

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
October 26, 2015**

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: Jon Scott

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

APPROVAL OF AGENDA

The agenda was reviewed and approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Commission then proceeded with consideration of the **September 28, 2015** Planning Commission meeting minutes. Price moved to approve the minutes as presented. Pierce seconded the motion. The motion carried unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

No public comment on non-agenda items was offered.

NEW BUSINESS

Chairperson Lauderdale congratulated Rebecca Harvey on her recent recognition by the Michigan Association of Planning (MAP) as a 30 year member and for her contributions to the organization as a Past President, eight (8) years as a member of the Board of Directors, a current member of the Planning Law Committee, and a frequent presenter and certified trainer with MAP.

UNFINISHED BUSINESS

1. Text Amendment Recommendations

Chairperson Lauderdale noted that the Township Board considered the text amendments recommended for approval by the Planning Commission in September and did not approve the proposed text changes due to questions regarding Section 8.5 A.1. Specifically, it was noted that the proposed text limits a multiple family dwelling to a height of ‘three stories’ . . . but does not define the height of a ‘story’.

The Board noted that the ‘three story’ limit was an existing Ordinance standard that was retained in the rewrite of Section 8.5 A. clarifying design standards applicable to multiple family dwellings. Chairperson Lauderdale suggested that the matter could be resolved by adding ‘(35 feet)’ at the end of the provision. He stated that Township Attorney Thall had confirmed that such a change would not be beyond the original public hearing consideration and would not require an additional public hearing. Board members noted support of the proposed revision.

Chairperson Lauderdale then moved to modify the Planning Commission recommendation to amend Section 8.5 A.1. so as to add ‘(35 feet)’ at the end of the provision. The modified standard would read ‘*Multiple family dwellings shall not have a length greater than one hundred sixty (160) feet or a height greater than three (3) stories (35 feet).*’ Fry seconded the motion. The motion carried unanimously.

2. Dock Rental Issue (per AGS)

Gale provided an overview of the draft text provided by AGS that proposes an amendment to the definition of ‘Dwelling Unit’ set forth in Section 2.2 and an amendment to 17.2 B. – Boathouses and Dock Regulations. He referenced the memo provided to the Board that denotes text changes suggested in July (red), August (blue) and October (green).

Harvey opined that the proposed standards set forth in Subsections 5. and 6. are technically already accomplished through the Township's waterfront access lot standards set forth in Section 17.1 and the corresponding definitions of 'access lot' and 'access lot beneficiary'. She further noted that pre-existing situations would be considered lawful nonconforming uses or structures per Article 22 and the proposed Subsection 7. may not be necessary.

Lengthy discussion ensued regarding the ability to enforce the rental of dock space on a waterfront lot. (proposed Subsection 8.) Gale confirmed that the current text provides a mechanism for addressing clear-cut rental situations.

Harvey was then directed to compare the regulatory approach to docks and dock rentals employed by the other three (3) communities with Gull Lake waterfront property for Board consideration in November.

In further Board discussion of the existing definition of 'permanent resident', Harvey questioned the Township's ability and/or desire to regulate the rental of homes in the Zoning Ordinance. Snyder commented that the current standard limits the ability of the Township to move forward as a 'destination place' (tourism) and doesn't recognize the characteristics of a lake community.

Harvey was directed to review the noted provision with Township Attorney Thall for a legal opinion.

3. Screening Standards

Chairperson Lauderdale stated that the Board had reviewed examples of good screening standards (provided by Harvey) and had agreed that the general approach used in Table A. of the Genoa Township Zoning Ordinance was of interest. It was noted that the referenced ordinance provided both landscaping and screening standards in an appropriate level of detail.

As directed, Harvey had drafted text (using Table A. of the Genoa Township Zoning Ordinance as a reference) for Board consideration. Board discussion ensued wherein the following was noted:

- The Buffer Zone Requirements table was a desirable approach to determining the need for 'screening'.
- The reference to Neighborhood Commercial translates to C-2 District uses and General Commercial translates to C-1 District uses . . . should this be clarified?
- Is 'screening' necessary where 'multiple family', 'mobile home park', 'neighborhood commercial' or 'general commercial' uses are adjacent to a 'commercial or industrial district'? The proposed table applies a buffer zone requirement of ten feet with plantings every 20 feet along the property line.

- The 'Note' set forth in the Description of Required Buffer Zones table that authorizes Planning Commission waiver of screening requirements should be rewritten for clarity and to make more workable.

Harvey was directed to revise the draft text as discussed for Board consideration in November.

4. Conditional Rezoning

Chairperson Lauderdale referenced the conditional rezoning provision from the Prairieville Township Zoning Ordinance. Harvey provided an overview of the text and responded to questions regarding its application.

Board members expressed support for adding a conditional rezoning option to the Zoning Ordinance and for the specific language adopted by Prairieville Township.

Chairperson Lauderdale moved to accept for public hearing a proposed amendment to the Zoning Ordinance to incorporate a conditional rezoning provision (similar to the language adopted by Prairieville Township). Fry seconded the motion. The motion carried unanimously.

Harvey was directed to provide the draft text to Township Attorney Thall for preparation of the requisite ordinance for noticing.

5. Watershed Protection Strategies

Due to the lateness of the hour, discussion of the matter was postponed to the November meeting.

6. Recreation Plan

Chairperson Lauderdale reminded that the Commission had agreed that Fry (and the Parks Commission) will work to complete a recommended prioritization list that aligns with the Park grant for submission to the Commission after October. Due to the lateness of the hour, discussion of the matter was postponed to the November meeting.

7. Horse Boarding Facility

Due to the lateness of the hour, discussion of the matter was postponed to the November meeting.

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 met on October 7, 2015 and considered a request for variance approval from the 10% rear yard coverage requirement applicable to accessory buildings. He advised that the request was denied.

MEMBERS, CONSULTANTS, ADVISORS

Chairperson Lauderdale reminded Board members of the Joint Township Board/Planning Commission meeting scheduled for November 10, 2015. He stated that he will complete the draft of the 2015 PC Annual Report and provide to Board members for review/comment prior to the Joint Meeting.

Fry and Price reported on their recent attendance at an MSU seminar on 'urban sustainability'. They provided an overview of the topics covered and the related impacts on agricultural areas.

AGS reported on attendance at a local workshop on current land use/legislative issues presented by the Township's legal firm.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 9:02 p.m.

Respectfully Submitted,

Rebecca Harvey, AICP, PCP
Township Planning Consultant