



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:
Jacob Hurt
R2PC Executive Director
(517) 768-6705
jhurt@mijackson.org

DATE: September 14, 2023
TIME: 6:00 p.m.
PLACE: 5th Floor Commission Chambers
Jackson County Tower Building
120 W. Michigan Avenue
Jackson, Michigan 49201

MEETING AGENDA

1. Call to order and pledge of allegiance
2. Public comment [*3 MINUTE LIMIT*]
3. Approval of minutes
Approval of the August 10, 2023, meeting minutes [*ACTION*] 2
4. Approval of agenda
Approval of the September 14, 2023, meeting agenda [*ACTION*]
5. Request(s) for review, comment, and recommendation
 - a. Consideration of township zoning amendment(s) –
 - (1) CZ | #23-13 | Sandstone Charter Township text addition [*ACTION*] 5
 - (2) CZ | #23-14 | Sandstone Charter Township text amendment [*ACTION*] 20
 - (3) CZ | #23-15 | Sandstone Charter Township text amendment [*ACTION*] 33
 - 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 – *None*
 - c. Notices – *None*
7. Public comment [*2 MINUTE LIMIT*]
8. Commissioner comment
9. Adjournment

The next scheduled meeting of the Jackson County Planning Commission is October 12, 2023



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 MINUTES

August 10, 2023

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

Members Present: Ms. Nancy Hawley, At Large; Mr. Ted Hilleary, Education; Mr. Corey Kennedy, Jackson County Board of Commissioners; Ms. Pat Gallagher, At Large.

Members Absent: Mr. Timothy Burns, At Large; Mr. Jim Minnick, Jr.; Mr. Jim Videto, Agriculture.

Staff Present: Mr. Zack Smith, R2PC.

Others Present:

Item 1. **Call to Order and Pledge of Allegiance.** Chair Hawley called the meeting to order at 6:01 p.m. Those in attendance rose and joined in the Pledge of Allegiance.

Item 2. **Public Comment.** None.

Item 3. **Approval of Minutes.** Comm. Kennedy made a motion, seconded by Comm. Hilleary, to **approve** the July 13, 2023, meeting minutes as presented. *The motion was approved unanimously.*

Item 4. **Approval of the Agenda.** Comm. Hilleary made a motion, seconded by Comm. Kennedy, to **approve** the August 10, 2023, meeting agenda as presented. *The motion was approved unanimously.*

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

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

(1) **CZ | #23-11 | Leoni Township**

Staff referred to a report regarding a proposed rezoning of 8801 E. Michigan Avenue in Leoni Township to Commercial Highway (B-5) from Commercial (B-1). Staff recommended approval of the rezoning application. Comm. Kennedy made a motion to **approve** the rezoning, seconded by Comm. Hilleary. *Commissioners approved the motion unanimously.*

(2) **CZ | #23-12 | Summit Township**

Staff referred to a report regarding a proposed rezoning of 2500 Robinson Road in Summit Township to General Commercial (C-2) from Office (O-1). Staff recommended disapproval of the rezoning application.

Discussion: Comm. Kennedy said that he didn't think the residents would appreciate the traffic and nuisance that a Dollar Tree Super Store would bring in. The property is more suited to the creation of things like insurance offices, which are in the area.

Cheryl Conrad and Thom LeGarie, who live in the area, said that they have seen the plans, and the main entrance is right across the street from their driveway. They thought that Spring Arbor would be the space for the flow of commercial traffic, not Robinson Rd. They are worried about traffic and who would come in to the area, as it is in a residential neighborhood. They point out that this section of Spring Arbor Rd is offices and homes, not commercial real estate. They are also worried that it would undermine local businesses.

Comm. Kennedy made a motion to **disapprove** the rezoning, seconded by Comm. Gallagher. *Commissioners approved the motion unanimously.*

- b. **Consideration of Master Plan(s).** None.
- c. **Farmland & Open Space Preservation Program (PA 116) application(s).** None.

Item 6. **Other Business.**

- a. **Unfinished Business.** None.
- b. **New Business.** None.
- c. **Notices.** Harmony Fierke-Gmazel from Michigan State University Extension gave a presentation encouraging members to participate in the Jackson County 2023 Citizen Planner Program.

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

Item 8. **Commissioner Comment.** None

Item 9. **Adjournment.** Chair Hawley adjourned the meeting at 6:34 p.m.

Respectfully submitted by:



Zack Smith, R2PC

This page is intentionally blank.



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 | #23-13

To: County Planning Commissioners
From: Zack Smith, R2PC Planner
Date: September 8, 2023

Proposal: **An Addition to the Sandstone Charter Township Zoning Regulations Request**

The Sandstone Charter Township Planning Commission requests add a private road ordinance to their zoning regulations.

Background Information

The Sandstone Charter Township Planning Commission submitted an addition to its Zoning Regulations to the JCPC for review. The Sandstone Charter Township Planning Commission seeks to add a private road ordinance:

- **See Attached**

This is a full and detailed addition to the Sandstone Charter Township zoning ordinance. It is well thought out and includes the necessary definitions and sections including permitting, design standards, approval, inspection, variances, and more.

Analysis and Recommendation

Township Planning Commission Recommendation – The Sandstone Charter Township Planning Commission approved the amendment at their July 11, 2023 meeting.

JCPC Staff Analysis and Advisement – Based upon this analysis, staff advises the Planning Commission to recommend **APPROVAL** to the Sandstone Charter Township Board of the addition of the private road ordinance the Sandstone Charter Township Zoning Ordinance.

Staff Report Attachment(s):

- *Background information provided by Sandstone Charter Township, including minutes and private road ordinance.*

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 Sandstone Charter 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 None
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) No existing private road ordinance.

C. PUBLIC HEARING on the above amendment was held on: month July day 11 year 2023

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month June day 4 year 2023
(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 (x) APPROVE or () DISAPPROVE.

Nicole Cantrell (x) Chair or () Secretary 9 / 7 / 2023 (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

Sandstone Charter Township
7940 County Farm Road
Parma, MI 49269
(517)784-4712
Fax (517)784-2605

PRIVATE ROAD ORDINANCE
SANDSTONE TOWNSHIP, MICHIGAN

THE TOWNSHIP OF SANDSTONE HEREBY ORDAINS:

An ordinance to regulate the construction, maintenance and use of private roads within Sandstone Township, the use thereof by traffic, the parking of vehicles thereon, the administration and enforcement thereof, fees to defray the administrative and enforcement costs incident thereto, and to ensure that residences and buildings within the Township of Sandstone may be accessible to police, fire and emergency services, and for other purposes, as follows:

SECTION 1 INTENT

Unobstructed, safe, and continuous access to lots is necessary to promote and protect the public health, safety, and welfare and ensure that police, fire and emergency services can safely and quickly enter and exit private property at all times. It is the intent of this Ordinance to permit access to the interior of certain sections within Sandstone Township by private roads which permit unobstructed, safe and continuous vehicle access. It is further the intent of this Ordinance to ensure that private roads are maintained and repaired by the private property owners who own and use the road.

The procedures, standards and specifications hereinafter set forth are determined to be the minimum procedures, standards and specifications necessary to meet the intention of this ordinance.

SECTION 2 DEFINITIONS

- A. Building -An enclosed structure used or intended for use for the housing, enclosure or shelter of people, animals or chattels.
- B. County Road Commission - The Road Commission of Jackson County, Michigan
- C. Easement - The right of an owner of property by reason of such ownership, to use the property of another for purposes of ingress, egress, utilities, drainage and

similar uses. In the context of this Ordinance, private road easements shall be designated for purpose of vehicle ingress and egress.

D Lot - A parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area; and to provide such yards and other open spaces as herein required. Such lot may consist of a single lot of record; a portion of a lot of record; or a parcel of land described by metes and bounds with

means of access in accordance with this Ordinance and the Sandstone Township Zoning Ordinance.

E. Permit - A right of way permit issued pursuant to this Ordinance.

F.Private Road -An area of land which is privately owned, provides vehicular access to more than one (1) lot and has not been dedicated to public use other than access by emergency and public safety vehicles, and is maintained by its private owners.

G. Public Street or Right of Way - A public or dedicated right of way, which affords the principal means of vehicular access to abutting property, and which is under public ownership or control.

H.Township Board - The Board of Sandstone Township.

I.Township Clerk - The Clerk of Sandstone Township.

J. Township Engineer -An engineer appointed by the Township Board to the position of Township Engineer or any other person authorized by the Township Board to perform the duties of Township Engineer as set forth in this Ordinance.

SECTION 3 GENERAL ACCESS AND PERMIT REQUIREMENTS

A.For purpose of this Ordinance, private roads shall be further defined and classified as follows:

1 Class A private roads are roads which meet one or more of the following criteria:

a Serves ten (10) or more single-family residential lots, or has a reasonably foreseeable potential to be extended in the future to serve a total of ten (10) or more single-family residential lots. The potential shall be based upon the amount of acreage serviced and the potential buildable parcels.

b Connects with, or has a reasonably foreseeable potential to be extended at a future time to connect with more than one public or private road.

- c Has a reasonable probability of dedication as a public road at a future time
 - d Has a length of more than one thousand (1,000) feet, measured on the roadway centerline from the right-of-way of the public road it intersects to either another intersecting roadway or center of a cul-de-sac.
 - e. Serves one or more nonresidential uses, not including farm uses and farm buildings.
2. Class B private roads are those which do not meet the criteria for Class A roads as defined above, but which do exceed the criteria for Class C roads as defined below.
 3. Class C private roads are those which will serve no more than four (4) lots or parcels which are located no greater distance than one thousand (1,000) feet from the centerline of a public street.

B. Every lot in Sandstone Township that is improved with a building shall:

1. Either abut a road dedicated to the public or a private road which meets the requirements of this Ordinance, and
2. Have access for ingress and egress for all vehicular traffic including fire, police, and ambulance services and vehicles by means of such public or private road.

C No lot shall be improved with a building subsequent to the date of adoption of this Ordinance, unless it complies with Section 3(B)(1) and (2).

D No person shall construct, alter, or extend a private road without bringing the entire road into compliance with this Ordinance and obtaining a Permit as hereinafter provided. All private roads hereafter constructed, altered, or extended shall meet the requirements for a Class A, B, or C private road as applicable.

E All lots which have been improved with a building prior to the date of adoption of this Ordinance shall comply with the provisions of this Ordinance, if the Township Board, by resolution determines that such compliance is necessary to protect and promote the public health, safety and welfare in accordance with the purposes set forth in Section 1, herein.

SECTION 4 APPLICATION FOR PERMIT: REQUIREMENTS

Applications for Permits shall be delivered to the Township Zoning Administrator and filed with the Clerk and shall consist of the following information:

A. Class A or B Private Road - Each application for a Class A or B private road shall be accompanied by completed plans prepared and sealed by a civil engineer or land surveyor registered in the State of Michigan, which include the information

contained herein. Where the required information is incorporated in the overall site plan of a development, separate road plans shall not be required.

The application and plans for a Class A or B road shall include the following information:

1. The names and addresses of the lot or parcel owners to be served by the private road.
2. A vicinity map of a minimum scale of one-inch equals two thousand feet (1" = 2,000), showing the location of the private road in the Township, any access roads and cross streets, road names, a scale and a north arrow.
3. Existing topography at two (2) foot contour intervals for the portions of the site sufficient to determine drainage from the private road easement to a suitable storm water outlet.
4. Proposed improvements (including but not limited to, roads, sewers and ditches) shown in plan and profile indicating all materials, grades, dimensions and bearings in compliance with the standards set forth in Section 5. The plans shall also show all existing and proposed grades, the location of all existing and proposed drainage facilities, the location of existing and/or proposed utilities and structures, other structures, physical or natural conditions existing adjacent to such improvements, and any connections to existing public and private roads.
5. Soil borings within the proposed route of the road. Tree coverage and wetland areas within one hundred (100) feet of either side of the proposed route.
6. The location of existing buildings on the lots or parcels being served or intended to be served by the private road as well as any existing building or structures in or adjacent to any proposed road easement.
7. The existing or proposed location of private utilities and easements, such as gas, telephone, and electric.
- 8 A complete statement of all the terms and conditions of the proposed road easement, including copies of all agreements or intended agreements regarding the maintenance and improvements of the right-of-way and roadway. Furthermore, said maintenance agreements shall be in such form as to be recordable with the Jackson County Register of Deeds and shall specifically address the liability and responsibility of the parties to said agreement to maintain the private road pursuant to the specifications of this

article, including, but not limited to, the responsibility of removing snow from said private roads. The recorded statement which runs with the land, shall

also inform subsequent purchasers that the road is private and may never be maintained or accepted by the Jackson County Road Commission.

SECTION 5 DESIGN STANDARDS

A. In addition to the standards and specifications set forth in Section 5(B), Schedule of Minimum Requirements and Specifications, all private roads shall meet the following additional minimum requirements and specifications:

- 1 . The roadway surface and cul-de-sac area shall be centered in the right-of-way.
- 2 The connection between the private road and the public road shall conform to the standards and specifications of the County Road Commission. Where a Class B or C road connects to a paved County road, the Class B or C road shall have a paved approach. The applicant shall obtain a road permit issued by the Road Commission prior to approval by the Township Board.
- 3 Underground crossroad drainage shall be provided where the proposed road crosses a stream or other drainage course. Necessary culverts and erosion treatments shall be provided in accordance with the specifications of the Jackson County Road Commission and/or Jackson County Drain Commissioner.
- 4 The private road easement and road shall be adequately drained so as to prevent flooding or erosion of the roadway. Ditches shall be located within the private road easement. Road drainage shall be constructed so that the runoff water shall not be discharged upon the land of another property owner unless the water is following an established watercourse. The water discharge onto adjoining properties shall also not exceed the normal agricultural rate. Connection to county drains shall be approved by the Jackson County Drain Commissioner prior to the issuance of permit. Connection to roadside ditches within public road rights-of-way shall be approved by the County Road Commission prior to the issuance of a permit.
- 5 Private road signs shall be designated with the word "private" and shall be erected and maintained in accordance with the Michigan Manual of Uniform Traffic Control Devices.
- 6 The road easement shall provide for ingress, egress, drainage, and installation and maintenance of public and private utilities.

- 7 The private road shall be subject to all other Township, County and State permits and regulations.

also inform subsequent purchasers that the road is private and may never be maintained or accepted by the Jackson County Road Commission.

B. Class C Private Road - Each application for a Class C private road shall be accompanied by completed plans prepared and sealed by civil engineer or land surveyor registered in the State of Michigan, which include the information contained herein. Where the required information is incorporated in the overall site plan of a development, separate road plans shall not be required.

The application and plans for a Class C Road shall include the following information:

1. The names and addresses of the lot or parcel owners to be served by the private road.
2. A vicinity map of a minimum scale of one-inch equals two thousand feet (1"=2000') showing the location of the private road in the Township, any access roads and cross streets, road names, and a north arrow.
3. Existing topography at two (2) foot contour intervals for the portions of the site sufficient to determine drainage from the private road easement to a suitable storm water outlet.
4. The location of existing buildings with existing and proposed grades in sufficient detail to depict drainage patterns. Existing storm drains, ditches, and swales crossing the road easement or adjacent to the easement shall be shown on the sketch plan.
5. The relationship of the proposed road to an existing public roadway right-of-way which will serve as access for the private road.
6. The location of the proposed road and turn around within the easement together with proposed drainage and grading.
7. The proposed roadway materials, thickness, and width and the type of underlying soil.
8. A complete statement of all the terms and conditions of the proposed road easement, including copies of all agreements or intended agreements regarding the maintenance and improvements of the right-of-way and roadway. Furthermore, said maintenance agreements shall be in such form as to be recordable with the Jackson County Register of Deeds and shall specifically address the liability and responsibility of the parties to said agreement to maintain the private road pursuant to the specifications of this

article, including, but not limited to, the responsibility of removing snow from said private roads. The recorded statement which runs with the land, shall

B The following Schedule of Minimum Requirements and Specifications for Private Streets and Roads shall apply:

	Class A	Class B	Class C
Easement Width:	Private Streets and Roads 66 feet	Private Streets and Roads 66 feet	Private Streets and Roads 66 feet-for 3 or 4 parcels 33 feet-for 2 parcels
Sub-base:	Depth will vary depending upon native soil types. Spread to a minimum width sufficient to extend to the front slope of the roadside ditch.	Same as Class A	Same as Class A
Base:			
For gravel surface	Not permitted	6 inches of 22A or 23A processed road gravel in two equal courses, each compacted 22 feet wide.	Same as Class B except 16 feet wide.
For paved surface (Paving is required for Class A, Optional for Class B and C)	8 inches of crushed limestone; slag or processed road gravel (MDOT 21A) in two equal courses, each compacted 32 feet wide.	Same as for Class A, except width of base shell be 30 feet.	Same as for Class A, except width of base shall be 22 feet.
Pavement: (Paving is required for Class A, Optional for Class B and C)	3" inches bituminous aggregate, #1 100 mix, 24 feet wide.	3' inches bituminous aggregate, #1100 mix, 22 feet wide.	3' inches bituminous aggregate, #1 100 mix, 16 feet wide.
Turnaround area: Cul-de-sac.	75-foot radius right-of-way, 50-foot radius roadway surface Not permitted.	Same as Class A.	Same as Class A.
T Type.		May be substituted for cul-de-sac if applicant can show that it will function as well as the required turning circle.	Same as Class B
Ditches:			

Minimum grade	Class A 0.5%	Class B Same as Class A	Class C Ditches shall be of sufficient width, depth and grades to provide for adequate and positive drainage.
0.50/04.00/0			
4.1% and steeper	sod or otherwise stabilize.		
front/back slopes	rip-rap	Same as Class A.	
Roadway grades	1 on 4	Same as Class A.	
Minimum			
Maximum	0.5%	0.5%	0.5%
Roadway curves	6.0%	6.0%	6.0%
Horizontal-minimum		Same as Class A.	Same as Class A.
Vertical-minimum	230-foot radius	Same as Class A.	Same as Class A.
Curb & Gutter	100 feet long for changes in gradient of 2% or more May be required by Township Engineer in consideration of narrow lot width, and road grade. Where required, curb and gutter shall meet requirements of the current MDOT specifications for straight back or roll curb.		

SECTION 6 PERMIT APPROVAL PROCEDURE

- A. Upon receipt of an application, the Township Clerk shall bring the application before the Township Board at its next regular meeting. The Board shall, pursuant to Section 12 of Act 168 of 1959, refer the application to the Township Planning Commission and any other appropriate body for review and comment.
- B. The Township Engineer shall report in writing to the Board as to whether or not the proposed private road conforms to the standards and specifications of this Ordinance. Said report may include any suggested conditions to be attached to the Permit which, in the Township Engineer's judgment, are necessary to achieve the intent of this Ordinance.

- c The Township Board shall consider the application, the Township Engineer's report and all other relevant information in determining whether to grant the Permit application. If the information submitted by the applicant does not establish that the proposed private road will conform to the standards and specifications of this Ordinance, the Township Board shall not grant the Permit. The Township Board shall impose such conditions on the approval of the Permit as it deems necessary to achieve the intent and objectives of this Ordinance, which may include, but need not be limited to, conditions suggested by the Township Engineer. The breach of any such condition proposed by the Township Board shall automatically invalidate the Permit.
- D. As a condition to the granting of any Permit under this Ordinance, the Township Board shall require that the applicant deposit with the Township Clerk a sum of money, bank letter of credit or certified check, in an amount sufficient to guarantee that the applicant shall perform this terms and conditions of the permit, including the payment of required fees. Upon completion of all improvements required by this ordinance, any unused portion of the deposit shall be refunded to the applicant.
- E Upon receipt of the required deposit and predetermined fees and approval of the applicant by the Township Board, the Township Zoning Administrator shall issue the Permit pursuant to the terms established by the Township Board approving the application.
- F. Only the Township Board shall have the authority to approve or deny applications for permits. No other permit issued by any township official or other governmental body or official shall be a substitute for a Permit.

SECTION 7 INSPECTION

- A. The Township Board shall establish and determine the cost of plan review. The cost of plan review, including compensation of the Township Engineer, shall be paid by the applicant prior to the start of construction. If the applicant does not directly pay the cost of plan review, the same shall be paid from the deposit established by the Township Board and held by the Township Clerk, and the balance, if any, shall be returned to the applicant.
- B The Township Engineer will review proposed or establish testing criteria (MDOT specifications where applicable) necessary to ensure construction conformance with the approved design. The owner/contractor will be responsible for meeting all required testing and supplying testing results to the Township Engineer for review.
- C All required improvements shall be inspected by the Township and Road Commission Engineer at various stages of construction. The Township Engineer and the Jackson County Road Commission shall make a final inspection upon completion of construction and shall report the results of the final inspection to the Township Board in writing. The applicant's engineer shall certify to the Township Engineer, before the final inspection and report thereon are made} that the required improvements were made in accordance with this Ordinance and all approved plans. A letter of completion by the Township Engineer shall be delivered to the Township

Clerk and the applicant. The costs of inspection, including compensation of the Township Engineer, shall be paid by the applicant prior to the issuance of the certificate of completion. The Township Board shall establish and determine the costs of inspection. If the applicant does not directly pay the costs of inspection, the same shall be paid from the deposit established by the Township Board and held by the Township Clerk, and the balance, if any, shall be returned to the applicant.

SECTION 8 EXPIRATION OF APPROVAL OF PERMITS

A Permit shall be valid for a period of one year from the date of issuance, or such longer period as determined by the Township Board. If the required improvements have not been completed upon the expiration of the one year or the longer period of time, then the Permit shall be void and all deposits shall be forfeited to Sandstone Township.

SECTION 9 RECORDING OF EASEMENTS

The easement, including all agreements as identified in Section 4A (4), herein, shall be recorded in the office of the Register of Deeds for Jackson County prior to the issuance of the certificate of completion required in Section 8, herein.

SECTION 10 CERTIFICATES OF OCCUPANCY

No certificate of occupancy shall be issued for any building on a lot subject to the provisions of this Ordinance until all work is completed. A certificate of occupancy may be issued prior to the issuance of a certificate of completion, upon recommendation by the Township Engineer, and upon deposit with the Township Clerk of a sum of money, certified check, or bank letter of credit in an amount sufficient to guarantee completion of the remaining required improvements.

SECTION 11 VARIANCES

A When there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Ordinance, such as topographical and other physical characteristics of a parcel, the Township Board shall have the power to vary or modify the application of the provisions of this Ordinance so that the intent and purpose of the Ordinance shall be observed and public safety secured. Any applicant may apply for a variance from any provision of the Ordinance by filing an application for variance with the Township.

B. The Township Planning Commission shall hold a public hearing upon such application within forty-five (45) days from its filing. The Township Clerk shall give notice of the hearing to the owners of all property abutting and/or having access for ingress and egress of traffic by means of the private road described in the variance application, as well as police, fire and emergency service officials known by the

Clerk to serve such property. The notice shall be mailed to each such party and published in a newspaper of general circulation in the Township not later than seven (7) days prior to the hearing. Any party may appear and comment at the hearing in person or by agent or by attorney. The Township Planning Commission shall keep a record of said hearing and shall render a written recommendation to the Township Board not later than the next regular Township Board Meeting after the hearing date.

- c. The Township Board may attach reasonable conditions in granting any variance from any provision of the Ordinance, and the breach of any conditions or the failure of any application to comply with the conditions shall void the variance. This provision of the Ordinance is intended, in part, to enable variances to be granted and conditions attached to the variances to facilitate the upgrading of prior nonconforming rights of way and private roads to the standards of the Ordinance, in a reasonably practical manner, including, but not limited to such rights of way and private roads as have been established, recorded, constructed, or maintained prior to the date of adoption of this Ordinance, which cannot be brought into conformity with the Ordinance without unnecessary hardship or practical difficulty due to soil conditions, topographical considerations, or other factors.

SECTION 12 VIOLATIONS

Any person who violates any provisions of this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine not exceeding FIVE HUNDRED (\$500.00) DOLLARS or by imprisonment. Any violation of the terms of this Ordinance shall be and the same is hereby declared to be a nuisance per se, and such use may be abated, restrained, enjoined and prohibited, upon the commencement of an appropriate action in the Circuit Court.

SECTION 13 EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after its publication in a newspaper of general circulation throughout Sandstone Township.

First Published	July 12, 2000
Adopted	August 10, 2000
Effective Date	August 16, 2000

Biselle

Sandstone Township Planning Commission Meeting

July 11, 2023

Call to order 6:00pm

Roll Call Present: Chris Crisenbery, Nicole Cantrell, William Donahue, Greg Inosencio

Roll Call Absent: Blaine Goodrich

Approval of prior meeting minutes - Motion to approve the minutes approved.

Approval of Agenda: Agenda amended by Crisenbery, add Burr Oak Pavilion cond use new business

Public Comments: No public comment

Public Hearing: Solar Ordinance – motion to open public hearing.

Chrisenbery adds comments regarding 5ft earthen berms (with maximum slopes of four on one) and 8ft tree height requirements, edit text for buffer to be 50ft.

Motion to close.

Public Hearing: Private Road Ordinance – motion to open public hearing. No comments. Motion to close.

New Business:

- a. Burr Oak Conditional Use for Pavilion, special meeting notice and fee, August 22nd, 20236pm
- b. Gracie Lane – lots zoned AG vs RS1 (lots are approx. 1 acre), owner wants to add a swimming pool to front yard. Rezoning of lots is key to proper code enforcement. Nikki to explore rezoning options with the board. Owner needs to schedule meeting with ZBA.

Old Business:

- a. Landscape Ordinance
 - i. No Discussion. Table for further review with commercial property requirements
- b. PUD Progress – no information.
- c. Application for new zoning request by Betsy Natschke. No update or progress.
- d. Building Design Standards: Chris to review standards in other cities.
 - i. Should a minimum design standard exist for commercial buildings?
 - ii. Discussion of architectural standards in other areas
 - iii. Applied to everything that is commercial
 - iv. Can demand a design plan or define in advance
 - v. Commission will review examples from Jackson and Chelsea

Comments:

1. Discussion Items:
 - a. Upcoming potential rezoning request for property at Dearing/94 exit from Residential to Commercial. No formal plan or discussion at this time.

Meeting Adjourned at 6:51pm

Respectfully submitted,

Bill Donahue, Secretary



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 | #23-14

To: County Planning Commissioners
From: Zack Smith, R2PC Planner
Date: September 8, 2023

Proposal: **A text amendment to the Sandstone Charter Township Zoning Ordinance**

Request

The Sandstone Charter Township Planning Commission requests to amend Section 2.1 Definitions and 5.17 Wind Energy Systems.

Background Information

The Sandstone Charter Township Planning Commission submitted an addition to its Zoning Regulations to the JCPC for review. The Sandstone Charter Township Planning Commission seeks to amend their wind ordinance:

- **See Attached**

This amendment seeks to add definitions to section 2.1 of their wind ordinance for use in section 5.17 Wind Energy Conversion Systems. These additions are clear and useful for proper regulation of future wind energy development.

Analysis and Recommendation

Township Planning Commission Recommendation – The Sandstone Charter Township Planning Commission approved the amendment at their May 4, 2023 meeting.

JCPC Staff Analysis and Advisement – Based upon this analysis, staff advises the Planning Commission to recommend **APPROVAL** to the Sandstone Charter Township Board of amendments to the wind ordinance of the Sandstone Charter Township Zoning Ordinance.

Staff Report Attachment(s):

- *Background information provided by Sandstone Charter Township, including minutes and updated wind energy ordinance.*

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 Sandstone Charter 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:

2.1 Definitions and 5.17 Wind Energy Systems

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.) Attached

C. **PUBLIC HEARING** on the above amendment was held on: month May day 4 year 2023

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month April day 9 year 2023

(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 (X) APPROVE or () DISAPPROVE.

Nicole Cantrell (x) Chair or () Secretary 9 / 7 / 2023 (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

Add following definitions to section 2.1

A-WEIGHTED SOUND LEVEL means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network, expressed as dB(A) or dBA.

AMBIENT SOUND means the all-encompassing sound associated with a given environment, being usually a composite of sound from many sources near and far, as defined by ANSI S12.9 Part 3, current revision.

ANEMOMETER TOWER means a freestanding tower containing instrumentation such as anemometers that is designed to provide present moment wind data for use by the Supervisory Control and Data Acquisition (SCADA) system which is an accessory structure to a utility-scale wind energy system. Also includes the same equipment for evaluating wind characteristics in preparation of or evaluation of construction of on-site wind energy conversion system and utility-scale WECS.

ANSI means the American National Standards Institute.

BACKGROUND SOUND means sound from all sources except the source of interest. **dBA** means the sound pressure level in decibels using the "A" weighted scale defined by ANSI.

COMMERCIAL WIND ENERGY CONVERSION SYSTEM (CWECS) means a land use for generating power by use of wind at multiple tower locations in a community and includes accessory uses such as but not limited to a SCADA Tower, electric substation. A utility-scale WECS is designed and built to provide electricity to the electric utility.

DECIBEL means a unit used to measure the intensity of a sound or the power level of an electric signal by comparing it with a given level on a logarithmic scale.

END OF USEFUL LIFE means the end of the manufacturer's recommended useful life of the product, when lease or easements expire, the WECS or parts of the WECS are abandoned for a period of on hundred and eighty (180) days, or power purchase agreements expire.

HEIGHT means the distance between the base of the wind turbine tower at grade to the tip of the blade at its highest reach.

HORIZONTAL AXIS WIND TURBINE means a wind turbine that utilizes a main rotor shaft and electrical generator at the top of the tower and points into the wind for optimal operation.

IEC means the International Electrotechnical Commission.

ISO means the International Organization for Standardization

LAYDOWN AREA means a designated area where turbine components are temporarily stored prior to erection. A central laydown area may be used for the project or there may be several laydown areas. A laydown area may be used temporarily during construction or may be a permanent feature of the WECS development.

Leq means the equivalent average sound level for the measurement period of time.

Ln, PERCENTILE-EXCEEDED SOUND LEVEL means the A-weighted sound pressure level which is exceeded by a specified percent of the time period during which a measurement is made, denoted as LXX and expressed as dBA. (For example a 10-Percentile-Exceeded Sound Level shall mean the A-weighted sound pressure level which is exceeded 10 percent of the time period during which a measurement is made, denoted as L10 and expressed as dBA. L90 denotes the sound level exceeded 90 percent of the time period.

PARTICIPATING PARCEL means one or more parcels under a lease or easement for development of a utility-scale WECS .

NON-PARTICIPATING PARCEL means a parcel for which there is not a signed lease or easement for development of a utility-scale WECS associated with the applicant project.

ROTOR means an element of a WECS that acts as a multi-bladed airfoil assembly, thereby extracting through rotation, kinetic energy directly from the wind.

ON-SITE WIND ENERGY CONVERSION SYSTEM (WECS) means a land use for generating electric power from wind and is often an accessory use that is intended to primarily serve the needs of the consumer on-site or an adjacent property.

SHADOW FLICKER means alternating changes in light intensity caused by the moving blade of a WECS casting shadows on the ground and stationary objects, such as but not limited to a window at a dwelling.

SOUND PRESSURE means the difference at a given point between the pressure produced by sound energy and the atmospheric pressure, expressed as pascals (Pa).

SOUND PRESSURE LEVEL means twenty times the logarithm to the base 10, of the ratio of the root-mean-square sound pressure to the reference pressure of twenty micropascals, expressed as decibels (dB). Unless expressed with reference to a specific weighing network (such as dBA), the unit dB shall refer to an un-weighted measurement.

VERTICAL AXIS WIND TURBINE means a wind turbine utilizing a vertical rotor shaft, these are often mounted the ground or a building and do not need to point into the wind to be effective.

WECS means wind energy conversion system.

WIND SITE ASSESSMENT means an assessment to determine the wind speeds at a specific site and the feasibility of using that site for construction of a WECS.

WIND TURBINE means a group of component parts used to convert wind energy into electricity and includes the tower, base, rotor, nacelle, and blades.

Section 5.17. Wind Energy Conversion Systems.

A. Intent. It is the intent of the Township to permit the effective and efficient use of Wind Energy Conversion Systems (WECS) by regulating the siting, design, and installation of such systems to protect the public health, safety, and welfare, and to ensure compatibility of land uses in the vicinity of WECS.

B. Approval Required. It shall be unlawful to construct, erect, install, alter, or locate any WECS within the Township except in compliance with this section. A building permit is required for any WECS as well as a Zoning Compliance Permit pursuant to Section 12.4 and this Section.

C. Permitted Use.

(1) Roof mounted WECS shall be considered a permitted accessory use and may exceed the height limit of the district in which the system is located by fifteen (15) feet.

(2) On-site WECS (non-roof mounted) less than seventy (70)

feet in height shall be considered a lawful accessory use on parcels with an area of two and a half (2 1/2) acres or greater in the following zoning districts pursuant to this Section: AG-1 and RNF-1.

D. Conditional Use.

(1) In all Zoning Districts, on-site WECS not in conformance with the preceding Section shall be allowed only as a conditional use subject to the provisions of this Section and Article 7, Conditional Land Use Provisions.

(2) Commercial WECS shall be considered a conditional use in AG-1 and L-1 and shall be subject to the provisions of this Section and Article 7, Conditional Land Use Provisions.

E. Application –On-site WECS as an Accessory use.

The application for an On-site WECS when permitted as an accessory use shall include the following:

(1) Applicant Information. Name, address and contact information.

(2) Project Description. A general written description of the proposed project as well as a legal description (property identification number) of the property on which the project would be located.

(3) Plot Plan and Documentation. The Plot Plan shall include maps showing the physical features and land uses of the project area, both before and after construction of the proposed project. The plot plan shall include all informational requirements of Section 12.4.1.B. Zoning Compliance Permits, as well as the following additional information:

a. The project area boundaries.

b. The location, height and dimensions of all existing and proposed structures and fencing.

c. Distance of proposed structure from all property lines and permanent structures.

d. The location, grades and dimensions of all temporary and permanent On-site access roads.

e. Sufficient information (spot elevations) to determine site topography. Full site topography is not required.

f. Water bodies, waterways, wetlands, and drainage ditches, and drains

g. All new infrastructure above ground related to the project.

h. The location of all overhead utility wires.

g. A copy of Manufacturers' Material Safety Data Sheet(s) which shall include the type and quantity of all materials used in the operation of all equipment including, but not limited to, all lubricants and coolants.

h. Sound Modeling Study: A copy of a predictive noise modeling and analysis report showing sound levels at various distances. The modeling must show compliance with sound standards applicable to this ordinance. The modeling study shall use turbine locations identical to the site plans submitted with this application. The analysis will show that the WECS will not exceed the permitted sound pressure levels under any conditions. The noise modeling and analysis should utilize the methods outlined in ISO 9613-2 (or most recent version), including sound power levels determined using IEC 61400-11.

(4) Additional Documentation.

a. Insurance: Proof of the applicant's appropriate liability insurance.

b. Sound Pressure Level: Documentation of the manufacturers designed sound pressure levels (decibels) for unit to be installed.

c. Grant of Authority: The applicant shall provide evidence of ownership of the land on which the WECS is to be located and the written consent of the land owner if different from the applicant. If the applicant is leasing land the applicant shall provide a copy of the lease agreement and the land owner's written authorization for the applicant to construct the structure.

F. Application – On-site WECS as Conditional Use.

The application for a WECS when permitted as a conditional use shall meet all of the requirements for a conditional use permit application. The information noted in Sections E.3 and E.4 above are required in lieu of a full site plan unless

(i) the proposed WECS involves changes to the site outside the footprint of the WECS, or

(ii) the Zoning Administrator finds that the intent of Building Code Section 36-176 (Purpose of Site Plan Review) warrants the submission of a full site plan.

G. Application – Commercial WECS.

The application for a Commercial WECS shall meet the provisions of Article 7 Conditional Land Use Provisions and shall include a complete site plan in accordance with Article 6 Site Plan Review.

H. Standards and Requirements. All WECS shall meet the following additional standards and requirements:

(1) Property setbacks.

a. The distance between a WECS and the nearest property line shall be at least one and a half (1 1/2) times the height of the WECS.

b. No part of the WECS structure, including guy wire anchors, may extend closer than ten (10) feet to the owner's property line.

c. The distance between a WECS and a private road easement or a public right-of-way shall be at least one and a half (1 1/2) times the height of the WECS.

d. Roof mounted WECS that extend no more than fifteen (15) feet above the height of the structure are exempt from the setback provisions above.

(2) Noise.

Sound Pressure Level: The sound pressure level shall not exceed the following:

1. Non-participating property: Sound from a WECS shall not exceed 45 dBA measured at the property line of a non-participating property.

2. Participating property: Sound from a WECS shall not exceed 45 dBA measured at the property line of a participating property.

3. Sound measurement methodology: Sound pressure level measurements shall be performed by a third party, qualified professional selected by the developer and approved by the Planning Commission. Testing shall be performed according to the procedures in the most current version of ANSI S12.18 and ANSI S12.9 Part 3. All sound pressure levels shall be measured with a sound meter that meets or exceeds the most current version of ANSI S1.4 specifications for a Type II sound meter. 9613-2 (or most recent version), including sound power levels determined using IEC 61400-11.

4. Post-construction sound survey: A post-construction sound survey shall commence within the first year of operation to document levels of sound emitted from wind turbines. The study will be designed to verify compliance with sound standards applicable to this ordinance. The WECS owner shall provide SCADA data during the testing period to the sound consultant completing the study.

(3) Shadow Flicker

Shadow flicker shall not exceed 30 hours per year nor 30 minutes per day measured to the exterior wall of a dwelling or other occupied building on a non-participating parcel. Mitigation measures to minimize or eliminate potential impacts from shadow flicker, as identified in the Shadow Flicker Impact Analysis for human-occupied structures, shall include, but not be limited to:

1. Change the proposed location of the wind energy tower; or
2. The utility-scale WECS shall be turned off by manufacturer approved automated system during the period of time an inhabited structure receives shadow flicker; or
3. The utility-scale WECS shall be turned off during flicker events after 30 hours/year of shadow flicker on an inhabited structure; or
4. There is screening (forest, other building(s), topography) which shields the inhabited structure from a direct line of sight to the rotors causing shadow flicker.

(4) Signal Interference

No utility-scale WECS shall be installed in any location where its proximity to existing fixed broadcast, retransmission, or reception antennae for radio, television, or wireless phone broadband, or other personal communication systems would produce interference with signal transmission or reception unless the applicant provides a replacement signal to the affected party that will restore reception to at least the level present before operation of the WECS. No utility-scale WECS shall be installed in any location within the line of sight of an existing microwave communications link where operation of the WECS is likely to produce electromagnetic interference in the link's operation.

(5) Decommissioning:

A planning commission approved decommissioning plan indicating

- 1) the anticipated life of the project,
- 2) the estimated decommissioning costs net of salvage value in current dollars,
- 3) the method of ensuring that funds will be available for decommissioning and restoration,
- 4) the anticipated manner in which the project will be decommissioned and the site restored, and
- 5) the review of the amount of the performance guarantee based on inflation and current removal costs to be completed every 5 years, for the life of the project, and approved by the Sandstone Planning Commission Board.

I. Construction Codes, Towers & Interconnections Standards:

(1) Every WECS shall comply with all applicable Federal, State, and local building and construction codes

(2) Aviation and Airports: Where applicable, on-site WECS shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act (Public Act 23 of 1950, MCL 259.431 et seq.), the Michigan Tall Structures Act (Public Act 259 of 1959, MCL 259.481 et seq.), and local jurisdiction airport overlay zone regulations

J. Safety:

(1) Design Safety Certification. The safety of the design of every WECS shall be certified by the applicant's professional

engineer registered in the State of Michigan and reviewed by the Township. If WECS construction is approved, the professional engineer shall certify that the construction and installation of the WECS meets or exceeds the manufacturer's construction and installation standards, and any applicable State and Federal laws and regulations prior to operation.

(2) Controls and Brakes. Every WECS shall be equipped with controls to limit rotation of blades to a speed not to exceed the designed limits of the WECS. The applicant's professional engineer must certify that the rotor and overspeed control design and fabrication conform to applicable design standards. No changes or alterations from certified design shall be permitted unless accompanied by a professional engineer's statement of certification approved by the Township.

(3) Lightning. Every WECS shall have lightning protection.

(4) Guy Wires. If an On-site WECS is supported by guy wires, the wires shall be clearly visible to a height of a least six (6) feet above the guy wire anchors. Every Commercial WECS must be of a freestanding monopole design and guy wires shall not be used.

(5) Grade Clearance. The minimum vertical blade tip clearance from grade shall be twenty-five (25) feet for any WECS employing a horizontal axis rotor.

(6) Color. Towers and blades shall be of a non-reflective neutral color designated on the application and approved by the Township or as otherwise required by law.

K. Removal of Abandoned On-Site WECS. In the event an On-Site WECS is abandoned or unused for a period of one hundred and eighty (180) days, or if a WECS is damaged, the owner of the tower or the land shall promptly remove the tower and all related equipment. Failure to remove the tower and related equipment in accordance with the foregoing shall be considered a violation of this ordinance

Sandstone Township Planning Commission Meeting

May 4th, 2023

Call to order 6:00pm

Roll Call Present: Chris Crisenbery, Blaine Goodrich, Nicole Cantrell, William Donahue, Greg Inosencio

Roll Call Absent:

Approval of Agenda: Agenda approved by all.

Approval of prior meeting minutes - Motion to approve the minutes with the following corrections:

Public Comments: No public comment

Public Hearing: Wind Ordinance – motion to open public hearing. No comments. Motion to close.

Old Business:

- a. Report on Proposed changes to Landscape Ordinance by Crisenbery
 - i. Discussion. Table for further review with commercial property requirements
 - ii. Vote on advancement to public hearing
- b. Report on Public Road Ordinance by Goodrich
 - i. Discussion. Goodrich and Crisenbery lengthy and spirited debate. Goodrich requests further review to gather census of private roads in the township and at what threshold the level of requiring private road status vs driveway status.
 - ii. Motion to hold public hearing on existing document approved.
- c. Report on Proposed Solar Ordinance changes by Cantrell
 - i. Discussion. Motion to move to public hearing approved.
 - ii. Vote on advancement to public hearing for proposed changes.

New Business:

- a. Application for new zoning request
 - i. Review proposed site application, Master Plan, Multi-Family Ordinance
 - ii. Discussion, Betsy Natschke commented at length in support of making a duplex out of the barn. Commission discussed inability to rezone the property and the use of the PUD for the owners vs rezoning. Owners rescind the zoning change application, and will request a refund of their application fee.
 - iii. Vote on advancement to public hearing. Not needed.
- b. Building Design Standards: Should a minimum design standard exist for commercial buildings?
 - i. Discussion of architectural standards in other areas
 - ii. Applied to everything that is commercial
 - iii. Can demand a design plan or define in advance
 - iv. Commission will review examples from Jackson and Chelsea

Comments:

1. Discussion Items:
 - a. Upcoming potential rezoning request for property at Dearing/94 exit from Residential to Commercial
 - b. TBD

Meeting Adjourned at 7:24pm

Respectfully submitted,

Bill Donahue, Secretary



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 | #23-15

To: County Planning Commissioners
From: Zack Smith, R2PC Planner
Date: September 8, 2023

Proposal: **A text amendment to the Sandstone Charter Township Zoning Ordinance**

Request

The Sandstone Charter Township Planning Commission requests to amend Section 5.19 Solar Energy Systems.

Background Information

The Sandstone Charter Township Planning Commission submitted an addition to its Zoning Regulations to the JCPC for review. The Sandstone Charter Township Planning Commission seeks to amend their solar ordinance:

- **See Attached**

This amendment seeks to update section 5.19 Solar Energy Systems. These updates and clarifications are useful for proper regulation of future solar energy installation and development.

Analysis and Recommendation

Township Planning Commission Recommendation – The Sandstone Charter Township Planning Commission approved the amendment at their July 11, 2023 meeting.

JCPC Staff Analysis and Advisement – Based upon this analysis, staff advises the Planning Commission to recommend **APPROVAL** to the Sandstone Charter Township Board of amendments to the solar ordinance of the Sandstone Charter Township Zoning Ordinance.

Staff Report Attachment(s):

- *Background information provided by Sandstone Charter Township, including minutes and updated solar energy ordinance.*

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 Sandstone Charter 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 5.19
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) Attached

C. PUBLIC HEARING on the above amendment was held on: month July day 11 year 2023

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month June day 4 year 2023
(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 (X) APPROVE or () DISAPPROVE.

Nicole A Cantrell (X) Chair or () Secretary _____ / _____ / _____ (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

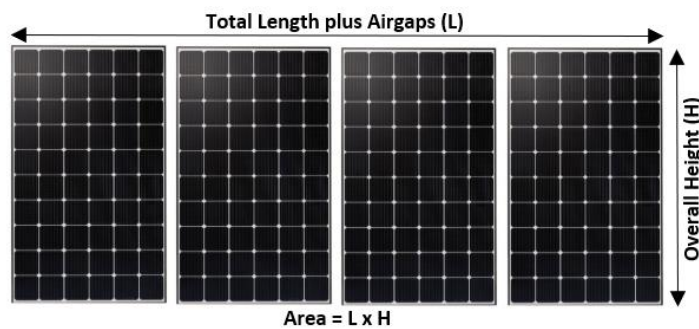
Section 5.19

Solar Energy Systems.

5.19.1. *Intent.* The intent of this Ordinance is to add provisions to the Zoning Ordinance to address the permitting of small, medium, and large solar energy systems. The Ordinance recognizes the potential need for solar energy systems, while also supporting agricultural and habitat conservation. These changes are also necessary and appropriate to improve and enhance public welfare and safety for Sandstone Charter Township.

5.19.2. *Approval Required.* It shall be unlawful to construct, erect, install, alter, or locate any Solar Energy System within the Township except in compliance with this section. A building permit is required for any Solar Energy System. Medium and Large Solar Energy Systems also require a Zoning Compliance Permit pursuant to Section 12.4 and this Section.

Area of solar panels shall be calculated as follows:



5.19.3. *Small Solar Energy Systems.*

A. Small solar energy systems may be installed and operated in all districts, provided the systems meet setback and other standards, as provided in this section.

(1) Small solar energy systems is considered a system that's sole use is for energy benefit of the residence or business that resides on that property and is less than 2500 square feet in size. The small solar energy system may be approved through the issuance of a Building Permit provided the application meets setback requirements and other standards, as provided in this Section. If the Building Official has a good faith belief that the solar energy system could have a specific, adverse impact upon the public health and safety, the Official may require the applicant to apply for a site plan approval to the planning commission.

(2) All ground mounted solar panels and roof mounted solar panels that are installed on nonresidential applications require

approval by the planning commission as a Conditional Use, Article 7, Conditional Land Use Provisions.

(3) The requirement for a complete, professionally-prepared site plan shall not apply to applications for residential roof mounted solar panels. When a full site plan is not required, a sketch plan shall be submitted. A sketch plan, drawn to scale, shall show existing and proposed structures, driveways, adjacent structures within 100 feet, and any other information requested by the Building Inspector that is necessary to determine compliance with this ordinance.

(4) Photovoltaic solar energy systems may extend up to five (5) feet above the roof surface even if this exceeds the maximum height limit for the principal structure for the district in which it is located, or if this exceeds the height limit of an accessory structure.

(5) Solar water or swimming pool heating systems may extend up to five (5) feet above the roof surface even if this exceeds the maximum height limit for the principal structure for the district in which it is located, or if this exceeds the height limit of an accessory structure.

(6) Excluding solar collection panels, solar energy system equipment may be installed within the required side and rear yard but shall not be closer than ten (10) feet from any property line.

(7) Ground mounted solar collection panels, where the solar panels are attached to the ground by a pole, metal frame or other similar support structure, shall comply with existing regulations for accessory structures but in no instance shall the panels exceed twenty (20) feet in height in residential zones and must meet a rear yard setback of five (5) feet. Any mechanical equipment used as part of the solar system shall be screened from view from any public street, residential district or agricultural district by use of a masonry screen wall, evergreen vegetation or other screening of a similar effectiveness and quality.

(8) Solar panels shall be placed such that concentrated solar radiation or solar glare shall not be directed onto nearby properties or roadways. Traffic safety shall be protected, and adjacent properties shall be protected from unreasonable glare and radiation. The applicant shall submit documentation to verify compliance with this section. When deemed appropriate, the planning commission may require a report from a registered civil engineer or other professional the planning commission finds to be qualified to address this issue.

(9) Small solar energy systems that power a single device such as a lawn ornament, lights, weather station, clock, etc. are exempt from this ordinance.

(10) If solar energy system ceases to operate or is abandoned for a period of six months or is deemed by the Building Official to be unsafe or not consistent with code, the Applicant shall repair and restore the system to good working order within a reasonable time set by the Building Official or, if no longer operating or no longer in compliance with federal, state or local codes, it shall remove the system in its entirety. This shall include removing posts, equipment, panels, foundations and other items so that the ground is restored to its preconstruction state and is ready for development as another land use.

(11) Ground mounted solar panels and equipment including equipment for roof mounted applications shall be screened from view along road and adjacent properties. The Planning Commission may alter the landscaping requirements depending upon the location and existing landscaping on site.

5.19.4.

Medium Solar Energy Systems.

A. Medium Solar Energy System is considered a system that's primary use is for energy benefit of the residence or business that resides on that property. Medium Solar systems are between 2501 square feet at 5000 square feet. The medium solar energy system may be installed and operated in the districts that refer to this section, provided the systems meet setback and other standards, as provided in this section. All ground mounted solar panels and roof mounted solar panels that are installed on nonresidential applications require approval by the planning commission as a Conditional Use, Article 7, Conditional Land Use Provisions.

1. Medium-sized solar energy systems may be approved through the site plan Conditional Use approval process, which requires action by the planning commission.

2. Photovoltaic solar energy systems may extend up to five (5) feet above the roof surface even if this exceeds the maximum height limit for the principal structure for the district in which it is located, or if this exceeds the height limit of an accessory structure.

3. Solar water or swimming pool heating systems may extend up to five (5) feet above the roof surface even if this exceeds the maximum height limit for the principal structure for the district in which it is located, or if this exceeds the height limit of an accessory structure.

4. Excluding solar collection panels, solar energy system equipment may not be installed within the required side and rear yard setbacks.

5. Ground mounted solar collection panels shall comply with existing regulations for principal structures but in no instance shall the panels exceed twenty (20) feet in height in residential zones.

6. Medium solar facilities proposed in agricultural (AG-1) are encouraged to locate on predominantly (more than 60 percent) non-prime farm lands. The Application for a conditional land use permit shall include an analysis of the potential for agricultural use on the subject site by an expert in agriculture or soil science, as determined by the planning commission.

7. Ground-mounted solar facilities shall meet the front, rear, and side yard setback requirements of the zone in which they are located, with the following exception: In all zones abutting a residential district (including AG-1) or residential use, the setbacks shall be at least 50 feet from all property lines adjoining said district(s) or use.

8. Ground-mounted solar facilities shall not exceed the height limit requirements of the zone in which they are located.

9. Any mechanical equipment used as part of the solar system shall be screened from view from any public street, residential district or agricultural district by use of a masonry screen wall, evergreen vegetation or other screening of a similar effectiveness and quality.

10. Solar panels shall be placed such that concentrated solar radiation or solar glare shall not be directed onto nearby properties or roadways. Traffic safety shall be protected, and adjacent properties shall be protected from unreasonable glare and radiation. The applicant shall submit documentation to verify compliance with this section. When deemed appropriate, the planning commission may require a report from a registered civil engineer or other professional the planning commission finds to be qualified to address this issue.

11. The applicant shall submit documentation to verify compliance with this section. When deemed appropriate, the planning commission may require a report from a registered civil engineer or other professional the planning commission finds to be qualified to address this issue.

12. The application shall include a drainage plan prepared by a registered civil engineer showing how stormwater runoff will be managed and demonstrating that runoff from the site will not exceed the agricultural runoff rate or otherwise cause undue flooding. If detergents will be used to clean solar panels, details on the type of detergent, frequency and quantity of use, quantity and source of water, and stormwater quality protection measures shall be provided. Any necessary permits from outside agencies for off-site discharge shall be provided. Applicant shall demonstrate the use of well water shall not negatively impact the function of existing wells in the area.

13. If solar energy system ceases to operate or is abandoned for a period of six months or is deemed by the Building Official to be unsafe or not consistent with code, the Applicant shall repair and restore the system to good working order within a reasonable time set by the Building Official or, if no longer operating or no longer in compliance with federal, state or local codes, it shall remove the system in its entirety. This shall include removing posts, equipment, panels, foundations and other items so that the ground is restored to its preconstruction state and is ready for development as another land use.

14. The Applicant shall post a performance guarantee (cash, letter of credit or bond deemed suitable by the Township attorney) to cover the cost of removal of the equipment, structures and foundations related to the solar system in the event of abandonment or failure to comply with federal, state or local laws (after being given reasonable time to remedy the problem).

15. When a ground mounted solar panel(s) is located adjacent to a residential or agricultural district (i.e., properties zoned AG-1, RNF-1, RS-1, RM-1, or MHP) or public right-of-way, a 50-foot wide (minimum) greenbelt shall be constructed so as to provide a buffer between the panels and the adjacent residential / agricultural or public property. The planning commission may waive or reduce the greenbelt requirement upon a determination that the solar panels are located more than 200 feet from an adjacent property zoned residential or agricultural or from any public right-of-way. The planning commission may waive or reduce the greenbelt requirement if the adjacent residential or agricultural property is likely to remain undeveloped, or existing natural features to remain provide adequate screening. Greenbelts shall be planted as part of an approved site plan and shall thereafter be maintained in a healthy, growing condition to provide a screen to abutting properties. Specific planting requirements for greenbelts are as follows:

- a. The planting strip shall be no less than fifty (50) feet in width.
- b. The planting strip shall include a 5-ft earthen berm (with maximum slopes of four on one).
- c. Plant materials shall not be placed closer than four (4) feet from the property line.
- d. A minimum of one (1) 8-foot evergreen tree shall be planted at twenty (20) foot intervals (on average).
- e. A minimum of three (3) intermediate shrubs shall be placed between the spaced evergreen trees.

16. Sound: The sound pressure level of a medium solar energy system and all equipment shall not exceed 45 dBA at the property line.

17. Emergency Shut Down Plan: An Emergency Shut Down Plan shall be prepared by the Applicant at the time of the application in the event that Township, County or State First Responders need to respond to an on-site emergency. Applicant will be responsible to provide training for First Responders.

18. Decommissioning Plan: A Decommissioning Plan shall be prepared by the Applicant at the time of the application. At a minimum the Decommission Plan shall include; a description of how above and below grade improvements will be removed, cost estimates for removal and restoration and method to ensure funds will be available.

5.19.5.

Large Solar Energy Systems.

1. Large solar energy systems are larger than 5001 square feet. Large solar energy systems may be installed and operated in the districts that refer to this section, provided the systems meet setback and other standards, as provided in this section. All ground mounted solar panels or commercial roof mounted solar panels require approval by the planning commission as a Conditional Use.

2. Large solar energy systems shall meet all the requirements of Section 5.19.4. Medium Solar Energy Systems. Large Solar Energy Systems are only permitted in AG-1 and LI Zoning Districts.

3. All Large Solar Energy Systems in AG-1 and LI Zoning Districts shall be treated as a conditional land use subject to the provisions of this section and Article 7, Conditional Land Use Provisions. In reviewing the application, the planning commission shall particularly focus on the ability of the use to be in harmony with the surrounding area. Potential impact on neighboring properties in terms of glare, stormwater runoff, property values, aesthetics, and screening shall be considered by the planning

commission in determining whether the use is appropriate on the subject property.

4. Ground-mounted large solar facilities shall be at least 200 feet from all property lines.

5. Large ground mounted solar systems require a 50-foot wide (minimum) greenbelt and shall be constructed so as to provide a buffer between the panels and the adjacent residential / agricultural or public property. The planning commission may waive or reduce the greenbelt requirement if the adjacent property is likely to remain undeveloped, or existing natural features to remain provide adequate screening. Greenbelts shall be planted as part of an approved site plan and shall thereafter be maintained in a healthy, growing condition to provide a screen to abutting properties. Specific planting requirements for greenbelts are as follows:

- a. The planting strip shall be no less than fifty (50) feet in width.
- b. The planting strip shall include a 5-ft earthen berm (with maximum slopes of four on one).
- c. Plant materials shall not be placed closer than four (4) feet from the property line.
- d. A minimum of one (1) 8-foot tall evergreen tree shall be planted at twenty (20) foot intervals (on average).
- e. A minimum of three (3) intermediate shrubs shall be placed between the spaced evergreen trees.

6. Fencing: When perimeter fencing is required for National Electric Code, it shall not include barbed wire or of no climb design, and shall preferably use wildlife-friendly fencing standards that include clearance at the bottom, or openings that allow wildlife to move through fenced area, and smooth wiring to prevent injury.

7. Ground Cover: A large solar energy system shall include the installation of ground cover vegetation maintained for the duration of operation until the site is decommissioned. The applicant shall include a ground cover vegetation establishment and management plan as part of the site plan.

The following standards apply:

- a. Sites bound by a Farmland Development Rights (PA 116) Agreement must follow the Michigan Department of Agriculture and Rural Development's Policy for Allowing Commercial Solar Panel Development on PA 116 Lands.

b. Ground cover at sites not enrolled in PA 116 must meet one or more of the four types of Dual Use defined in this ordinance.

i. Pollinator Habitat: Solar sites designed to meet a score of 76 or more on the Michigan Pollinator Habitat Planning Scorecard for Solar Sites.

ii. Conservation Cover: Solar sites designed in consultation with conservation organizations that focus on restoring native plants, grasses, and prairie with the aim of protecting specific species (e.g., bird habitat) or providing specific ecosystem services (e.g., carbon sequestration, soil health).

iii. Forage: Solar sites that incorporate rotational livestock grazing and forage production as part of an overall vegetative maintenance plan.

iv. Agrivoltaics: Solar sites that combine raising crops for food, fiber, or fuel, and generating electricity within the project area to maximize land use.

Sandstone Township Planning Commission Meeting

July 11, 2023

Call to order 6:00pm

Roll Call Present: Chris Crisenbery, Nicole Cantrell, William Donahue, Greg Inosencio

Roll Call Absent: Blaine Goodrich

Approval of prior meeting minutes - Motion to approve the minutes approved.

Approval of Agenda: Agenda amended by Crisenbery, add Burr Oak Pavilion cond use new business

Public Comments: No public comment

Public Hearing: Solar Ordinance – motion to open public hearing.

Chrisenbery adds comments regarding 5ft earthen berms (with maximum slopes of four on one) and 8ft tree height requirements, edit text for buffer to be 50ft.

Motion to close.

Public Hearing: Private Road Ordinance – motion to open public hearing. No comments. Motion to close.

New Business:

- a. Burr Oak Conditional Use for Pavilion, special meeting notice and fee, August 22nd, 20236pm
- b. Gracie Lane – lots zoned AG vs RS1 (lots are approx. 1 acre), owner wants to add a swimming pool to front yard. Rezoning of lots is key to proper code enforcement. Nikki to explore rezoning options with the board. Owner needs to schedule meeting with ZBA.

Old Business:

- a. Landscape Ordinance
 - i. No Discussion. Table for further review with commercial property requirements
- b. PUD Progress – no information.
- c. Application for new zoning request by Betsy Natschke. No update or progress.
- d. Building Design Standards: Chris to review standards in other cities.
 - i. Should a minimum design standard exist for commercial buildings?
 - ii. Discussion of architectural standards in other areas
 - iii. Applied to everything that is commercial
 - iv. Can demand a design plan or define in advance
 - v. Commission will review examples from Jackson and Chelsea

Comments:

1. Discussion Items:

- a. Upcoming potential rezoning request for property at Dearing/94 exit from Residential to Commercial. No formal plan or discussion at this time.

Meeting Adjourned at 6:51pm

Respectfully submitted,

Bill Donahue, Secretary