

**EATON COUNTY
ZONING ORDINANCE COMMITTEE MEETING
November 21, 2023**

Call to Order: The meeting was called to order at 4:00 p.m. in the Board of Commissioners Room, Eaton County Courthouse, 1045 Independence Blvd., Charlotte, MI 48813.

Planning Commission Committee Members present: Brian Ross, Ben Tirrell and Tim Cattron

Staff present: Brandy Miller and Chris Garrison

Others in Attendance: Justin Vedder, Don Chase and Jim Mott

Agenda: The November 21, 2023 Agenda was accepted as printed.

Minutes: The October 17, 2023 minutes were approved as printed.

- Surface Mines, Sec. 14.25 – Conditional Use Permit time frame:
The Zoning Ordinance Committee discussed removing Subsection 14.25.9 Permit Expiration. Discussion was held regarding the annual inspection of surface mines by staff, the Eaton County Drain Commissioner's Office and EGLE. It was determined if there is an issue, the Planning Commission could require the Conditional Use Permit holder to come before the Planning Commission for review. Staff will draft a District Change Amendment Application reflecting this proposed change.
- Communication Towers, Sec. 14.27 – landscaping requirements
The Zoning Ordinance Committee discussed removing Subsection 14.27.5 E.6. Landscaping. Discussion was held regarding the intent of the Zoning Ordinance to protect public health and safety; the accessory structures for towers are always within the fenced area, which can not be blocked with landscaping. Staff will draft a District Change Amendment Application reflecting this proposed change.
- Agricultural Businesses, Sec. 14.1- Potential update of language
Discussion postponed to future meeting.
- Lot combinations – For properties created between 1981 and March 31, 1997
The Zoning Ordinance Committee discussed lot line adjustments and lot combinations for properties that were created prior to March 31, 1997 and do not meet Zoning Ordinance requirements. Ms. Miller stated it has been a standing office policy if the properties proposed to be combined or adjusted do not create a more non-conforming, meaning losing road frontage or becoming deeper, the combination or adjustment has been approved even if the end resulting property does not meet Zoning Ordinance Requirements. Ms. Miller stated it would be easier for the public to understand approval

of a combination or adjustment of non-conforming properties if the language was in the Zoning Ordinance. The Zoning Ordinance Committee agreed. Staff will draft a District Change Amendment Application reflecting this proposed change.

- Dual zoned properties – Divisions, adjustments or combination
Discussion postponed to future meeting.

- Duplex regulations – Low Density Residential (R-1) Zoning District
Ms. Miller read a letter submitted by Ms. Barbara VanderMolen into record. Ms. Miller reminded the Zoning Ordinance Committee Ms. VanderMolen attended the October 24th Planning Commission Meeting and spoke under public comment. Ms. Miller stated Ms. VanderMolen is on vacation. The Zoning Ordinance Committee discussed allowing construction of duplex homes as a use by right in a Low Density Residential Zoning District. They also discussed removing Subsection 7.4A.3 B. Duplex Dwelling – Conversion Only. Staff will draft a District Change Amendment Application reflecting this proposed change.

- Updates throughout to reflect Department changes
The Zoning Ordinance Committee discussed the necessary changes needed due to Planning and Zoning responsibilities being transferred from Community Development to Construction Codes. Staff will draft a District Change Amendment Application reflecting this proposed change.

- Marihuana Facilities
The Zoning Ordinance Committee discussed Public Act 281 of 2016, Initiated Law 1 of 2018 and Michigan Cannabis Regulatory Agency rules and regulations. The Zoning Ordinance Committee asked if it could be interpreted where Marihuana Facilities may be operated without making changes to the Zoning Ordinance. Staff will draft interpretations for each Marihuana Facility for review by Eaton County's Attorney prior to making formal application to be considered by the Eaton County Board of Appeals.

Meeting adjourned at 4:55 p.m.