



# Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

120 W. Michigan Avenue • Jackson, MI 49201

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

## MEETING NOTICE

FOR FURTHER INFORMATION CONTACT:

Grant E. Bauman

R2PC Principal Planner

(517) 768-6711

[gbauman@co.jackson.mi.us](mailto:gbauman@co.jackson.mi.us)

DATE: April 14, 2022

TIME: 6:00 p.m.

PLACE: 5<sup>th</sup> Floor Commission Chambers

Jackson County Tower Building

120 W. Michigan Avenue

Jackson, Michigan 49201

## MEETING AGENDA

1. Call to order and pledge of allegiance
2. Public comment [**3 MINUTE LIMIT**]
3. Approval of minutes  
Approval of the March 10, 2022, meeting minutes [**ACTION**] ..... 3
4. Approval of agenda  
Approval of the April 14, 2022, meeting agenda [**ACTION**]
5. Request(s) for review, comment, and recommendation
  - a. Consideration of township zoning amendment(s)
    - (1) CZ | #22-04 | Leoni Township zoning text amendment [**ACTION**] ..... 5
    - (2) CZ | #22-05 | Spring Arbor Township zoning text amendment [**ACTION**] ..... 25
  - b. Consideration of master plan(s) – *None*
  - c. Farmland and Open Space Preservation Program (PA 116) application(s) – *None*
6. Other business
  - a. Unfinished business – *None*
  - b. New business – *2021 JCPC Annual Report*  
Approval of document [**ACTION**] ..... 33
7. Public comment [**2 MINUTE LIMIT**]
8. Commissioner comment
9. Adjournment

*The next scheduled meeting of the Jackson County Planning Commission is May 12, 2022*

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## MEETING MINUTES

March 10, 2022

5<sup>th</sup> Floor Commission Chambers • Jackson County Tower Building • Jackson, Michigan

**Members Present:** Mr. Roger Gaede, Environment; 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; Ms. Pat Gallagher, At Large; and Mr. Russ Jennings, At Large

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

**Others Present:** None

Item 1. **Call to Order and Pledge of Allegiance.** Chair Hawley called the meeting to order at 6:00 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. Hilleary made a motion, seconded by Comm. Videto, to **approve** the February 10, 2022, meeting minutes as presented. *The motion was approved unanimously.*

Item 4. **Approval of the Agenda.** Comm. Videto made a motion, seconded by Comm. Hilleary, to **approve** the March 10, 2022, 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).** None.

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

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

Item 6. **Other Business.**

b. **Unfinished Business – Jackson County Master Plan.**

Commissioners reviewed the full draft of the Jackson County Master Plan prior to sending it to the County Board of Commissioners for review and release for public comment. Comm. Gaede suggested that areas of concern (i.e., endangered species) should be added to the plan. After some discussion, it was decided to add the following item as Action #7 under the Natural Resources goal (see pages 3-8 and 3-9 of the master plan):

7. Land owners should be aware of endangered species that may be present. Those plants and animals of concern should be protected. Check with the Jackson County Conservation District ([www.jacksoncd.org](http://www.jacksoncd.org)).

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Comm. Kennedy made a motion, seconded by Comm. Hilleary, to **approve** the master plan with the Commission's added recommendation. *The motion was approved unanimously.*

c. **New Business.** – 2021 JCPC Annual Report.

Comm. Kennedy had to depart, leaving the Commission without a quorum. Consequently, the vote on the 2021 JCPC Annual Report was postponed until the April 14, 2022, meeting.

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

Item 8. **Commissioner Comment.** Comm. Hawley announced proposed state legislation that would require primary caregivers (i.e., medical marihuana) to register the products they produce. Comm. Gaede spoke about his concerns regarding endangered species.

Item 9. **Adjournment.** Chair Hawley adjourned the meeting at 6:54 p.m.

Respectfully submitted by:

Grant Bauman, Recording Secretary





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## COORDINATED ZONING REPORT | #22-04

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** April 7, 2022

### **Proposal: Solar Energy Systems in Leoni Township**

#### **Background Information**

The Leoni Township Planning Commission submitted various Zoning Ordinance amendments to the JCPC for review and comment pertaining to Solar Energy Systems. Unfortunately, the proposal does not indicate the locations (i.e., sections) of the proposed amendments within Chapter 42 (Zoning) of Leoni Township's Code of Ordinances (see the background information). Accordingly, JCPC staff cannot reference the proposed amendments by section number. Here is a synopsis of the proposed amendments:

- A purpose and intent statement is provided.
- Various criteria for the use of all solar energy equipment are specified.
- Definitions are provided for: "Accessory Solar Energy System"; "Community Solar Energy System (CSES) (also called 'Solar Garden')"; "Solar Farm"; and "Solar Collection Panels".
- Set criteria for "Permitted Use Standards for Accessory Systems" are specified.
- "Conditional Use Standards for CSES/Solar Garden or Solar Farm" are provided.

#### **Staff Analysis**

As indicated in the purpose and intent statement of the proposed amendments, "it is in the public interest to encourage the use and development of renewable energy systems". However, the proposed amendments need significant changes before they are approved.

#### **General findings:**

- The locations (i.e., section numbers) of the proposed amendments within Chapter 42 (Zoning) of Leoni Township's Code of Ordinances must be specified.
- It appears that standards from the zoning ordinance of another community was used without proper alteration to fit within the context of Chapter 42 (Zoning). For example:
  - References to "special land uses" should be changed to "conditional uses".
  - References to "Large Energy Solar System" should be changed to "CSES/Solar Garden or Solar Farm".

#### **Conditional use findings:**

- The attached meeting minutes indicate that separate resolutions were passed to allow Community Solar Energy Systems (CSES) (also called "Solar Garden") and Solar Farm as a conditional use in the Agricultural (AG), Light Industrial (ML), and Heavy Industrial (M) zoning districts. However, the use was not added to the pertinent listings of conditional uses in the text of Chapter 42.

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- Work is needed on the specified property setbacks. The first sentence of Subsection C states that each district's applicable setbacks must be followed. The last sentence of the subsection states a setback of fifty feet. These two statements must be reconciled. The subsection also provides other setback requirements for floodplains, wetlands, riparian shorelines, wildlife management areas, parks and scenic trail corridors. Some of those uses/functions may not be applicable to Leoni Township and others may need to be defined.
- Many of the proposed requirements appear to be too general (e.g., permit applications, landscaping, etc.). There should be specific standards that can be enforced. Please see the attached requirements from Summit Township for examples.

### Staff Advisement

Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **DISAPPROVAL** of the proposed Solar Energy System Zoning Ordinance (i.e., Chapter 42) amendments to the Leoni Township Board, noting the comments provided in the staff report (see the staff report).

#### Staff Report Attachments:

- *Background information provided by Leoni Township.*

#### Suggested Actions:

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

**Section 150.257(L) (Additional Development Requirements for Certain Uses) of Chapter 150 (Zoning Code) of the Summit Township, Michigan Code of Ordinances**

(L) *Utility grid, large solar energy facility (solar farm).* The purpose of this subsection is to establish minimum requirements and regulations for the siting, installation, operation, repair, decommissioning, and removal of utility grid, large solar energy facilities (hereafter referred to as solar farms), as defined in § [150.006](#), while promoting the safe, effective, and efficient use of such energy facilities as a conditional use in specified zoning districts. The following requirements shall apply to all solar farms:

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

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

(a) *Design standards.*

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

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

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

4. *Safety/access.*

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

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

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

a. 50 dBA, as measured at the property line of any adjacent Rural Non-Farm Residential (RNF-1), Suburban Residential (RS-1 and RS-2), Urban Residential (RU-1 and RU-2), Multiple-Family Residential (RM-1 and RM-2), and Mobile Home Residential (MH-1) district zoned land in existence at the time the solar farm is granted conditional use approval;

b. 45 dBA, as measured at any neighboring residence in existence at the time the solar farm is granted conditional use approval, between the hours of 9:00 p.m. and 7:00 a.m.; and

c. 60 dBA, as measured at the lot lines of the project boundary.

6. *Visual appearance.*

a. Solar farm buildings and accessory structures shall, to the extent reasonably possible, use

materials, colors, and textures that will blend the solar farm into the existing environment.

b. The perimeter of solar farm facilities shall also be screened and buffered by installing evergreen vegetative plantings whenever existing natural forest vegetation does not otherwise continuously obscure the solar farm's entire lot perimeter from adjacent parcels, subject to the following requirements:

i. Unless screened and buffered at all times by natural forest vegetation having a substantially similar obscuring effect of an evergreen vegetative buffer installed pursuant to this subsection, a continuous evergreen vegetative buffer shall be installed and maintained at all times at the perimeter of all solar farms.

ii. The evergreen vegetative buffer shall be composed of evergreen trees or shrubs that at planting shall be a minimum of 6 feet in height. The evergreen trees or shrubs shall be spaced no more than 10 feet apart on center (from the central trunk of 1 plant to the central trunk of the next plant). Within 5 years of planting, required evergreen vegetative screening shall be no less than 15 feet tall.

iii. Failure to continuously maintain the required evergreen vegetative buffer shall constitute a violation of this code and sufficient grounds for revocation of any conditional use permit previously granted.

iv. An alternate screening method may be considered for approval by the Planning Commission as long as it has a substantially similar obscuring effect of an evergreen buffer.

v. If the solar farm is not visible from any road and if the solar farm is not visible from any existing residence, the screening requirements may be modified at the discretion of the Planning Commission.

c. Lighting of the solar farm shall be limited to the minimum necessary, supplied with down lighting, and in no case shall any illumination from such lighting extend beyond the perimeter of the solar farm. A photometric study may be used to make this determination.

d. No solar farm shall produce glare that would constitute a nuisance to occupants of neighboring properties or to persons traveling neighboring roads. Upon written notice from the Zoning Administrator or such other person designated by the Township Board to the owners of the solar farm that glare from the solar farm is causing a nuisance to occupants of neighboring property or to persons traveling neighboring roads, the owner of the solar farm shall have a reasonable time (not to exceed 180 consecutive days) from the date of such notice to remediate such glare.

7. *Medium voltage cable.* All medium voltage cable (as defined in § 150.006) within the project boundary shall be installed underground unless determined otherwise by the Planning Commission because of severe environmental constraints (e.g. wetlands, cliffs, hard bedrock), and except for power switchyards (as defined in § 150.006) or area within a substation. All electrical interconnections and distribution components must comply with all applicable codes and public utility requirements.

(b) *Local, state and federal permits.* A solar farm shall be required to obtain all necessary permits from the Michigan Department of Environmental Quality (see § 150.257(L)(4)(b)) and any applicable municipal, county, state, or federal permits.

(c) *Agreements/easements.* If the zoning lot (as defined in § 150.006) on which the project is proposed is to be leased, rather than owned, by the owner of the solar farm, all property within the project boundary must be included in a recorded easement(s), lease(s), or consent agreement(s) specifying the applicable uses for the duration of the project. All necessary leases, easements, or other agreements between the owner of the solar farm and property owners must be in place prior to commencing construction, unless specified otherwise by the conditional use permit.

(3) *Permit applications.*

(a) An application for a conditional use permit to establish a solar farm must include a complete description of the project and documentation to sufficiently demonstrate that the requirements set forth in § 150.257(L)(2)(a) will be met. Supporting documentation for addressing the review criteria of § 150.257(L)(4) is also to be provided. The Planning Commission and Township Board may require any information reasonably necessary to determine compliance with this code. The application must also be

accompanied by detailed site plans drawn to scale and dimensioned and certified by a registered engineer licensed in the State of Michigan, displaying the following information:

1. All lot lines and dimensions, including a legal description of each lot or parcel comprising the solar farm;
2. Names of owners of each lot or parcel within Summit Township that is proposed to be within the solar farm;
3. Vicinity map showing the location of all surrounding land uses;
4. Location and height of all proposed solar array(s), buildings, structures, electrical tie lines and transmission lines, security fencing, and all above-ground structures and utilities associated with a solar farm;
5. Horizontal and vertical (elevation) to scale drawings with dimensions that show the location of the proposed solar array(s), buildings, structures, electrical tie lines and transmission lines, security fencing and all above ground structures and utilities on the property;
6. Location of all existing and proposed overhead and underground electrical transmission or distribution lines within the solar farm and within 1,000 feet of the outside perimeter of the solar farm;
7. Proposed setbacks from the solar array(s) to all existing and proposed structures within the solar farm;
8. Land elevations for the solar array(s) location and the relationship to the land elevations of all existing and proposed structures within the solar farm;
9. Access driveways within and to the solar farm, together with a detailed narrative regarding dimensions, composition, and maintenance of each proposed driveway. All access drives shall be subject to Jackson County Department of Transportation approval, and shall be planned so as to minimize the use of lands for that purpose;
10. Planned security measures to prevent unauthorized trespass and access and to warn of potential dangers during the construction, operation, removal, maintenance or repair of the solar farm;
11. A written description of the maintenance program to be used for the solar array(s) and other components of the solar farm, including decommissioning and removal when determined by the township to be obsolete, uneconomic, or abandoned. The description shall include maintenance schedules, types of maintenance to be performed, and decommissioning and removal procedures and schedules if the solar farm becomes obsolete, uneconomic or abandoned;
12. A copy of the manufacturer's safety measures;
13. Planned lighting protection measures; and
14. Additional detail(s) and information as required by the conditional use permit requirements of the Zoning Code, or as required by the Planning Commission.

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

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

(4) *Provisions for conditional use permit review.* In addition to the standards set forth for conditional use approval in § [150.253](#), additional consideration shall be given to the following:

(a) *Project rationale.* Project rationale, including estimated construction schedule, project life, phasing, and likely buyers or markets for the generated energy.

(b) *Siting considerations.* Siting considerations, such as avoiding areas/locations with a high potential for biological conflict such as areas of environmental concern, parks, trails, special management areas or important wildlife habitat or corridors; avoiding visual corridors that are prominent scenic view sheds; avoiding areas of erodible slopes and soils, where concerns for water quality, landslide, severe erosion, or high storm runoff potential have been identified; and, avoiding known sensitive historical, cultural or archaeological resources.

(c) *Wildlife habitat areas and migration patterns.* Specifically include information on any use of the site by endangered or threatened species and whether the project is in a biologically significant area. If threatened or endangered species exist in the area, consultation with the Michigan Departments of Natural Resources and Environmental Quality will be necessary.

(d) *Environmental analysis.* The Planning Commission may require an analysis of impacts to historic, cultural and archaeological resources; soil erosion (water and wind); flora; and water quality and water supply in the area when there is reason to believe that adverse impacts to such may occur.

(e) *Hazardous waste.* As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes.

(f) *Transportation plan for construction and operation phases.* Proof of an agreement with the Jackson County Department of Transportation and the Michigan Department of Transportation (if applicable) regarding any construction phase of the project is required.

(g) *Public safety.* Identify and address any known or suspected potential hazards to adjacent properties, public roadways, communities, aviation, and the like that may be created by the project.

(h) *Decommissioning plan.* Describe the decommissioning and final land reclamation plan to be followed after the anticipated useful life, or abandonment, or termination of the project, including evidence of proposed commitments with affected parties (i.e., township, any lessor or property owner, etc.) that ensure proper final reclamation of the solar farm. Among other things, revegetation and road repair activities should be addressed in the plan. Under this plan, all structures and facilities shall be removed, including any structures below-grade, and removed offsite for disposal. No concrete, piping and other materials may be left in place. The ground must be restored to its original condition within 180 consecutive days.

(5) *Application escrow account.* An escrow account shall be deposited with the township by the applicant when the applicant applies for a conditional use permit for a solar farm. The monetary amount deposited by the applicant in escrow with the township shall be the amount estimated by the township to cover all reasonable costs and expenses associated with the conditional use permit review and approval process, which costs shall include, but are not limited to, reasonable fees of the Township Attorney, Township Planner and Township Engineer, as well as costs for any reports or studies that are reasonably related to the zoning review process for the application. Such escrow amount shall be in addition to any filing or application fees established by resolution. At any point during the review process, the township may require that the applicant place additional funds into escrow with the township if the existing escrow amount deposited by the applicant is deemed insufficient by the township. If the escrow account needs replenishing and the applicant refuses to do so promptly, the review process shall cease unless and until the applicant makes the required additional escrow deposit.

(6) *Decommissioning escrow account.* If a conditional use permit is approved pursuant to this subsection, the township shall require security in the form of a cash deposit, or surety bond acceptable to the township, which will be furnished to the township in order to ensure full compliance with this subsection and all conditions of approval. When determining the amount of each required security, the township may also require an annual escalator or increase based on the Consumer Price Index (or the equivalent or its successor). Such financial guarantee shall be deposited or filed with the Township Clerk after a conditional use permit has been approved but before construction commences on the solar farm. At a minimum, the financial security shall be in an amount determined by the township to be reasonably sufficient to re-

store the property to its previous condition prior to construction and operation of the solar farm. Such financial security shall be kept in full force and effect during the entire time that the solar farm exists or is in place, and such financial security shall be irrevocable and non-cancelable.

(7) *Code compliance.* Construction of a solar farm shall comply with the National Electric Safety Code and any applicable Michigan construction codes as a condition of any conditional use permit under this subsection.

(8) *Certified solar array components.* Components of a solar farm shall be approved by the Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electronic Testing Laboratories (EIL), or other similar certification organization acceptable to the township.

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

(Ord. -, Article V, § 5.5.7, passed 9-12-2006; Am. Ord. passed - -; Am. Ord. passed 11-13-2018) Penalty, see § [150.999](#)



## 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.)

1. The above described property has a proposed zoning change FROM \_\_\_\_\_ (\_\_\_\_\_) ZONE TO \_\_\_\_\_ (\_\_\_\_\_) ZONE.
2. PURPOSE OF PROPOSED CHANGE: \_\_\_\_\_

**B. ZONING ORDINANCE TEXT AMENDMENT:**

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

- C. PUBLIC HEARING on the above amendment was held on: month August day 4 year 2021
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month July day 11 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.

Danella Trammell ☐ Chair or ☒ Secretary 3/14/2022 (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) 936-2291  
Applicant: Leoni Township 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.

Please include any additional information or comments as an attachment.

## **SOLAR ENERGY SYSTEMS**

### **A. Purpose and Intent**

Leoni Township determines that it is in the public interest to encourage the use and development of renewable energy systems that enhance energy conservation efforts in a safe and efficient manner that is subject to reasonable conditions that will limit adverse impact on nearby properties, environment, and rural character of the region. The Township resolves that the following regulation and standards shall be adopted to ensure that solar energy systems can be constructed within Leoni Township while protecting public health, safety, and natural resources.

### **B. Criteria for the Use of All Solar Energy Equipment**

1. Solar energy equipment shall be in the least visibly obtrusive location where panels would be functional.
2. Solar energy equipment shall be repaired or replaced within three (3) months of becoming nonfunctional.
3. Each system shall conform to applicable industry standards including those of the American National Standards Institute (ANSI).

### **Definitions**

- A. **Accessory Solar Energy System:** A small solar energy system which is roof, or building mounted, or architecturally-integrated, or ground mounted panels which are located on a lot or parcel with a principal use such as residence or business designed to supply energy for onsite residential or business use; excess energy produced may be sold back to the grid through net metering or commercial use to generate energy to offset utility costs or as an additional revenue stream. A small solar energy system generates up to but not exceeding 20kW, and can occupy, in total, no more than five (5) acres.
- B. **Community Solar Energy System (CSES) (also called "Solar Garden"):** A large scale facility that converts sunlight into electricity by photovoltaics (PV) array, for the primary purpose of providing retail electric power (or financial proxy for retail power) to multiple community members or businesses residing or located off-site from the location of the solar energy system. Roof or ground mounted CSES or Solar Gardens are designed to supply energy for off-site users on the distribution grid. A large scale CSES or Solar Garden system exceeds 20kW, and can occupy, in total, more than five (5) acres.
- C. **Solar Farm:** A large scale facility that converts sunlight into electricity by photovoltaics (PV) array, for the primary purpose of wholesale sales of generated electricity to the electric



transmission grid. A roof or ground-mounted solar farm is the primary land use for the parcel on which it is located. A large-scale solar energy system exceeds 20kW, and can occupy, in total, more than five (5) acres.

- D. **Solar Collection Panels:** Panels and tiles comprised of semiconductor devices and typically referred to as photovoltaic cells, which collect and convert solar energy directly into electricity or solar thermal panels that convert solar energy indirectly to heat a fluid and can also power solar cooling systems.

#### **Permitted Use Standards for Accessory Solar Systems**

Accessory Solar Energy Systems are a small solar energy system designed and used as an accessory use to serve the needs of a home, farm, or small business (on-site usage). Accessory Solar Energy Systems are Permitted Uses in all zoning districts, reviewed by the Zoning Administrator, and subject to the following standards:

- A. **Property Set-Backs:** Projects shall follow the district's applicable setbacks of the property's principal use. Ground mounted panel systems shall not be located within a FEMA floodplain or designated wetlands, within forty (40) feet of a riparian shoreline, and/or within three hundred (300) feet of governmental and/or nongovernmental wildlife management areas and scenic trail corridors.
- B. **Construction Standards:** The owner(s) and/or operator(s) shall submit a site plan and obtain all necessary permits from the Township, and other applicable government agencies.
  - 1. An Accessory Solar Energy System may not occupy more than five (5%) percent of the property or up to five (5) acres, whichever is less.
  - 2. All electrical interconnection and distribution lines within the project boundary shall be underground, unless determined otherwise by the planning commission because of severe environmental constraints (e.g., wetlands, hard bedrock), except for wiring between panels in a single solar array, and except for power lines that leave the project or are within the substation. All electrical interconnections and distribution components must comply with all applicable codes and public utility requirements.
  - 3. Plans shall be provided to the Public Safety Department for review of potential hazards/issues.
  - 4. Height of ground mounted panels shall not exceed fifteen (15) feet.
- C. **Nuisances:** Accessory Solar Energy Systems shall not produce glare that is a nuisance to occupants of neighboring properties, or persons traveling neighboring roads, or air routes. Noise produced from Solar Energy Systems shall not exceed 5 dB above ambient sound levels as measured at the property line. Adequate setbacks shall be provided to comply with these limitations.

### **Conditional Use Standards for CSES/Solar Garden, or Solar Farm**

Community Solar Energy System, Solar Garden, or Solar Farms are large solar energy systems designed with the primary use of generating electricity to the electric transmission grid.

Community Solar Energy System, Solar Garden, or Solar Farms are Conditional Uses only in agricultural and industrial zoning districts, reviewed by the planning commission, and subject to the following standards:

- A. Process:** Large solar energy system projects shall require prior to construction approval, a site assessment study conducted by a private company independent of the project applicant(s) and/or property owner to determine feasibility, including the project's description identifying the size, rated power output, project life, development phases, likely market for the generated energy; visual impact using renditions or photos; analysis of onsite traffic; environmental analysis including soils, wetlands, surface water, woodlots, historical features, review of potential impacts on wildlife, corridor preservation at the site, and mitigation measures.
- B. Nuisances:** Large solar energy system projects shall not produce glare that is a nuisance to occupants of neighboring properties or persons traveling neighboring roads, or air routes. Noise produced from large solar energy systems shall not exceed 5dBA above ambient sound levels as measured at the property line. Adequate setbacks shall be provided to comply with these limitations.
- C. Property Set-Backs:** Setbacks shall follow the district's applicable setbacks of the property's principal use. Ground mounted panel systems shall not be located within a FEMA floodplain or designated wetlands, within forty (40) feet of a riparian shoreline, within one hundred and fifty (150) feet of a residential district, and/or within three hundred (300) feet of governmental and/or nongovernmental wildlife management areas, parks, and scenic trail corridors. All other areas will be fifty (50) feet.
- D. Construction Standards:** Project applicant(s) shall submit a site plan, and obtain all pertinent permits from the Township and other applicable government agencies.

  - 1. The maximum property coverage restrictions shall not apply to photovoltaic solar panels. Any other regulated structures on the property are subject to the maximum lot coverage restrictions of the district.
  - 2. All electrical interconnection and distribution lines within the project boundary shall be underground, unless determined otherwise by the planning commission because of severe environmental constraints (e.g., wetlands, hard bedrock), except for wiring between panels in a single solar array, and except for power lines that leave the project or are within the substation. All electrical interconnections and distribution components must comply with all applicable codes and public utility requirements.



3. Lighting at the facility must be shielded to prevent atmospheric light pollution. Light pole(s) shall not exceed eighteen (18) feet.
  4. Construction of a large solar energy systems shall comply with the National Electric Safety Code and the state construction codes as administered and enforced by the Township as a condition of any special land use permit under this section.
- E. **Height:** Ground mounted photovoltaic solar panel arrays shall not exceed fifteen (15) feet.
- F. **Landscaping:** Ground mounted photovoltaic solar panel arrays shall be screened from view along road and adjacent residences. The Planning Commission may alter the landscaping requirement depending upon the location and existing plant material on the site.
- G. **Safety/Access:** Perimeter security fencing is required around the Solar Energy facility and all electrical equipment. Keys or code access shall be provided for emergency personnel.
1. Owner(s) and/or operator(s) shall identify emergency and normal shutdown procedures.
  2. Owner(s) and/or operator(s) shall identify potential hazards including solid and hazardous waste, generated by the project to adjacent properties, roadways, and to the community in general.
  3. Plans shall be provided to the Public Safety Department for review of potential hazards/issues.
- H. **Telecommunications Interference:** Owner(s) and/or operator(s) shall identify electromagnetic fields and communications interference generated by the project. Adequate setbacks shall be provided to mitigate the interference.
- I. **Utilities Interconnection:** No grid-connected photovoltaic system shall be installed until the owner(s) and/or operator(s) submit a completed interconnection agreement with the electric utility in whose service territory the large solar energy system is located.
- J. **Project Life and Final Reclamation:** The owner(s) and/or operator(s) shall submit a decommissioning plan for ground-mounted photovoltaic systems to ensure that the owner(s) and/or operator(s) properly remove the equipment and facilities upon the end of the project life or in the event they are not in use for twelve (12) consecutive months. The plan must show a completion date not to exceed eighteen (18) months and shall include provisions for the removal of all structures and foundations, the removal of all electrical transmission components, the restoration of soil and vegetation and a soundly based plan ensuring financial resources will be available to

fully decommission the site. The Township shall require the owner(s) and/or operator(s) to post a bond, letter of credit or establish an escrow account to ensure property decommissioning.

- K. **Planning Commission Review:** Due to the ever-changing technical capabilities of photovoltaic solar panels and of new technology in general, the Planning Commission shall have the authority to review and consider alternatives in both dimensional requirements as well as physical development requirements found within the Solar Energy Systems Ordinance.
- L. **Signage:** No lettering, company insignia, advertising, graphics or other commercially oriented inscriptions or designs shall be allowed on any part of the Solar Arrays or other components of the Large Energy Solar System. This section does not prohibit signs reasonably necessary to inform the public of potential safety hazards associated with the Large Energy Solar System, nor does it prohibit any other signs that may be required by this Ordinance, the Special Land Use Permit or other applicable law.

**Effective Date:**

This ordinance shall take effect upon publication following its adoption.



# 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) July 11, 2021  
Sworn to and subscribed before me this 13th day of July 2021.

Coreen Chase  
Notary Public, Jackson County, Michigan

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

## NOTICE LEONI TOWNSHIP JACKSON COUNTY, MI

The Leoni Township Planning Commission will hold a ZOOM/Public Hearing Wednesday, August 4, 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.

1. Adopting proposed Solar, The Ordinance
2. Amendment to Light Industrial zoning to allow Community Solar Energy System (CSES) (Also called "Solar Garden") and solar farms as a conditional use
3. Amendment to Heavy Industrial Zoning to allow Community Solar Energy System (CSES) (Also called "Solar Garden") and solar farms as a conditional use
4. Amendment to Agricultural zoning to allow Community Solar Energy System (CSES) (Also called "Solar Garden") and solar farms as a conditional use

Purpose of hearing: Solar Energy Systems Ordinance

Cindy Norris, Clerk

**LEONI TOWNSHIP OFFICE  
913 FIFTH ST  
MICHIGAN CENTER MI 49254  
517-764-4694 PHONE 517-764-1380 FAX**

# NOT I CE

The Leoni Township Planning Commission will hold a Public/ZOOM Hearing Wednesday, August 4, 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.**

## **1. SOLAR ENERGY SYSTEMS ORDINANCE**

Purpose of hearing: Solar Energy Systems Ordinance

Cindy Norris, Clerk



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

**PLANNING COMMISSION MINUTES**  
**August 4, 2021**

The Leoni Township Planning Commission held a meeting Wednesday, August 4, 2021 @ 6:00 p.m. 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:04 pm

Members Present: V. Beckwith, R. Kinch, W. Miles, Connie Gibson & Judy Southworth  
Members absent: D. Perrine and B. Lester  
Persons in attendance: 6

Pledge of Allegiance

Purpose of Planning Commission read by V. Beckwith

*Motion by R. Kinch supported by V. Beckwith to approve the August 4<sup>th</sup> Agenda as written*  
***Motion adopted by voice vote***

*Motion by J. Southworth and supported by W. Miles to approve the July 21 minutes with the following changes:*

*Remove V. Beckwith from Members Present to Members absent*

*Change Purpose of Planning Commission read by V. Beckwith to J. Southworth*

***Motion adopted by voice vote***

**Public Comment:**                      **Open at        6:04 pm.**  
   **No Comments**  
   **Closed at     6:04 pm.**

**NEW BUSINESS:**

- 1. 000-14-06-151-005-04**  
**3150 Page Ave. Rezone**  
**GR Schultz Real Estate**

*Motion by J. Southworth and supported by R. Kinch to approve the rezone for property 000-14-06-151-005-04 at 3150 Page Ave. from Business (B4) to Light Industrial (ML).*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, B. Lester, and J. Southworth*

*0 Nays:*

***Motion Carried***

- 2. 000-14-07-451-002-01**  
**2648 E. South St. Rezone**  
**DLG & Associates LLC**

*Motion by W. Miles and supported by J. Southworth to approve the rezone for property 000-14-07-451-002-01 at 2648 E. South St. from Heavy Industrial (M) to Light Industrial (ML).*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, V. Beckwith, and J. Southworth*

*0 Nays:*

***Motion Carried***

### **3. Adopting proposed Solar, The Ordinance**

**Discussion:** J. Southworth stated that according to the ordinance written that nothing over 15 ft. tall would be allowed and that would mean Solar Farms and not wind turbines.

*Motion by R. Kinch, supported by J. Southworth to Adopt the proposed Solar Ordinance as written.*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth and V. Beckwith*

*0 Nays:*

***Motion Carried***

### **4. Amendment to Light Industrial zoning to allow Community Solar Energy System (CSES) (Also called "Solar Garden") and solar farms as a conditional use.**

*Motion by R. Kinch and supported by C. Gibson to approve the amendment to Light Industrial zoning to allow Community Solar Energy System and solar farms as a conditional use.*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth and V. Beckwith*

*0 Nays:*

***Motion Carried***

### **5. Amendment to Heavy Industrial Zoning to allow Community Solar Energy System (CSES) (Also called "Solar Garden") and solar farms as a conditional use.**

*Motion by V. Beckwith, supported by R. Kinch to approve the amendment to Heavy Industrial zoning to allow Community Solar Energy System and solar farms as a conditional use.*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth and V. Beckwith*

***Motion Carried***

### **6. Amendment to Agricultural zoning to allow Community Solar Energy System (CSES) (Also called "Solar Garden") and solar farms as a conditional use.**

*Motion by J. Southworth and supported by W. Miles to approve the amendment to Agricultural zoning to allow Community Solar Energy System and solar farms as a conditional use.*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth and V. Beckwith*

***Motion Carried***

**OLD BUSINESS:**

**Master Plan - Discussion:** W. Miles believe we should table the discussion of Master Plan until Grant Baumann can join us at the August 18<sup>th</sup> meeting.

**Discussion:** J. Southworth proposed to the Planning Commission that in-person meetings resume on August 4<sup>th</sup>.

*Motion by R. Kinch, supported by C. Gibson to start In Person Planning Commission meetings on August 4<sup>th</sup> 2021.*

*5 Ayes: R. Kinch, C. Gibson, B. Lester, J. Southworth and W. Miles*

***Motion Carried***

*Motion by W. Miles, supported by J. Southworth to adjourn the meeting.*

***Motion adopted by voice vote***

**Meeting Adjourned 6:31 pm.**

**Next meeting: August 18, 2021**

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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 | #22-05

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** April 7, 2022

**Proposal:** “Owner Occupied Business” Regulations in Spring Arbor Township

### Background Information

The Spring Arbor Township Planning Commission submitted various Zoning Ordinance amendments to the JCPC for review and comment pertaining to an “Owner Occupied Business”:

- **Section 2.1 (Definitions).** The addition of a definition for “Owner-Occupied Business”.
- **Section 4.4.1 (Local Commercial District (C-1)).** The addition of “Owner-Occupied Business, subject to regulations contained in Section 5.9.17” to the listing of conditional uses allowed in the C-1 District as Section 4.4.1.B.14.
- **Section 4.4.2 (General Commercial District (C-2)).** The addition of “Owner-Occupied Business, subject to regulations contained in Section 5.9.17” to the listing of conditional uses allowed in the C-2 District as Section 4.4.2.B.17.
- **Section 4.4.3 (Highway Service Commercial District (C-3)).** The addition of “Owner-Occupied Business, subject to regulations contained in Section 5.9.17” to the listing of conditional uses allowed in the C-3 District as Section 4.4.3.B.12.
- **Section 4.5.1 (Light Industrial District (I-1)).** The addition of “Owner-Occupied Business, subject to regulations contained in Section 5.9.17” to the listing of conditional uses allowed in the I-1 District as Section 4.5.1.B.9.
- **Section 5.9 (Additional Development Requirements).** The addition of standards for the regulation of an “Owner-Occupied Business” as Section 5.9.17.

### Staff Analysis

The Spring Arbor Township Planning Commission wishes to allow “Owner-Occupied Dwellings” as a conditional use in the Township’s commercial and industrial zoning districts, subject to various standards. The proposed definition of an “Owner-Occupied Dwelling” is:

*Where a building designed, occupied, and intended for use as a business, commercial or light industrial in nature, is occupied in part as a dwelling unit by the owner of the business, or their immediate family with the dwelling unit being clearly incidental, and secondary to the principal commercial or industrial use.*

An “Owner-Occupied Dwelling” would require a conditional use permit in the C-1, C-2, C-3, and I-1 zoning districts and is subject to the following regulations:

1. The owner-occupied business shall be carried on within a building designed, occupied, and intended to be used principally as a commercial or light industrial business.

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[www.region2planning.com/jackson-county-planning-commission/](http://www.region2planning.com/jackson-county-planning-commission/)

2. No more than fifty percent (50%) of the building shall be devoted to the residential use.
3. The building must comply with all applicable Michigan building codes and all other regulations required under this Zoning Ordinance.
4. The occupancy of the dwelling unit shall be reserved solely for the owner of the business located in the same building, or their immediate family. The dwelling cannot be utilized as a rental.
5. The dwelling unit must be designed and constructed as part of the building intended to be used as a commercial or light industrial business.
6. The above provisions can apply to new developments or redevelopments.

This is a relatively simple set of proposed amendments which allow for the limited development of owner-occupied dwelling units as part of commercial or industrial buildings in the Township's C-1, C-2, C-3, and I-1 zoning districts. The commercial or industrial character of the buildings will be maintained. Occupancy of a dwelling unit is limited to the business owner and his/her immediate family. The dwelling is prohibited from becoming a rental unit.

### **Staff Advisement**

Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL** of the proposed "Owner-Occupied Business" Zoning Ordinance amendments to the Spring Arbor Township Board (see the staff report).

#### **Staff Report Attachments:**

- *Background information provided by Spring Arbor Township.*

#### **Suggested Actions:**

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



## ZONING AMENDMENT FORM



### JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

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

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

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

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

(ANSWER EITHER A or B)

**A. DISTRICT BOUNDARY CHANGE (REZONING):**

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

1. The above described property has a proposed zoning change FROM \_\_\_\_\_ (\_\_\_\_\_) ZONE TO \_\_\_\_\_ (\_\_\_\_\_) ZONE.
2. PURPOSE OF PROPOSED CHANGE: \_\_\_\_\_

**B. ZONING ORDINANCE TEXT AMENDMENT:**

The following Article(s) and Section(s) is amended or altered: ARTICLE Various SECTION \_\_\_\_\_

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

Owner-Occupied Business regulations

- C. PUBLIC HEARING on the above amendment was held on: month 03 day 08 year 2022
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month 02 day 20 year 2022  
(Notice must be provided at least fifteen days prior to the public hearing.)
- E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Jackson Citizen Patriot

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

☐ Chair or ☐ Secretary 04/12/2022 (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

**FINAL DRAFT 3/21/2022  
SPRING ARBOR TOWNSHIP  
JACKSON COUNTY, MICHIGAN**

**ORDINANCE AMENDMENT TO SPRING ARBOR TOWNSHIP ZONING ORDINANCE**

**Ordinance No. \_\_\_\_\_**

At a regular meeting of the Spring Arbor Township Board held in the Township Hall on the \_\_\_\_ day of \_\_\_\_\_, 2022, at \_\_\_\_:\_\_\_\_ p.m., the following Ordinance was offered by board member \_\_\_\_\_ and supported by board member \_\_\_\_\_.

*An ordinance to amend the Spring Arbor Township Zoning Ordinance by adding Section 5.9.17 regarding conditional land use provisions for an owner-occupied business; and by adding owner-occupied businesses to the listings of conditional uses in all Commercial (C-1, C-2, C-3) and Light Industrial (I-1) districts.*

**THE TOWNSHIP OF SPRING ARBOR, JACKSON COUNTY, MICHIGAN ORDAINS:**

**Section 1. Amendment to Article 2, Definitions, Section 2.1 – Definitions:** The Spring Arbor Township Zoning Ordinance, Article 2, Section 2.1, entitled "Definitions", is amended to add the term "Owner-Occupied Business":

[Original Text Remains the Same with the Addition of the term "Owner-Occupied Business"]

**Owner-Occupied Business:** Where a building designed, occupied and intended for use as a business, commercial or light industrial in nature, is occupied in part as a dwelling unit by the owner of the business, or their immediate family with the dwelling unit being clearly incidental, and secondary to the principal commercial or industrial use.

**Section 2: Amendment to Article 4, Zoning District Regulations, Section 4.4, Commercial Districts, Subsection 4.4.1, Local Commercial District (C-1):** The Spring Arbor Township Zoning Ordinance, Article 4, Zoning District Regulations, Section 4.4, Commercial Districts, Subsection 4.4.1, entitled "Local Commercial District (C-1)", is amended to add Owner-Occupied Business as a conditional use:

[Original Text Remains the Same with the Addition of  
"Owner-Occupied Business" as a Conditional Use]

**B. Conditional Uses: (See Article 5)**

- . . .
14. Owner-Occupied Business, subject to regulations contained in Section 5.9.17.

**Section 3: Amendment to Article 4, Zoning District Regulations, Section 4.4, Commercial Districts, Subsection 4.4.2, General Commercial District (C-2):** The Spring Arbor Township Zoning Ordinance, Article



4, Zoning District Regulations, Section 4.4, Commercial Districts, Subsection 4.4.2, entitled "General Commercial District (C-2)", is amended to add Owner-Occupied Business as a conditional use:

[Original Text Remains the Same with the Addition of  
"Owner-Occupied Business" as a Conditional Use]

B. **Conditional Uses:** (See Article 5)

17. Owner-Occupied Business, subject to regulations contained in Section 5.9.17.

**Section 4: Amendment to Article 4, Zoning District Regulations, Section 4.4, Commercial Districts, Subsection 4.4.3, Highway Service Commercial District (C-3):** The Spring Arbor Township Zoning Ordinance, Article 4, Zoning District Regulations, Section 4.4, Commercial Districts, Subsection 4.4.3, entitled "Highway Service Commercial District (C-3)", is amended to add Owner-Occupied Business as a conditional use:

[Original Text Remains the Same with the Addition of  
"Owner-Occupied Business" as a Conditional Use]

B. **Conditional Uses:** (See Article 5)

12. Owner-Occupied Business, subject to regulations contained in Section 5.9.17.

**Section 5: Amendment to Article 4, Zoning District Regulations, Section 4.5, Industrial District, Subsection 4.5.1, Light Industrial District (I-1):** The Spring Arbor Township Zoning Ordinance, Article 4, Zoning District Regulations, Section 4.5, Industrial District, Subsection 4.5.1, entitled "Light Industrial District (I-1)", is amended to add Owner-Occupied Business as a conditional use:

[Original Text Remains the Same with the Addition of  
"Owner-Occupied Business" as a Conditional Use]

B. **Conditional Uses:** (See Article 5)

9. Owner-Occupied Business, subject to regulations contained in Section 5.9.17.

**Section 6: Amendment to Article 5, Conditional Land Use Provisions, Section 5.9 – Additional Development Requirements:** The Spring Arbor Township Zoning Ordinance, Article 5, Conditional Land Use Provisions, Section 5.9, entitled "Additional Development Requirements", is amended to add Section 5.9.17, Owner-Occupied Business, to read as follows:

[Original Text Remains the Same with the Addition of Section 5.9.17]

5.9.17 **Owner-Occupied Business:**

- A. Owner-Occupied Businesses are intended to accommodate commercial or industrial, and residential uses that are compatible with the character of existing neighborhoods. Owner-occupied businesses may be actualized through the preservation and reuse of existing buildings or construction of new buildings.
- B. Owner-Occupied Businesses shall be subject to the following regulations:
  - 1. The owner-occupied business shall be carried on within a building designed, occupied, and intended to be used principally as a commercial or light industrial business.
  - 2. No more than fifty percent (50%) of the building shall be devoted to the residential use.
  - 3. The building must comply with all applicable Michigan building codes and all other regulations required under this Zoning Ordinance.
  - 4. The occupancy of the dwelling unit shall be reserved solely for the owner of the business located in the same building, or their immediate family. The dwelling unit cannot be utilized as a rental.
  - 5. The dwelling unit must be designed and constructed as part of the building intended to be used as a commercial or light industrial business.
  - 6. The above provisions can apply to new developments or redevelopments.

**SPRING ARBOR TOWNSHIP  
PLANNING COMMISSION MEETING  
TUESDAY, MARCH 8, 2022**

The regular meeting of the Spring Arbor Township Planning Commission was called to order by Chairman Al Sorenson at 6:00 p.m. at the Spring Arbor Township Hall.

**Members Present:** Doug Martz, Susan Luplow, Al Sorenson, Terry French, Mel Rice, Amanda Wells and Jason Vasaris

**Members Absent:** Carl Jacobson and Mike Archer

**Staff:** Jan Gardner

**Guests:** none

**Public Comment:** none

**Minutes:** French made a motion to accept the minutes from the February 8, 2022, meeting. Martz seconded this motion. Approved.

**New Business:**

Public Hearing/Proposed Text Amendment to Zoning Ordinance to allow for a Combined Residential and Business Structure as a Conditional Use: A public hearing for a proposed text amendment to the zoning ordinance to allow for a combined residential and business structure as a conditional use was held. Public attendance was zero and Jan Gardner stated that she had received no calls or inquires in the office. The hearing was closed. Per the recommendation of our legal counsel (Fahey Schultz Burzych Rhodes law firm) incidental wording changes will be included in the final draft of the text amendment. The most significant change is the revision of the name from "Combined Residential and Business Structure" to "Owner-Occupied Business."

**Old Business:** none

**Reports:**

Update from Sign Committee regarding electronic billboards:

Jan Gardner gave an update on the first meeting of the sign committee. Progress was made at the meeting, and they plan to meet again.

**Member Comments:** none

Meeting adjourned at 7:17 p.m.

Respectfully submitted,

Susan Luplow, Secretary

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# Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

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## 2021 JCPC Annual Report

Section 19(2) of the *Michigan Planning Enabling Act* (PA 33 of 2008, MCL 125.3819(2)) states that “[a] planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development. Section 103(B) of the *Jackson County Planning Commission Bylaws* also includes the preparation of an annual report to the County Board as a duty of the Commission. Accordingly, the report for 2021 follows:

### 1. 2021 JCPC Membership & Officers

The Jackson County Planning Commission (JCPC) is comprised of nine (9) members. The following commissioners served in 2021:

- Mr. Eric Beda – Industrial and Economic Interests
- Mr. Timothy Burns – At Large
- Mr. Roger Gaede – Environmental Interests
- Ms. Pat Gallagher – At Large
- Ms. Nancy Hawley – At Large
- Mr. Ted Hilleary – Educational Interests
- Mr. Russ Jennings – At Large
- Mr. Corey Kennedy – County Board of Commissioners
- Mr. Jim Videto – Agricultural Interests

Ms. Hawley and Mr. Beda served as the Chair and Secretary of the JCPC, respectively.

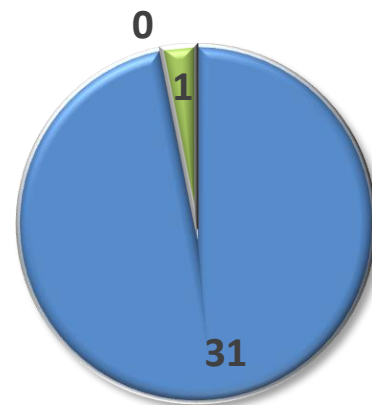
### 2. Immediate Responsibilities

The Jackson County Planning Commission accomplished a lot during 2021, including the following responsibilities:

#### a. Coordinated Zoning

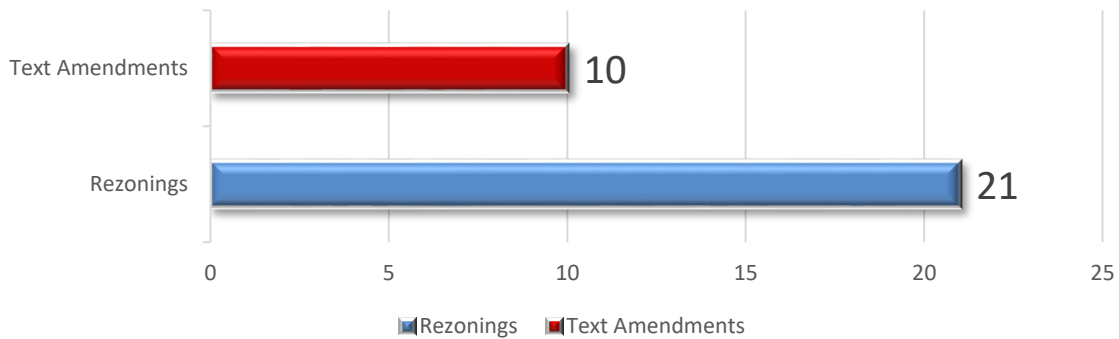
A primary responsibility of the Planning Commission is to review and recommend action on proposed amendments to township zoning ordinances.

The JCPC made thirty-one (31) recommendations regarding zoning amendments in nine (9) townships in 2021.



■ Zoning Amendments ■ Master Plans

■ PA 116 Agreements



Text amendments —pertaining to medical and recreational marihuana, shooting ranges, signs, solar energy, accessory structures, and industrial district standards— accounted for 32% of zoning ordinance amendment requests. Rezoning requests accounted for 68% of requests.

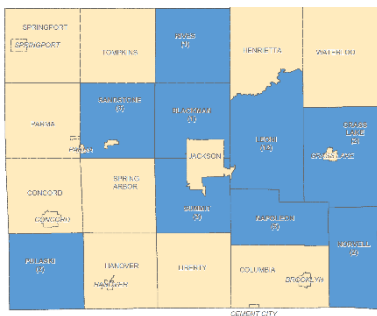
**b. Coordinated Planning**

Another primary responsibility of the Commission is to review and provide feedback on municipal (i.e., city, village and township) master plans proposed within Jackson County as well as master plans proposed by surrounding counties. No proposed municipal master plans were submitted to the JCPC for review and comment in 2021.

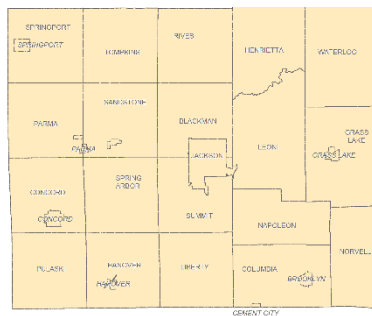
**c. Farmland and Open Space Preservation**

A secondary responsibility of the Planning Commission is to review and make recommendations regarding Farmland and Open Space Preservation (i.e., PA 116) applications to pertinent Township Boards. The JCPC made a recommendation on one (1) application regarding the preservation of farmland and open space in 2021.

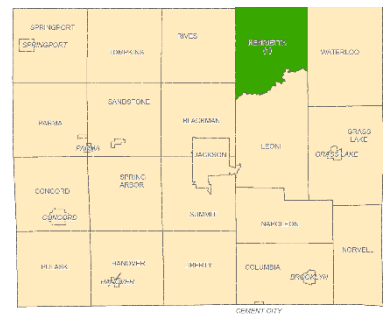
**Zoning Amendments**



**Master Plans**



**Farmland Agreements**

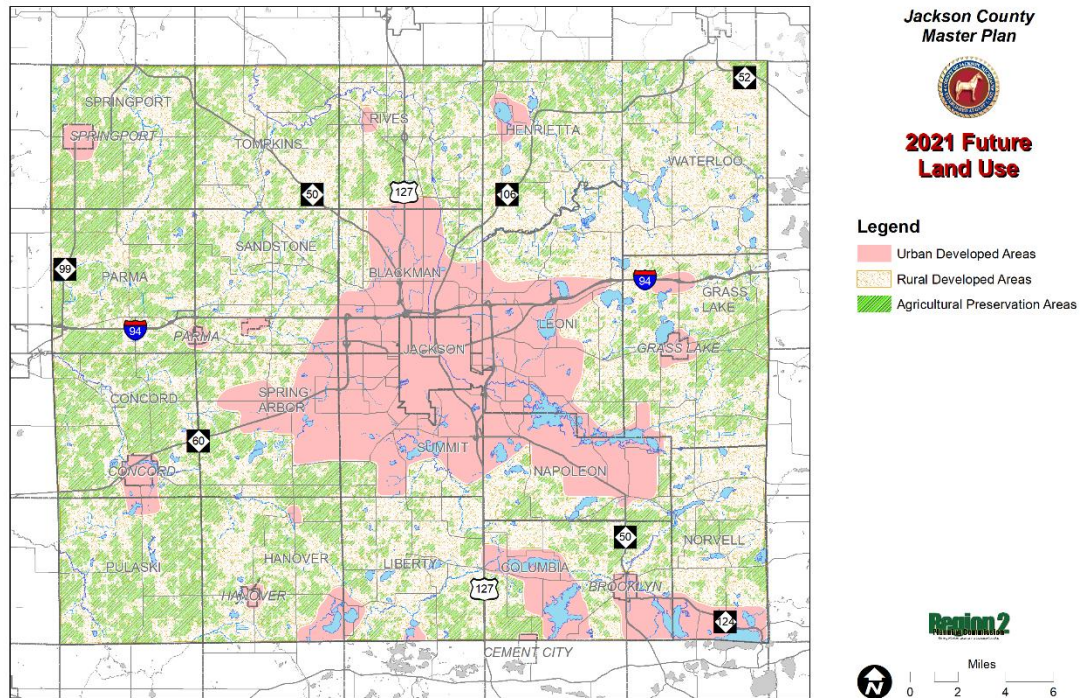


**3. Ultimate Goal and Objectives**

In the long-term, the JCPC seeks to coordinate planning throughout Jackson County while respecting the planning and zoning authority of municipal governments (i.e., the city, villages, and townships). This will be accomplished over time by:

a. **County Master Plan**

The Commission is also charged with developing a countywide master plan upon which it will base (in part) its recommendations regarding municipal master plans and township zoning amendments (i.e., rezonings and text amendments). Towards that end, Commissioners continued work on a new edition of the *Jackson County Master Plan* in 2021. The proposed future land use map was drafted.



b. **Education and Advocacy.** The Commission will continue to maintain a webpage—located on [www.region2planning.com/jackson-county-planning-commission](http://www.region2planning.com/jackson-county-planning-commission)—regarding the County Planning Commission for the use of its members and the municipalities they serve. Agenda packets (which include staff reports on the requests reviewed by the JCPC), meeting schedules and minutes, and more can be found on the webpage.

4. **Meetings.** The County Planning Commission generally meets on the second (2nd) Thursday of each month at 6:00 pm in the Commission Chambers on the 5th Floor of the County Tower Building.

*Submitted on the behalf of the Jackson County Planning Commission  
Grant Bauman | JCPC Staff and Recording Secretary | 2-23-22*