

Columbia Township
Planning Commission Meeting Minutes
Tuesday February 5, 2013

1) Meeting called to order by Chairman Gaede at 7:05pm
Present: Pam Jarvis, Mike McKay, Roger Gaede and Philip Reynolds.
Absent Bob Willerer.

2) Chairman Gaede and Mark Eielson (Landplan Inc) handed out a two page letter to members with possible amendments to AG-1 zoning ordinance.

3) Public Comments
Tom Knutson requested a copy of the agenda., one was provided and some discussion regarding public hearing vs. meeting followed.

4) Open discussion followed with Reynolds starting to question Mark per information just presented. Jarvis questioned why changing ordinance now when we are in the process of rewriting ordinance. Mark E gave a brief explanation concerning meeting and recommending agenda be revised before proceeding with meeting.

Reynolds made motion to amend agenda. Motion seconded by McKay.
Vote taken ayes McKay, Gaede, Reynolds Nays Jarvis motion passed.

Reynolds made motion to keep items 1,2,4,6 and 7. Delete item 3 Conditional Use Permit Shayne Mickels seconded by McKay.
Vote taken, Ayes All. Motion passed.

Gaede spoke stating public may make comments during meeting and read Zoning Book article 4.1.1 (AG-1) Agricultural District Permitted Uses and Conditional Uses making various comments pertaining to meeting.

Mark Eielson explained the letter of February 4 2013 and that he had been contacted by Gaede to assist the Planning Commission with revisions. Mark than followed with an explanation of the three (3) options contained in the letter. (See attached letter)
McKay questioned options B and C discussion followed.

Brenden Beer atty for Knutson's questioned the ordinance and discussion followed per 4.1.1 item B 1 and 2. McKay joined into a discussion with Beer per Eielson's explanation of options.

Mike Raczkowski questioned going with option B restricting use and that board needed a bridge so board was able to stay flexible.

Gaede explained option A, more discussion followed with Raczkowski and Gaede reading item #22
Conditional Uses AG-1

Reynolds spoke that Twp changing and not what it was and that we need to be able to change with it and keep options open. Raczkowski followed that ordinances messed up and need changing gave an example of G Farms. Eielson than stated we are working on fixing ordinances now.

Jan Knutson talked of changing ordinance's so people will be able to do as they please and not have to

abide by anything , just do what they want.

Tom Knutson questioned G Farms zoning discussion followed with McKay.

Beer followed with discussion and that the Board need to keep in mind why problems.

Gaede and Beer had more discussion.

Reynolds stated it was not the intent to open the gates but to stay flexible and fair with the people.

Jarvis stated that Weavers did everything according to the book and correct and now they are denied full use of their original permit and that they should be allowed to sell they are in compliant of their permit.

Tom Knutson stated Weavers are selling items in a non commercial area.

Jarvis followed with more discussion.

Tracy Weaver explained his business operation and all the expenses and what he did to be compliant with the ordinances.

Raczkowski questioned conditional uses following the business and land. Gaede gave an explanation.

Arron Steel discussed that you need to apply for permits to operate a business.

Jennifer Steel stated that an archery range in a commercial area not appropriate.

Tom K followed with discussion that retail in AG not right.

McKay discussed tax's based on highest and best use, more discussion followed.

Tom K, board can't decide who wins and loses when it comes to ordinances, more discussion followed.

McKay board only recommends and it's up to the Twp Board to decide more discussion followed.

Eidelson explained every conditional use application is decided on it's own merits discussion followed with Arron Steel and Tracy Weaver.

Gaede we have an obligation to develop language for accessory use and read option A.

Tom K questioned exactly what is the definition of accessory use.

Eidelson again stated each and every request is evaluated and than acted on .

Eidelson explained his role in the meeting and that he had no knowledge of the Weaver's nor their request and was asked by Gaede to assist in correcting the ordinance so that it was clear.

Jarvis discussion about option A and had an issue with article 2.3.1. More discussion between Gaede and Jarvis followed.

Eidelson discussed that commission only recommends amendment and that the Twp Board makes final decision.

Gaede discussed new language should be written.

Reynolds discussed he is not ready to do anything and that we needed time to work on this.

Jarvis brought up the Master Plan and that we can't just jump.

Raczkowski questioned about people taking advantage of the problems and that they just may jump through

the loop holes.

Reynolds made motion to suspend discussion and meet again. Motion revised.

Reynolds motioned to suspend discussion on Ordinance 4.1.1. Schedule another meeting for March 5, 2013 to act on the following, applications, Shane Mickels 55361 York Dr Clark Lake and Mr & Mrs Dominick Furgionie Jefferson Rd Clark Lake. Further discussion on Ordinance 4.1.1. Mark Eidelson will up date the planning commission and discuss ordinance up date. Meeting start time to be 6:00 pm .

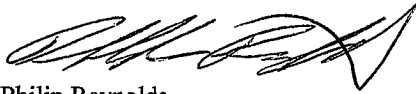
Motion seconded by McKay

Vote taken Ayes All. Motion passed.

Motion by McKay to adjourn. Seconded by Jarvis

Vote taken Ayes All. Motion passed adjourned 8:35pm.

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'Philip Reynolds', written in a cursive style.

Philip Reynolds
Secretary

LANDPLAN

INCORPORATED

rural community planning & zoning services

Columbia Township Planning Commission
Columbia Township
8500 Jefferson Road
Brooklyn, MI 49230

February 4, 2013

Re: Accessory Retail Sales in AG-1 District

Dear Columbia Township Planning Commission:

Chairperson Gaede contacted me last week to request my assistance with the Planning Commission's efforts to amend the AG-1 District provisions regarding retail sales. More specifically, it is my understanding that the Planning Commission is interested in amending the Zoning Ordinance to provide that retail sales are a permitted use in the AG-1 District as an accessory use in association with the principal use of the property. It is further my understanding that the February 5 meeting of the Planning Commission is to serve as an opportunity to develop specific draft amendment language to address this matter and enable interested persons to offer comments.


To assist with this effort, the attached page presents some initial draft amendment text to address this matter. This material is presented with the goal of assisting the Planning Commission identify amendment language with which it is comfortable. The Planning Commission may find that having some specific amendment text as a starting point for discussions may be particularly helpful and expedite the deliberations.

The example amendment text on the attached page addresses accessory sales for both "*permitted uses*" (Sec. 4.1.1.B) and "*conditional uses*" (Sec. 4.1.1.C) in the AG-1 District.

I want to clarify an important issue. Sec. 4.1.1.B.7 expressly authorizes accessory uses in the AG-1 District and, according to the Sec. 2.3 definition of "accessory use," such use must be "customarily incidental and subordinate" to the principal use. Thus, the Sec. 4.1.1.B.7 provision already authorizes minor retail sales as part of a kennel (for example) but it does not authorize retail sales as part of a single family dwelling (for example). *With this in mind, the accompanying example Sec. 4.1.1.B.7 amendments serve to provide greater clarity regarding such retail sales.*

As this amendment effort moves forward, please do not hesitate to contact me if you have any questions or if I can provide further assistance.

Sincerely,



Mark A. Eidelson, AICP
President

Certified Zoning Administrator

cc: Barry Marsh, Township Clerk

Columbia Township Zoning Ordinance
Example Amendment Options for Accessory Sales in the AG-1 District

Prepared by Landplan Inc. / February 4, 2013
(see accompanying cover letter)

Part One: The following amendment options provide for amending **Sec. 4.1.1.B.7**, which authorizes accessory uses in association with "permitted uses" in the AG-1 District. Each of the options provide for an increasing level of oversight.

Option A

(suggested additions in *italics*, suggested deletions with ~~strikethrough~~)

7. An accessory use, building, or structure as defined in Article II, Section 2.3.1.
An accessory use may include retail sales clearly incidental, customary and secondary to the principal use.

Option B

(suggested additions in *italics*, suggested deletions with ~~strikethrough~~)

7. An accessory use, building, or structure as defined in Article II, Section 2.3.1.
An accessory use may include retail sales clearly incidental, customary and secondary to the principal use, and provided the total cumulative area devoted to such sales and storage of items intended for sale shall not occupy a total of twenty percent (20%) of the indoor floor area devoted to the principal use or one thousand (1,000) square feet, whichever is less.

Option C

(suggested additions in *italics*, suggested deletions with ~~strikethrough~~)

7. An accessory use, building, or structure as defined in Article II, Section 2.3.1.
An accessory use may include retail sales clearly incidental, customary and secondary to the principal use, and provided the total cumulative area devoted to such sales and storage of items intended for sale shall not exceed a total of twenty percent (20%) of the indoor floor area devoted to the principal use or one thousand (1,000) square feet, whichever is less, and such accessory sales and storage areas shall be subject to site plan review.

Part Two: The example amendment below provides for revising the first sentence of **Sec. 4.1.1.C**, which authorizes conditional uses in the AG-1 District. Unlike the amendments above, the amendment text below does not include any special oversight measures because, as a conditional use, any proposal for accessory uses will be subject to special review including site plan approval.

(suggested additions in *italics*, suggested deletions with ~~strikethrough~~)

The following uses of parcels, lots, buildings, and structures, *including accessory uses, buildings and structures there to*, are permitted in this district subject to obtaining a conditional use permit as provided in ARTICLE V:

End