

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
April 24, 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
Russell Fry
Greg Pierce
Jeff Price
Sherri Snyder

Absent: None

Also present: Bert Gale, AGS – Township Zoning Administrator
Rebecca Harvey – Township Planning Consultant

Chairperson Lauderdale advised that Jon Scott recently stepped down as Township Board Trustee due to family commitments and so will no longer be serving on the Planning Commission. He noted that a new appointment to the Planning Commission is currently under consideration by the Township Board.

Planning Commission members and Township consultants expressed their thanks for Scott's valuable contributions to the Township's planning and zoning program and his long time service to the Township.

APPROVAL OF AGENDA

The agenda was reviewed and approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Commission then proceeded with consideration of the **March 27, 2017** Planning Commission meeting minutes. Snyder moved to approve the minutes as presented. Price 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. Lot Splits – Zoning Ordinance/Land Division Act

Chairperson Lauderdale referenced correspondence from Township Attorney Thall dated April 21, 2017 regarding the ‘splitting of zoning lots’. He provided an overview of the action of the Zoning Board of Appeals referenced in the memo.

Chairperson Lauderdale stated that Attorney Thall has indicated the Zoning Ordinance is not clear on the matter of whether a lot of record can be split back off from a common ownership zoning lot and sold again as a separate pre-existing buildable lot and requires Planning Commission attention.

In response to questions, Harvey and Gale explained the application of Sections 16.3 and 22.8 to zoning lots/nonconforming lots.

Lengthy Commission discussion ensued regarding how zoning lot provisions work; the objectives of the ‘zoning lot’ approach; the application of zoning lot provisions to platted/unplatted land and across zoning districts; and the creation/sale of ‘unbuildable’ lots.

The Commission noted support for continuing to move in the direction of reducing the presence of nonconforming building sites in the Township. To that end, it was concluded that the Zoning Ordinance should be amended to clearly indicate that once a lot becomes part of a ‘zoning lot’, it cannot later be sold back off as a lawful nonconforming pre-existing lot. It was noted that the Zoning Ordinance should be further amended to clarify that divisions of ‘zoning lots’ would only be allowed to occur if the remainder of the zoning lot is in compliance with the Zoning Ordinance.

Snyder moved to request the preparation of the requisite text by Attorney Thall and to schedule a public hearing on same for the May Planning Commission meeting. Fry seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

1. 2016 Planning Commission Annual Report

Chairperson Lauderdale referenced the draft Planning Commission Annual Report for Fiscal Year 2016-2017 provided to members at the March meeting.

The Commission noted the accuracy and completeness of the report prepared by Chairperson Lauderdale and accepted same as presented.

2. 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 and March.

He noted that pursuant to Commission discussion, Harvey had prepared/presented draft text that proposed the following changes to the Zoning Ordinance:

- 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’.

Following lengthy Planning Commission discussion in March, support had been noted to address both ‘campgrounds’ and ‘seasonal campgrounds’ under the use provision of ‘campgrounds’ and to establish appropriate use standards for same. Continued discussion of the sample standards/definition provided in the draft text was scheduled for the April meeting.

The Planning Commission then proceeded with a detailed review of the sample standards/definition provided in the draft text and concluded the following:

- delete Item 21 – Seasonal Campgrounds in its entirety
- amend Item 20 as follows:
 - : add title ‘Campgrounds’
 - : add Subsection A. – ‘All publicly and/or privately owned campgrounds shall comply with Michigan’s Public Health Code, 1978 PA 368, as amended (the Act), and the administrative rules adopted pursuant to the Act.’
 - : add Subsection B. – ‘A license from the Michigan Department of Environmental Quality is required to operate a campground.’
- amend Article 20 – list of ‘Special Land Uses’ and ‘Minimum Required Standards’ to remove Items #1, #10, and #21 as applicable standards to ‘campgrounds’

- amend the definition of 'campground' (Section 2.2) so as to read 'A use on a parcel or tract of land licensed by the State under the control of any person in which sites are offered for the use of the public or members of an organization either free of charge or for a fee.'

Harvey was directed to revise the draft text pursuant to the discussion for Planning Commission consideration in May.

3. Watershed Protection Strategies

Chairperson Lauderdale referenced Planning Commission discussion of the matter in February and March wherein proposed amendments to Section 21.5 – Final Site Plan Submittal and Review Scheduling Procedures and Section 21.13 – Fees to implement an escrow approach in the site plan review fee structure were considered. Harvey had been directed to work with Attorney Thall to also develop amendments to Article 19 to further clarify the approach.

Harvey noted that she would work with Attorney Thall in revising the draft text for Planning Commission consideration in May.

4. Sign Ordinance

Chairperson Lauderdale referenced previous discussions held regarding needed changes to the sign ordinance to address content-neutral sign requirements.

As requested, Harvey distributed draft revisions to the existing sign ordinance for Planning Commission consideration. She noted that the draft text has also been submitted to Township Attorney Thall for review.

She reminded that Michigan Townships Association (MTA) is completing development of a model sign ordinance in response to the content-neutral ruling by the Supreme Court with plans to release same in May. She noted that it had been agreed that she would work with Attorney Thall to review/revise the draft text in consideration of the model ordinance upon its release.

Harvey then provided a very general overview of the draft text, providing background on the suggested amendments.

REPORT FROM TOWNSHIP BOARD

In the absence of a Township Board liaison to the Planning Commission, a Township Board Report was not presented.

REPORT FROM ZONING BOARD OF APPEALS

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

MEMBERS, CONSULTANTS, ADVISORS

Fry reported that the 'Concerts in the Park' program has started. He noted that the program meets a stated objective in the Parks & Recreation Plan to increase the use of the Ross Township Park. He further reported on the fundraising efforts for the KVRT and a recent grant opportunity for trail improvements.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 9:00 p.m.

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