

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
August 27, 2018**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the regular 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
Mark Markille
Greg Pierce
Sherri Snyder

Absent: Victor Ezbenko
Mike Bekes

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

Chairperson Lauderdale welcomed new Planning Commission member Mark Markille and shared that Mike Bekes, recently appointed to the Township Board, will join the Planning Commission as the new Township Board liaison.

APPROVAL OF AGENDA

Chairperson Lauderdale noted the addition of Item 4) – Comparison of Meeting Procedures under New Business. The agenda was then approved as modified.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **July 23, 2018** regular Planning Commission meeting minutes. Pierce moved to approve the minutes as presented. Fry seconded the motion. The motion carried unanimously.

NEW BUSINESS

1. Article 15 – Maximum Lot Coverage Requirement (% of Rear Yard) – applicable to Accessory Buildings

Chairperson Lauderdale clarified that New Business Item 1) – Lot Coverage Per Dwelling is the same discussion item as the matter to be discussed (reflected in the agenda as Item 2) and so can be removed from the agenda.

He explained that review of the maximum rear yard coverage requirement applicable to accessory buildings was requested by staff as a result of recent questions of application.

Harvey referenced the Text Amendment Memo dated August 27, 2018 and explained that the definition of ‘rear yard’ on a corner lot is unclear in the Ordinance, creating problems with the application of the rear yard lot coverage standard. She noted three (3) zoning diagrams provided that illustrate three (3) different definitions of ‘rear yard’, all of which comply with the current definition of ‘rear yard’ in the Zoning Ordinance.

Largent and Gale of AGS explained that recent accessory building proposals have also generated the following additional questions in the application of the rear yard lot coverage standard set forth in Article 15:

- Is an accessory building subject to both the maximum lot coverage and maximum rear yard coverage requirements?
- In calculating % of rear yard coverage, is only that portion of the accessory building located within the rear yard counted, or is the total size of the accessory building used?
- What constitutes the ‘rear yard’ on a vacant lot?

Largent added that the ‘rear yard’ illustration set forth in Diagram 2 (in the Memo) reflects the current practice of how ‘rear yard’ is being defined.

Lengthy Planning Commission discussion ensued regarding the questions raised; the intent of the ‘rear yard’ lot coverage standard; and, how the ‘yard’ definitions are applied to through lots, corner lots, waterfront lots, standard lots and vacant lots.

Harvey was directed to provide draft text that would set forth the following for review in September:

- clarify that both maximum lot coverage and maximum rear yard coverage requirements apply to accessory buildings;
- clarify that only that portion of the accessory building located within the rear yard is counted in calculating % rear yard coverage, and,

- include a diagram that reflects both ‘yards’ and ‘lot lines’ as they apply to corner, through, waterfront, standard, and vacant lots.

2. Article 16.1 – Limitations on All Land and Structures

Chairperson Lauderdale stated that review of Section 16.1 B. was scheduled to reconsider the current limitation of ‘not more than one (1) principal use on any one (1) lot’.

Harvey referenced the Text Amendment Memo dated August 27, 2018 and noted that the current standard does not recognize that multiple family residential and nonresidential land use often involves more than one (1) principal building and/or principal use on a lot.

She noted that the proposed revisions to Section 16.1 B. both removes the limitation of ‘not more than one (1) principal use on any one (1) lot’ and recognizes that a ‘two family dwelling’ is not necessarily a ‘semi-detached dwelling’ and that a ‘duplex’ is another term for semi-detached dwelling, not ‘two family dwelling’.

Fry questioned if the proposed revision to Section 16.1 B. would impact the standard that allows only one (1) single family dwelling per lot. It was noted that Section 16.1 B. would continue to establish that standard.

The Planning Commission accepted the proposed revisions to Section 16.1 B. and requested that the draft text be held for public hearing.

3. Comparison of Meeting Procedures

Chairperson Lauderdale introduced the document prepared by Planning Commission member Snyder that compiles the adopted meeting procedures of many townships in SW Michigan.

Snyder expressed her frustration during the past months while considering the medical marihuana facility ordinance/proposals with the general lack of understanding by the public regarding general rules of procedure in the conduct of public meetings. She stated that she researched the rules of procedure applied in surrounding and similar local units of government and compiled information specifically as it relates to the receipt of public comment; public conduct during meetings; consequences for failure to comply with adopted rules of procedure; and meeting minutes. Snyder added that she also inquired as to current issues facing these communities.

Snyder noted that for each community listed in the document she spoke directly with the supervisor or clerk of that township. She also clarified that this exercise was completely self-directed but that she wanted to share the results of her inquiry.

Snyder offered the following observations and findings:

- Ross Township is fortunate in that Township Hall offers consistent office hours; Township staff is readily available to residents/applicants; and, meeting minutes are accessible on the Township's website.
- Ross Township meeting procedures follow guidelines recommended by Michigan Township Association (MTA).
- The lack of public comment policy and the availability of police coverage are issues currently facing some of the communities surveyed.

Snyder stated that she would like to see things get back under control in Ross Township so that the boards/commissions are able to resume the efficient conduct of business and to begin to achieve progress again on agenda items. To that end, she suggested that the Township establish and put into place a public comment policy and that the policy is set forth on each meeting agenda.

Snyder then moved to recommend that the Township Board establish and adopt a public comment policy for Township meetings and that said policy be reflected on meeting agendas. Chairperson Lauderdale seconded the motion. The motion carried unanimously.

Fry thanked Snyder for her efforts to contact so many local units of government and to obtain so much data for consideration. He agreed that effective communication tools are needed.

Snyder opined that a good sound system at meetings and a good method of disseminating information are needed in the Township.

UNFINISHED BUSINESS

1. Discussion – RT/RC Resort/Recreation District

Chairperson Lauderdale referenced Planning Commission discussion in July on the draft Resort/Recreation District. He noted that following Planning Commission review and discussion of the draft text dated July 23, 2018, Harvey was directed to revise the draft text as follows for consideration in August:

- 1) Add a definition of 'temporary residence'.
- 2) Revise Section 18.6 to improve the application of screening/buffer requirements within the proposed District.

- 3) Provide additional information to allow for further discussion of the minimum district size standard (Section 14.6 A.) and comparison with the dimensional requirements applicable within the other districts.

Harvey referenced the updated draft of the Resort/Recreation District dated August 27, 2018. She noted the updated text reflects a minor change to Section 14.3 H. to provide a definition of 'temporary residency' and Article 15 dimensional requirements for the AG, R-R, R-3 and I-1 have been added to the chart for the proposed RT/RC District to allow for a comparison of the proposed standards with the standards of comparable districts.

Harvey also provided an overview of how lot coverage and lot size standards are used to achieve desired densities; the purpose a minimum district size standard would serve; and, how the conditional rezoning option could be used in applying the RT/RC District.

Lengthy Planning Commission discussion ensued wherein the following findings were noted:

- the proposed revision to Section 14.3 H. is acceptable;
- the proposed revisions to Section 18.6 effectively apply the screening standards within the RT/RC District;
- there is not a need to establish a minimum district size standard given the presence of other controls in place to optimize district placement/configuration; delete Section 14.6 A.;
- the proposed dimensional standards for the RT/RC District are comparable to those applicable within the I-R District;
- there are questions regarding the appropriateness of the dimensional standards (ie. is 40% lot coverage too high; is there a need for a lot size minimum given applicable design standards; can the setback requirements be met on a 2 acre lot; etc.).

Harvey was then directed to have a rendering (drawing) prepared that would illustrate how the application of the design standards of the proposed RT/RC District might look on a parcel . . similar to what was prepared in the review of the C-1 Bay Commercial District. It was noted that the C-1 District rendering was very helpful in confirming the adequacy of the district's standards and in illustrating what site design would be allowed.

Chairperson Lauderdale suggested that the draft RT/RC District, accompanied by the requested district rendering, be moved first to a public discourse forum before a public hearing is scheduled. Planning Commission members expressed support for such a forum, as was held for the C-1 Bay Commercial District.

A review of the requested rendering was tentatively scheduled for the October meeting.

2. Master Plan Update

Chairperson Lauderdale stated that the recommendations of the Master Plan Review Committee and the cost estimates received for a full update and a minor update were presented to the Township Board.

He advised that the Township Board approved the cost proposal presented by Harvey for the minor update of the Master Plan consistent in scope with the recommendations of the Master Plan Review Committee and that Harvey is authorized to begin work on the update.

3. Watershed Protection Strategies

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

4. Sign Ordinance

Chairperson Lauderdale noted that the draft sign ordinance remains 'on hold'.

REPORT FROM TOWNSHIP BOARD

No Township Board report was offered.

REPORT FROM ZONING BOARD OF APPEALS

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

PUBLIC COMMENT

Tim Walters suggested that LEED (Leadership in Energy and Environmental Design) standards be incorporated into the draft text for the RT/RC District.

Stan Sager requested that the RT/RC District not allow mud racing or snowmobile racing events.

A speaker expressed appreciation with the Planning Commission's willingness to engage in public discourse on the draft RT/RC District and suggested that a listing of the positives/negatives of the district be developed to frame the discussion.

A speaker requested that the Township use a projector at meetings to display meeting material for public viewing during discussion.

MEMBERS, CONSULTANTS, ADVISORS

Fry noted that three (3) Truck & Tunes events were held this summer at the Township Park with a combined attendance of approximately 350 people. He noted that the events have been successful in promoting use of the Park.

Chairperson Lauderdale and Fry announced their absences at the September meeting.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 8:57 p.m.

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