



Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

120 W. Michigan Avenue • Jackson, MI 49201

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

MEETING NOTICE

FOR FURTHER INFORMATION, CONTACT:

Grant E. Bauman

R2PC Principal Planner

(517) 768-6711

gbauman@mijackson.org

DATE: April 21, 2022

TIME: 6:00 p.m.

PLACE: Lenawee Room | Human Services Bldg.

1040 S. Winter Street

Adrian, Michigan

MEETING AGENDA

1. Call to Order and Pledge of Allegiance
2. Public Comment [3-MINUTE LIMIT]
3. Approval of Agenda [ACTION]
4. Meeting Minutes
- Approval of the Minutes of the March 17, 2022, Meeting [ACTION] 3
5. Request(s) for Review, Comment, and Recommendation
 - a. Consideration of Township Zoning Amendment(s)
 - (1) #22-04 — Franklin Township text amendments [ACTION] 7
 - (2) #22-05 — Franklin Township text amendments [ACTION] 17
 - b. Consideration of PA 116 Farmland Agreement(s) — None
 - c. Consideration of Master Plan(s) — None
6. Other Business
 - a. Old Business — None
 - b. New Business — None
7. Public Comment [2 MINUTE LIMIT]
8. Commissioner Comment
9. Adjournment

*Please note that the meeting will take place in person at the new time of 6:00 pm.
The location is the Lenawee Room of the Human Services Building (1040 S. Winter Street).*

The next meeting of the Lenawee County Planning Commission is scheduled for May 19, 2022.

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

MEETING MINUTES

Thursday, March 17, 2021

Lenawee Room • Lenawee County Human Services Building • Adrian, Michigan

Members Present: Ms. Karol (KZ) Bolton, Lenawee County Commission; Ms. Carrie Dillon, Education Representative; Ms. Rebecca Liedel, LCPC Chair; Mr. Bruce Nickel; and Mr. Ralph Tillotson, Lenawee County Commission

Members Absent: Mr. Keith Dersham, LCPC Secretary; and Mr. Dale Witt

Others Present: Mr. Grant Bauman, LCPC Staff/Recording Secretary; and Stephen Bezold, R2PC Associate Planner

Item 1 **Call to order.** Chair Liedel called the meeting to order at 6:00 pm. Those in attendance joined in the Pledge of Allegiance.

Mr. Bauman introduced Mr. Bezold, the new R2PC Associate Planner, to Commissioners, explaining that he will be involved in land use and transportation planning efforts in the Region. The Commissioners introduced themselves to Mr. Bezold.

Item 2 **Public comment.** None.

Item 3 **Approval of Agenda.** Staff submitted the 03/17/2022 meeting agenda for approval.

Comm. Nickel made a motion, seconded by Comm. Tillotson, to approve the March 17, 2022, meeting agenda as presented. *The motion passed unanimously.*

Item 4 **Approval of Minutes.** Staff submitted the 12/16/2021 meeting minutes for approval.

Comm. Tillotson made a motion, seconded by Comm. Nickel, to approve the December 16, 2021, meeting minutes as presented. *The motion passed unanimously.*

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

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

- (1) **#22-01 | Ridgeway Township.** Commissioners reviewed the proposed rezoning of a property (#RD0-203-3900-00) to 'Light Industrial (LI)'. Staff summarized his report advising Commissioners to recommend approval of the proposed rezoning, noting that there are also several properties on the south side of M-50 within the Township that will remain an island of 'Agricultural 1 (AA-1)' zoning at some point in the future (see the staff report). Comm. Tillotson voiced his concern over the open drain flowing through the property.

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Comm. Tillotson made a motion, seconded by Comm. Dillon, to concur with the staff advisement to recommend approval of the proposed rezoning of the subject property (#RD0-203-3900-00) to 'Light Industrial (LI)' to the Ridgeway Township Board (see the staff report and these minutes). *The motion passed unanimously.*

- (2) **#22-02 | Woodstock Township.** Commissioners reviewed the proposed rezoning of a property (#WD0-110-3025-00) to 'Highway Service Commercial (C-3)'. Staff summarized his report advising Commissioners to recommend approval of the proposed rezoning of the entire property (see the staff report). Comm. Liedel voiced her concern regarding wetlands protection. Comm. Nickel explained that the wetlands must be identified and protected prior to the issuance of a building permit on the property.

Comm. Bolton made a motion, seconded by Comm. Dillon, to concur with the staff advisement to recommend approval of the proposed rezoning of the entire subject property (#WD0-110-3025-00) to 'Highway Service Commercial (C-3)' to the Woodstock Township Board. *The motion passed unanimously.*

- (3) **#22-03 | Woodstock Township.** Commissioners reviewed the proposed rezoning of the approximately northernmost three acres of a property (#WD0-110-3575-00) to the 'Highway Service Commercial (C-3)' district. Staff summarized his report advising Commissioners to recommend approval of the proposed rezoning (see the staff report).

Comm. Bolton made a motion, seconded by Comm. Nickel, to concur with the staff advisement to recommend approval of the proposed rezoning of the approximately northernmost three acres of the subject property (#WD0-110-3575-00) to 'Highway Service Commercial (C-3)' to the Woodstock Township Board. *The motion passed unanimously.*

b. **Consideration of PA 116 Farmland Agreement(s).** None.

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

Item 6 **Other Business.**

a. **Old Business.** None.

b. **New Business.**

- (1) **Election of 2022 LCPC Officers.** Staff reminded Commissioners that Comm. Liedel is currently serving as Chair of the LCPC and Comm. Dersham is currently serving as its Secretary.

Comm. Bolton made a motion, seconded by Comm. Tillotson, to retain the 2021 slate of officers for 2022. *The motion passed unanimously.*

- (2) **2021 LCPC Annual Report.** Staff submitted the 2021 LCPC Annual Report for approval and submittal to the County Board of Commissioners.

Comm. Nickel made a motion, seconded by Comm. Bolton, to approve the 2021 LCPC Annual Report. *The motion passed unanimously.*

Item 7 **Public Comment.** None.

Item 8 **Commissioner Comment.** Staff reported that he spoke with County Administration about holding LCPC meetings at the newly renovated Old Courthouse. Although possible, there are logistical problems regarding automatic locks and afterhours meetings. Consequently, LCPC meeting will continue to be held in the Lenawee Room of the Human Services Building.

Item 9 **Adjournment.** The meeting adjourned at 6:50 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Grant E. Bauman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Grant E. Bauman, LCPC Recording Secretary

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Lenawee 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 | #22-04

To: County Planning Commissioners

From: Grant E. Bauman, Principal Planner

Date: April 14, 2022

Proposal: Text Amendments to the *Franklin Township Zoning Ordinance* regarding agriculture

Analysis and Advisement

Background – The Franklin Township Planning Commission wishes to amend the Zoning Ordinance to allow for various agricultural-related uses that may make farming more profitable. Specifically, the Planning Commission proposes to:

- Add “seasonal u-pick”, “Christmas tree farms”, and “community supported agriculture (CSA) leased gardens” to the listing of permitted uses in the Agricultural (AG) district – Section 7.02.
- Add “agricultural tourism as regulated in Section 4.31” to the listing of conditional uses in the Agricultural (AG) district – Section 7.03.
- Add regulations/standards for the development of “agricultural tourism” – Section 4.31
- Add definitions for “agricultural tourism” and “community supported agriculture” – Section 21.01.3A and Section 21.01.23A, respectively.

Section 4.31 provides:

- An intent statement.
- Permission for a listing of permitted ancillary uses (e.g., ciders mills, seasonal outdoor activities, petting farms, picnic areas, etc.) as long as the income from them represent less than 50% of the gross sales of the farm.
- Permission for a gift shop as long as its income represents less than 25% of the gross sales of the farm.
- Required minimum standards regarding: lot size, number of attendees, buffer area and plantings, off-street parking, and operational information (e.g., ownership, site plan, signs, number of employees, etc.).

Subsection 4.31.2 refers to Section 18.14, which does not exist. This citation should be corrected or removed. There are no definitions for “seasonal u-pick” or “Christmas tree farms”.

LCPC Staff Advisement – Based upon the above analysis, staff advises the County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the proposed text amendments to the Franklin Township Board, noting the need to correct the errant Section 18.14 citation.

Attachment(s):

- Background information provided by the Township.

Recommended Actions:

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

ZONING AMENDMENT FORM



LENAWEE COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Lenawee 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 LCPC recommendation will be mailed back to the Clerk, who will return a copy to the LCPC with the Township Board Action.

THE FRANKLIN TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Lenawee 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 4, 7, 16, 21 SECTION 4.31, 7.02, 7.03
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) XX1.3A)(B)(C)
(D)(E)(F)(G)
SEE ATTACHED

- C. **PUBLIC HEARING** on the above amendment was held on: month 4 day 5 year 22
- D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month 3 day 17 year 22
(Notice must be provided at least fifteen days prior to the public hearing.)
- E. **THE NEWSPAPER** (having general circulation in Township) carrying the NOTICE: TECOMSEH HERALD

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.

DOUG SHERMAN ☒ Chair or ☐ Secretary 5 / 4 / 22 (enter date)

LENAWEE COUNTY PLANNING COMMISSION (LCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The LCPC 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

NOTICE OF PUBLIC HEARING

A Public Hearing will be held before the Franklin Township Planning Commission on April 5, 2022 at 7:00 pm at the Franklin Township Office located at 3922 West M-50, Tipton, MI 49287 (Phone 517-431-2320) to consider the following proposed amendments to the Franklin Township Zoning Ordinance:

1. Amend Section 7.02 of Article VII - Agricultural District to add seasonal u-pick, Christmas tree farms and community supported leased gardens as a permitted use.
2. Amend Section 7.03 of Article VII - Agricultural District to add Agricultural Tourism as a conditional use.
3. Amend Section 4.31 of Article IV – General Provisions to add use standards for Agricultural Tourism Business
4. Amend Article XXI – Definitions to add definitions for Agricultural Tourism and Community Supported Agriculture.
5. Amend Section 16.02 (B) – Footnotes to schedule of regulations as it refers to yard spaces.
6. Amend Article XXI – Amend definitions for Setback (84) and Yard, Required side-Rear-Front (98) (A, B, C).

A complete copy of the proposed text amendments can be viewed on the Township's website, <http://www.franklintownship.net/> or at the Franklin Township Office during regular business hours which are Monday from 9 am to 5 pm, Tuesday from 9 am to 12 noon and Wednesday from 9 am to 6 pm.

Written comments may be dropped off at the Franklin Township offices located at 3922 West M-50, Tipton, MI 49287 during regular business hours or by mailing comments to the Township at PO Box 101, Tipton, MI 49287 at any time prior to the hearing date.

Sue Whitehead
Franklin Township Clerk

AMEND SECTION 7.02 IN ITS ENTIRETY TO READ AS FOLLOWS:

Section 7.02 PERMITTED PRINCIPAL USES. The following uses are permitted in an AG - Agricultural District. Any use not expressly permitted is prohibited.

1. Single family detached dwellings, both farm and non-farm related.
2. Farms.
3. Seasonal U-pick
4. Christmas tree farms
5. Community supported agriculture (CSA) leased gardens
6. Publicly owned and operated museums, libraries, parks, playfields, playgrounds, recreational facilities, and conservation.
7. Public, parochial or other private elementary, intermediate schools and/or high schools offering courses in general education and not operated for profit on sites of not less than ten (10) acres.
8. Accessory uses and buildings customarily incidental to the above permitted principal uses.
9. No-Impact Home Based Business as defined in Article XXI.

AMEND SECTION 7.03 TO ADD SUBSECTION 20 AS FOLLOWS:

20. Agricultural Tourism as regulated in Section 4.31

ADD A NEW SECTION 4.31 AS FOLLOWS:

Section 4.31 AGRICULTURAL TOURISM.

1. Intent. It is the intent of the township to allow, through a conditional land use permit, uses of an agricultural tourism nature that are complementary and accessory to the primary agricultural land use in the AG-Agricultural zoning district. It is also the intent to:
 - A. Promote and maintain local farming and the provision of open space within the township.
 - B. Maintain both an agricultural heritage and rural character.
 - C. Encourage new agriculturally based businesses that contribute to the general economic conditions of the township and surrounding region.

2. The following agricultural tourism and ancillary uses may be permitted after conditional land use review, pursuant to sections 7.03(20) and 18.14 of the ordinances so long as the general agricultural character of the farm is maintained and the income from these activities represents less than 50 percent of the gross sales from the farm.
 - A. Cider mills or wineries selling product, in a tasting room, containing at least 50 percent of crops or produce grown on-site.
 - B. Seasonal outdoor activities and mazes of agricultural origin such as straw bales, corn, wagon, sleigh and hayrides, fun or haunted houses or similar entertainment facilities.
 - C. The processing storage and retail or wholesale marketing of agricultural products into a value-added agricultural product in a farming operation, if at least 50 percent of the stored or processed, or merchandised products are produced by the farm operator.
 - D. Value-added agricultural products or activities, such as education tours, classes, lectures, seminars, historical agricultural exhibits, nature trails, etc.
 - E. Petting farms, animal display, and pony rides.
 - F. Open air or covered picnic area with restrooms.
 - G. Kitchen facilities, for the processing, cooking and/or baking of goods.
3. Gift shops for the sale of non-agriculturally related products may be permitted after conditional land use review, pursuant to sections 7.03(20) and 18.14 of the ordinance so long as the general agricultural character of the farm is maintained and income from these activities represents less than to 25 percent of gross sales.
4. Within the AG-Agricultural district, as defined herein, if permitted as a "Conditional Use" is subject to the following requirements.
 - A. Minimum parcel area of ten acres.
 - B. The uses listed in this section 4.31 are restricted to 75 or less customers/attendees on the property at one time, unless there is direct access to a paved or County primary road.
 - C. A 200-foot open buffer shall be provided on all sides of the property not abutting a roadway. Agricultural tourism activities shall not be allowed within this buffer area. Where possible, crops shall remain within this buffer area to help maintain the agricultural character of the site.

- D. Buffer plantings may be required along the property line where there is an abutting residence. Greenbelt plantings are intended to screen views of the proposed operation from the adjacent home of property.
- E. Must provide off-street parking to accommodate use as outlined in Article VI.
 - I. Parking facilities may be located on grass or gravel for seasonal uses such as road-side stands, u-pick operations and agricultural mazes. All parking area shall be defined by either gravel, cut lawn, sand or visible marking.
 - II. All parking areas shall be located in such a manner to avoid traffic hazards associated with entering and exiting the public way.
 - III. Paved or unpaved parking areas shall not be located in the required setback or buffer areas. Paved parking areas must meet all design and landscape screening requirements as set forth in this zoning ordinance.
- F. The following additional operational information shall be provided as applicable:
 - I. Ownership of the property.
 - II. Site plan is to clearly identify all areas of the property being used, buffers, all structures on site, etc.
 - III. Months (season) of operation.
 - IV. Anticipated number of customers.
 - V. Hours of operation and any noise considerations.
 - VI. Maintenance plan for disposal, etc.
 - VII. Any proposed signs.
 - VIII. Any proposed lighting.
 - IX. Maximum number of employees at any one time.
 - X. Verification that all agency approvals/permits have been granted/obtained, i.e., federal, state and local permits.

AMEND ARTICLE XXI: DEFINITIONS TO ADD THE FOLLOWING DEFINITIONS:

3A. AGRICULTURAL TOURISM: The following definitions apply to Agricultural Tourism uses:

- A. "Agricultural Tourism", "ag-tourism" and/or "agri-tourism" means the practice of visiting an agribusiness, horticultural, or agricultural operation, including, but not limited to, a farm, orchard, winery, greenhouse, hunting preserve, a companion animal or livestock show, for the purpose of recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation.
- B. "Agricultural products" includes, but is not limited to, crops (corn, wheat, hay, potatoes); fruit (apples, peaches, grapes, cherries, berries, etc.); cider; vegetables

(sweet corn, pumpkins, tomatoes, etc.); floriculture; herbs; forestry; husbandry; livestock and livestock products (cattle, sheep, hogs, horses, poultry, ostriches, emus, farmed deer, farmed buffalo, milk, eggs, and fur, etc.); aquaculture products (fish, fish products, water plants and shellfish); horticultural specialties (nursery stock, ornamental shrubs, flowers and Christmas trees); maple sap, etc.

- C. "Agriculturally related products" means items sold at a farm market to attract customers and promote the sale of agricultural products. Such items include, but are not limited to all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream-based desserts and beverages, jams, honey, gift items, food stuffs, clothing and other items promoting the farm and agriculture in Michigan and value-added agricultural products and production on site.
- D. "Non-agriculturally related products" means those items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts and knick-knacks imported from other states or countries, etc.
- E. "Agriculturally related uses" means those activities that predominantly use agricultural products, buildings or equipment, such as pony rides, corn mazes, pumpkin rolling, barn dances, sleigh/hay rides, and educational events, such as farming and food preserving classes, etc.
- F. "Non-agriculturally related uses" means activities that are part of an agri-tourism operation's total offerings but not tied to farming or the farm's buildings, equipment, fields, etc.
- G. "Seasonal" means a recurrent period characterized by certain occurrences, festivities, or crops; harvest, when crops are ready; not all year round.

23A COMMUNITY SUPPORTED AGRICULTURE: A system in which a farm is supported by local consumers who purchase prepaid shares in the farm's output which they receive periodically throughout the growing season.

FRANKLIN TOWNSHIP PLANNING COMMISSION

April 5, 2022

The Franklin Township Planning Commission meeting was brought to order at 7:00 p.m. by Vice Chairman Sherman. Those present: Doug Sherman, Gordon Whelan, John Krueger, Jane Murphy, Julie Bock, John Hinkley and Jeff Fineske. Absent: Chairman Greg Wise and Larry Shea. The minutes from the last meeting were approved as presented.

1st Public Hearing: Building Official Bruce Nickel reviewed a request for a conditional use from Scott Powers, owner of Powers Auto & Truck Sales. Powers addressed the Commission and stated he plans to resurface the existing parking lot and add striping. Powers will also add a mailbox, a lighted sign and have a maximum of 5 vehicles for sale. The hours will be 9-5:00 six days per week. A restroom is located in the building. The owner of the property at 5121 Michigan Ave., Tipton (FR0-105-2400-00) is Braun & Helmer Auction Service. The Planning Commission asked Powers a few questions regarding the property and the business operation. Krueger said it would be low-impact. No neighbors were present and no letters were received by the Commission. Krueger moved to approve the conditional use for the used car and truck sales with a limit of no more than 10 vehicles, one lighted sign only, on building or at the entrance. Murphy supported. Motion carried 7-0.

2nd Public Hearing: Nickel reviewed the proposed text amendments to the Township Zoning Ordinance. Amend Section 7.02 of Article VII – Agricultural District to add permitted principal uses. Amend Section 7.03 of Article VII – AG District to add Agricultural Tourism as a conditional use with subsection 20 AG Tourism as regulated in Section 4.31. Amend Section 4.31 of Article IV – General Provisions to add use standards for AG Tourism business. Amend Article XXI – Add definitions for Agricultural Tourism 3 A-G and add Community Supported Agriculture 23A. Whelan asked if Township Attorney Lucas was satisfied with the wording. Nickel replied yes. Murphy moved to recommend sending the proposed text amendments on to the Region 2 County Planning Commission for review. Fineske supported. Motion carried 7-0. Nickel thanked the Agri-Tourism Committee of Krueger, Whelan and Fineske for their input on the text amendments. **SETBACKS:** Amend Section 16.02(B) In determining required yard

spaces for all land uses in zoning districts, the determination of such yard spaces shall be the distance from the building or structure on the lot and nearest lot line as defined in Article XXI. Amend Article XXI: Definitions 84. Setback and 98. Yard, Required Side-Rear-Front. Sherman moved to approve the recommendation to forward the Setback proposed text amendments to the Region 2 County Planning Commission for review. Bock supported. Motion carried 7-0.

OLD BUSINESS: None.

NEW BUSINESS

The election of officers was held. Murphy moved to nominate John Hinkley to Chairman. Hinkley accepted. Whelan moved to nominate Bock to Vice Chairman. Bock declined. Murphy nominated Bock to Board Secretary. Bock accepted. Hinkley nominated Krueger to Vice Chairman. Krueger accepted. Sherman closed the nominations. Murphy moved to approve all of the accepted nominations of officers for one year. Sherman supported. Motion carried 7-0.

It was announced that if a May Planning Commission is held it will be on Wednesday, May 4th due to the Tecumseh Schools Consolidated Election on May 3rd. Bock and Murphy moved and seconded to adjourn the meeting. Meeting was adjourned at 7:56 p.m.

Sue Whitehead
Recording Secretary

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Lenawee 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, Principal Planner

Date: April 14, 2022

Proposal: **Text Amendments to the Franklin Township Zoning Ordinance regarding setbacks**

Analysis and Advisement

Background – The Franklin Township Planning Commission wishes to amend the Zoning Ordinance to clarify that setbacks are measured from “lot lines”. Specifically, the Planning Commission proposes to:

- Add “defined in Article XXI” to the end of the sentence comprising Subsection 16.02.B. Section 16.02 contains footnotes to the schedule of regulations (i.e., area, height, bulk and placement regulations (Section 16.01)).
- Amend Section 21.01.84 by replacing a reference to “street of right-of-way” with “lot line”. Section 21.01.84 provides a definition for “setback”.
- Amend Section 21.01.98 by removing references to “property line” and “right-of-way”, and leaving references to “lot line”, from Subsections A, B, and C. Section 21.01.98 provides a definition for “yard, required side-rear-front”.

The proposed amendments simply remove ambiguity from existing definitions, specifying “lot lines”, which is defined in Section 21.01.51.

LCPC Staff Advisement – Based upon the above analysis, staff advises the County Planning Commission to recommend **APPROVAL** of the proposed text amendments to the Franklin Township Board.

Attachment(s):

- Background information provided by the Township.

Recommended Actions:

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

ZONING AMENDMENT FORM



LENAWEE COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Lenawee 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 LCPC recommendation will be mailed back to the Clerk, who will return a copy to the LCPC with the Township Board Action.

THE FRANKLIN TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Lenawee 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 16 + XXI SECTION 16.02 + XXI (84) + (98)
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 4 day 5 year 22
- D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month 3 day 17 year 22
(Notice must be provided at least fifteen days prior to the public hearing.)
- E. **THE NEWSPAPER** (having general circulation in Township) carrying the NOTICE: TECUMSEH HERALD

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.

DOUG SHERMAN ☒ Chair or ☐ Secretary 5 / 4 / 22 (enter date)

LENAWEE COUNTY PLANNING COMMISSION (LCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The LCPC 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

NOTICE OF PUBLIC HEARING

A Public Hearing will be held before the Franklin Township Planning Commission on April 5, 2022 at 7:00 pm at the Franklin Township Office located at 3922 West M-50, Tipton, MI 49287 (Phone 517-431-2320) to consider the following proposed amendments to the Franklin Township Zoning Ordinance:

1. Amend Section 7.02 of Article VII - Agricultural District to add seasonal u-pick, Christmas tree farms and community supported leased gardens as a permitted use.
2. Amend Section 7.03 of Article VII - Agricultural District to add Agricultural Tourism as a conditional use.
3. Amend Section 4.31 of Article IV – General Provisions to add use standards for Agricultural Tourism Business
4. Amend Article XXI – Definitions to add definitions for Agricultural Tourism and Community Supported Agriculture.
5. Amend Section 16.02 (B) – Footnotes to schedule of regulations as it refers to yard spaces.
6. Amend Article XXI – Amend definitions for Setback (84) and Yard, Required side-Rear-Front (98) (A, B, C).

A complete copy of the proposed text amendments can be viewed on the Township's website, <http://www.franklintownship.net/> or at the Franklin Township Office during regular business hours which are Monday from 9 am to 5 pm, Tuesday from 9 am to 12 noon and Wednesday from 9 am to 6 pm.

Written comments may be dropped off at the Franklin Township offices located at 3922 West M-50, Tipton, MI 49287 during regular business hours or by mailing comments to the Township at PO Box 101, Tipton, MI 49287 at any time prior to the hearing date.

Sue Whitehead
Franklin Township Clerk

AMEND SECTION 16.02 SUBSECTION B AS FOLLOWS:

- B. In determining required yard spaces for all land uses in zoning districts, the determination of such yard spaces shall be the distance from the building or structure on the lot and the nearest lot line [as defined in Article XXI](#).

AMEND ARTICLE XXI: AMEND THE FOLLOWING DEFINITIONS:

84. **SETBACK:** The minimum horizontal distance required to exist between the front line of the building, excluding steps or unenclosed porches and the front ~~street or right-of-way~~ [lot line](#). The required setback area is that area encompassed by the respective lot lines and setback lines.
98. **YARD, REQUIRED SIDE-REAR-FRONT:** An open space of prescribed width or depth, adjacent to a lot or property line, on the same land with a building or group of buildings, which open space lies in the area between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward, except as otherwise provided herein. This regulation shall not exclude eaves provided that an eight (8) foot height clearance is provided above the adjacent ground level. (Refer to Section 4.02.)
- A. **FRONT:** An open space extending the full width of a lot and of a depth measured horizontally at right angles to the front ~~property line, lot line, or right-of-way~~.
- B. **REAR:** An open space extending the full width of a lot and of a depth measured horizontally at right angles to the rear ~~property line, lot line, or right-of-way~~, except as otherwise provided in this Ordinance.
- C. **SIDE:** An open space extending on each side of the lot from the required front yard to the required rear yard, and of a width measured horizontally at right angles to the respective side ~~property line, lot line, or right-of-way~~. [lot line\(s\)](#).

FRANKLIN TOWNSHIP PLANNING COMMISSION

April 5, 2022

The Franklin Township Planning Commission meeting was brought to order at 7:00 p.m. by Vice Chairman Sherman. Those present: Doug Sherman, Gordon Whelan, John Krueger, Jane Murphy, Julie Bock, John Hinkley and Jeff Fineske. Absent: Chairman Greg Wise and Larry Shea. The minutes from the last meeting were approved as presented.

1st Public Hearing: Building Official Bruce Nickel reviewed a request for a conditional use from Scott Powers, owner of Powers Auto & Truck Sales. Powers addressed the Commission and stated he plans to resurface the existing parking lot and add striping. Powers will also add a mailbox, a lighted sign and have a maximum of 5 vehicles for sale. The hours will be 9-5:00 six days per week. A restroom is located in the building. The owner of the property at 5121 Michigan Ave., Tipton (FR0-105-2400-00) is Braun & Helmer Auction Service. The Planning Commission asked Powers a few questions regarding the property and the business operation. Krueger said it would be low-impact. No neighbors were present and no letters were received by the Commission. Krueger moved to approve the conditional use for the used car and truck sales with a limit of no more than 10 vehicles, one lighted sign only, on building or at the entrance. Murphy supported. Motion carried 7-0.

2nd Public Hearing: Nickel reviewed the proposed text amendments to the Township Zoning Ordinance. Amend Section 7.02 of Article VII – Agricultural District to add permitted principal uses. Amend Section 7.03 of Article VII – AG District to add Agricultural Tourism as a conditional use with subsection 20 AG Tourism as regulated in Section 4.31. Amend Section 4.31 of Article IV – General Provisions to add use standards for AG Tourism business. Amend Article XXI – Add definitions for Agricultural Tourism 3 A-G and add Community Supported Agriculture 23A. Whelan asked if Township Attorney Lucas was satisfied with the wording. Nickel replied yes. Murphy moved to recommend sending the proposed text amendments on to the Region 2 County Planning Commission for review. Fineske supported. Motion carried 7-0. Nickel thanked the Agri-Tourism Committee of Krueger, Whelan and Fineske for their input on the text amendments. **SETBACKS:** Amend Section 16.02(B) In determining required yard

spaces for all land uses in zoning districts, the determination of such yard spaces shall be the distance from the building or structure on the lot and nearest lot line as defined in Article XXI. Amend Article XXI: Definitions 84. Setback and 98. Yard, Required Side-Rear-Front. Sherman moved to approve the recommendation to forward the Setback proposed text amendments to the Region 2 County Planning Commission for review. Bock supported. Motion carried 7-0.

OLD BUSINESS: None.

NEW BUSINESS

The election of officers was held. Murphy moved to nominate John Hinkley to Chairman. Hinkley accepted. Whelan moved to nominate Bock to Vice Chairman. Bock declined. Murphy nominated Bock to Board Secretary. Bock accepted. Hinkley nominated Krueger to Vice Chairman. Krueger accepted. Sherman closed the nominations. Murphy moved to approve all of the accepted nominations of officers for one year. Sherman supported. Motion carried 7-0.

It was announced that if a May Planning Commission is held it will be on Wednesday, May 4th due to the Tecumseh Schools Consolidated Election on May 3rd. Bock and Murphy moved and seconded to adjourn the meeting. Meeting was adjourned at 7:56 p.m.

Sue Whitehead
Recording Secretary