

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
November 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
Russell Fry`
Greg Pierce
Jeff Price
Sherri Snyder
Jesse Zamora

Absent: Victor Ezbenko

Also present: Kelly Largent, AGS – Township Zoning Administrator
Bert Gale, 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 **October 23, 2017** 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

No public comment on non-agenda items was offered.

NEW BUSINESS

1. Public Hearing – Zoning Ordinance Amendment

Section 16.7 A.3. – Depth to Width Ratio Requirement

Chairperson Lauderdale opened the public hearing. He gave an overview of the proposed amendment, noting that Section 16.7 A. 3. establishes a 4 to 1 depth to width ratio requirement for both platted lots and parcels (of less than 10 acres in area). Chairperson Lauderdale explained that a depth to width ratio requirement is already set forth in the Land Division Act and Ross Township’s Land Division Ordinance and that it has been determined that there is no need to establish such a requirement in the Zoning Ordinance as well. To that end, a repeal of Section 16.7 A.3. is proposed.

Harvey added that it is unusual to apply a depth to width ratio requirement to platted lots, so removing Section 16.7 A. 3. would also correct that application.

No public comment was offered on the matter. Chairperson Lauderdale stated that no written correspondence had been received regarding the proposed amendment. He then closed the public comment portion of the public hearing.

Price moved to recommend approval by the Township Board of the proposed amendment to the Ross Township Zoning Ordinance as set forth in the November 27, 2017 Public Hearing Notice. Fry seconded the motion. The motion carried unanimously.

2. Request for Extension of Site Plan Approval – GLSWA

Chairperson Lauderdale stated that GLSWA requests a 6-month extension of the site plan approval granted on January 23, 2017 for the construction of a 38 ft x 62 ft building for additional office space and equipment/vehicle storage at 7722 North 37th Street.

Largent referenced the application letter from GLSWA and provided an overview of the request. She noted that Section 21.10 states that ‘site plan approval shall be valid for a period of one year’ and that ‘one six-month extension’ may be granted after review of the request by the Planning Commission.

Rich Pierson, GLSWA Director, was present on behalf of the application. He stated that the project had experienced cost over-runs and so progress had been halted to allow for a reorganization of funds. Pierson noted that the approval deadline extended to January 23, 2017 . . and that they are slated to begin construction in January . . but are requesting an extension to avoid the possibility of the approval expiring.

In response to Commission questions, Pierson stated that no changes to the originally approved site plan are proposed.

Pierce moved to grant the requested 6-month extension to the site plan approval granted to GLSWA on January 23, 2017 for the construction of a 38 ft x 62 ft building at 7722 North 37th Street. Price seconded the motion. The motion carried unanimously.

3. Medical Marihuana Facilities

Chairperson Lauderdale advised that on November 14, 2017 the Township Board adopted Ordinance No. 205 authorizing the operation of the following medical marihuana facilities within Ross Township: Growers; Processors; Safety Compliance Facilities; and, Secure Transporters. He noted that the Ordinance does not authorize the operation of Provisioning Centers in the Township.

Chairperson Lauderdale referenced Ordinance No. 205 and explained that there is now a need for the Planning Commission to develop appropriate Zoning Ordinance provisions to address these facility options. He added that said zoning provisions should ideally be ready for adoption within the next 60 – 90 days to facilitate the timeline of the application process.

Price added that LARA is currently working on the State regulations applicable to these facilities but that same have not yet been published. He noted that they are not estimated to be completed before the end of the year so likely will not be available prior to the Township's development of zoning standards.

Attorney Thall provided an overview of the State's application process and timeline. He noted that the State will begin to process applications starting on December 15, 2017. The Township will be required to advise the State of all applicable zoning standards during this process.

He further noted that Ordinance No. 205 goes into effect on December 20, 2017 and requires that all authorized medical marihuana facilities comply with the Township's Zoning Ordinance. At that time prospective applicants will need to know what zoning standards apply before the time and funds are spent on the application process with the State.

Attorney Thall advised that the Township is working within a 'tight window' for the development of the necessary zoning standards. To that end, the Planning Commission may want to consider holding a special work session in December in order to facilitate a public hearing on proposed amendments in January.

Planning Commission discussion with staff ensued wherein the following was noted:

- Ordinance No. 205 allows unlimited authorized facilities . . plus the State allows stacking of licenses . . which could result in a single large facility or several facilities on a single site.
- Should the Township aim to separate facilities or does it make sense to promote the clustering of these facilities within the Township?
- The zoning standards could establish spacing requirements from schools and parks . . though such spacing standards are more typical for Provisioning Centers.
- LARA has taken the position that Grower Facilities are commercial activities and are not subject to The Right to Farm Act GAAMPS.
- Ordinance No. 205 already authorizes medical marihuana facilities within the Township. Opposition to any proposed zoning standards would not impact that authorization.
- Many concerns related to medical marihuana facilities, such as waste disposal or emissions, will likely be addressed in the State’s regulations.
- Though Ordinance No. 205 and related zoning standards will be addressing only medical marihuana facilities, the ordinances can be easily amended if recreational marihuana becomes legal in the future.

Following discussion, it was determined that a special Planning Commission meeting would be scheduled for Monday, December 18, 2017 at 1:00 p.m. to consider proposed amendments to the Zoning Ordinance for the regulation of the medical marihuana facilities authorized by Ordinance No. 205.

Further, Attorney Thall and Harvey were directed to work together toward the development of draft text for consideration by the Planning Commission at the December 18, 2017 special meeting.

4. Brook Lodge – AGS Update

Largent advised that the subject property is currently under contract for purchase with discussion ongoing regarding use potential. She noted that the property/structures have not been in use for 10 years.

UNFINISHED BUSINESS

1. Discussion – Placemaking/Destination Zoning

Chairperson Lauderdale referenced Planning Commission discussion in October regarding the proposed Recreation & Resort Overlay District Outline vs. the use of the PUD option to foster ‘destination-based’ land use arrangements. He noted that the Planning Commission had expressed a preference for the Recreation & Resort Overlay District approach and directed Harvey to develop draft text for consideration in November.

Harvey referenced the draft Recreation & Resort Overlay District dated November 27, 2017. She provided an overview of the draft text, explaining how the overlay district would be applied.

Jon Scott stated that he supports the use of an overlay approach but encourages that such a district is designed to allow for the creation of a mixed-use community on a condensed level.

Planning Commission discussion of the draft text ensued wherein the following was noted:

- 'Resorts' should be defined to clearly include nonresidential elements (i.e. commercial or retail operations);
- The 'lodging' component of a resort operation should be clarified to not be restricted to residential housing.
- Explore allowing dock and boat launch opportunities for waterfront facilities.
- Confirm the accuracy of section numbers referenced in the text.

It was agreed that the draft text would be scheduled for continued discussion in January.

2. Watershed Protection Strategies

Chairperson Lauderdale noted that the matter continues to be 'on hold' at this time.

3. Sign Ordinance

Harvey and Thall reported that MTA's model ordinance has not yet been released and that the review of draft sign ordinance remains on hold.

4. Planning Commission Budget

Chairperson Lauderdale distributed copies of the adopted 2017-2018 Planning Commission Budget, noting discussion of the 2018-2019 Budget Request will be scheduled for the January meeting.

REPORT FROM TOWNSHIP BOARD

Price reported that the main issue before the Board has been the Medical Marihuana Facilities Ordinance. He noted that the recent joint meeting with the Kalamazoo County Road Commission was productive.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale reported that the Zoning Board of Appeals did not meet in November and is not scheduled to meet in December.

MEMBERS, CONSULTANTS, ADVISORS

Chairperson Lauderdale reported that the Joint Township Board/Planning Commission meeting was held on November 14, 2017, wherein the Planning Commission 2017 Annual Report and 2018 Work Plan were discussed and accepted.

Fry reported that the Ross Township Park Master Plan was presented at the Joint Meeting and was well received by both bodies. He noted that the proposed Plan is consistent with the Township's Parks & Recreation Plan and incorporates watershed protection strategies.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 8:33 p.m.

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