

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
March 27, 2017**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the regularly scheduled meeting of the Ross Township Planning Commission to order at 7:00 p.m. at the Ross Township Hall.

ROLL CALL

Present: Jim Lauderdale, Chairperson
Victor Ezbenko
Jon Scott
Sherri Snyder

Absent: Russell Fry
Greg Pierce
Jeff Price

Also present: Bert Gale, AGS – Township Zoning Administrator
Kelly Largent, AGS – Township Zoning Administrator
Rebecca Harvey – Township Planning Consultant
Rob Thall – Township Attorney

APPROVAL OF AGENDA

The agenda was reviewed and approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Commission then proceeded with consideration of the **February 27, 2017** Planning Commission meeting minutes. Snyder moved to approve the minutes as presented. Scott seconded the motion. The motion carried unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

No public comment on non-agenda items was offered.

NEW BUSINESS

1. 2017-2018 Planning Commission Meeting Schedule

Scott moved to adopt by resolution the proposed 2017-2018 Planning Commission Meeting Schedule. Snyder seconded the motion. The motion carried unanimously.

2. Election of Officers

Snyder moved the nomination and election of Lauderdale as Planning Commission Chair for the 2017-2018 fiscal year. Scott seconded the motion. The motion carried unanimously.

Chairperson Lauderdale moved the nomination and election of Price and Fry as Planning Commission Co-Vice Chairs for the 2017-2018 fiscal year. Snyder seconded the motion. The motion carried unanimously.

Chairperson Lauderdale moved the nomination and election of Fry as Planning Commission Secretary for the 2017-2018 fiscal year. Snyder seconded the motion. The motion carried unanimously.

3. Public Hearing – SLU/SPR for Residential Accessory Building (Bartlett)

The next matter to come before the Commission was consideration of the request by Clint Bartlett for special land use permit/site plan review for the proposed construction of a 24 ft x 48 ft residential accessory building within the front yard. The subject property is located 14901 Augusta Drive and is within the R-R District.

Chairperson Lauderdale opened the public hearing.

Gale referenced the application material and summary review provided on the request. He noted that the accessory building is proposed to be located within the 'front yard' and pursuant to Section 18.4 D., Zoning Ordinance is subject to the special land use permit process.

Clint and Nicole Bartlett were present on behalf of the application. Clint Bartlett stated that the proposed accessory building will be of pole construction and will be used for residential-related storage. He noted that an attached garage currently serves the site but is not adequate in size to provide needed storage.

Nicole Bartlett distributed photos of the subject property and noted the following regarding the accessory building proposal:

- site characteristics limit placement of the accessory building in the back yard (e.g. variations in topography, location of septic system);
- the property lines are at an angle to Augusta Drive and compliance with side setback requirements limit the ability to square the accessory building with the existing house;
- the front yard is large (due to the placement of the existing residence) and will allow for vehicle accessibility using the existing turn-around driveway;
- the accessory building design and siding will match the existing house - - with windows located to face the road.

Ezbenko referenced the building patterns on surrounding properties and noted the presence of several front yard accessory buildings. He questioned the setback of the existing house on the site. The Bartletts stated that the house is set back approximately 135 ft from the roadway.

Chairperson Lauderdale referenced correspondence received from a neighboring property owner (Ellen Kellay) dated March 16, 2017 wherein support for the proposal is provided.

No further public comment was offered on the matter and the public comment portion of the public hearing was closed.

The Board proceeded with a review of the application pursuant to Section 18.4 C. – residential accessory buildings/structures. It was confirmed that the proposed building will meet setback, height and lot coverage requirements but is proposed to be located in the ‘front yard’. Pursuant to Section 18.4 D., the following was noted:

- the proposed accessory building is allowable as a special land use;
- the proposed accessory building is located in excess of 5 ft from all lot lines;
- the proposed accessory building is proposed to be used for residential storage;
- a variance is not requested/required for the proposed accessory building; and
- adequate application material has been presented to allow for site plan review pursuant to Article 21.

In consideration of the Special Land Use Criteria set forth in Section 19.3, the Board concluded the following: the proposed accessory building location will be compatible with the building patterns on surrounding properties; the proposed accessory building is consistent in size/design of buildings allowed within the R-

R District; the proposed building location will require minimal site disturbance and have limited impact on the natural environment; the proposed building will not adversely affect public services or facilities serving the area; adequate parking will be provided on the site; and, the proposed building will not be detrimental to adjacent properties or the public health, safety or general welfare of the community given the size of the property, the proposed building setbacks, the proposed building size/design, and the comparable building patterns on properties in the surrounding area.

It was noted that the site plan presented was acceptable (per Section 21.4) and that the proposal meets the Site Plan Review Criteria set forth in Section 21.6 B.

It was reiterated that the above findings were based on the application documents presented and the representations made by the applicant at the meeting.

Scott then moved to grant Special Land Use Permit/Site Plan Approval for the proposed accessory building on the subject property based upon the review findings of Section 18.4 D. – residential accessory buildings/structures, Section 19.3 – Special Land Use Criteria, and Section 21.6 – Site Plan Review Criteria, and noting the following:

1. the site plan presented was acceptable, with the information required by Section 21.4 B., C. and E. waived per Section 21.4 T;
2. the location of the proposed accessory building (within the front yard) will still be set back further than existing accessory buildings on adjacent lots;
3. the proposed accessory building will be provided a substantial setback from the abutting roadway; and
4. the proposed accessory building will be used for a purpose incidental to residential uses allowed within the R-R District.

Snyder seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

1. 2016 Planning Commission Annual Report

Chairperson Lauderdale provided an overview of the draft Planning Commission Annual Report for Fiscal Year 2016-2017. Snyder inquired regarding the time line associated with Item 5 – continue to assist in the implementation of the Ross Township Recreation Plan. Scott noted that Phase I.a. constitutes the engineering phase of the trail segment and is estimated to be completed by the end of 2017. Trail construction (Phase I.b.) should be completed by 2018. Phase II does not currently have a timeline.

The Commission noted the accuracy and completeness of the report and agreed that no changes were necessary.

2. Article 20, Item 13.B.2. – Access from a County Primary Road or State Trunkline

Chairperson Lauderdale referenced Planning Commission discussion of the matter in February wherein it was agreed that there was not support for limiting the identified uses by ‘frontage on a primary road’ and that the site plan review process generally allows for adequate consideration of access-related issues. Further, the Planning Commission had noted support for the following revisions to Article 20:

- delete Item 1 and Item 2
- keep the access requirement for Item 12 – Earth Removal, Quarrying, Gravel Processing and Mining and for the use Ready-Mix Concrete Plant
- establish an access requirement for the use Grain Equipment and Processing
- remove specific frontage/access requirements from remaining special land uses

As directed, Harvey had prepared draft text for Planning Commission consideration. She provided an overview of the proposed amendments to Article 20. It was noted that the reference to ‘Item 34’ in the draft text should be revised to read ‘Item 35’.

The Planning Commission expressed agreement with the amendments reflected in the draft text, noting that the changes improve the clarity of the standards and address the identified issues. Snyder then moved to accept the draft text, as revised, for public hearing. Scott seconded the motion. The motion carried unanimously.

3. Sign Ordinance

Chairperson Lauderdale referenced previous discussions held regarding needed changes to the sign ordinance to address content-neutral sign requirements. Harvey reported that she has drafted the required revisions to the sign ordinance and is prepared to submit the draft text to Attorney Thall for review.

Attorney Thall stated that Michigan Townships Association (MTA) has just completed development of a model sign ordinance in response to the content-neutral ruling by the Supreme Court and will be releasing same in April/May. Attorney Thall and Harvey agreed to review/revise the draft text in consideration of the model ordinance

4. Article 20, Item 10 – Campgrounds / Item 21 – Seasonal Campgrounds

Chairperson Lauderdale referenced correspondence from Attorney Thall regarding a possible conflict in the Zoning Ordinance regarding the regulation of ‘campgrounds’ and ‘seasonal campgrounds’ and the Planning Commission’s discussion of the matter in February.

He noted that the Planning Commission had agreed in February that there appeared to be merit in distinguishing between a ‘campground’ and a ‘seasonal campground’ due to applicable parcel size limitations. It had been further agreed that the standards in the Zoning Ordinance should be consistent with State law and correctly reference applicable laws. Accordingly, the following revisions to the Zoning Ordinance had been suggested:

- add a definition of ‘seasonal campground’
- add ‘seasonal campground’ to the list of ‘special land uses’ at the beginning of Article 20
- confirm that the reference to State law in Item 20 is accurate
- confirm that the reference to State law in Item 21 C. is accurate; review the remaining standards of Item 21 for clarity and appropriateness
- add ‘seasonal campgrounds’ as a special land use within the R-R District

As directed, Harvey had prepared draft text for Planning Commission consideration. She provided an overview of the proposed amendments to Article 20, highlighting the following suggested changes:

- amend Section 2.2 so as to add a definition of ‘campground’ - - such as the definition of ‘campground’ set forth in the Barry County Zoning Ordinance;
- amend Item 20 to add the title ‘Campgrounds’ and restructure its reference to the applicable state laws;
- amend Item 20 so as to add standards specific to ‘campgrounds’ - - such as the existing standards for ‘seasonal campgrounds’ set forth in Item 21 and the ‘regulations and conditions’ set forth for ‘campgrounds’ in the Barry County Zoning Ordinance;
- delete Item 21 – ‘Seasonal Campgrounds’.

Lengthy Planning Commission discussion ensued regarding the approach set forth in the draft text to regulate ‘campgrounds’ and ‘seasonal campgrounds’ under a single provision. It was noted that there is currently a distinction made in the Ordinance between a ‘campground’ and a ‘seasonal campground’ with respect to parcel size requirements. Specifically, the Ordinance establishes a minimum parcel size of 20 acres for a ‘campground’, while a ‘seasonal campground’ requires 5 acres of ‘camping and recreation area’. The need for a minimum parcel size requirement was questioned. The following was noted:

- use-related standards are intended to manage impact and guide development design;
- an acreage standard does not necessarily address use impacts, but can be effective in eliminating potential development sites;
- ‘campgrounds’ are only allowed within the R-R District;
- is it a concern that a campground might develop on a small site in an inappropriate area within the R-R District (ie. near R-1 or R-2 zoning);
- could this concern be more appropriately addressed through the establishment of design standards;
- increased setbacks from adjacent residential zoning/land use are already required by Item 5, Article 20;
- both permanent and seasonal campgrounds can be large or small, and generally operate primarily during the summer;
- the ‘seasonality’ of a campground does not seem to be related to ‘use impacts’
 - - why distinguish by the ‘seasonality’ of a campground with an acreage standard.

Ezbenko stated that he supports the proposal to address both ‘campgrounds’ and ‘seasonal campgrounds’ under the use provision of ‘campgrounds’ and to establish appropriate use standards for same.

Snyder stated that she supports a reasonable approach to allowing ‘campgrounds’ in the Township. She opined that the importance of tourism in Ross Township will increase given the presence of the lakes and the expansion of the trail system and that local campground facilities will be needed.

Chairperson Lauderdale suggested that Planning Commission members review the sample standards/definition provided in the draft text and continue to think about the relevance of an acreage standard for campgrounds in preparation for continued Board discussion in April.

5. Watershed Protection Strategies

Chairperson Lauderdale referenced Planning Commission discussion of the matter in February wherein it was suggested that the Township consider using an escrow approach in the site plan review fee structure to facilitate expert reviews when required. He noted that Harvey was directed to work with Attorney Thall in the development of a Zoning Ordinance provision that would implement such an approach.

Harvey referenced Draft #1 of proposed amendments to Section 21.5 – Final Site Plan Submittal and Review Scheduling Procedures and Section 21.13 – Fees. Attorney Thall stated that there is merit in the approach reflected in the draft text and suggested that amendments to Article 19 may also be in order.

Harvey was directed to work with Attorney Thall in revising the draft text for Planning Commission consideration in April.

REPORT FROM TOWNSHIP BOARD

Scott reported that the Township Board is focused on moving forward on the road issue and expects a late summer conclusion on the matter. He also advised that the firm of OCBA was selected for development of the master park plan for Ross Township Park.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale stated that the Zoning Board of Appeals did not meet in March.

MEMBERS, CONSULTANTS, ADVISORS

No comments were provided.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 8:47 p.m.

Respectfully Submitted,
Rebecca Harvey, AICP, PCP
Township Planning Consultant