

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
February 23, 2015**

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
 Greg Pierce
 Sherri Snyder

Absent:
 Russell Fry
 Jon Scott
 Jeff Price

Also present: Bert Gale, AGS – Township Zoning Administrator

APPROVAL OF AGENDA

The agenda was reviewed and approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Board then proceeded with consideration of the **January 26, 2015** Planning Commission meeting minutes. Snyder moved to approve the minutes as presented. Pierce seconded the motion. The motion carried unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

No public comment on non-agenda items was offered.

NEW BUSINESS

Public Hearing – Zoning Ordinance Text Amendments

Chairperson Lauderdale opened the Public Hearing. He stated that the required notification had been completed to allow for Board consideration of the following amendments related to the Planning Commission recommended Zoning Ordinance text amendments.

Additionally, he gave an overview of the May 8, 2014 communication from Attorney Rolfe addressing 1) implications of April 14, 2014 Right to Farm Act GAAMPS for new and expanding livestock facilities and 2) implications of March 2014 Right to Farm Act GAAMPS for farm markets. He reviewed Attorney Rolfe's recommendation to address roadside stands, farm markets, and farmer's market, but not to continue to address GAAMPS for new and expanding livestock facilities since the State Legislature was continuing debate and these regulations most likely would change again in 2015. Lauderdale reviewed Planning Commission meeting discussions were held during June, July, August, September, October and November 2014 meetings regarding the Text Amendments, leading to the January 2015 meeting where the proposed Zoning Ordinance Text Amendments were accepted for Public Hearing.

The following Zoning Ordinance Text Amendments were the subject of the Public Hearing:

1. Proposed amendment of Article 20, Standards Required of Special Land Uses, Item 5, as relates to the setback requirements for golf courses from adjacent residential district residentially used properties;
2. Proposed amendment of Article 20, Item 16B, as relates to Golf Courses, Parks and Playgrounds, to add golf course maintenance buildings (not including storage buildings) to list of uses required to meet required setbacks;
3. Proposed amendment of Article 20, Item 17, by deleting existing Item 17 (Group Care Facility) and adding new Item 17, Farmer's Markets, regulating the operation of farmer's markets;
4. Proposed amendment of Article 20, Item 29 (B)(10), as relates to Approval Standards for Youth Soccer Practice Field facilities, by adding a building for a public restroom as an allowed structure;
5. Proposed amendment of Article 20, Item 29 (B)(13), as relates to Approval Standards for Youth Soccer Practice Field facilities, by adding new subsection (13) requiring that adequate public restrooms shall be established and maintained;
6. The proposed amendment of Article 16, Section 16.1, as relates to Limitations on All Land Structures, by adding a new subsection (D), which provides that where a single lot is divided by a public or private road, the lot shall be treated as a single lot in the application of the use provisions, but as separate lots in the application of lot coverage, setback and yard area requirements;
7. The proposed amendment of Article 2, Section 2.2, to add definitions of Roadside Stand, Farm Market and Farmer's Market;

8. The proposed amendment of Article 4, Section 4.2, Agricultural Preservation District, Permitted Uses, adding new subsections (J) and (K), with new provisions related to roadside stands and farm markets;
9. The proposed amendment of Article 4, Section 4.3, Agricultural Preservation District, Special Uses, revising 4.3(A) to refer to Farmer's Market;
10. The proposed amendment of Article 5, Section 5.2, Rural Residential District, Permitted Uses, adding new subsections (J) and (K), with new provisions related to roadside stands and farm markets.

No public comment was offered. Chairperson Lauderdale stated no written review comments had been received regarding the proposed Zoning Ordinance Text Amendments. Chairperson Lauderdale closed the public comment portion of the public hearing.

Planning Commission members and Bert Gale discussed and agreed Lauderdale had adequately addressed each of the Text Amendments in his review.

Pierce moved to recommend approval by the Township Board of the proposed Zoning Ordinance Text Amendments as set forth in the February 8, 2015 Public Hearing Notice for the tentative Zoning Ordinance Text Amendments (cited above). Snyder seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

1. Determine acceptable text for veterinary clinic definition and use standards

Planning Commission members reviewed the definitions and use standards provided by Rebecca Harvey, Township Planning consultant, as requested by the Planning Commission at the January 26, 2015 meeting, for nearby Townships. Harvey provided veterinary clinic definitions and use standards for Rutland, Oshtemo, Comstock, and Gun Lake Townships; she provided draft text for Ross Township.

Dr. Adriano Vatta and Dr. Ruey Stocking, who requested in November 2014 for the Planning Commission to allow a veterinary clinic to be a Special Land Use in the Rural Residential District, attended the Planning Commission meeting and were active participants in the discussions.

Extensive discussion ensued regarding:

- 1) definition, especially regarding small and large animal veterinary clinics, relative to being allowed in either AG or R-R Districts;
- 2) should retail activity be allowed
- 3) will acceptance of veterinary clinic be consistent with the intent of AG and R-R Districts or should they be confined to a Commercial District.

As a result of the extensive discussion, Planning Commission members developed the following Veterinary Clinic Definition and Use Standards:

Definition

Veterinary Clinic: A place for the care, diagnosis and treatment of sick or injured animals, and those in need of medical or surgical attention.

Article 20-Standards Required of Special Land Uses

Item 34: Veterinary Clinics

A. Small Animal Clinic (AG, R-R):

- 1) May include customary pens or cages which are permitted only within the walls of the clinic structure and are not subject to Section 5.5.
- 2) All activities shall be conducted within a totally enclosed building.
- 3) Set back shall be at least 50 feet from any residential zoning district with a screening buffer provided along any common property line.
- 4) Retail activity may be carried on that promotes the health and well-being of animals associated with the veterinary clinic.
- 5) Off-street parking facilities to satisfy average parking needs shall be provided.
- 6) The Planning Commission shall have the right and authority to impose additional restrictions and conditions as may be necessary for the protection of the health, safety, and welfare of adjoining property owners and to insure that any noise, odors, traffic, or other incidental activities incident thereto have a minimum impact upon the neighborhood in which the same is located, including but not limited to hours of operation.

B. Large Animal Clinic (AG, R-R)

- 1) Complies with Section 5.5.
- 2) Retail activity may be carried on that promotes the health and well-being of animals associated with the veterinary clinic.
- 3) Off-street parking facilities to satisfy average parking needs shall be provided.
- 4) The Planning Commission shall have the right and authority to impose additional restrictions and conditions as may be necessary for the protection of the health, safety, and welfare of adjoining property owners and to insure that any noise, odors, traffic, or other incidental activities incident thereto have a minimum impact upon the neighborhood in which the same is located, including but not limited to hours of operation.

Motion by Snyder, seconded by Pierce, to accept the definition and use standards, documented above, for veterinary clinic. The motion carried unanimously

Motion by Snyder, seconded by Pierce, to request a Public hearing at the March 23, 2015 Planning Commission meeting to allow veterinary clinics as a Special

Land Use in the Rural Residential District, using the Definition and Use Standards identified above. The motion carried unanimously

2. Screening Standards--Tabled for the March 23, 2015 Planning Commission meeting.
3. Recreation Plan-- Tabled for the March 23, 2015 Planning Commission meeting.

REPORT FROM TOWNSHIP BOARD--No report

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale stated that the Zoning Board of Appeals did not meet in February.

MEMBERS, CONSULTANTS, ADVISORS

Bert Gale requested discussion of the challenge of how best to address requests to change an accessory building on a legally non-conforming lot relative to Section 18.4, Accessory Uses and Accessory Buildings/Structures (Section 18.4. D) versus Section 23.8 Variance Standards and Conditions (ZBA). Planning Commission discussion reflected that Section 18.4. D was intended for new construction but that is not identified in the text. Since this has become an "issue" this topic will be on the Planning Commission agenda for the march 23, 2015 meeting.

ADJOURN

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

Respectfully Submitted,

J.W. Lauderdale
Chair, Planning Commission