



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: Kade Peck R2PC Planner (517) 416-0405 kpeck@mijackson.org	DATE: April 9, 2026 TIME: 6:00 p.m. PLACE: 5 th Floor Commission Chambers Jackson County Tower Building 120 W. Michigan Avenue Jackson, Michigan 49201
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MEETING AGENDA

1. Call to order and pledge of allegiance
2. Public comment [**3 MINUTE LIMIT**]
3. Approval of Minutes
Approval of the March 12, 2026, meeting minutes [**ACTION**] 3
4. Approval of Agenda
Approval of the April 9, 2026, meeting agenda [**ACTION**]
5. Request(s) for review, comment, and recommendation
 - a. Consideration of township zoning amendment(s) –
(1) CZ | #26-07 | Norvell Township Zoning Text Amendment Application
[**ACTION**] 7
(2)CZ | #26-08 | Summit Township Rezoning Application [**ACTION**] 15
 - 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 May 14th, 2026

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Jackson County Planning Commission

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MEETING MINUTES

March 12, 2026

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

Members Present: Mr. Corey Kennedy, Board of Commissioners; Mr. Kurt Cole, At Large; Ms. Nancy Hawley, Chair; Mr. Ted Hilleary, Education; Ms. Mary Wolcott, At Large; Mr. John Brennan, At Large; Mr. Russ Jennings, At Large.

Members Absent: Mr. John Brennan, At Large; Mr. Mark Baldwin, Economic.

Staff Present: Mr. Kade Peck, Planner.

Others Present: None.

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

Item 2. **Public Comment.**

Matt Tucker, A nearby resident to the parcel in CZ26-05 Henreitta Rezoning, discussed some of his concerns with the rezoning. He went into some detail into the company attempting to rezone, and gave his opinion that they did not have the best interests of the community at heart. He said it did not fit into the outline of the Master Plan for Henrietta Township. He recommended JCPC recommended disapproval for the recommendation like the township PC did.

Carmen Bures, a resident of Waterloo Township, gave her opinion about the zoning text amendment being addressed in CZ26-04. She believed that the zoning text amendment could hurt property owners of parcels that were getting switched the Agricultural zoning class from zoning classification that is potentially going to be removed in the zoning text amendment. The individual discussed how she thought the Township was over focusing on the DNR and that this could be an example of exclusionary zoning for property owners that were affected.

Kevin Stats, a resident of Henrietta Township who lives near the potential CZ26-05 Henrietta Rezoning, discussed some of his concerns with the rezoning. Concerns centered around the safety of drivers on the road nearby. A gas station being there could exacerbate issues by increasing traffic on this road. He believes that this change in use does not fit into the Township Master Plan. He brought up that this could negatively affect the water in this area, and this area does not make sense to increase the intensity of the commercial development.

Laurie Fogarty, a resident of Henrietta Township that lives near the potential CZ26-05 Rezoning, discussed the country aspects that they like about the area and how a gas station could

disrupt that. The resident said that while they did not mind the party store, they believed the added environmental issues and lights would be harmful to the area.

Scott Tingly, a resident of Henrietta who lives nearby to the CZ26-05 Henrietta Rezoning, has seen road issues with the current traffic near the party store and believes a conversion to a gas station could make these issues worse. He discussed the low water table in the area and stated that even with more modern technology there is always risk of tank leak and general spills that could hurt the local environment.

Amanda Miller, a resident of Henrietta Township that lives near the CZ26-05 Henrietta Rezoning, discussed her issues with the rezoning. She mentioned that she has a wildlife habitat nearby where many different native plants grow and butterflies live and believes a gas station could be problematic for their habitat and the general environment of the area. She mentioned that leaks and spills can always happen at gas stations and that the way the economy is moving that a new gas station might not have the same longevity that gas stations have had historically.

Item 3. **Approval of Minutes.** Comm. Wolcott made a motion, seconded by Comm. Kennedy, to approve the February 12, 2025, meeting minutes. Changes were made about who was present and absent at the meeting. *The motion was approved unanimously.*

Item 4. **Approval of the Agenda.** CZ26-06 from Blackman Township was added to the agenda. Comm. Kennedy made a motion to approve the agenda for March 12, 2026, seconded by Comm. Cole. *The motion was approved unanimously.*

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

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

(1) **CZ | #26-04 | Waterloo Township**

Staff referred to a report regarding a zoning text amendment from Waterloo Township. The zoning text amendment is a total update to the entire ordinance and touched upon many different planning issues outlined in the staff report.

Comm. Hawley made some comments stating that it is hard to address the specific concerns that was made by the resident that discussed this zoning text amendment during public comment as a recommendation needs to be made for the zoning text amendment as a whole. She recommended that the resident that made comments outlining concerns with the zoning text amendment to bring them up to the Township Board so possible amendments could be made if deemed appropriate.

Comm. Wolcott made a motion to recommend **approval with comments** of the zoning text amendment, supported by Comm. Cole. *The motion was approved unanimously.*

(2) **CZ | #26-05 | Henrietta Township**

Staff referred to a report regarding a rezoning request for a parcel in Henrietta Township from Commercial (C-1) to Commercial (C-2). Commissioners expressed many concerns with the rezoning. Concerns ranged from the lack of C-2 in the area, the parcel already being a nonconforming use, the response from the public, the

rezoning not fitting into the Township Master Plan, being a nuisance for nearby residents, and the PC recommending disapproval.

Comm. Cole made a motion to recommend **disapproval** of the rezoning, supported by Comm. Kennedy. *The motion was approved unanimously.*

(3) **CZ | #26-05 | Blackman Charter Township**

Staff referred to a report regarding a rezoning request for a parcel in Blackman Township from Heavy Industrial (I-2) to Light Industrial (I-1).

Comm. Kennedy made a motion to recommend **approval** of the rezoning, supported by Comm. Cole. *The motion was approved 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.**

Discussion happened about the data center informational packet to be sent out to Jackson County municipalities.

Comm. Cole made a motion to recommend **approval** of sending it out Jackson County municipalities, supported by Comm. Jennings. *The motion was approved unanimously.*

b. **New Business.**

c. **Notices.** None.

Item 7. **Public Comment.**

Item 8. **Commissioner Comment.**

Comm. Jennings accepted role of Vice Chair.

Item 9. **Adjournment.**

Comm. Cole made a motion to adjourn, supported by Comm. Wolcott. *Commissioners approved the motion unanimously.*

The meeting adjourned at 7:05 p.m.

Respectfully submitted by:

Kade Peck, Recording Secretary



Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426

COORDINATED ZONING REPORT | #26-07

To: County Planning Commissioners
From: Kade Peck, R2PC Planner
Date: April 9, 2026
Proposal: Zoning text amendment for Norvell Township's zoning ordinance. The zoning text amendment adds moratorium language to section 16.11

Background Information

The Township is adding in language into their zoning ordinance to allow for a moratorium on applications if the Township desires so that the Township can create ordinance language to address said application.

Analysis and Recommendation

JCPC Staff Analysis and Advisement – The zoning text amendment is normal and something many townships are looking new planning issues like renewable energy and data centers. For these reasons, staff recommends **Approval** for the zoning text amendment.

Staff Report Attachment(s):

- *Background information provided by Norvell Township*

Suggested Actions:

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

ZONING AMENDMENT FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

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

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

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

THE Norvell 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 1: Admin + Enforcement SECTION 16.11 Temp Mar
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 3 day 18 year 2026
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month 2 day 24 year 2026
(Notice must be provided at least fifteen days prior to the public hearing.)
- E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Ex

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.

[Signature] Chair or Secretary 03/20/2026 (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

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

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(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 1: Admin + Enforcement SECTION 16.11 Temp Mar
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 3 day 18 year 2026
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month 2 day 24 year 2026
(Notice must be provided at least fifteen days prior to the public hearing.)
- E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Ex
The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to APPROVE or DISAPPROVE.
 Chair or Secretary _____ / _____ / _____ (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

NORVELL TOWNSHIP

ORDINANCE NO. 26-__

**AN ORDINANCE TO AMEND THE NORVELL TOWNSHIP ZONING ORDINANCE
REGARDING MORATORIA**

The Township of Norvell ordains:

Section 1. Addition of New Section 16.11 Moratoriums to Article 16 General Administration and Enforcement of the Norvell Township Zoning Ordinance.

A new Section 16.11 Temporary Moratoriums is added to the Norvell Township Zoning Ordinance and reads in its entirety as follows:

Section 16.11 Temporary Moratoriums

- A. Township Board. The Township Board may, by resolution, impose a temporary moratorium on the review or issuance of any applications, permits, rezonings, licenses, or approvals for existing, new, or emerging land uses in the Township if the Township Board determines that a temporary moratorium is necessary to review, enact, or amend provisions of the master plan or zoning ordinance to address land uses that may impact the health, safety, or welfare of Township residents or property.
- B. Planning Commission. A temporary moratorium may also be imposed by the Township Board upon the recommendation of the Planning Commission when the Planning Commission determines that a moratorium is needed to allow it sufficient time to review and recommend amendments to the master plan or zoning ordinance concerning existing, new, or emerging land uses that may adversely affect the health, safety, or welfare of Township residents or property.
- C. Resolution. The resolution must state the purpose of the moratorium and include findings of the Township Board or Planning Commission in support of the moratorium and why the Township Board has determined that the temporary moratorium is necessary and in the best interest of the public health, safety, or welfare.
- D. Length of Time. Any resolution adopted pursuant to this Section must specify the length of the initial moratorium which shall not exceed twelve (12) months. In addition to the initial moratorium, the Township Board may extend the temporary moratorium if the Township Board determines that more time is necessary to review, enact, or amend provisions of the master plan or zoning ordinance to regulate land uses. Any extension shall not exceed six (6) additional months.
- E. Required Notice. Notice of the resolution must be published within fifteen (15) days of its adoption. The notice must include the following:
 - 1. A summary of the resolution's effect.
 - 2. The length of the moratorium and whether an extension is possible.
 - 3. Where the public may inspect the resolution enacting the moratorium.

Section 2. Validity and Severability.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 3. Repealer.

Any ordinances or parts of ordinances that conflict with this Ordinance are repealed, but only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date.

This Ordinance takes effect 7 days from the date of publication of notice of adoption as provided by law.

86975:00001:202398626-1



Phone: (517) 536-4370

ESTABLISHED 1873

106 E. Commercial Drive
Norvell, MI 49263

To: Planning Commission
From: Scott Pacheco, AICP: SP Urban Planning Services
Date: March 18, 2026
Agenda Item: Draft Zoning Text Amendment 26-001
Subject: Temporary Moratorium

PROJECT HISTORY:

At the February 17, 2026 Township Board meeting the Township Board initiated the Zoning Text Amendt to add an administrative process to the Township's Zoning Ordinance that allows the Township Board to approve a temporary moratorium by resolution to the review or issuance of any applications, permits, rezonings, licenses, or approvals for existing, new, or emerging land uses.

According to the Township Attorney this administrative process is suggested for future moratorium to regulations, such as land uses, in the Zoning Ordinance to be more legally defensible if challenged in a court of law.

This amendment is suggested to allow the Township Board to approve a Temporary Moratorium for the consideration of Data Center applications while the Township Considered regulations regarding these uses.

PROJECT ANALYSIS:

The proposed zoning text amendment will add the following section to Article 1 Administration and Enforcement Section 16.11 Temporary Moratoriums:

Section 16.11 Temporary Moratoriums

- A. Township Board. The Township Board may, by resolution, impose a temporary moratorium on the review or issuance of any applications, permits, rezonings, licenses, or approvals for existing, new, or emerging land uses in the Township if the Township Board determines that a temporary moratorium is necessary to review, enact, or amend provisions of the master plan or zoning ordinance to address land uses that may impact the health, safety, or welfare of Township residents or property.
- B. Planning Commission. A temporary moratorium may also be imposed by the Township Board upon the recommendation of the Planning Commission when the Planning Commission determines that a moratorium is needed to allow it sufficient time to review

and recommend amendments to the master plan or zoning ordinance concerning existing, new, or emerging land uses that may adversely affect the health, safety, or welfare of Township residents or property.

- C. Resolution. The resolution must state the purpose of the moratorium and include findings of the Township Board or Planning Commission in support of the moratorium and why the Township Board has determined that the temporary moratorium is necessary and in the best interest of the public health, safety, or welfare.
- D. Length of Time. Any resolution adopted pursuant to this Section must specify the length of the initial moratorium which shall not exceed twelve (12) months. In addition to the initial moratorium, the Township Board may extend the temporary moratorium if the Township Board determines that more time is necessary to review, enact, or amend provisions of the master plan or zoning ordinance to regulate land uses. Any extension shall not exceed six (6) additional months.
- E. Required Notice. Notice of the resolution must be published within fifteen (15) days of its adoption. The notice must include the following:
 - 1. A summary of the resolution's effect.
 - 2. The length of the moratorium and whether an extension is possible.
 - 3. Where the public may inspect the resolution enacting the moratorium.

PROCESS:

To process a Zoning Text Amendment (ZTA) the township shall follow the regulations under section 3.3 Zoning Text and Map Amendments of the Norvell Township Zoning Ordinance.

This section allows ZTA to be initiated by the Township Board. The proposed Zoning Text Amendment 26-001 was initiated by the Township Board at the February 17, 2026 Township Board meeting.

Once a ZTA is initiated is shall be referred to the Planning Commission for review and a recommendation. The Planning Commission shall consider each proposal for amendment in terms of its own judgment on factors related to the individual proposal, the most likely effect on the community's physical development, and conformance with the Township Master Plan.

In addition to considering if the amendment is in conformance with the Master Plan, protects the health safety and welfare of the community and how the amendment will affect the physical development of the community, the Planning Commission shall also consider, the following:

- 1. Is the amendment petition supported by documentation, such as from the Zoning Board of Appeals, that the proposed amendment would minimize problems or conflicts with specific sections of the Ordinance?**

2. **Is the amendment petition supported by reference materials, planning and zoning publications, information gained at seminars or experiences of other communities to more effectively address certain zoning issues?**
3. **Is the amendment petition consistent with Michigan law?**

Staff Analysis:

The primary purpose of the proposed amendment to the Norvell Township Zoning Ordinance is to establish a clear process authorizing Township Board approval of a Temporary Moratorium on a regulation or use otherwise permitted by the Zoning Ordinance. This amendment is intended to ensure that any future Temporary Moratorium enacted by the Township is legally defensible and that the Zoning Ordinance remains consistent with Michigan law.

Temporary Moratoriums are recognized planning tools used to protect the public health, safety, and welfare by allowing municipalities sufficient time to study, develop, and adopt new regulations or amendments to existing regulations when necessary. They are commonly utilized when a new or emerging land use is anticipated and the municipality lacks adequate regulatory standards to properly evaluate and address such use.

The proposed zoning text amendment establishes a formal process for the review and approval of Temporary Moratoriums. This process is designed to comply with applicable Michigan law and to remain consistent with the Norvell Township Master Plan by ensuring that land use decisions are made in a deliberate, transparent, and legally sound manner.

Example Recommendation to Approve:

The Planning Commission recommends that the Township Board approve the proposed Zoning Text Amendment 26-001 because it will meet the required standards for zoning text amendment under section 3.3 Zoning Text and Map Amendment of the Norvell Township Zoning Ordinance as discussed at tonight's planning commission meeting, in the planning commission staff report and because the proposed amendment is compatible with the Township Master Plan, will protect the health, safety and welfare of the citizens of the Township, and is consistent with Michigan law.

EXHIBITS

Exhibit A: Zoning Text Amendment 26-001



Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426

COORDINATED ZONING REPORT | #26-08

To: County Planning Commissioners
From: Kade Peck, R2PC Planner
Date: April 9, 2026
Proposal: Zoning text amendment for Summit Township's zoning ordinance. The zoning text changes Articles 150.252 & 150.256.

Background Information

The Township is adding in language that makes changes around conditional uses for the Township. This adds language for staging allowing for a scheduling of documents submitted for approval of a conditional use permit. This also changes around the voiding of a conditional use permit changing the timeline of something getting voided and giving the Township an ability to extend the period of a permit.

Analysis and Recommendation

JCPC Staff Analysis and Advisement – The zoning text amendment changes appear normal and reasonable. For these reasons, staff recommends **Approval** for the zoning text amendment.

Staff Report Attachment(s):

- *Background information provided by Summit Township*

Suggested Actions:

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

ZONING AMENDMENT FORM



**JACKSON COUNTY PLANNING COMMISSION
(COORDINATING ZONING)**

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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 Summit 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 150.252 & 150.256 SECTION Conditional Use Permits

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

(See Attached) Amend 150.252 to provide for an applicant to include staging and scheduling information for the implementation of a conditional uses. Amend 150.256 to delete current provisions for time-frames to terminate a conditional use permit and adding new provisions for establishing the start of a conditional use project and then for the ongoing monitoring of the project to assure deliberate progress is being made in its completion.

- C. PUBLIC HEARING** on the above amendment was held on: month March day 17 year 2026
- D. NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month March day 1 year 2026
(Notice must be provided at least fifteen days prior to the public hearing.)
- E. THE NEWSPAPER** (having general circulation in Township) carrying the NOTICE: Jackson Citizen Patriot
The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to APPROVE or DISAPPROVE.
Jack Shelby Chair or Secretary 3 / 18 / 2026 (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

**SUMMIT TOWNSHIP
PLANNING COMMISSION
2121 Ferguson Rd
March 17, 2026- 6:00 P.M.**

1. Approval of Minutes of November 18, 2025 Meeting
2. Case #26-02-0003: A proposal to amend conditional use provisions of the zoning ordinance to:
 - (1) require a schedule for completion of a conditional use to be provided by the applicant,
 - (2) provide for the start of a conditional use to be 24 months, and
 - (3) allow the Zoning Administrator, with concurrence of other Township officials consulted, to waive or extend the period for a conditional use permit to continue provided that the applicant is making meaningful and deliberate progress in meeting the schedule for project completion,
3. Public/Commission Members-Comments
4. Adjourn

Summit Township Zoning and Land Use Application

Date Received: 02-23-26

Case#: 26-02-0003

Latest Update: _____

① Complete portions of the application in the white areas. The Zoning Administrator will contact the applicant with scheduling and other information that may be needed.

Questions? Contact the Zoning Administrator:

517 788 4113 ext 234 or email: ahoopers@summittwp.com

② Application for:

- Rezoning
- Site Plan Review, Change or Renewal
- Planned Developments
- Conditional Use
- Home Occupation
- Administrative Site Plan
- Variance Request
- Other

③ Applicant Information (If applicant is different than owner, a letter from the owner to proceed will be required.)

Name (s): Summit Township Phone: 517 788 4113 ext 234

Address: 2121 Ferguson Rd Email: ahoopers@summittwp.com

City: Jackson State: MI Zip: 49203

④ Owner Information

Name (s): _____ Phone: _____

Address: _____ Email: _____

City: _____ State: _____ Zip: _____

⑤ Property Information

Address or Location: _____

Parcel Number(s) : _____

Township Use

Verify Parcel(s): _____

Property Size: _____ Current Zoning: _____

⑥ Narrative Description of Proposed Use, Change or Variance Request Ordinance Amendment:

Require a schedule for completion of a conditional use by the applicant, provide for the start of a conditional use to be 24 months, and allow administrative review and determination that progress is being made toward the completion of a conditional use project (see attached)

I (we) declare that the information provided in this application is true and accurate to the best of my (our) knowledge.

Signature of Applicant

Signature of Applicant

Date

Township Use Below

⑦ Fees:

Application Fee _____

Mailing/Advertising _____

TOTAL Fees _____

⑧ Materials Requested:

Site Plans: 24 x 36 11x17 PDF

Site Plan Checklist: PDF

Environmental Checklist: PDF

Survey: _____

⑨ Agency Approvals

- Michigan EGLE
- JDOT (Transportation)
- JCDC (Drain Comm.)
- JCHD (Health Dept)
- JCAP (Airport)
- Summit Twp DPW
- Summit Twp FIRE
- Other

⑩ Key Dates

Meeting Dates:

Planning Commission _____

County Planning Com. _____

Zoning Bd Appeals _____

Township Board _____

Publication Dates:

Proposed Ordinance Amendments Pertaining to Conditional Uses

§ 150.252 CONDITIONAL USE PERMIT APPLICATION PROCEDURE AND APPROVAL PROCESS.

(A) Whenever any conditional use permit for a property is proposed, before any building permit for the erection of a permanent building on the site shall be granted, the developer or his or her authorized agent shall apply for and secure approval of the conditional use permit in accordance with the following procedures.

(1) Generally. The applicant shall file an official conditional use permit application form; submit required data, exhibits, and information; and deposit the required fee as established by resolution of Summit Township Board, except that no fee shall be required of any governmental body or agency.

(2) Staging, Initiation and Completion. An applicant may request the staging of a conditional use on the initial application and/or on the subsequent site plans submitted for review indicating the stages and approximate timing of their initiation and completion. Whether or not a conditional use application will require a site plan, the applicant must provide an approximate schedule, for the initiation and completion of the project including any stages, if applicable. This schedule shall be updated with the Township as conditions change affecting the start and completion of the project. (Provision added)

§ 150.256 VOIDING OF CONDITIONAL USE PERMIT.

~~(A) Any conditional use permit granted under this chapter shall become null and void and fees forfeited unless construction and/or use is commenced within 210 days and completed within 575 days of the date of issuance. (Provision deleted)~~

(A) A conditional use permit granted under this chapter shall be terminated if:

(1) Within 24 months from the date of issuance of a conditional use permit, a site plan review has not been completed and/or construction has not commenced, or

(2) Once the site plan has been approved and/or construction has commenced, the applicant has not made meaningful and deliberate progress in meeting the schedule for project completion in accordance with §150.252(A)(2).

(B) The Zoning Administrator, with concurrence of other Township officials consulted, may waive or extend the period for the permit to terminate if:

(1) It is determined that the owner or developer is maintaining a good faith intention to proceed with the project;

(2) No significant changes to applicable regulations have occurred; or

(3) There have been no significant changes in the condition of adjacent properties or available services to be considered. (Provisions added)

Zoning Case Report: 26-02-0003

Summit Township has a provision in its zoning ordinance that causes a conditional use permit to become null and void unless construction and/or use starts within 210 days and the project is completed within 575 days from approval. This “210/575-day provision” can be particularly onerous considering the time required for an applicant to prepare for a project, initiate it and complete it in this tight timeframe.

Case #26-02-0003 proposes an amendment to the zoning ordinance to more rationally address the start and completion of conditional use projects. It recognizes a party proposing a conditional use invests in the application process (and often a site plan) and has the motivation and intentions of completing the project. It also recognizes there are complexities involved in a project that may not allow it to be started and completed easily in a confined timeframe. This amendment proposes to:

- (1) Require an applicant for a conditional use permit to provide an anticipated schedule for initiation and completion of the proposed project,
- (2) Delete the existing “210/575-day provision”,
- (3) Provide a rational approach for determining if and when a conditional use permit might be terminated, being:
 - If within 24 months from the date of issuance of a conditional use permit, a site plan review has not been completed and/or construction has not commenced, or
 - If based on a determination by the Zoning Administrator, with concurrence of other Township officials consulted, the applicant has not made meaningful and deliberate progress in meeting the original or amended schedule for project’s completion.

Summary of the Report

Here is a summary of key findings detailed in this report:

- Originally, there was likely no deliberation by the Township in adopting the “210/575-day provision”,
- There are no requirements in Michigan for ordinances to have expiration dates on conditional uses,
- When included in ordinances, conditional uses are generally valid for 1 to 2 years. The State of Michigan itself issues permits for a period of 2 years for conditional uses along designated rivers,
- Many ordinances provide for discretion on the part of the Zoning Administrator and/or Planning Commission to waive or extend deadlines for the start and completion of conditional uses,
- An in-depth legal opinion suggests a conditional use permit cannot be subject to a “sunset date” (expiration) once granted.
- There is no concrete evidence of consequences or ramifications that might result from conditional uses not starting or being completed in a specified period of time.

The “210/575-Day Provision”

The “210/575-day provision” is problematic and counter-intuitive to the logical progression of the conditional use process which would have the applicant securing the conditional use permit first before substantial time and costs would be incurred in site plan review and the securing of permits. If a site plan review is required, as is the case for most commercial scale developments, just the notifications for the public hearings to review the site plan and the scheduling of meetings of the Planning Commission and Township Board easily consume 45 days. Add to this the time required for the applicant to prepare the site plan itself, the need to secure permits (from agencies working independent from the Township), the closing on financing and any number of other actions that can consume considerable time against this 210/575-day clock.

So, what is the origin of this “210/575-day provision”? Likely, it was not a deliberate decision at all. Historically, zoning ordinances were crafted from templates, essentially generic model ordinances that local governments can adopt or modify to fit their specific community needs. Sometimes provisions were tweaked by local planning officials, but for most provisions, the terms of the model ordinance were subsequently adopted into the community’s ordinance. Many township zoning ordinances today were composed from templates that might have been originally used in the 1980’s, or even earlier. In the case of our zoning ordinance, the template used likely included this 210/575-day provision and the Township merely adopted it in 1971 as presented in that model ordinance.

Case Research

Are provisions for expiration of conditional use permits required in a zoning ordinance? How do other local ordinances address expirations? Do Zoning Administrators and/or Planning Commissions have discretion on a case-by-case basis for the expiration of conditional uses not meeting prescribed deadlines? Does the State of Michigan have any guidelines? Does a conditional use permit constitute a right granted that cannot be terminated? Are there consequences to a conditional use project not meeting prescribed start and completion deadlines. The following research addresses these questions.

- Summit Township often relies on the opinions of the law firm of Fahey Schultz Burzych Rhodes PLC (FSBR) for zoning and planning issues. FSBR’s comments in a 2018 Q&A format indicate a township may “approve a special use permit with conditions, such as a timeline to commence work under the permit”. However, in this opinion, FSBR offered no recommendations on whether a timeline should be included, and if so, for what lengths of time.
- An internet inquiry of timelines for commencement and completion of conditional use permits in Michigan generated the following AI summary: “In Michigan, a special use permit (SUP) is generally valid for a period of 1 to 2 years, unless the permit specifies otherwise or the use becomes established. If construction has not commenced and proceeded meaningfully by the end of this period, the permit may become null and void.” (Note: some ordinances do not have expiration provisions for conditional uses as it is not required by the State of Michigan.)

- Locally, Blackman and Leoni townships both have the same 210/575-day provision as Summit -- a good indicator of a model zoning template being used here in the past. However, Blackman has added a “stop-the-clock” provision that halts the countdown while permits are pending from agencies whose timing is outside the control of the applicant and Township.
- Grass Lake, Napoleon and Spring Arbor specify expiration unless substantial construction and/or use commences within one year (365 days). Spring Arbor does provide discretion on the part of the Zoning Administrator to extend a deadline if it is demonstrated progress on the project is being made.
- Columbia Township has taken notable steps to recognize the complexity of conditional use projects. While there is an initial expiration of one year if no action is taken, the Township “may waive or extend the period of time in which the permit is to expire, for multiple periods with each period not to exceed one (1) year, *if it is satisfied that the owner/developer is maintaining a good faith intention to proceed with construction.*”
- As for the State of Michigan, it leaves zoning and planning details to local units of government. However, the Department of Natural Resources did establish model zoning ordinance provisions in the 1990’s along key natural rivers in Michigan for special uses such as campgrounds, canoe liveries, etc. That model provides that *“a special use permit granted by the zoning review board shall be valid for 2 years from date of approval. If construction has not, in the opinion of the zoning review board and department, commenced and proceeded meaningfully at the end of the 2-year period, the zoning administrator shall notify the applicant, in writing, of the expiration of the special use permit.”*
- The only legal deep dive found on expiration of conditional use permits in Michigan is from Brian Neumann, Michigan State University Cooperative Extension’s expert on land use, planning and zoning and a member of the American Institute of Certified Planners (AICP). In a Q&A format in 2020, he expressed the opinion that a special (conditional) use cannot be subject to a “sunset date” (expiration) where all applicable standards in the zoning ordinance have been satisfied and a “vested right” has been established. The “vested right” would be some action toward starting the use on the property. In an earlier opinion by Neumann (2014), if expiration of a conditional use has been enforced where it was determined no “vested rights” had been established and a subsequent re-application is submitted for the same conditional use, *“the approving body must be careful when weighing its decision the second time around. If the circumstances haven’t changed the second decision must be the same as the first, otherwise the local government may be at risk of a challenge in court of violating one’s Constitutional rights to equal protection.*
- No information was found to identify likely consequences if a conditional use neither starts nor is completed within a specified timeframe. A conditional use becomes an allowed use in a zoning district once the procedures of the zoning ordinance are followed, a public hearing and review is conducted by the Planning Commission, and the conditional use is approved by the Township Board. It is now a land use deemed compatible (with the conditions that might be applied) for that parcel of land in that zoning district.

The above is a strong argument that once a conditional use is approved it is difficult to make a case there are ramifications impacting the public good if the project is not started or completed in a specific timeframe. This is a principle that should be respected in most circumstances. However, the zoning ordinance for Grant Township in St Clair County addresses changes that might have occurred to applicable regulations or the condition of surrounding properties or municipal services that could be grounds to reconsider a conditional use permit not started or completed within the specified timeframe. The ordinance states *“the Planning Commission may waive or extend the period of time in which the permit is to expire if: a) it is satisfied that the owner or developer is maintaining a good faith intention to proceed with construction; b) no significant changes to applicable regulations have occurred; or c) there have been no significant changes in the condition or abutting property or services.”* So, despite the inferred principle that an approved conditional use is deemed compatible, the “significant changes” in (b) and (c) above pertaining to regulations, adjacent land uses and services may be considered as grounds for modification or termination of a conditional use not started or completed in a timely manner.

Conclusion and Drafting of New Ordinance Provisions

The conclusion of this review of practices of other communities, the State of Michigan and opinions on the applications of “sunset dates” to conditional uses supports amendment of the Summit Township zoning ordinance to: (1) recognize the complexity and time required to plan, execute and complete a land use project in today’s environment, (2) align with practices of other local units of government and the State of Michigan, and (3) recognize and be cautious that when a conditional use permit is granted, the applicant likely has rights that cannot be confiscated by arbitrary “sunset dates”.

The current “210/575-day provisions” of our zoning ordinance is simply not practical for the range of conditional uses addressed in the zoning ordinance. Pressuring an applicant to meet an arbitrary start date within 210 days and completion within 575 days does not assure a quality development. Instead, it may even discourage quality by unnecessarily rushing the planning and implementation of the project.

The proposed ordinance amendment provides for:

- The applicant to provide a schedule for the start and completion of the project, a schedule that can be amended, allowing for coordination with the Township and serving as a benchmark for determining progress of the project,
- A firm start deadline for a site plan review to be completed or construction commenced within 24 months from the date of issuance of a conditional use permit,
- Once a project has started, discretion on the part of the Zoning Administrator in consultation with other Township officials to determine the applicant is making meaningful and deliberate progress in meeting the schedule for project completion, and
- Attention to significant changes in regulations pertinent to the specific conditional use and changes in conditions of adjacent properties and services that, with a lack of progress, would be grounds for termination or modification of the permit.

**Summit Township
Planning Commission
March 17, 2026**

Members Present: Chairman, Jack Shelby; Vice Chair, Doug Beiswanger; Scott Blakemore; Mike Way; Jason Covalle; Thomas Biela; Secretary, Pamela Perlos.

Summit Township Zoning Administrator, Allan Hooper.

Members Absent: George Gancsos Jr.; Mark Cesarz.

Chairman Jack Shelby called the meeting to order at 6:00p.m.

A motion was made by Doug Beiswanger, supported by Pam Perlos to approve the minutes of the November 18, 2025, meeting. Motion passed unanimously.

Case #26-02-0003: A proposal to amend conditional use provisions of the zoning ordinance to (1) require a schedule for completion of a conditional use to be provided by the applicant, (2) provide for the start of a conditional use to be 24 months, and (3) allow the Zoning Administrator, with concurrence of other Township officials consulted, to waive or extend the period for a conditional use permit to continue provided that the applicant is making meaningful and deliberate progress in meeting the schedule for project completion.

A presentation was made by Zoning Administrator, Allan Hooper, regarding recommended changes to provisions for the expiration of conditional uses in the zoning ordinance. He indicated the current provisions in our ordinance are outdated (originating in 1971) and represent practical difficulties in terms of time constraints to those applying for conditional use permits and starting and completing their projects.

Discussion followed, mainly discussing the practical application of requiring a schedule for completion.

At the conclusion of discussion, a motion was made by Jason Covalle, supported by Doug Beiswanger to recommend approval of the proposed amendments to the Township Board. Motion passed unanimously.

There was no public comment.

Shelby mentioned that he is interested in the commission doing proactive research regarding Data Centers. A brief discussion followed where the rest of the commission agreed, and Beiswanger provided a brief summary of his research thus far on the topic.

Beiswanger noted that, as a future agenda item, he would be interested in exploring zoning solutions for the vacant church properties in residential districts within the township.

Shelby declared the meeting adjourned at 7:02p.m.

Respectfully Submitted,

Pam Perlos, Secretary

Natalie Anderson, Recording Secretary