

2021 ANNUAL REPORT

Eaton County Planning Commission

This Annual Report is prepared for the Eaton County Board of Commissioners by the Eaton County Planning Commission as required by the Michigan Planning Enabling Act (PA 33 of 2008) to document its activities each year. The following report identifies the activities of the Planning Commission and Zoning Board of Appeals for 2021.



INTRODUCTION

The Eaton County Planning Commission functions under and has their powers and duties set forth by the Michigan Planning Enabling Act (PA 33 of 2008) and the Michigan Zoning Enabling Act (PA 110 of 2006). The Michigan Planning Enabling Act (MPEA) provides for the creation, organization, powers and duties of Planning Commissions. The Michigan Zoning Enabling Act (MZEA) provides for the adoption of zoning ordinances and the establishment of zoning districts and prescribes powers and duties of certain officials including the Planning Commission.

Section 19 of the MPEA (MCL 125.3819) requires the Eaton County Planning Commission to make an annual written report to the County Board of Commissioners. This report is to provide the Board with a summary of the planning activities over the past year.

MEMBERSHIP

The MPEA states that membership of the Planning Commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geography of the local unit of government to the extent practicable.

In 2021, the Planning Commission's membership was as follows:

Brian Ross, Chairperson	Lisa Lawitzke
Ben Tirrell, Vice – Chairperson	Bruce Porter
Mike Hosey, Secretary	Zachary Dillinger
Jim Mott, BOC Representative	Tim Cattron
Barbara Rogers, BOC Representative	

Department Staff for 2021 was as follows:

Claudine Williams, Director of Community Development and Housing
Brandy Miller, Planning and Zoning Assistant/Code Enforcement Officer

MEETINGS

Regular meetings of the Planning Commission were scheduled for the First Tuesday of the month at 7:00 p.m. All meetings January thru June were held electronically via Zoom due to the COVID-19 pandemic. All meetings were held in compliance with the Open Meetings Act (PA 267 of 1976) and with COVID-19 pandemic requirements in place. Meetings resumed in person in July in the Board of Commissioners Room of the Eaton County Courthouse building.

- The Planning Commission held ten (10) regular meetings in 2021.
- The Planning Commission Subcommittees held a total of eight (8) meetings in 2021.

EATON COUNTY PLANNING AND ZONING

Eaton County has been administering planning and zoning activities for the county for almost 60 years, beginning on October 1, 1959.

The current Planning Commission consists of nine (9) members authorized with overseeing zoning and planning related matters within Eaton County's Zoning Jurisdiction. This includes all land within Eaton County excluding, a portion of the City of Lansing, Delta, Windsor, and Oneida Charter Townships, Benton Township and any cities and villages.

County planning and zoning provides a regional perspective, creates consistency, and is in line with the State of Michigan's goal to work regionally together. County planning and zoning ensures a regional view and wise, planned growth within our community.

PLANNING COMMISSION RESPONSIBILITIES

The Planning Commission's basic duties and responsibilities include the following:

- Conduct public hearings as required by the Zoning Ordinance and the MZEA and MPEA, making specific determinations on each matter.
- Hear and make decisions on Conditional Use Permit requests as specified in the Zoning Ordinance.
- Make comprehensive reviews and recommend changes to the Ordinance periodically in cooperation with affected Township Boards of Trustees.
- Make recommendations to the Board of Commissioners on Zoning Ordinance Text Amendments in accordance with the MZEA, Eaton County Zoning Ordinance and the Eaton County Master Plan.
- Make recommendations to the Board of Commissioners on rezoning requests (Zoning Map Amendments) in accordance with the MZEA, Eaton County Zoning Ordinance and the Eaton County Master Plan.
- Make recommendations to the Board of Commissioners on amendments to the Purchase of Development Rights (PDR) Ordinance in accordance with the MZEA.
- Update and maintain the Eaton County Master Plan in accordance with the MPEA.
- Review and comment on any proposed Master Plans or Master Plan amendments for any community within or adjacent to Eaton County as required by the MPEA.
- The Planning Commission is also considered a reviewing agency for applications into the Farmland and Open Space Preservation Program (PA 116).

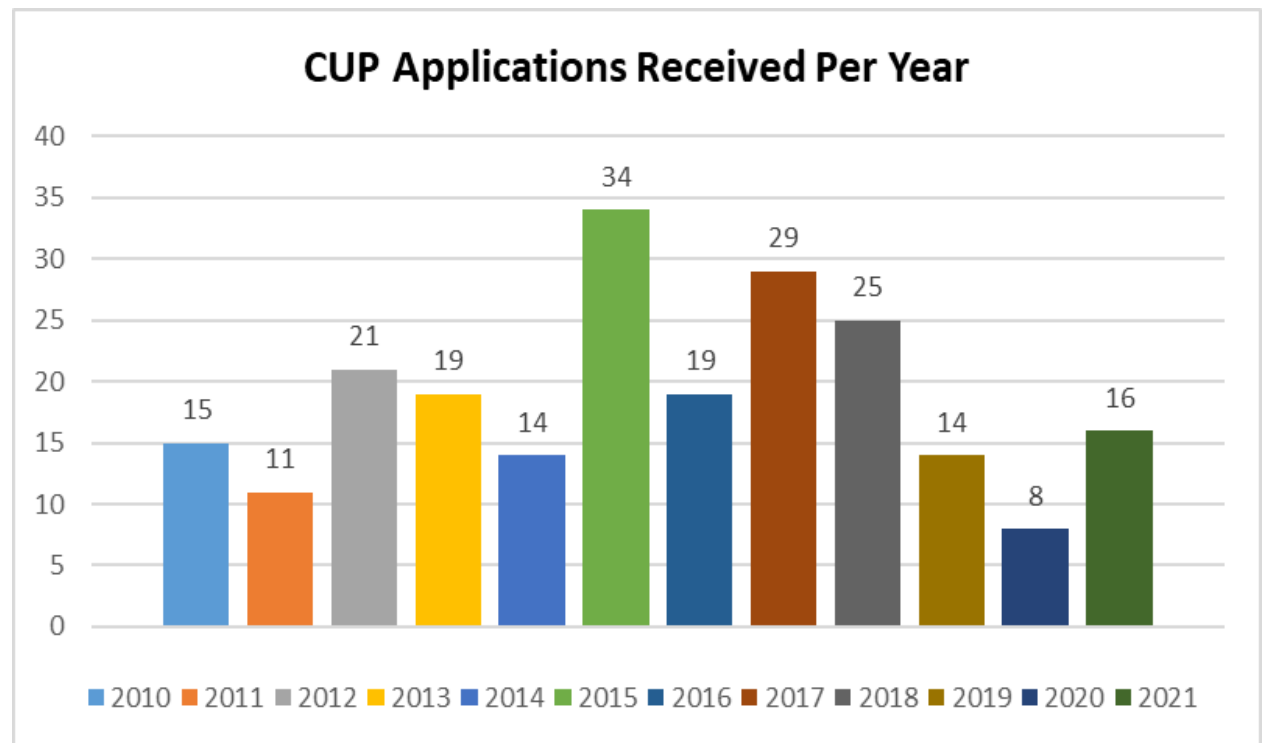
PLANNING COMMISSION ACTIVITY IN 2021

The Planning Commission worked diligently throughout the year to uphold their responsibilities and accomplish their tasks. The following is a summary of their activity:

Conditional Use Permits: The Commission held public hearings on fifteen (15) conditional use permit requests in 2021. Ten (10) new permits and five (5) changes to existing permits were approved. One application was withdrawn.

- Four Construction Contractors Establishments – one each in Hamlin and Roxand Townships were new and one each in Eaton Rapids and Roxand Townships were a change of conditions to existing permits.
- One Educational Institution – in Kalamo Township.
- Five Home Businesses – one each in Carmel, Chester, Hamlin, Eaton (Withdrawn) and Vermontville Townships.
- One Commercial Recreation Facilities – one change of conditions was requested in Walton Township.
- Four Agricultural Businesses - one each in Eaton Rapids, Hamlin, Kalamo, and Vermontville Townships.
- One Government Facility – one change of conditions was requested in Hamlin Township.

Conditional Use Permit (CUP) Applications By Year							
	New	Change of Conditions	Withdrawn	Denied	Dismissed	Revoked	Total
2010	13	2					15
2011	7	1	3				11
2012	13	6	2				21
2013	16		2	1			19
2014	8	6					14
2015	32	2					34
2016	13	6					19
2017	22	6	1				29
2018	16	8	1				25
2019	8	6					14
2020	4	4			2	1	11
2021	10	5	1				16
TOTALS	162	52	10	1	2	1	228



Zoning Ordinance Text Amendments: The Planning Commission held three (3) public hearings in reference to zoning ordinance text amendment requests in 2021:

- Request by Jennifer Ketchum to amend the Eaton County Land Development Code (Zoning Ordinance). The proposed amendment is to Article 14.32 Adult Entertainment Establishments and Amusement Establishments, Section 14.32.2 Definitions item E. Massage Establishment. The request is to add licensed massage therapists to those establishments exempt from this sections requirement). As a result of this request, a comprehensive amendment was created to update language to Article 5, Definitions and Interpretations (amend Section 5.3.16 P, Personal Service Establishment), and Article 14, Specific Provisions and Requirements (amend Section 14.32.2 Definitions, item E. Massage Establishment and F. Massage; and add Section 14.40 Personal Service Establishment). The new amendment will allow for massage therapists to operate as Personal Service Establishments per the ordinance.
- Request by Eaton Community Palliative Care, Inc. to amend the Eaton County Land Development Code (Zoning Ordinance). The proposed amendment is to Article 7 Land Development Districts, Section 7.5A. Local Business District (C-1), Subsection 7.5A.3 Uses Permitted by Site Plan Approval. The request is to include Hospital and Long Term Care Facilities.
- Request by Eaton County Planning Commission to amend the Eaton County Land Development Code (Zoning Ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Sections 5.3.3 C and 5.3.18 R), Article 6 General Provision (amend Sections 6.2.10 C., 6.5, 6.5.1, and add 6.5.5), Article 7 Land Development Districts (amend Section 7.2.2 C, 7.3.2 F., 7.4A.2 B., 7.4B.2 C., 7.4C.2 D., 7.5A.4), and Article 14 Specific Provisions and Requirements (amend Section 14.10 Educational Institutional and Government Facility and 14.25 Surface Mining). Amendments will allow for recreational units to be used as temporary housing, accessory dwelling units to be approved by staff, changing language from mobile home to manufactured home in several sections, addition of a construction contractors establishment as a use by conditional use permit to the C-1 district, and improved screening and signage language for surface mines.

All text amendments were recommended to the Board of Commissioners and were approved and adopted.

Zoning Ordinance Map Amendments: The Planning Commission held public hearings on two (2) zoning map amendment requests in 2021:

- This request was withdrawn before the public hearing. Change in district land use classification from Low Density Residential (R-1) and Limited Agricultural (LA) to Local Business (C-1) for vacant property located off from Michigan Road/M-99, (parcel number 120-026-100-076-12), Section 26, Eaton Rapids Township.
- Request by Lynn Ball for a District Change Amendment to change the zoning of vacant property located off from Michigan Road/M-99, (parcel number 120-026-100-076-12),

from Low Density Residential (R-1) and Limited Agricultural (LA) to Local Business (C-1). The property is located in Section 26, Eaton Rapids Township

- Request by Eaton Community Palliative Care, Inc. for a District Change Amendment to change the zoning of properties located 2615 and 2675 S. Cochran Road and a 1.55 acre portion of a vacant parcel located off from S. Cochran Road identified as parcel 110-030-300-030-11, from Limited Agricultural (LA) to Local Business (C-1). The properties are located in Section 30, Eaton Township

All map amendments were recommended for to the Board of Commissioners and were approved and adopted.

Sub Committee Meetings:

- The Site Plan Review Committee held three (3) public meetings in 2021 and approved four (4) application requests – four Accessory Dwelling Units one each in Brookfield, Eaton Rapids, Hamlin, and Kalamo Townships.
- The Zoning Ordinance Committee held five (5) public meetings in 2021 to discuss potential ordinance amendments. They continue to work on language for Wind Energy Systems.
- The Administrative Committee did not meet in 2021.

Farmland Agreement Applications: The Planning Commission reviewed and commented on one (1) Farmland Agreement application in Kalamo Township. Total acreage of land entering into the program was one hundred fifty (150) acres.

Surface Mine Inspections: Due to the COVID-19 pandemic and restrictions in place, surface mine inspections were not conducted in 2021. The Department will be working with mine operators to conduct inspections in 2022.

Purchase of Development Rights (PDR): Eaton County received funding from the Michigan Department of Agriculture and Rural Development (MDARD) to protect one sixty-eight (68) acre farm in Brookfield Township. The PDR Committee held one public meeting in 2021. Staff applied for additional funding from the State of Michigan to protect a farm in Eaton Rapids Township for the next grant cycle in December of 2021.

ZONING PERMIT AND VIOLATION ACTIVITY IN 2021

Staff issued two hundred ninety-seven (297) Zoning Referrals in 2021. Thirty-three (33) junk violations were carried over from the year 2020, eighteen (18) new ones were received and sixteen (16) total were closed. Eleven (11) zoning violations were carried over from 2020, thirty-four (34) new ones were received and sixteen (16) total were closed. Detailed charts can be found on pages 9 and 10.

PLANNING ACTIVITY FOR 2021 (Goals)

- The Planning Commission will be considering an update to the 2012 County Master Plan.
- The Planning Commission will continuously review the Zoning Ordinance and will make recommendations to the Board of Commissioners on amendments to the Zoning Ordinance as needed.
- The Planning Commission will also maintain the open lines of communication townships. The Planning Commission and staff believe communication with our townships is important to best service the people of Eaton County.

CASES	Conditional Use Permits		Board of Appeals		Administrative Variances		District Change Amendments		Site Plan Reviews		Zoning Referrals		Private Roads		Agricultural Buildings		Lot Line Adjustments		Land Divisions Reviewed		TOTAL	
	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"
MO/YR	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"	"20"	"21"
JAN	2	1	0	0	0	0	0	0	0	0	8	18	0	0	1	3	2	5	2	4	15	31
FEB	0	1	0	1	0	0	0	0	3	0	14	8	0	0	1	1	2	2	4	1	24	14
MARCH	2	0	0	1	0	0	2	0	0	1	12	31	0	1	0	6	3	2	4	5	23	47
APRIL	3	1	1	0	0	0	0	2	0	0	2	38	0	0	1	8	1	3	1	4	9	56
MAY	0	0	1	0	1	0	0	0	0	2	32	39	0	0	2	4	4	2	2	4	42	51
JUNE	0	3	0	2	0	0	0	1	0	0	34	33	0	0	2	0	1	4	0	2	37	45
JULY	1	1	0	0	0	0	1	0	1	0	42	27	0	0	3	1	1	7	3	2	52	38
AUG	0	1	1	1	0	0	0	0	0	1	41	31	0	0	2	2	2	4	2	6	48	46
SEPT	0	4	3	0	0	0	0	0	1	0	26	25	0	0	2	3	5	3	3	4	40	39
OCT	1	2	0	0	0	0	0	0	1	0	36	21	1	0	2	2	7	2	1	1	49	28
NOV	0	0	0	0	0	0	0	2	0	0	20	12	0	0	1	1	5	3	4	2	30	20
DEC	1	2	1	1	0	0	0	1	0	0	17	14	0	0	1	1	5	2	2	6	27	27
TOTALS	10	16	7	6	1	0	3	6	6	4	284	297	1	1	18	32	38	39	28	41	396	442

CASES	JUNK	JUNK	JUNK	JUNK	ZONING	ZONING	ZONING	ZONING	
	(NEW)	(NEW)	(CLOSED)	(PENDING)	(NEW)	(NEW)	(CLOSED)	(PENDING)	
		2020 carryover: 33				2020 carryover: 11			
MO/YR	2020	2021	2021	2021(PENDING)	2020	2021	2021	2021(PENDING)	
JAN	3	0	1	33	0	3	0	11	
FEB	0	1	0	34	1	1	2	10	
MARCH	3	0	0	34	5	1	1	10	
APRIL	0	2	0	36	0	1	1	10	
MAY	0	5	2	39	0	8	4	14	
JUNE	3	2	1	40	0	0	1	13	
JULY	8	2	6	36	7	7	1	19	
AUG	2	1	0	37	1	4	0	23	
SEPT	3	0	2	35	1	3	2	24	
OCT	1	4	2	37	5	6	2	28	
NOV	1	1	2	36	1	0	2	26	
DEC	2	0	0	36	2	0	0	26	
TOTALS	23	18	16	36	23	34	16	26	
			TOTAL PENDING JUNK & ZONING VIOLATIONS						62

ZONING BOARD OF APPEALS (ZBA) ACTIVITY IN 2021

ADD a section on what the Board of Appeals does.

PLANNING COMMISSION RESPONSIBILITIES

The Planning Commission's basic duties and responsibilities include the following:

- Conduct public hearings as required by the Zoning Ordinance and the MZEA and MPEA, making specific determinations on each matter.
- Hear and make decisions on Conditional Use Permit requests as specified in the Zoning Ordinance.

Regular meetings of the Board of Appeals were scheduled for the first Tuesday of the month at 6:00 p.m. The Board of Appeals met five (5) times in 2021. All meetings January thru June were held electronically via Zoom due to the COVID-19 pandemic. All meetings were held in compliance with the Open Meetings Act (PA 267 of 1976) and with COVID-19 pandemic requirements in place. Meetings resumed in person in August in the Board of Commissioners Room of the Eaton County Courthouse building.

In 2021, the Board of Appeals membership was as follows:

Nikki Chmielewski, Chairperson	Charamy Cleary
Don Chase, Vice – Chairperson	Jeremy Whittum (alternate)
April Stopczynski, Secretary	
Tim Catron (Planning Commission Representative)	

Department Staff for 2021 was as follows:

Claudine Williams, Director of Community Development and Housing
Brandy Miller, Planning and Zoning Assistant/Code Enforcement Officer

The Zoning Board of Appeals (ZBA) heard seven (7) requests from six (6) applicants in 2021.

The number of variance requests in 2021 continue to be at lower level compared to previous years. Staff believes this is due to text amendments made to the ordinance lessening the setback area from the road right-of-way for structures and in small part due to the COVID-19 pandemic.

2021 Zoning Board of Appeals Requests

Type of Action	Approved	Denied	Withdrawn	Total
Variance for sign larger than allowed	1			1
Variance for accessory building setback	1	2		3
Variance for Road Right-of-Way setback	1	2		3
TOTALS 2021	3	4		7

*Note: Some applications have more than one variance request resulting in more requests than applications.

Zoning Appeal Applications Received Per Year

