

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
August 25, 2014**

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
Robb Blain
Greg Pierce
Sherri Snyder

Absent: Russell Fry
Jeff Price
Jon Scott

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

APPROVAL OF AGENDA

The agenda was reviewed and approved as presented.

Chairperson Lauderdale welcomed Paul Dykstra, Township Supervisor.

APPROVAL OF PRIOR MEETING MINUTES

The Board then proceeded with consideration of the **July 28, 2014** Planning Commission meeting minutes. It was noted that Item 2., Unfinished Business (pg 3) should be amended to read ‘Accessory Uses/Building/Structures’. Blain moved to approve the minutes as amended. Snyder seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

No public comment on non-agenda items was offered.

NEW BUSINESS

1. Kalamazoo County Drain Commissioner – *Pat Crowley*

Ms. Crowley stated that she was present to revisit the Site Development Rules of the Kalamazoo County Drain Commissioner’s office. She explained that the rules provide many options for stormwater management design. Ms. Crowley used a demonstration project to simulate stormwater flow in predevelopment and post-development conditions.

She stated that the Site Development Rules:

- provide stormwater management options designed to avoid flooding and pollution;
- incorporate State stormwater standards;
- are used in neighboring counties and cities; and
- are coordinated with the Wellhead Protection Program

Ms. Crowley advised that adoption of the Site Development Rules would be a major step forward in environmental protection . . . and will assist in moving the Township toward a decentralized stormwater management system.

In response to Board questions, she noted that the Site Development Rules are not related to the Federal floodplain management standards.

In closing, Ms. Crowley stated that the Drain Commissioner’s office is available to assist with any stormwater management questions or design efforts. She further provided sample Resolutions of Support for Township consideration.

UNFINISHED BUSINESS

1. Open Space Development

Chairperson Lauderdale referenced the request made by Gull Lake View Golf Club in June to amend the Zoning Ordinance so as to allow for an open space development with a golf course component. He noted that the Board had proceeded in July with a review of the existing open space development provision to consider allowing a use such as a golf course to qualify as ‘designated open space’ within such a development.

Chairperson Lauderdale stated that the Board had reached consensus on the following direction for modification:

- structure an approach to allow a ‘recreational’ use of the open space;

- modify percentages (of open space and residential uses) so as to require more open space (than the existing 50%) if ‘recreational’ use of the open space is proposed . . . ie, 90% open space/10% residential;
- let the permitted percentages dictate what the ‘recreational’ component would be ;
- structure the open space provision to allow for a future reduction of the open space to 50% in support of maintaining a sustainable development.

Harvey presented draft text developed pursuant to the Board’s direction. Board discussion ensued wherein it was determined that the proposed amendments to the Open Space Preservation Development provision (Draft #1) adequately reflect the changes envisioned. The Board directed Harvey to discuss the draft text with Attorney Rolfe and receive review/comment. Consideration of Attorney Rolfe’s review comments was tentatively scheduled for September.

2. GAAMPS

Chairperson Lauderdale referenced the email and memorandum received from Attorney Rolfe dated August 16, 2014 entitled ‘The Impact on the Rural Residential Zoning District for Ross Township Planning Commission Discussion at August 25, 2014 Meeting’.

Lengthy Board discussion ensued wherein the ‘Options’ and the ‘Consequences’ set forth were reviewed. The Board agreed that none of the options presented were satisfactory given the purpose of the Rural Residential District and the Township’s goals/objectives set forth in the Master Plan for agricultural land use.

In consideration of the fluctuation of the livestock GAAMPS over the last two years . . . and the current uncertainty surrounding the topic that may result in future changes, the Board determined that making changes to the zoning regulations in reaction to the 2014 GAAMPS is inadvisable at this time.

Consistent with the Board’s discussion of the topic, Harvey referenced a current edition of Planning/Zoning News that is devoted entirely to the discussion of the GAAMPS situation. Board members requested that Harvey provide copies to the Township for inclusion in the next Board meeting packet.

Chairperson Lauderdale noted that continued consideration of Attorney Rolfe’s memorandum dated May 8, 2014 regarding (1) Addressing implications of April 2014 Right to Farm Act ‘GAAMPS for Site Selection and Odor Control for New and Expanding Livestock Facilities’; and (2) Addressing implications of March 2014 Right to Farm Act ‘GAAMPS for Farm Markets’ was in order.

He noted that the Board had concluded on the Decision Points related to Recommendation No. 1 set forth on page 6 of the memorandum at the June meeting. He added that there had then been Board consensus in July in support of

defining and allowing ‘roadside stands’, ‘farm markets’, and ‘farmers markets’ in the Zoning Ordinance. (Recommendations No. 1, 2, and 3 – pages 9-11)

Chairperson Lauderdale stated that consideration of the remaining ‘decision points’ set forth in the memorandum (pages 9-11) had been postponed to allow for receipt of information to be provided by Snyder.

Snyder provided copies of ‘Richland Farmers’ Market Rules and Regulations (2014 Season)’ and existing zoning ordinance text from Peninsula Township related to ‘roadside stands’. She proceeded with an overview of same.

Following discussion of the material provided, the Board concluded on the remaining ‘recommendations’ and ‘decisions points’ as follows:

Recommendation No. 1 – (pg 9)

: apply the definition of ‘roadside stand’ set forth in the Peninsula Township Zoning Ordinance

Decision Points 1-3: apply the standards set forth in Article VI, Section (8) (a)-(f) – Roadside Stands, Peninsula Township Zoning Ordinance; parking areas shall not be subject to paving

Recommendation No. 2 – (pg 10)

: allow a ‘farm market’ as a permitted use in any Ag district and any other zoning district in which agricultural uses are allowed

Decision Point 1: apply the definition of ‘roadside stand’ set forth in the Peninsula Township Zoning Ordinance to a ‘farm market’

Decision Point 2: allow conversion of a farm product/commodity into a value-added product; require that “Cottage Food” products meet State of Michigan guidelines

Decision Point 3: n/a

Decision Point 4: apply setbacks applicable within the underlying district

Decision Point 5: apply the parking standard set forth in Article VI, Section (8)(c) – Roadside Stands, Peninsula Township Zoning Ordinance; parking areas shall not be subject to paving

Decision Point 6: accept existing applicable Zoning Ordinance standards

Recommendation No. 3 – (pgs 10-11)

: apply the following definition of ‘farmers’ market’: ‘a food market at which local farmers sell fruit and vegetables and often meat, cheese, and bakery products directly to consumers’ - - *Wikipedia*

: allow as a special land use in any commercial and agricultural district

Decision Point 1: apply the following provisions from the ‘Richland Farmers’ Market Rules and Regulations’:

: Brokered produce and products may not exceed 10% of the total stall.
Brokered produce must be labeled with the farm where it originated.
Commercial, mass produced items are only allowed if locally owned and produced by the vendor in Michigan.

: ‘Cottage Food’ vendors must comply with State of Michigan Guidelines.

Decision Point 2: n/a

Decision Point 3: allow as a special land use in any commercial and agricultural district

Decision Point 4: apply existing ‘special land use’ criteria; the standards of the underlying zoning district; and, the following provisions from the ‘Richland Farmers’ Market Rules and Regulations’:

: A vendor space is defined as 12 feet wide and 30 feet long.
: There is space to park your vehicle at your space, but not a vehicle plus a trailer. Vendors may use a maximum of two spaces.

Harvey was directed to draft the points of consensus on the Recommendations’ and ‘Decision Points’ for continued Board review in September.

3. Accessory Uses and Buildings/Structures

Chairperson Lauderdale stated that the Board had accepted the Tentative Text of Proposed Amendments to the Zoning Ordinance Pertaining to Guest Houses and Accessory Uses/Buildings/Structures prepared by Attorney Rolfe at the July meeting. He noted that the Board had requested the preparation of the public hearing draft for Board review in August. After consultation with Attorney Rolfe, it was determined that the ‘public hearing draft’ would be the same as the ‘draft text’ considered in July and that no further Board review was necessary.

The Board acknowledged that the draft text is ready for public hearing and placed the matter on hold pending scheduling of the public hearing.

4. Recreation Plan

Chairperson Lauderdale noted that with the absence of Jon Scott and Rusty Fry, an update on the status of ongoing implementation efforts would be postponed to the September meeting.

5. Recreational Vehicles

Chairperson Lauderdale noted that the question had been raised during the Board's consideration of 'guest houses' as to whether a recreational vehicle would qualify as a 'guest house' and if temporary occupancy of same would become an enforcement problem.

It was noted that the proposed text sets forth standards for 'guest houses' that would preclude the use of a recreational vehicle as a 'guest house'. Further, there was no specific provision in the Ordinance that permitted the temporary occupancy of a recreational vehicle on a residential lot.

The Board concluded that there was no apparent issue regarding recreational vehicles.

REPORT FROM TOWNSHIP BOARD

In the absence of Scott, a Township Board report was not provided.

REPORT FROM ZONING BOARD OF APPEALS

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

MEMBERS, CONSULTANTS, ADVISORS

Snyder stated that she thought the Board had made solid progress on the GAAMPS discussion.

Pierce suggested that in scheduling the public hearings for the pending Zoning Ordinance amendments the Planning Commission should keep in mind the absence of some Board members November through March. The Board agreed to tentatively schedule final review of the noted text amendments in September to facilitate October public hearings.

ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 8:44 p.m.

Respectfully Submitted,

Rebecca Harvey, AICP, PCP
Township Planning Consultant