

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
November 28, 2016**

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 **October 24, 2016** Planning Commission meeting minutes. Fry moved to approve the minutes as presented. Price seconded the motion. The motion carried unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Vince Carahaly stated that he is a member of the Southcentral Michigan Planning Council and serves on the Committee for the Region 8 Southwest Michigan Regional Prosperity Initiative (RPI).

NEW BUSINESS

1. Kalamazoo Metropolitan County Planning Commission Initiative to Adopt a Countywide Master Plan.

Planning Commission members received a one-page summary of the Kalamazoo Metropolitan County Planning Commission County Master Plan Initiative (KMCPCCMPI) and a one-page abstraction of the Ross Township Master Plan Summary compiled by Beckett & Raeder.

Lotta Jarnefelt, Director - Kalamazoo County Department of Planning & Community Development, provided an overview of the initiative. No Master Plan (MP) has been available for Kalamazoo County (KC) for greater than 30 years, thus the initiative is to produce a quality Master Plan. The Kalamazoo Metropolitan County Planning Commission initiative (KCMPI) is to collect MPs from all local governmental units and produce a consolidated MP for Kalamazoo County, identifying similarities and differences among the various local MPs. The Kalamazoo County Department of Planning & Community Development has no authority over local governmental units to direct local MPs or Zoning Ordinances. The Kalamazoo County MP is intended to be complementary to local MPs.

Vince Carahaley, Southcentral Michigan Planning Council, stated Beckett & Raeder was selected from three respondents to a Research Proposal to develop the inventory of local MPs. One objective of the project is to identify trends of commonality and lack thereof among local MPs. A second objective is to allow the County to compete more successfully for grant funds. The KCMP is not intended to compete with local MPs. MPs of neighboring townships in adjacent counties will also be inventoried. Recommendations set forth in the KCMP will not be binding to local governmental units. PC members were referred to the Grand Traverse MP which is being used as a guide in the development of the KCMP.

The Regional Prosperity Initiative *5-year Prosperity Plan - Volume 2* document was also presented to the Planning Commission for reference. The Plan will be located in the Township office. Carahaley provided an overview of the document and highlighted the following Asset Maps: community development investment programs; non-motorized transportation systems; public transit service areas; parks and recreational areas; % renter units affordable to 80% HAMFI; natural areas; school districts of SW Michigan; educational attainment; educational and related institutions; MI intercity bus service; MI rail road system; MI intercity passenger rail system; and freight movement. He noted that grant funds are available from the RPI for regional projects and could involve projects that extend into Ross Township.

Marisa Laderack, Beckett & Raeder, shared that the one-page abstraction of the Ross Township Master Plan Summary compiled by Beckett & Raeder is an extraction of the Ross Township MP Goals and Objectives. The one-page template is being applied by Beckett & Raeder to all township MPs for inclusion in the KCMP. The Summary should accurately reflect the vision set forth in the Ross Township MP. PC input on the content of the Summary is desired and should be directed to Marisa at Beckett & Raeder. It was agreed that communications to Marisa will be directed through the Ross Township Supervisor and PC Chair. Fry suggested attention to 'Parks & Recreation' and 'Transportation' as important additions to the Summary. PC members noted that the Summary will be reviewed/discussed at the January regularly scheduled meeting and requested revisions will be directed to respond to Marisa.

2. Does the ZO Sign Ordinance Need to be Re-Visited?

Lauderdale shared contents of an email received from Township Attorney Thall (dated November 11, 2016) suggesting that, in light of recent case law, he and Rebecca Harvey review Ross Township sign provisions and make recommendations to the PC on how to best proceed. Attorney Thall's email notes that the firm is working with attorneys from around MI to address sign ordinance pitfalls and recommend how to update current sign ordinances. Harvey reinforced Attorney Thall's perspectives regarding changes that have impacted sign ordinances and agreed that the Ross Township ordinances should be evaluated/revised for compliance.

Commission members agreed and suggested that it would also be the appropriate time to address the sign standard limitations recognized with the Cat Clinic sign proposal (ie. wall signs in the RR District), as well as electronic signs.

It was requested that Thall and Harvey work together to provide the guidance needed to correctly address sign ordinance changes for Ross Township.

UNFINISHED BUSINESS

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

Chairperson Lauderdale provided an overview of the matter, noting that a question had been raised regarding the requirement for a 'horse boarding or riding stable' to have 'access from a County primary road or State trunk line'. As a result of Board discussion, Harvey had been directed to review the noted standard and to research standards for similar facilities in area communities for Board discussion.

He noted that the report provided by Harvey set forth the following findings:

- Article 20, Item 1 requires *frontage on an existing or officially proposed road having a primary or greater classification or a township designated primary road* and **applies to 24 of the 46 special land uses** listed in Article 20, including *‘horse boarding or riding stables’*;
- Article 20, Item 13 B. 2. requires that *‘buildings and parking areas shall be provided with access from a County primary road or State trunk line’* for *‘horse boarding or riding stables’*;
- A similar **access** standard has been established for **only one other special land use** in the Township - - *‘earth removal, quarrying, gravel processing and mining’*;
- ‘Primary road’ is not defined in the Ross Township Zoning Ordinance.

Chairperson Lauderdale noted that Board members had agreed to review the standards applicable to the 46 special land uses listed in Article 20 in preparation for Board discussion.

Harvey noted that the lack of a definition of ‘primary road’ in the Ordinance was key. She explained that the Kalamazoo County Road Commission road classification scheme is more oriented toward funding than roadway function and may not be the appropriate guide for frontage and access requirements . . which tend to be premised upon use impacts and traffic volumes.

Lengthy discussion ensued regarding road classification systems and the merit of access and frontage standards as they relate to the 46 special land uses listed in Article 20.

It was determined that 1) the Ordinance should be amended to include a definition(s) of whatever roadway classification is to be referenced, and 2) that the 46 special land uses identified in Article 20 should be reviewed and an assessment made for each use regarding the merit of a frontage and/or access standard based on roadway classification. Commission members agreed to individually review and generate a recommendation for each use for discussion in January.

2. Article 22, Section 22.4 – Repair . . of Nonconforming Use or Building/Structure

Chairperson Lauderdale noted that the matter regarding the existing timelines for reconstruction of nonconformities had been discussed extensively at the October meeting. As a result of the discussion, revisions to Section 22.4 had been developed and are represented in the October 24, 2016 Planning Commission minutes.

Commission review of the draft text ensued wherein the following revisions were suggested:

‘A building permit must be ~~granted~~ **obtained** within twelve (12) months after the building/structure damage or destruction ~~and~~ Construction must be completed within eighteen (18) months ~~after the building/structure damage or destruction~~ **from the date the building permit was obtained**. Requests will be considered by and can be granted by the Zoning Administrator for a one-time six (6) month extension based on the circumstances in the request.’

Fry then moved to accept the draft text as revised for public hearing. Snyder seconded the motion. The motion carried unanimously.

3. Watershed Protection Strategies

Chairperson Lauderdale referenced the report titled ‘Master Plan (MP) and Zoning Ordinances (ZO) addressing Watershed Protection Strategies’ prepared as requested by the Planning Commission. The report represents a compilation of the reviews of the Master Plan and Zoning Ordinance conducted by Planning Commission members.

Through extensive Commission discussion, the following findings were noted:

- The Master Plan contains several sections that support watershed protection efforts . . but is missing key pieces.
- Nothing exists in the Zoning Ordinance that effectively implements watershed protection strategies.
- Both the Master Plan and the Zoning Ordinance have important gaps; amendments are needed.
- The Township will need to balance the ‘desired approach’ with the ‘practical application’ . . . the first step should be a determination of project scope.
- The project scope will depend on the appetite of the Planning Commission and Township Board to implement watershed protection strategies within the Township.
- The size of the project may require additional time outside of the regular meeting schedule to move forward; Township Board support of the project scope and budget is required.
- The 2011 Master Plan is ripe for the required 5-year review; the watershed protection related amendments could be done in conjunction with the review effort.
- 2017 could be targeted for the Master Plan related amendments; 2018 could be targeted for amendments to the Zoning Ordinance and/or other implementation measures.

It was then agreed that a special Planning Commission meeting would be scheduled for Tuesday, January 10, 2017 from 3:00 p.m. to 5:00 p.m. for development of the project scope. It was noted that the project scope could then be discussed at the upcoming Joint Township Board/Planning Commission meeting to determine support for the effort and related budget.

REPORT FROM TOWNSHIP BOARD

In the absence of Scott, no Township Board report was presented.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale stated that the Zoning Board of Appeals did not meet in November but is scheduled to meet in December to consider a variance request from the minimum lot width/frontage and lot width to depth ratio requirements.

MEMBERS, CONSULTANTS, ADVISORS

Fry reported that the fundraising effort for the KRVT met the \$400,000 goal and that the engineering of the trail has been initiated. He noted that Phase 1 will include the trail segment that extends from 35th Street to Galesburg-Augusta High School and that Phase 2 will complete the trail as it extends from the High School to Gull Lake.

Pierce advised that Lot 2 of Gull Pointe Harbor has been sold. Gale stated that no building permit application has been received. He confirmed that no building permit will be issued until all of the conditions of site plan approval have been met.

Largent advised of an upcoming workshop sponsored by the Township Attorneys regarding the Medical Marijuana Act and encouraged Commission members to attend.

Gale suggested Commission review of Section 23.12 – Time Limits (on variance approval) in light of the proposed amendments to Section 22.4.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 9:05 p.m.

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