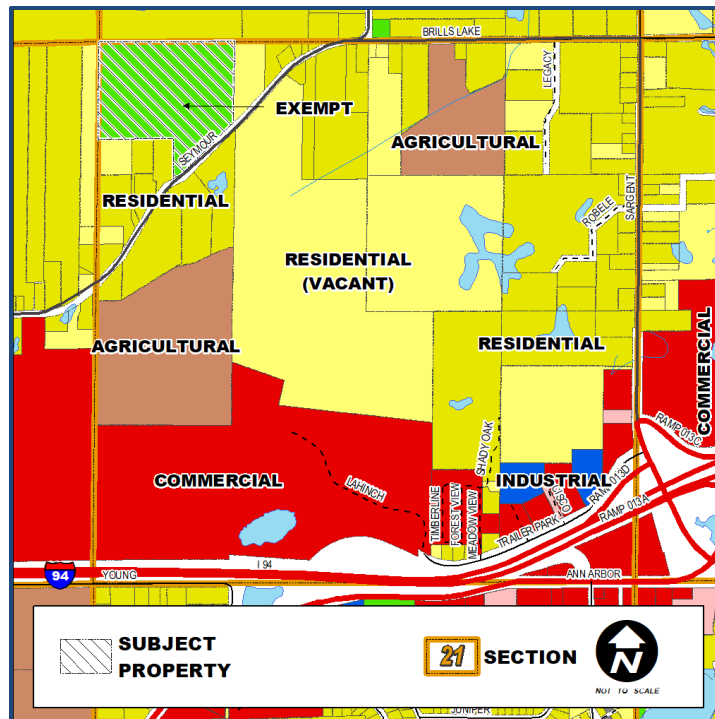


Figure 3
Municipal Future Land Use

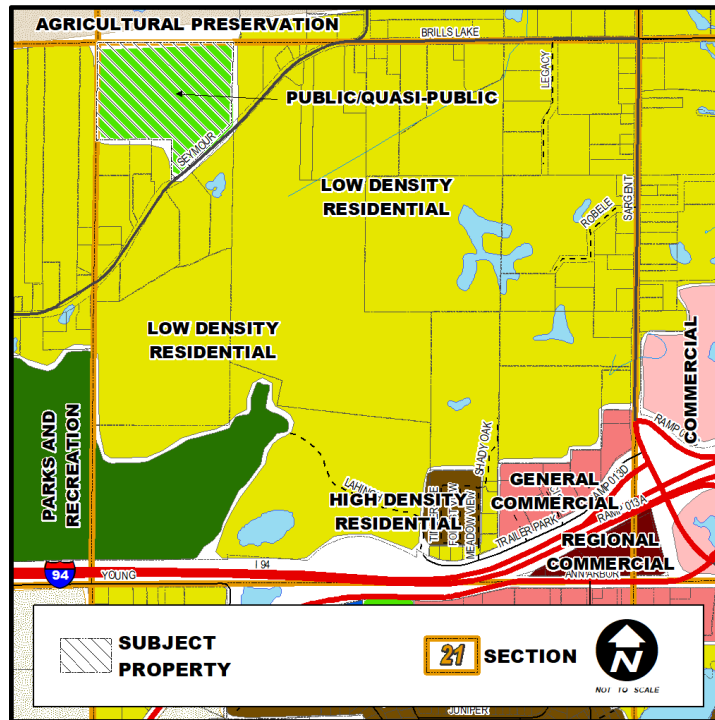


Figure 4
Municipal Zoning

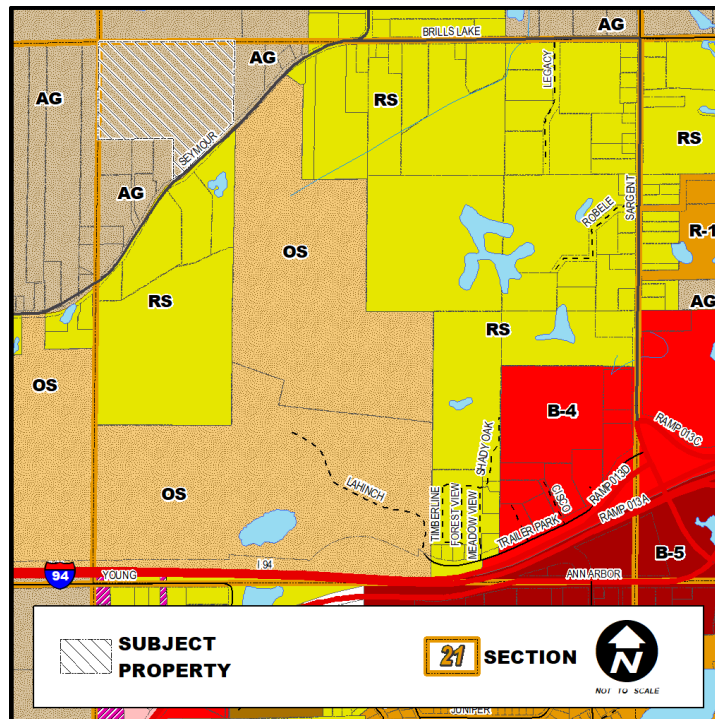


Figure 5
Aerial Photo



JCPC Case #: _____
(For JCPC Use Only)

ZONING AMENDMENT FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

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

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

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

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

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

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

000-09-21-101-002-01 31.7 acres. See attached

1. The above described property has a proposed zoning change FROM Agricultural (AG) ZONE TO Light Industrial (ML) ZONE.
2. PURPOSE OF PROPOSED CHANGE: Commercial Cannabis grow

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 April day 21 year 2021

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month March day 28 year 2021

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

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

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

☐ Chair or ☒ Secretary 5/1/2021 (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.

Township Clerk

JCPC Case #: _____
(For JCPC Use Only)

REZONING WORKSHEET FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

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

Please submit with the "Zoning Amendment Form" for a district boundary change (rezoning), not a text amendment.

Township of: Leoni Township Case #: _____
Township official we may contact: Cindy Norris Phone #: (517) 936-2290
Applicant: Golden Investment Properties LLC Phone #: (305) 926-7816
Rezoning Request: From: Agricultural (AG) To: Light Industrial (ML)
Property Location: Section(s): 21 Quarter Section(s): ☐ NW ☐ NE ☐ SW ☐ SE
Legal Description and/or Survey Map/Tax Map (please attach) ☒ Yes ☐ No (Please do not use only the Parcel ID Number)
Parcel Size (if more than one parcel, label "A" - "Z"): 31.7 acres

Please attach location map ☒ Yes ☐ No

What is the existing use of the site? vacant school building

What is the proposed use of the site? Commercial cannabis grow

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

North: Agricultural
East: vacant land

South: Residential
West: vacant land

What are the surrounding Zoning Districts?

North: (AG) Agricultural
East: (AG) Agricultural

South: (RS) Residential Suburban
West: (AG) Agricultural

What is the suggested use of the site on the Township's Land Use Plan map? _____

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

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

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

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

☐ Wetland(s) ☐ Floodplain(s) ☐ Brownfield(s) ☐ Soil(s) ☐ Other (please specify) _____

Please attach the minutes of the Planning Commission.

☒ Yes, the minutes are attached. ☐ No, the minutes are not attached.

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

☒ Yes, copies of documentation are attached. ☐ No, copies of documentation are not attached.

Please attach any public comments, letters, or petitions.

☐ Yes, public comments are attached. ☐ No, public comments are not attached.

Please include any additional information or comments as an attachment.

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

PLANNING COMMISSION MINUTES
April 21, 2021 DRAFT

The Leoni Township Planning Commission held a meeting Wednesday, April 21, 2021 @ 6:00 p.m. 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:00 pm

Members Present: V. Beckwith, J. Southworth, B. Lester, D. Perrine, W. Miles and R. Kinch
Members absent: Connie Gibson

Persons in attendance: 13

Pledge of Allegiance

Purpose of Planning Commission read by V. Beckwith

Motion by V. Beckwith supported by D. Perrine to approve the April 21st Agenda as written
Motion adopted by voice vote

Motion by W. Miles and supported by D. Perrine to approve the April 7 minutes as written.
Motion adopted by voice vote

Public Comment: **Open at 6:03 pm.**
 Closed at 6:25 pm.

NEW BUSINESS:

- 1. 000-09-24-103-017-00 & 000-09-24-103-018-00 -Charles Elkins – Ann Arbor Rd.
Rezone**

Discussion: J. Southworth explained that the Planning Commission cannot approve combining the two properties, that Mr. Elkins will need to go before the land division board for that. Mr. Elkins was advised by the Commission members that he will need to start with the subdivision Association and get approval from them.

Motion by J. Southworth, supported by V. Beckwith to approve the rezone for parcels 000-09-24-103-017-00 and 000-09-24-103-018-00.

Roll call Vote: 0 Ayes:

6 Nays: Southworth, Kinch, Perrine, Miles, Lester, Beckwith

Motion Failed

2. 000-09-21-101-002-01 -Golden Investments LLC Rezone

Discussion: R. Kinch stated that he wants to see this property sold but believes this would be spot zoning to make this happen and that is not in the best interest of the residents of the township.

J. Southworth and W. Miles agreed with R. Kinch statement as well.

Some of the residing neighbors spoke their sentiments about the spot zoning aspect as well.

Motion by R. Kinch, supported by D. Perrine to approve the rezone for parcel 000-09-21-101-002-01.

Roll call Vote: 0 Ayes:

6 Nays: Southworth, Kinch, Perrine, Miles, Lester, Beckwith

Motion Failed

Public Comment:	Open at	6:43 pm.
	Closed at	6:45 pm.

Motion by J. Southworth, supported by R. Kinch to adjourn the meeting.

Meeting Adjourned 6:48 pm.

Next meeting: May 5, 2021

Leoni Township Office

913 Fifth Street Michigan Center, Michigan 49254
PHONE: (517) 764-4694 FAX: (517) 764-1106
www.leonitownship.com

DATE OF APPLICATION: 3/5/2021

APPLICATION #: _____

APPLICATION FOR ZONING CHANGE or CONDITIONAL USE

TO: PLANNING COMMISSION, LEONI TOWNSHIP

I (We) Hereby make application with the Township of Leoni to:

- () Add to or change the text of the Ordinance.
() Change the district boundaries.
(X) Re-Zone the property to another classification.
() Conditional Use.
() Home Occupation.
() Extending Residential Non-Conforming Use.

1. Applicants Name: Golden Investment Properties LLC Phone: (305) 926-7816
2. Address of Property Involved: 5400 Seymour Road, Jackson, MI 49201
3. Legal Description of Property: 1366 1/4 W 1/8 LN OF SEC 21 T2S R1E at Cen of Seymour Rd
TH N ALG SD 1/8 LN to W SEC LN TH WLY ALG N SEC LN 710 FT TH S 950.04 FT TH E 121 FT
4. The above property is presently zoned: Agricultural 000-09-21-10/-002-01
5. I wish the zoning to be changed from: Agricultural to: light industrial
6. I wish the boundaries to be changed from: _____ to: _____
7. I wish the change in the text from section: _____
8. The proposed use(s) and nature(s) of operation is/are: Commercial Cannabis Grow

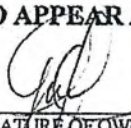
NOTE: Attach an ACCURATE SURVEY DRAWING of said property drawn to scale showing existing and proposed building and structures, the type thereof and their uses, and the distances from property lines.

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND THAT I AM THE OWNER OF THE PROPERTY.

I GRANT PERMISSION FOR MEMEBERS OF THE LEONI TOWNSHIP PLANNING COMMISSION AND/OR TOWNSHIP BOARD TO ENTER THE ABOVE PROPERTY FOR THE PURPOSE OF GATHERING INFORMATION RELATED TO THIS APPLICATION. (NOTE TO APPLICANT: This will not affect any decision on your application.)

IN CASE OF CANCELLATION OR FAILURE TO APPEAR AT THE HEARING, I UNDERSTAND THAT ALL FEES WILL BE FORFEITED.

FEE: \$550.00


SIGNATURE OF OWNER APPLICANT

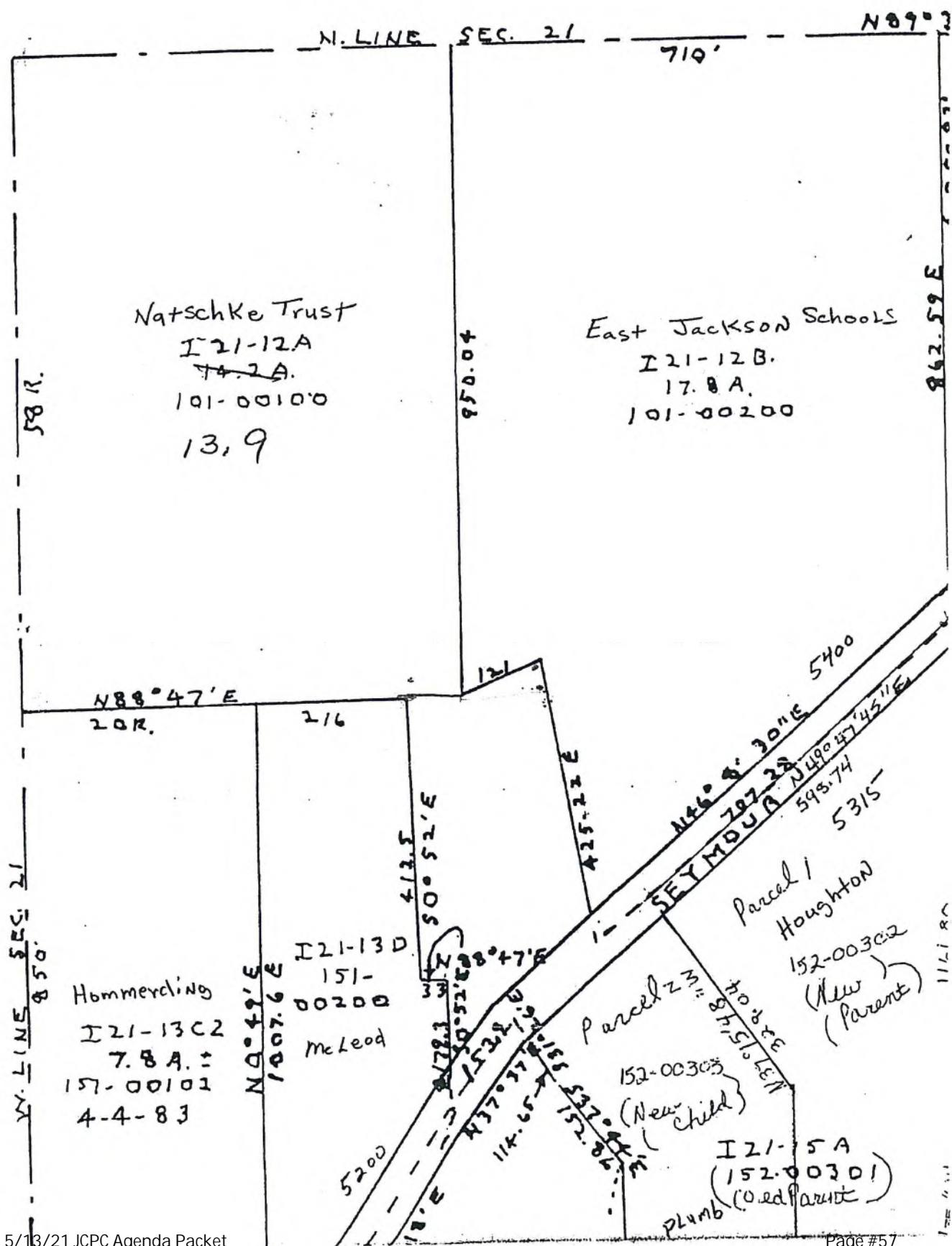
PLANNING COMMISSION RECOMMENDATION: Having review the submitted data, hereby recommend the Township Board
() Approve () Disapprove the Application for the following reasons (or with these restrictions) _____

DATE: _____

CHAIRMAN: _____

SIGNATURE

TOWNSHIP BOARD OF TRUSTEES: Having reviewed the submitted data, hereby () APPROVE () DISAPPROVE the application for the following reasons: _____

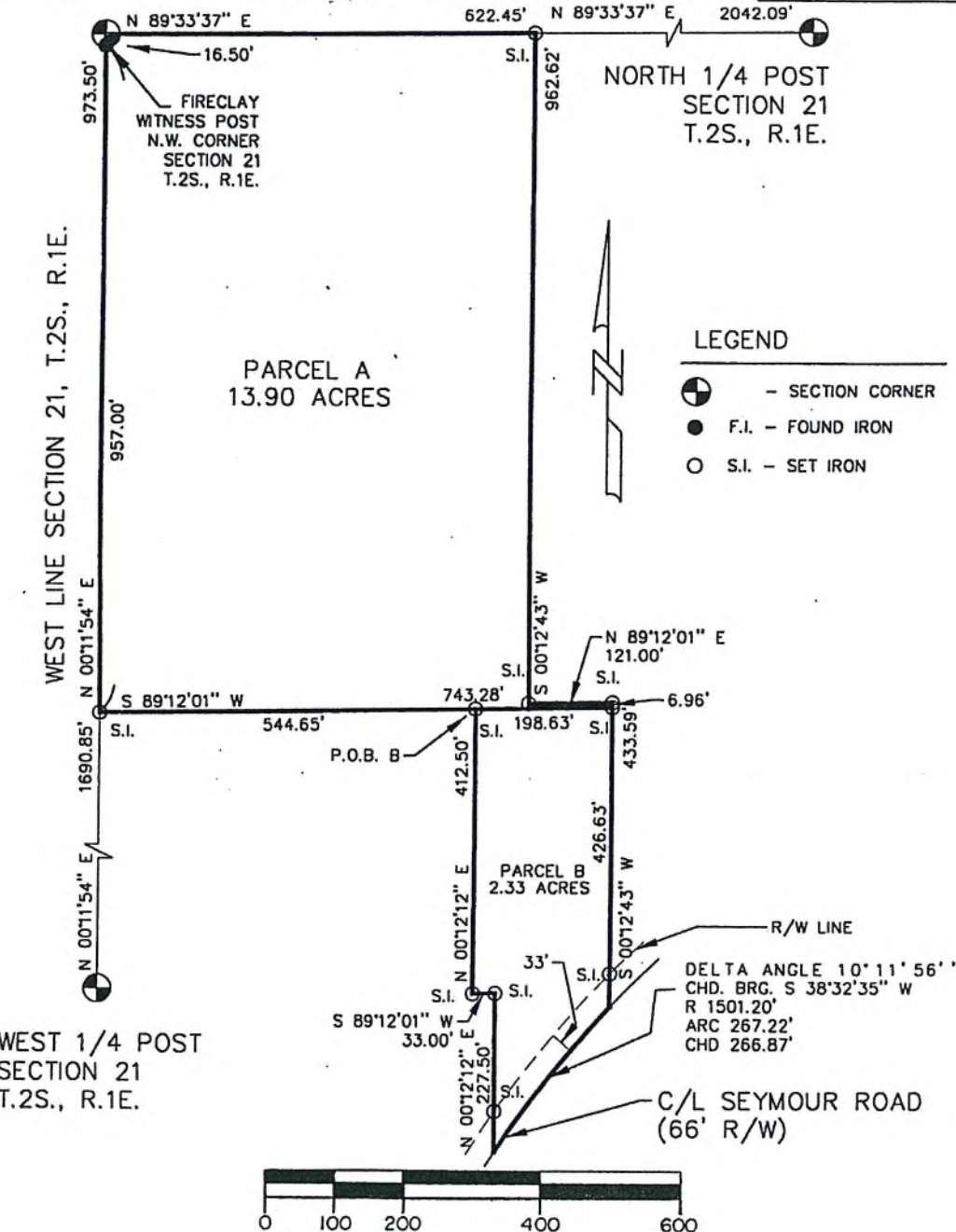


Certificate of Survey

PROPERTY DESCRIPTION
(SEE ATTACHED)

NORTHWEST CORNER
SECTION 21
T.2S., R.1E.
P.O.B. A

NORTH LINE SECTION 21, T.2S., R.1E.

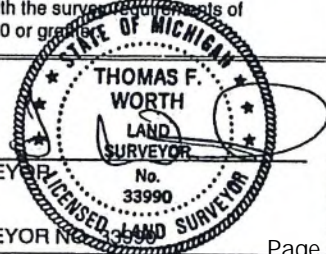


SURVEYOR'S CERTIFICATE

I, Thomas F. Worth, a Professional Surveyor in the State of Michigan, certify that I have surveyed the parcel(s) of land hereon described and that there are no encroachments except as shown and that I have complied with the survey requirements of Public Act 132 of 1970, and that the error of closure of the unadjusted field datum is 1 in 5,000 or greater.

CERTIFIED TO EAST JACKSON COMMUNITY SCHOOLS
ADDRESS 1404 NORTH SUTTON ROAD
CITY & STATE JACKSON, MI 49202
DATE SURVEYED JUNE 15, 2000
SCALE 1 INCH = 200 FEET
JOB NO. C 430-1

PROFESSIONAL SURVEYOR
THOMAS F. WORTH
PROFESSIONAL SURVEYOR No. 33990



AFFIDAVIT OF PUBLISHER

STATE OF MICHIGAN }
County of Jackson

Bettie Watson

Bettie Watson

being duly sworn, says: I am the Publisher of The Salesman, a shopping guide printed and circulated in said county since 1948.

The attached is a printed copy of an ad which was published in The Salesman (Publications) March 28, 2021

Sworn to and subscribed before me this 12th day of April 2021.

Coreen Chase

Notary Public, Jackson County, Michigan

LEONI TOWNSHIP NOTICE

The Leoni Township Planning Commission will hold a ZOOM Public Hearing, Wednesday, April 21, 2021 at 6:00 P.M. in the Leoni Township Meeting Hall, 913 Fifth St., Michigan Center, Michigan, 49254.

"This meeting is being held by ZOOM because of the COVID-19 State of Emergency and in conformance with Executive Orders issued by the Governor of the State of Michigan."

Please visit the Leoni Township website at <http://www.leonitownship.com> prior to the meeting for instructions regarding remote access and any updates that may be needed due to COVID-19 requirements.

000-09-21-101-002-01
Golden Investment Properties LLC
5400 Seymour Rd.

Purpose of hearing: Rezone from Agricultural to Light Industrial

Legal Description: BEG IN W 1/8 LN OF SEC 21 T2S R1E AT CEN OF SEYMOUR RD TH N ALG SD 1/8 LN TO N SEC LN TH WLY ALG N SEC LN 710 FT TH S 950.04 FT TH E 121 FT TH S 425.22 FT TO CEN LN OF SEYMOUR RD TH NELY ALG CEN OF SD RD 707.28 FT TO BEG. ALSO BEG AT NW COR OF SEC 21 TH N89°33'37"E 622.45 FT ALG N LN OF SEC 21 TH S00°12'43"W 962.62 FT (950.04 FT OF REC) PAR WITH W 1/8 LN OF SEC 21 TH N89°12'01"E 121 FT TH S00°12'43"W 6.96 FT TH S89°12'01"W 743.28 FT TO W LN OF SEC 21 TH N00°11'54"E 957 FT ALG W LN OF SEC 21 TO A FIRE CLAY REFERENCE POST PREVIOUSLY ERRONEOUSLY USED AS NW COR OF SEC 21 TH N00°11'54"E 16.50 FT ALG W LN OF SEC 21 TO BEG. SECTION 21 T2S R1E COMBINED ON 10/017/2000 FROM 000-09-21-101-002-00 & PART OF 000-09-21-101-001-00

5/13/21 JCPC Agenda Packet Cindy Norris
Leoni Township Clerk

COREEN CHASE
NOTARY PUBLIC, Jackson County, MI
My Commission Expires Aug. 31, 2023

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CHAPTER 3

GOALS, ACTIONS, AND PLANS



The purpose of this Master Plan is to establish goals, actions, and plans that will help to guide the future growth and development of the municipalities which comprise Jackson County from a procedural and countywide perspective. While each municipality is vested with the responsibility for planning and zoning, Jackson County is responsible for reviewing and providing independent recommendations regarding proposed amendments to township zoning ordinances, and all municipal master plan updates, based upon its understanding of municipal plans and ordinances/regulations. The following goals and actions, established at the countywide level, are intended to assist municipalities as they develop, amend, and implement their master plans and zoning ordinances.

Goals and Actions

This section of the Master Plan identifies land use issues and the goals and actions proposed to address them from a county-wide perspective. These issues, although grouped for continuity, are not presented in any particular priority order.

Open Ethical Governance and Citizen Participation

If municipal master plans and zoning ordinances are to be successful, strong support must be evident from citizens. Citizens must be involved in municipal planning and zoning decisions. Decisions which affect municipal land use should be free from conflicts of interest and conducted in open forums.

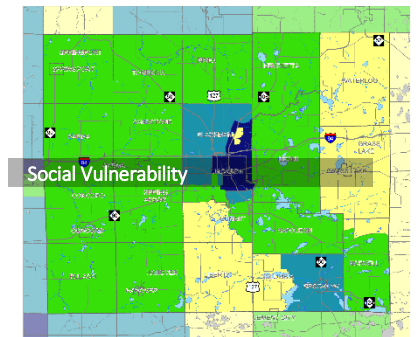
Goal. Citizen involvement in municipal planning and development decisions is critical to the development of vibrant communities and such decisions should be made in an open municipal forum designed to engage the participation of citizens, including the socially vulnerable.

Actions. The following actions are recommended to aid in the implementation of the goal:

1. Forums for public involvement should be developed and promoted on any policy and plan, regulation and ordinance, or project proposal in order to gather and document public input (including the socially vulnerable) that will then be used to inform the recommendations and/or decisions of the county and municipal planning commissions and other county and municipal agencies and boards.

Those agencies and boards are also encouraged to develop and consistently follow a public involvement plan or policy which identifies: (a) the pertinent segment(s) of the public to be solicited (i.e., the general public, the socially vulnerable, and/or particular stakeholder groups), and (b) the range of activities/tools that might be used to reach them.

2. Public meetings and/or hearings (when pertinent) should be held for all decisions which impact upon municipal growth and land use, including the adoption of master plans and other plans, zoning ordinances (i.e., text



amendments and rezonings) and other ordinances or regulations; public infrastructure improvements (e.g., sewer and water systems, roads and streets, etc.); and improvements to other community facilities (e.g., fire stations, schools, parks, etc.).

3. The county and municipal planning commissions must follow the public hearing requirements of Michigan's *Open Meetings Act* (PA 267 of 1976, [MCL 15.261 et. seq.](#)), Article III of the *Michigan Planning Enabling Act* (PA 33 of 2008, [MCL 125.3831 et. seq.](#)), Sections 103 and 202 of the *Michigan Zoning Enabling Act* (PA 110 of 2006, [MCL 125.3103](#) and [MCL 125.3202](#)), and any other pertinent bylaws and legislation.
4. County and municipal planning commissioners and other governmental officials should help to educate the public regarding ethical and open decision-making in local government.

Planning Coordination

There is an important need for coordination and communication in municipal planning among Jackson County and its local units of government. Such an approach to planning will minimize the artificial *seams* that exist as boundaries between municipalities and promote a *seamless* county-wide community. Such an effort should also reduce conflict among municipalities resulting from development and help to address countywide concerns and issues.

Goal. Municipalities should coordinate their planning and zoning efforts with their neighboring local units of government and Jackson County.

Actions. The following actions are recommended to aid in the implementation of the goal:

1. Municipal planning commissions are encouraged to send notices of their meetings and public hearings to adjacent local units of government if not required.
2. Zoning ordinance recommendations generated by township planning commissions will continue to be reviewed by the Jackson County Planning Commission (JCPC), per the requirements of Section 307 of the Michigan Zoning Enabling Act (PA 110 of 2006, [MCL 125.3307](#)). The JCPC will attempt to resolve potential conflicts between municipalities through its review of text amendment proposals and rezoning requests, especially in the proximity of local unit boundary lines.
3. When zoning actions (e.g., rezonings, conditional/special land use permits, etc.) require the notification of citizens for public hearings and the boundary required for notification extends into adjacent municipalities, the owners, residents, and occupants of property in the adjacent local unit of governments must also be provided notice.

4. Municipal master plans will continue to be reviewed by the Jackson County Planning Commission (JCPC), per the requirements of Section 41(e) of the Michigan Planning Enabling Act (PA 33 of 2008, [MCL 125.3841](#)). The JCPC will attempt to resolve potential conflicts between municipalities through its review of the proposed future land use map and associated text.
5. Local units of government should be aware of the opportunities for coordination offered through the Joint Municipal Planning Act (PA 226 of 2003, [MCL 125.131](#)).

Innovative Planning and Zoning

New and innovative planning and zoning techniques and implementation measures continue to be developed that offer municipalities a greater range of flexibility to address complex planning issues and to implement local plans. New state legislation and decisions made by various courts also continue to be made.

Goal. Innovative trends in urban and rural planning, pertinent changes in state statutes, and court rulings should be monitored and made available to local planning commissions.

Actions. The following actions are recommended to aid in the implementation of the goal:

1. When a municipality develops innovative measures which address common planning and zoning issues, they should be shared county-wide (and beyond) with other local units of government. The Jackson County Planning Commission (JCPC) is available to be the channel through which that information is distributed.
2. The JCPC will continue to develop and promote *Planning and Zoning Notes* which address common planning and zoning issues in conjunction with the Lenawee County Planning Commission (LCPC). Those publications (and other resources) can be downloaded from the [Jackson County Planning Commission](#) webpage on www.region2planning.com. The JCPC will also consider developing and holding workshops on common planning and zoning issues for municipal planning commissioners and other interested officials on its own and/or in conjunction with the LCPC and the Region 2 Planning Commission (R2PC).
3. Form-based regulations offer an alternative to conventional zoning, which fosters predictable built results and a high-quality public realm by using physical form, rather than separation of uses, as their organizing principle. The JCPC promotes the use of form-based zoning regulations designed to maintain aesthetically-pleasing/pedestrian-focused downtowns and other traditionally developed areas (as well as areas municipalities wish to develop traditionally).
4. Breathtaking views of the night sky are not the same today as in the past any many now strain to see the few stars visible to the naked eye. This is due to light pollution caused by poorly designed outdoor lights that not only mask the beauty of the night sky, but also cause

negative effects to environmental and human health. The JCPC encourages municipalities to adapt their regulations to meet the standards set by the International Dark-Sky Association. The development of facilities and educational programs regarding the adverse effects that artificial lighting has on the environment, safety, energy consumption, and public health is also promoted.

5. Many governments, utilities, and consumers are turning to renewable energy (e.g., solar, wind, and geothermal) with the aim of reducing reliance upon fossil fuels (e.g., coal, oil, natural gas) and/or helping preserve the environment. Locating those facilities in agricultural areas can also help maintain active farms by supplementing their incomes. Conversely, they can also prevent access to prime agricultural soils and/or become a nuisance (e.g., noise, light, and views). The JCPC encourages municipalities to include standards/incentives that limit the effect of any nuisances on the surrounding area and/or preserve agriculturally productive soils when they create/modify regulations that allow development of renewable energy facilities.
6. A few municipalities have passed zoning and other legislation to allow the development of various commercial marijuana facilities and continue to rezoning land for those uses. The JCPC will map those facilities in order to assess their impact on communities (i.e., the costs associated with roads, utilities, police protection, social services, etc.) overtime. In 5-10 years, the JCPC will use that data when making recommendations on future rezoning requests associated with commercial marijuana facilities.

Nonmotorized Facilities

The automobile is firmly embedded in our culture. It simultaneously offers a measure of freedom; and yet also limits the freedom of movement both for the younger and older segments of the population, and citizens generally, through traffic congestion. In developed areas, space is consumed for parking which negates the possibility for the creation of compact pedestrian-oriented development patterns. The automobile allows us freedom to work in distant places and live in rural areas, but also requires an expansive network of roads and highways to get us there.

Considerable attention has been focused recently on the health of our citizens. Physical inactivity and the obesity of citizens has been defined by health professionals as a serious threat to community health and wellbeing. While it is acknowledged that every citizen is free to make individual choices regarding means and mode of transportation, there is a need to ensure that our communities are walkable. Indeed, within the concept of community, social contact and interaction, the sense of human scale, and municipal identity, are elemental.

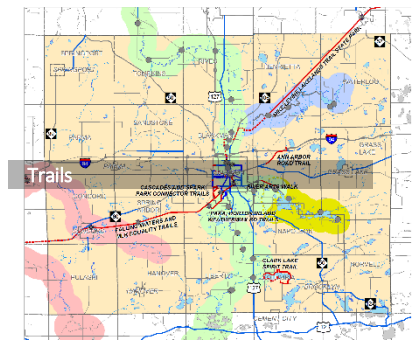
Section 10p of State Trunk Line Highway System (PA 51 of 1951, [MCL 247.660p](#)) mandates the goal of 'Complete Streets' which "means roadways, planned, designed, and constructed to provide appropriate access to all legal users in a manner that promotes safe and efficient movement of people and goods whether by car, truck, transit, assistive device, foot, or bicycle". The Parks and Recreation section in Chapter 2 pro-

vides information on the emerging regional trail corridor already traversing the County. The *Jackson City + County Nonmotorized Plan*, the *Jackson County Recreation Plan*, the *MDOT University Region: Regional Non-Motorized Plan* (which includes Jackson County), and various municipal recreation plans also provide guidance in the development of nonmotorized transportation facilities within Jackson County.

Goal. County and municipal plans and development decisions, and ultimately the shape and form of our communities, offer the opportunity for employment, commerce, recreation, and social interaction within and between municipal centers and neighborhoods which are accessible from nonmotorized facilities.

Actions. The following actions are recommended to aid in the implementation of the goal:

1. Jackson County will implement the state mandate regarding 'Complete Streets by advising municipalities, the Jackson County Department of Transportation (JC DOT), and the Michigan Department of Transportation (MDOT) on future road and street projects regarding the inclusion of appropriate nonmotorized facilities (e.g., sidewalks, bike lanes, paved shoulders, trails, etc.) as part of road projects. Municipalities are encouraged to include a similar action in pertinent plans.
2. The *Jackson City + County Nonmotorized Plan* and the *Jackson County Recreation Plan* are adopted by reference as part of this Master Plan. The various municipal and other plans which provide additional guidance regarding the development of nonmotorized transportation facilities within Jackson County will also be consulted. More detailed nonmotorized networks are also encouraged to be developed which link subdivisions, neighborhoods, local business districts, downtown areas, recreational areas and connect to a system of regional pedestrian and bicycle trails.
3. Municipalities should review their commercial zoning regulations to ensure that uses which thrive on pedestrian traffic are grouped together (i.e., traditional downtown and local commercial areas), and to group uses which are oriented toward vehicular traffic in separate commercial zoning districts.
4. Compact development which fosters higher densities should be promoted within those downtown and local commercial areas and other places. Sidewalks and/or other nonmotorized facilities should be encouraged in those areas. Parking shall be encouraged to be located in areas that do not impede pedestrian travel.
5. Communities should review their patterns of residential distribution and attempt to promote and strengthen neighborhoods which offer parks, elementary schools, and commercial areas within walking distance.



6. The Jackson County Department of Transportation designates segments of its road network having outstanding/unusual natural beauty by virtue of native vegetation and/or natural features as natural beauty roads in order to preserve them in a natural/undisturbed condition. They can be shared by pedestrians, bicyclists, and motorists; offer connections between trails; and save county road maintenance dollars. The JCPC encourages the designation of new natural beauty roads, when pertinent/feasible, and their promotion as nonmotorized facilities (see the Jackson City + County Nonmotorized Plan).
7. Natural features (e.g., diverse wetland areas, drainage ways, and forest lands) that help assure high quality surface water and native species/wildlife habitat are also often key in creating comfortable and interesting stretches of nonmotorized trails. The JCPC encourages municipalities to protect and incentivize the protection of natural features along their trails.

Community Facilities

The concept of a community implies more than simply a place to live, work, engage in commerce, and play. Downtown and local commercial areas and other places and community facilities (e.g., municipal halls; schools, libraries and museums; public and private parks and recreation facilities; etc.) are places of social interaction where people meet face to face. They provide the infrastructure necessary for cultural growth and development and are often the places where governance occurs and information and ideas are exchanged. Consequently, community facilities are elementally important, acting as clearinghouses for all that makes people human, and the Master Plan should support these important roles. Plans for enhancing and promoting these resources should be developed and/or implemented.

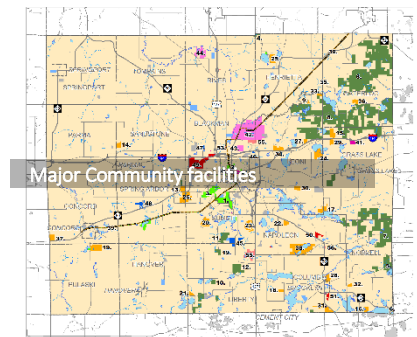
Goal. Community facilities, which help define municipal character, facilitate social interaction and assemblage, and provide spaces for culture, should identified and maintained/improved.

Actions. The following actions are recommended to aid in the implementation of the goal:

1. Natural features which help to define municipal character and may limit development should be identified, mapped, and protected.

Municipalities are encouraged to use the natural features identified in Chapter 2 and Appendix C of this Master Plan as the beginning point for the natural resources survey to be included in their master plan.

2. Community facilities which enhance our culture (e.g., municipal halls; schools, libraries and museums; public and private parks and recreation facilities; and other community facilities) should be identified, mapped, promoted, and improved/maintained.



Municipalities are encouraged to use the facilities identified in Chapter 2 and Appendix C of this Master Plan as the beginning point for the community facility survey that should be included in their master plan.

3. The *Jackson City + County Nonmotorized Plan*, the *Jackson County Recreation Plan*, and the *Upper Grand River Water Trail Development Plan* are adopted by reference as part of this Master Plan. The various municipal and other plans that provide additional guidance regarding the development of community facilities within Jackson County will also be consulted.

Natural Resources

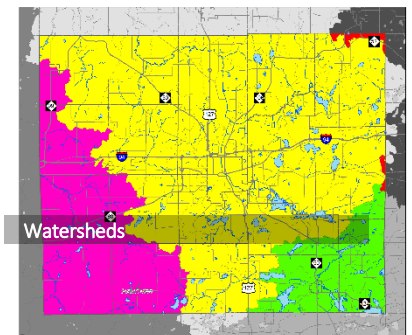
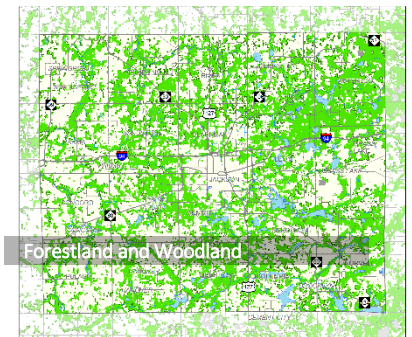
The county's natural resources contribute to municipal identity and identify areas where development (or certain types of development) should not occur. The maintenance of ground and surface water quality is strongly related to the enhancement of quality of life of Jackson's citizens. Surface water in the form of Jackson County's lakes, rivers, and streams afford residents recreational opportunities and aesthetic appeal. Ground water offers potable municipal and individual water supplies which are important to health and property values. Finally, forests and wetlands are deemed important to the proper functioning of the natural system. They serve as aquifer recharge areas; impede the flow of storm water and thereby act to reduce flooding; serve as wildlife habitat areas; filter pollutants from surface waters; contribute to the natural diversity of flora and fauna; provide natural open space; and contribute to municipal character and identity as a result of their impact on development patterns.

Management plans have been developed by the watershed councils for the Upper Grand River, the River Raisin, the Kalamazoo River, and the Huron River. Each plan proposes a series of actions to promote surface water quality specific to a watershed or sub-watershed. Wellhead protection areas have also been delineated for public and municipal wellheads throughout Jackson County. Finally, the National Wetland Inventory (NWI) provides the general location of many wetlands within Jackson County and flood zones were designated by the Federal Emergency Management Agency (FEMA).

Goal. The measures proposed in the management plans for the Upper Grand River, the River Raisin, the Kalamazoo River, and the Huron River should be implemented within each watershed; the wetlands, flood zones, and wellhead protection areas identified in this Master Plan ought to be respected; and some other countywide measures should also be taken.

Actions. The following actions are recommended to aid in the implementation of the goal:

1. The measures advocated for the various watersheds and sub-watershed management plans should be applied as appropriate.



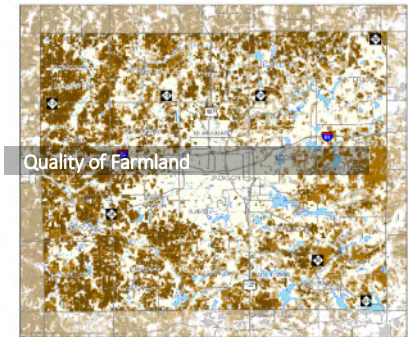
2. An education program to inform citizens of practices that have the potential to positively or negatively impact surface water quality should be prepared and presented to Jackson County citizens.
3. The Jackson County Health Department should continue to evaluate water quality in surface and ground water supplies to assure the health safety and welfare of county residents. As problems are identified a determination should be made as to whether additional land use regulation is necessary.
4. Abandoned or unused wells should be plugged.
5. Municipal planning commissions should attempt to preserve wetland areas and flood zones as they review development proposals and to adopt ordinances to protect wetland areas of less than five acres. The location of flood zones and wetland areas, as identified in the Master Plan, should be used as they prepare future land use plans. Local units of government are also encouraged to use open space provisions within zoning ordinances to preserve existing wetland areas.
6. Wetlands and forests should be preserved. Wetland mitigation, while possible, should as a matter of policy be reserved only for rare instances when preservation is not possible or in instances where the proposed improvement or modification to the land is necessary to assure public health, safety or welfare.

Farmland and Open Space Preservation

To many Jackson County citizens, its rural areas are appealing because of the open space that exists therein. Consequently, many residents have selected home sites in rural areas because of the open rural quality such areas afford. Obviously, with additional development in rural areas comes a loss of open space and the values which attracted rural development in the first place.

Most of the rural areas within Jackson County are forested or used for agricultural production and many of them are nationally significant and among Michigan's best agricultural land (as defined by the American Farmland Trust). Farmers have generally been good stewards of the land, and the water and other resources under their control, which provide residents throughout the County an economic livelihood and result in the production of significant quantities of agricultural products. The sale of these products also contributes to the health and vitality of Jackson County's economy.

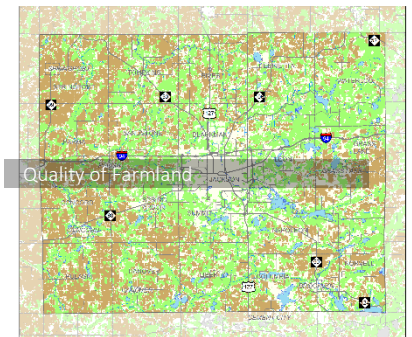
There is inevitably conflict between commercial agriculture/forestry and rural residents. Consequently, agriculture should be protected from the challenge of people who reside in the rural areas, as provided in the Michigan Right-to-Farm Act PA 93 of 1981, [MCL 286.471](#)) and the various [Generally Accepted Agricultural Management Practices GAAMPs](#)) issued by the Michigan Department of Agriculture and Rural Development under its authority. The following GAAMPs have been developed by MDARD as of the adoption of this Master Plan:



- Manure Management/Utilization
- Site Selection (for Livestock Facilities)
- Care of Farm Animals
- Nutrient Utilization
- Irrigation Water Use
- Pesticide Utilization/Pest Control
- Cranberry Production
- Farm Markets

Conversely, the preservation of farmland/forests should not prevent landowners from selling their property freely. A balance must be struck between preservation activities based upon voluntary participation and regulation, and the private property rights of the farmer in any successful agricultural preservation policy.

Agricultural land preservation has prominence in several townships while others, due to the quality of their soils or their existing development, prefer less of a focus on conserving agricultural lands and more on preserving rural character. The county and its townships may take action on the preservation of valuable farmland, forests and/or other open space individually or collectively. These actions may include the purchase of development rights (PDR); agricultural districting where large contiguous tracts of prime agricultural land may be identified; and the use of conservation easements and other legal agreements in which the landowner retains ownership of the property but conveys development rights to a land conservation organization or public body. Each of these techniques, to the extent authorized by law, is endorsed by this Master Plan within the municipalities that wish to use them. Consideration should also be given to the use of the Michigan Department of Agriculture and Rural Development's (MDARD's) [Agricultural Preservation Fund](#) for use in the purchase of development rights and enrollment of farmland in MDARD's [Farmland and Open Space Preservation Program](#).



Goal. Encourage the preservation of agriculture and valuable farmland/forests through a range of techniques that identify, promote, protect, and preserve farmland/forests and agricultural operations.

Actions. The following actions are recommended to aid in the implementation of the goal:

1. Jackson County municipalities should make their developed areas healthy, safe, attractive, and vibrant, and provide sufficient services to them in order to reduce the pressure for the development of prime farmland, forests, and other open space.
2. New development should be encouraged within and adjacent to existing developed areas whenever possible and higher densities should be considered and implemented where pertinent.

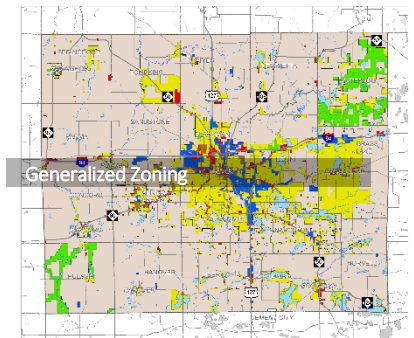
3. Cluster housing options within agricultural and other rural areas should be supported through local planning and zoning measures which allow small pockets of densely developed residential areas, offset by appropriate areas of open space to preserve open space and agricultural lands; and to promote compatibility between these land uses.
4. Municipal planning commissions that desire to preserve prime agricultural lands, forests, and other open space are encouraged to consider all available planning and zoning techniques. Those efforts include the purchase of development rights (PDR); agricultural districting where large contiguous tracts of prime agricultural land exist; and the use of conservation easements and other legal agreements in which the landowner retains ownership of the property but conveys development rights to a land conservation organization or public body.

The County Planning Commission should review available agricultural and/or open space preservation plans and ordinances and adapt and compile pertinent sections for use in Jackson County. Farmers should be involved in any farmland preservation programming and appropriate regulation to assure that farmland preservation occurs within the constructs of private property rights. They should also consider enrolling their farms in MDARD's Farmland and Open Space Preservation Program.

5. Industries that have the potential to use agricultural/forest products produced locally should be encouraged to locate within the County. Existing zoning ordinance provisions should also be revised to permit uses which support agricultural activities (e.g., grain elevators, agricultural supply stores, agricultural equipment and machinery and repair, etc.) in proximity to large areas of active farmland.
6. Municipal zoning ordinances should be reviewed and amended to permit Farm Markets, as addressed in the Farm Market GAAMPs developed under the authority of the Michigan Right to Farm Act, and to eliminate any other conflicts with the legislation and associated GAAMPs.

'Over Zoning' and 'Strip' Commercial Development

In some cases, the municipal plans and zoning ordinances include very large areas, or linear areas that are located along major roadways for homogeneous land uses. The purpose of master plans—and their primary implementing tool, the zoning ordinance—is to direct future growth into areas that are appropriate to accommodate it. These areas typically have the necessary infrastructure including: roads; sewer and water facilities and other utilities; police and fire protection and other services; and schools to accommodate additional development. If the areas shown on the future land use map (a master plan element) and/or districts on the official zoning ordinance map are excessively large, or extend for considerable distances along thoroughfares, their ability to direct growth into areas, is diminished.



Goal. Local units of government are encouraged to review their land use plans and zoning ordinances to assure that the size of areas proposed for future land uses are contained to a degree necessary to appropriately direct growth.

Actions. The following actions are recommended to aid in the implementation of the goal:

1. Municipalities should determine the amount of land necessary to accommodate anticipated future population levels.
2. Local units of government are also encouraged to review their ordinances to reduce the land area designated for various uses in cases where growth projections indicate that actual development will occupy smaller areas of land. In cases where lengthy stretches of development, particularly commercial, are located along major roadways, and the area proposed for commercial use exceeds substantially the area projected to accommodate future population levels, reductions in length are recommended.



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

JACKSON COUNTY MASTER PLAN

To: County Planning Commissioners

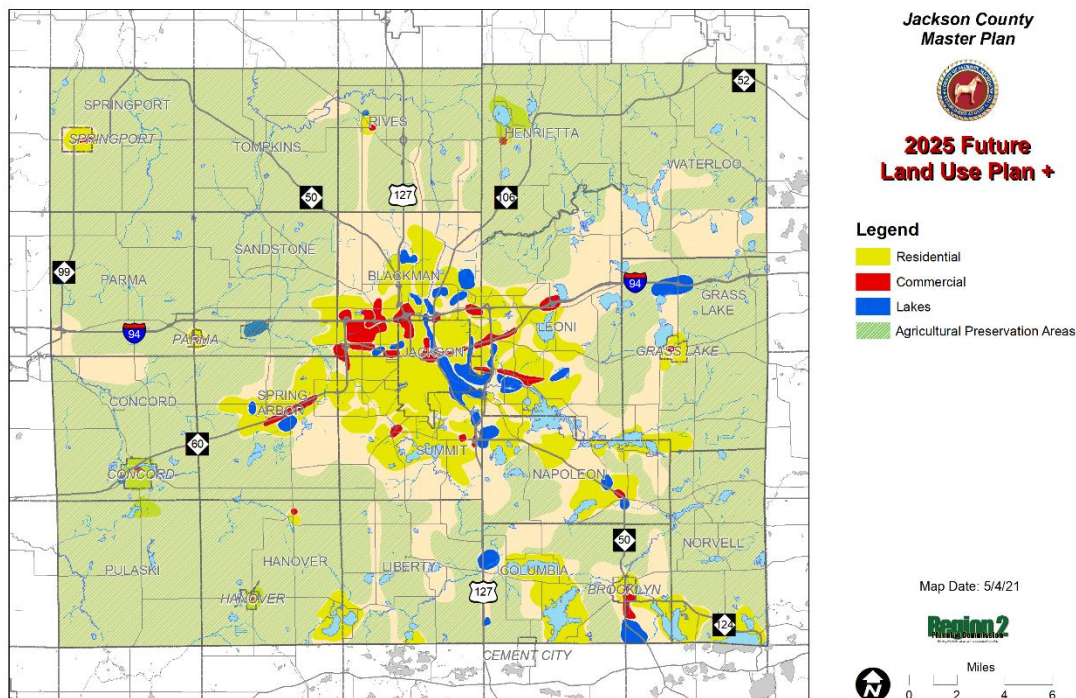
From: Grant E. Bauman

Date: May 6, 2021

Proposal: Future Land Use Plan and Agricultural Preservation Area

The next step in completing the next edition of the Jackson County Master Plan is the drafting of a Future Land Use Plan, including the delineation of an Agricultural Preservation Area.

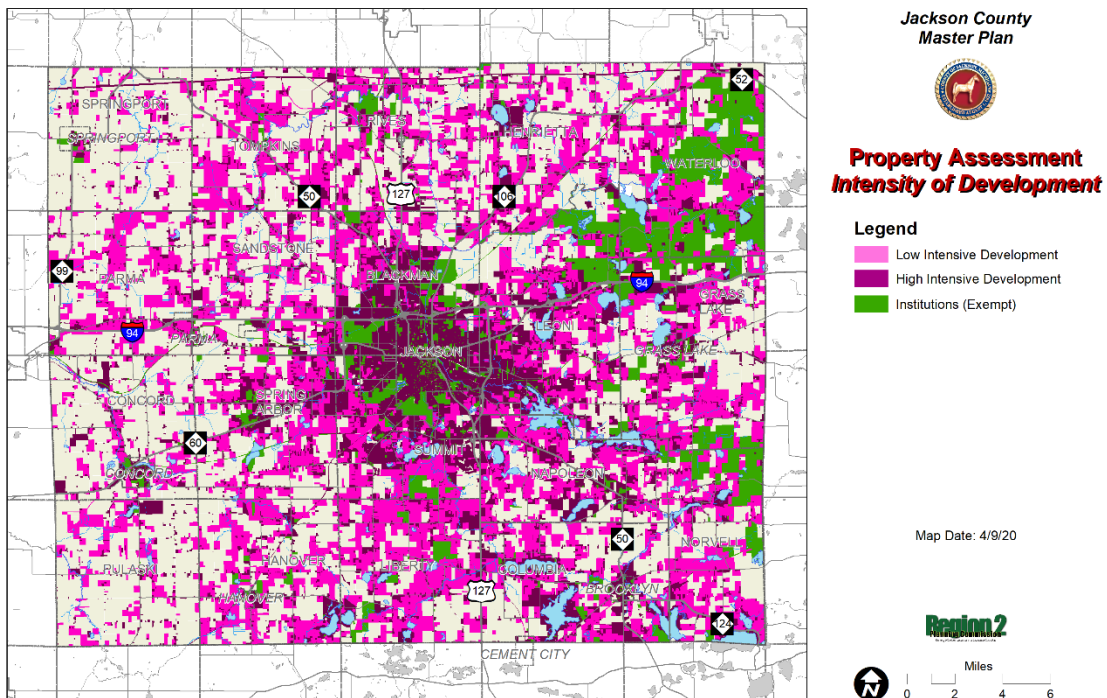
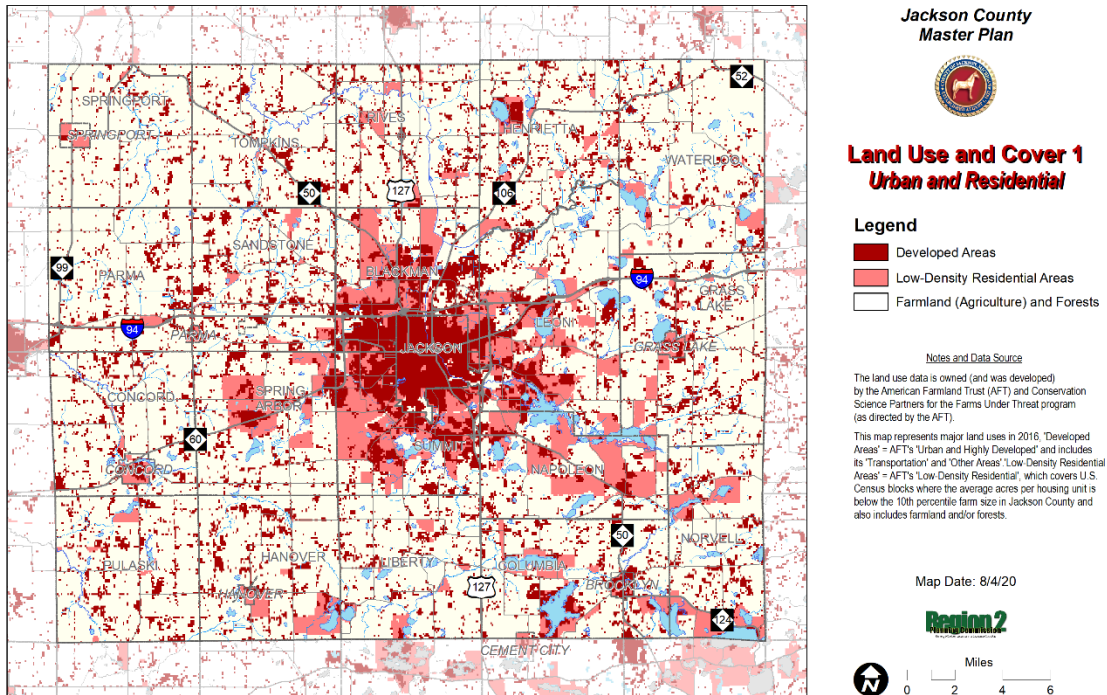
What form should the Future Land Use Plan (FLUP) take? The 2025 FLUP in the Jackson Community Comprehensive Plan took the form of a traditional future land use map, establishing areas recommended for residential, commercial and industrial development. The FLUP also established an Agricultural Preservation Area (see the '2025 Future Land Use Plan + map).



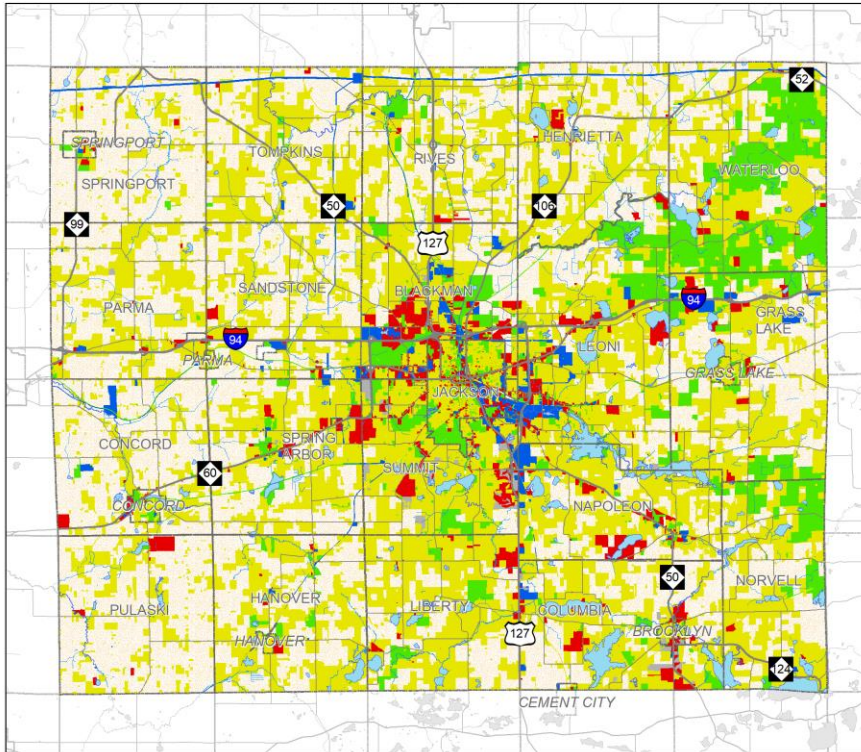
Should the County Planning Commission simply update these maps or should it employ some other approach to help guide development from a countywide perspective? Each municipality should already have its own FLUP, which goes into greater detail than is possible in a countywide plan. What would be

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an alternative to a traditional FLUP? A possible solution would be some type of urban versus rural map (see the 'Land Use and Cover 1 | Urban and Residential' map and the Property Assessment | Intensity of Development' map).



If the traditional FLUP approach is preferred, the following existing land use maps should be helpful:



**Jackson County
Master Plan**



**Property
Assessment**

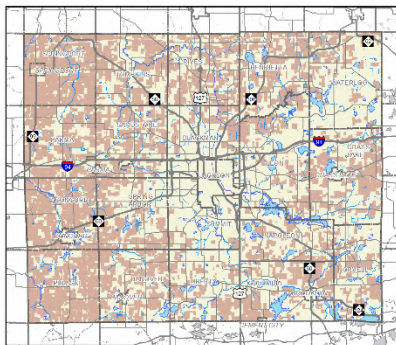
Legend

- Agricultural
- Residential
- Commercial
- Industrial
- Exempt
- Other

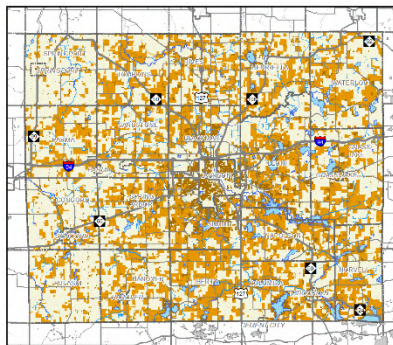
Map Date: 8/6/19
Assessment Data Date: 12/19/18

[Parcel Layer Source](#)
Jackson County GIS

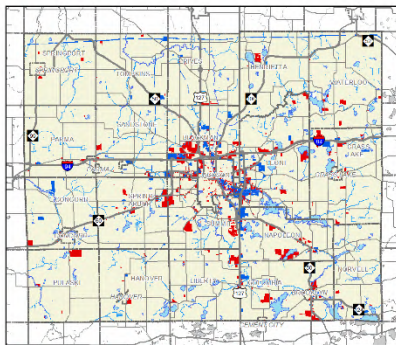
Region 2
Planning Commission



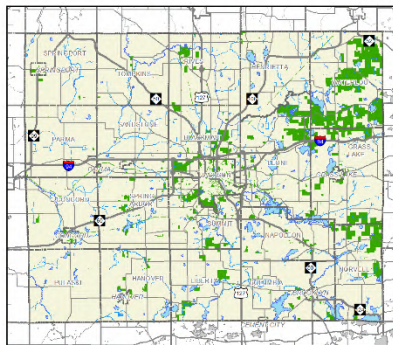
Agricultural Uses



Residential Uses



Commercial and Industrial Uses



Exempt Uses

**Jackson County
Master Plan**



**Property Assessment
By Use Type**

Legend

- Agricultural Uses**
 - Agricultural Lots
- Residential Uses**
 - Large-Lot Residential (5+ acres)
 - Compact Residential (<5 acres)
- Commercial and Industrial Uses**
 - Commercial Lots
 - Industrial Lots
- Exempt Uses**
 - Exempt Lots

Map Date: 4/9/19

Region 2
Planning Commission



Staff has already begun the process of identifying commercial recreation facilities that should be excluded from the inventory of commercial land uses (e.g., golf courses, campgrounds, etc.)

The following maps may be useful in refining the extent of the Agricultural Preservation Area:

