

ROSS TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN

NOTICE OF SPECIAL PLANNING COMMISSION MEETING
PUBLIC HEARING ON ZONING ORDINANCE TEXT AMENDMENTS

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF ROSS,
KALAMAZOO COUNTY, MICHIGAN, AND ALL OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that the Ross Township Planning Commission will hold a special meeting on January 8, 2018 at 7:00 p.m. at the Ross Township Hall located at 12086 M-89 within the Township of Ross, Kalamazoo County, Michigan which will include the following:

1. A public hearing on proposed Ross Township Zoning Ordinance text amendments to add the following:
 - a. Definitions in Section 2.2 regarding a Commercial Medical Marijuana Facility including a Grower Facility, Processor Facility, Safety Compliance Facility and Secure Transporter Facility.
 - b. Certain new special land uses in the AG Agricultural Preservation District, Section 4.3, for a Grower Facility – Class A, Class B and Class C and a Processor Facility, when located on the same site as a Grower Facility.
 - c. Certain new special land uses in the R-R Rural Residential District, Section 5.3 for a Grower Facility – Class A, Class B and Class C and a Processor Facility, when located on the same site as a Grower Facility.
 - d. Certain new special land uses in the I-R Restricted Industrial District, Section 12.3 for a Grower Facility – Class A, Class B and Class C, Processor Facility, Safety Compliance Facility and a Secure Transporter Facility.
 - e. Article 20 – Standards Required of Special Land Uses for a Commercial Medical Marijuana Facility and a new item 35 therein containing required standards for and specific required items for review of a special land use request for Commercial Medical Marijuana Facilities.
2. Such other and further matters as may properly come before the Planning Commission.

Written comments concerning the above matters may be mailed to the Ross Township Clerk at the Ross Township Hall at any time prior to the public hearing/meeting, and may further be submitted to the Planning Commission at the public hearing/meeting.

The tentative text of the proposed Zoning Ordinance text amendments, and the Ross Township Zoning Ordinance/Map/Land Use Plan may be examined by contacting the Ross Township Clerk at the Township Hall during regular business hours on regular business days maintained by the Township offices from and after the publication of this Notice and until and including the day of the hearing/meeting, and further may be examined at the hearing/meeting.

Ross Township will provide necessary reasonable auxiliary aids and services at the meeting/hearing to individuals with disabilities, such as signers for the hearing impaired and audiotapes of printed materials being considered, upon reasonable notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township Clerk.

Ross Township Planning Commission
By: Jim Lauderdale, Chair

Norm Kellogg
Ross Township Clerk
12086 M-89
Richland, Michigan 49083
269-731-4888

ROSS TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN

AFFIDAVIT OF POSTING

On December _____, 2017, I (or my designee) conspicuously posted at the Ross Township Hall (and on the Township website) a copy of the Notice of the January 8, 2018 Ross Township Planning Commission meeting and public hearings.

Norm Kellogg

Subscribed and sworn before me this _____ day of December 2017.

Notary Public, State of Michigan, County of _____

My Commission Expires: _____
Acting in County of _____

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Text Amendment: Commercial Medical Marihuana Facility

Section 2.2---Definitions of Terms

- Commercial Medical Marihuana Facility (or Facility): the term may include any of the following:
 1. Grower Facility, as that term is defined in the Medical Marihuana Facilities Licensing Act (MMFLA) and authorized by Ordinance No. 205.
 2. Processor Facility, as that term is defined in the MMFLA and authorized by Ordinance No. 205.
 3. Safety Compliance Facility, as that term is defined in the MMFLA and authorized by Ordinance No. 205.
 4. Secure Transporter Facility, as that term is defined in the MMFLA and authorized by Ordinance No. 205.

ARTICLE 4 – AG AGRICULTURAL PRESERVATION DISTRICT

Section 4.3---Special Land Uses

- L. Grower Facility – Class A, Class B and Class C.
- M. Processor Facility, when located on the same site as a Grower Facility.

ARTICLE 5 – R-R RURAL RESIDENTIAL DISTRICT

Section 5.3---Special Land Uses

- V. Grower Facility – Class A, Class B and Class C.
- W. Processor Facility, when located on the same site as a Grower Facility.

ARTICLE 12 – I-R RESTRICTED INDUSTRIAL DISTRICT

Section 12.3---Special Land Uses

- D. Grower Facility – Class A, Class B and Class C.
- E. Processor Facility.

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- F. Safety Compliance Facility.
- G. Secure Transporter Facility.

ARTICLE 20 – STANDARDS REQUIRED OF SPECIAL LAND USES

SPECIAL LAND USE

MINIMUM REQUIRED STANDARDS

Commercial Medical Marihuana Facility 35

Item 35. Commercial Medical Marihuana Facilities

- A. A Commercial Medical Marihuana Facility may be authorized to operate within the Township by the holder of a state operating license, pursuant to PA 281 of 2016, as may be amended, the Rules promulgated thereunder, and all applicable local ordinances.
- B. No Commercial Medical Marihuana Facility shall be located within 500 feet of any school or public park/playground, with the minimum distance between uses measured between the Facility and the nearest property line of the school or public park/playground.
- C. Outdoor trash containers or dumpsters may be required to control the disposal of waste or by-products from any facility operation. When required, an outdoor trash container or dumpster shall be subject to the following:
 - 1. The placement of the container shall be subject to site plan review.
 - 2. Adequate vehicular access shall be provided to the container which does not conflict with the use of the parking areas or access drives.
 - 3. All containers shall rest on a concrete pad.
 - 4. A solid ornamental screening wall or fence shall be provided around all sides of the container and shall include an access gate. The screening wall or fence and gate shall be of sufficient height to completely screen the container.
 - 5. The container, screening wall or fence, and gate shall be maintained in a neat and orderly manner, free from debris.

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- D. A Commercial Medical Marihuana Facility shall be reviewed in consideration of the following:
1. Lighting – The placement and arrangement of outdoor lighting serving the facility shall provide adequate security and comply with the purpose, objectives and standards set forth in Section 18.3 – Outdoor Lighting.
 2. Noise – Noise and vibration shall be minimized in their effect upon the surrounding area by the utilization of modern equipment designed to accomplish such minimization and the use of walls and vegetative buffers/screens.
 3. Odor – Odor shall be minimized in its effect upon the surrounding area by the utilization of a modern odor control system designed to accomplish such minimization and operational procedures.
 4. Environmental – Information on the storage and use of products, water and energy consumption, and waste disposal associated with a facility will be required to allow for an assessment of potential impacts on the site and surrounding area and the applicability of state and local regulations.
 5. Traffic – A facility shall be located in consideration of the ingress/egress, loading and travel patterns of the traffic associated with the operation of the facility, with specific attention toward avoiding the creation of traffic through a predominantly residential area.
 6. Security – Security measures, such as fencing, access controls, and video surveillance, will be considered in determining the ability of the facility to adequately provide for public safety.
 7. Impact on Neighboring Property – Barriers and/or buffers, facility separations, and/or operational requirements may be applied to minimize identified injurious or annoying impacts on surrounding properties.

BAUCKHAM, SPARKS, THALL, SEEBER & KAUFMAN, P.C.

ATTORNEYS AT LAW

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JOHN H. BAUCKHAM
1923 - 2015

HARRY F. SMITH
1906 - 1972

OF COUNSEL
KENNETH C. SPARKS
MICHAEL D. SCHLACK

December 19, 2017

Toni Ponzio
legalads@mlive.com

Re: Ross Township Notice of Planning Commission Meeting and
Public Hearing For Publication in the Kalamazoo Gazette

Dear Ms. Ponzio:

Enclosed is a Public Hearing Notice which is being sent to you for publication in the Kalamazoo Gazette on Saturday, December 23, 2017.

After publication, please forward one Affidavit of Publication along with your statement for same to Norm Kellogg, Clerk, Ross Township, 12086 M-89, Richland, MI 49083 and forward one Affidavit of Publication to the undersigned.

Thank you for your assistance in this matter. Please give me a call if you have any questions or problems.

Sincerely,

**BAUCKHAM, SPARKS, THALL,
SEEBER & KAUFMAN, P.C.**



Robert E. Thall

RET/ser
Enclosure

cc: Norm Kellogg, Ross Township Clerk
Jim Lauderdale, Planning Commission Chairman