

EATON COUNTY BOARD OF COMMISSIONERS

November 17, 2021

RESOLUTION TO APPROVE DCA-11-21-4

Introduced by the Public Works and Planning Committee

Commissioner Lautzenheiser moved the approval of the following resolution. Seconded by Commissioner Mulder.

PREAMBLE: The Eaton County Land Development Code, an Ordinance adopted by the Commissioners of the County of Eaton pursuant to Public Act 183 of 1943, and administered pursuant to Public Act 110 of 2006, may be amended from time to time by following procedures outlined in Article 13 of the Development Code.

WHEREAS, Eaton Community Palliative Care initiated a petition for an amendment to the Eaton County Land Development Code (zoning ordinance); Amendments are proposed to the following: Article 7, Land Development Districts (amend Section 7.5A.3, to allow Hospital and Long Term Care Facilities as a use allowed by Site Plan Review); and

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on **November 2, 2021**; and

WHEREAS, the Eaton County Planning Commission found the requested amendment to be consistent with the required findings of fact (Items A through G) contained in Section 13.6 of the Eaton County Land Development Code; and

WHEREAS, the Eaton County Planning Commission has taken action on **November 2, 2021** to recommend the adoption of the ordinance amendments for reasons stated at the meeting.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the County of Eaton, Michigan having considered the findings of facts and recommendations hereby:

APPROVES the amendment to the Eaton County Land Development Code (zoning ordinance) to update language to Article 7, Land Development Districts (amend Section 7.5A.3, to allow Hospital and Long Term Care Facilities as a use allowed by Site Plan Review).

At the regular meeting of the Eaton County Board of Commissioners on November 17, 2021 the Resolution regarding the approval of said request was adopted.

Those voting Aye: Commissioner Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum and Barbara Rogers.

Those voting Nay: None

Abstention: None

Absent: None

Motion carried.

Jeremy Whittum, Chairman
Eaton County Board of Commissioners

I hereby certify that the above Ordinance amending the Eaton County Land Development Code, which was approved, is a true and correct copy of that recorded in the official minutes of November 17, 2021 of the Eaton County Board of Commissioners.

Diana Bosworth, Clerk
Eaton County Board of Commissioners

EATON COUNTY LAND DEVELOPMENT CODE

ZONING ORDINANCE AMENDMENT DCA-11-21-4

District Change Amendment DCA-11-21-4 to amend the Land Development Code (Zoning Ordinance) of Eaton County, as enacted in 1981 pursuant to the provisions of Public Act 110 of 2006, as amended.

An application for a District Change Amendment for an amendment to the Eaton County Land Development Code (zoning ordinance) to update language. Amendments are proposed to the following: Article 7, Land Development Districts (amend Section 7.5A.3, to allow Hospital and Long Term Care Facilities as a use allowed by Site Plan Review).

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on **November 2, 2021**; and

WHEREAS, the Eaton County Planning Commission has taken action on **November 2, 2021** to recommend approval of the text amendment:

WHEREAS, after careful consideration of the amendment, the Eaton County Board of Commissioners approved the aforementioned text amendment as follows:

Yeas 15
Nays 0
Abstaining 0
Absent 0

I, Diana Bosworth, Clerk for the County of Eaton, do hereby certify that the above and foregoing is a true copy of the amendment to the Eaton County Land Development Code (Zoning Ordinance), as amended and passed by the Eaton County Board of Commissioners on **November 17, 2021** and now on record in the office of the Clerk of said County.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of said County at the City of Charlotte, Michigan, the

_____ day of _____, 2021

Jeremy Whittum, Chairman
Eaton County Board of Commissioners

Diana Bosworth, Clerk
Eaton County Board of Commissioners

**PROPOSED TEXT AMENDMENT
TO THE EATON COUNTY LAND DEVELOPMENT CODE**

Additions are shown in ***bold italic print*** and deletions are shown by ~~strikeout print~~.

All suggested changes are highlighted.

SECTION 7.5 COMMERCIAL DISTRICTS

7.5.1 Intent and Purpose: It is the intent of the Local Business District (C-1) and the Regional Commercial District (C-2) to meet the commercial and convenience shopping needs of neighborhoods and the larger region, respectively. These districts provide for a variety of business and office uses in clustered functional centers located near major arterial streets in a limited number of locations in order to avoid strip and spot commercial development, lessen congestion on public streets, protect adjacent non-commercial land uses, and to promote the economic viability of commercial uses.

7.5A. LOCAL BUSINESS DISTRICT (C-1)

7.5A.1 Intent and Purpose: The Local Business (C-1) District is intended to serve the limited convenience shopping needs of the immediate neighboring area, and is intended to permit light, non-nuisance types of commercial activity that would have slight impact on the abutting area. In addition, the service areas are such that the permitted uses are not of a community wide or regional nature.

7.5A.2 Uses Permitted by Right: No building or land shall be used, and no building or land shall be erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance:

- A. **Accessory Uses** as provided in *Subsection 6.2.10* of this Ordinance.
- B. **Business Service Establishment** as defined in *Article 5* of this Ordinance.
- C. **Convenience Commercial Establishment** as provided in *Section 14.6* of this Ordinance.
- D. **Financial Institution** as defined in *Article 5* of this Ordinance, without drive through service.
- E. **General Retail Sales Establishment** as defined in *Article 5* of this Ordinance.
- F. **Government Facility** as provided in *Section 14.10* of this Ordinance.
- G. **Personal Service Establishment** as defined in *Article 5* of this Ordinance.
- H. **Religious Institutions** as provided in *Section 14.22* of this Ordinance.
- I. Uses similar to the above uses permitted by Site Plan Approval.

7.5A.3 Uses Permitted by Site Plan Approval pursuant to *Article 8* of this Ordinance:

- A. **Commercial Recreation Facility** as defined in *Article 5* of this Ordinance.
- B. **Educational Institutional**, including public and private schools, as provided in *Section 14.10* of this Ordinance.
- C. **Financial Institution** as defined in *Article 5* of this Ordinance, with drive through service.
- D. **Funeral Home and Mortuary** as defined in *Article 5* of this Ordinance.
- E. **Office Building** as defined in *Article 5* of this Ordinance.
- F. **Restaurants** as defined in *Article 5* of this Ordinance, excluding those with drive through service.
- G. **Foster Care Facility** as provided in *Section 14.4* of this Ordinance.

- H. **Veterinary Hospital, Clinic, and Kennel** as provided in *Section 14.1* of this Ordinance.
- I. **Rental Storage Buildings** as provided in *Section 14.26* of this Ordinance.
- J. **Light Automotive, Small Engine Repair & Automotive Body Shop** as provided in *Section 14.37* of this Ordinance.

K. Hospital and Long-term Care Facilities as provided in Section 14.16 of this Ordinance.

L.-K. Uses similar to the uses herein permitted by Site Plan Approval.

7.5A.4 Uses Permitted by Conditional Use Permit pursuant to Article 9 of this Ordinance:

- A. **Community Service Facility** as provided in *Section 14.5* of this Ordinance.
- B. **Customary Agricultural Operation** as defined in *Article 5* of this Ordinance if compatible with surrounding uses.
- C. **Motor Fuel Service Station** as provided in *Section 14.19* of this Ordinance.
- D. **Parks and Recreational Facilities** as defined in *Article 5* of this Ordinance.
- E. **Planned Unit Development (PUD)** as provided in *Article 15* of this Ordinance.
- F. **Communication Towers and Antennas** as provided in *Section 14.27* of this Ordinance.
- G. **Restaurants** as defined in *Article 5* of this Ordinance, including those with drive through service.
- H. **Indoor Video Archery Hunting Range** as provided in *Section 14.34* of this Ordinance.
- I. **Uses similar** to the above uses permitted by Conditional Use Permit.