

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
July 22, 2019**

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: Chairperson Lauderdale
Mike Bekes
Mark Markillie
Michael Moore
Pam Sager
Sherri Snyder
Mike Sulka

Absent: None

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

APPROVAL OF AGENDA

Chairperson Lauderdale noted that Unfinished Business Item #1 will include discussion on draft text of Section 19.3 only; reference to Section 18.4 D.4. should be removed. The agenda was approved as amended.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **June 24, 2019** regular Planning Commission meeting minutes. Bekes moved to approve the minutes as presented. Snyder seconded the motion. The motion carried unanimously.

NEW BUSINESS

Chairperson Lauderdale noted that no New Business or Public Hearing Item was scheduled for consideration.

UNFINISHED BUSINESS

1. ZO Text Amendment – Section 19.3

Chairperson Lauderdale reminded that two draft text options designed to collapse and clarify the nine special land use standards set forth in Section 19.3 had been presented for Commission consideration in April. He noted that, following discussion in June, there was a general consensus that the proposed amendments would improve understanding of the special land use approval process but that there was a lack of consensus on the optional text offered. Based on the review comments received, it was agreed that Sulka, Sager and Moore would work together to develop a consensus document for presentation at the July meeting.

Sager referenced draft text Option #3 and provided an overview of the modified elements. Lengthy Commission discussion ensued wherein the following was noted:

: One of the objectives of amending Section 19.3 is to eliminate the repetitive nature or redundancy of some of the criteria; Option #3 does not totally address this objective.

: What is the difference between ‘land use’ and ‘activity’ as set forth in the criteria? Is there a need to define these terms? Harvey explained that the phrase ‘proposed land use or activity’ is directly from the Michigan Zoning Enabling Act. She reminded that improving consistency with State law was another objective of the proposed amendment of Section 19.3.

: Impacts to the ‘character of the area’ by a proposed special land use is an important consideration; is there harm in repeating this standard throughout the criteria?

: Can the criteria specifically prohibit a use that will ‘create additional requirements at public cost’? Related text previously suggested by Attorney Thall was revisited.

Harvey noted that she reviewed the questions/comments from the April and June discussions and moved forward with developing draft text that would respond to the issues raised to date. She distributed new draft text Option #4 and noted that it is compact and succinct; does not include repetitive criteria; and, is specifically linked to statutory language.

Review/discussion of draft text Option #4 ensued. Commission members agreed that the draft text represents a good blend of Options #1, #2 and #3 and reflects the agreements reached on each of the provisions set forth in Option #3.

Bekes then moved to accept the proposed amendments to Section 19.3 – Criteria for Decision set forth in draft text Option #4 and the proposed amendments to Section 18.4. D. set forth in draft text dated April 22, 2019 for public hearing. Snyder seconded the motion. The motion carried unanimously.

Chairperson Lauderdale praised the depth of the discussion on this topic which has allowed the Commission to move forward with unanimity.

2. Master Plan Update

Harvey reported that solid progress has been made on the requested updates to the Master Plan. She noted that a preliminary draft of the updated Plan is tentatively scheduled to be ready for discussion in August.

Sulka then distributed a report on the expenses of the Planning Commission in 2019 to date (April – June). It was noted that the budget for the Master Plan Update was **previously** approved. ~~separate from the Planning Commission Annual Budget.~~ In response to questions, Sulka noted that he could not confirm if the report reflects escrow fee payments of costs incurred. It was agreed that such data would be helpful and could greatly impact quarterly numbers.

3. Solar Energy

Chairperson Lauderdale reminded that there had been support for placing the item ‘solar energy facilities’ on the 2019-2020 Planning Commission Work Plan, and that Commission members had subsequently expressed interest in reviewing sample ordinances from area communities regarding solar energy facilities.

Harvey provided an overview of the resource material. ~~and sample ordinances provided.~~ She reviewed the general approach used by area communities in the regulation of solar energy facilities.

Snyder inquired regarding the code (building; electrical, etc) requirements applicable to solar energy facilities. Gale responded that the building code will require a building permit for the installation of a solar energy facility and that code regulations will apply.

General Commission discussion ensued wherein the following was noted:

: there is support for allowing solar panels as accessory structures for individual properties in all zoning districts

: concern was originally expressed regarding solar farms, but does this require a rethink? (ie, is there a demonstrated need; are certain areas appropriate for such a use; would standards effectively address impact concerns)

: if individual solar panels are currently allowed (as an accessory use) with the appropriate permit, is there an urgency to this topic

: an amendment to the Zoning Ordinance to specifically provide for solar panels would allow the implementation of design and locational standards to address aesthetic concerns

: there does not appear to be an interest or need to address solar farms at this time

It was then agreed that further discussion of ‘solar energy facilities’ will be placed on hold at this time.

4. Sign Standards

Chairperson Lauderdale noted that the necessary amendment of the sign ordinance to respond to the Supreme Court decision requiring content-neutral sign regulations has been ‘on hold’ since 2018 pending receipt of an expected ‘model sign ordinance’ from MTA. Upon recognition that the ordinance is no longer slated for release, he noted that the Commission had agreed to begin review of the draft sign regulations prepared by Harvey in 2018.

It was noted that not all Commission members had received the draft sign regulations that were redistributed in May, 2019. It was agreed that the document would be reissued for the August meeting.

Due to the lateness of the hour, discussion regarding the topics of GAAMPS and Chickens in Residential Districts and Plats was postponed.

REPORT FROM TOWNSHIP BOARD

Sulka reported on matters under consideration by the Township Board, specifically noting that: 1) the Board has discussed the topic of ‘chickens in residential districts and plats’ and that he will provide feedback at such time as the matter is considered by the Commission; and 2) the Board has received negative feedback from Township residents on the topic of short-term rentals and related nuisance factors.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale noted that the Zoning Board of Appeals met on July 10, 2019 and considered variance requests from applicable setback and lot coverage requirements (845 Fairview) and the maximum building height standard (2878 Burlington). Both variance requests were granted after findings of justification per Section 23.8.

PUBLIC COMMENT

No public comment was offered.

MEMBERS, CONSULTANTS, ADVISORS

Chairperson Lauderdale reiterated his appreciation for the depth and compatibility of discussion by the Commission on all agenda items.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 9:00 p.m.

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