

Fresh Coast Planning

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MEMORANDUM

To: Tallmadge Charter Township Planning Commission
From: Gregory L. Ransford, MPA 
Date: September 13, 2023
Re: Ironwood Corridor Overlay Draft - Legal Counsel Suggested Revisions

Pursuant to your direction at your April 25, 2023 meeting, we provided a copy of the draft Ironwood Corridor Overlay District to the Township Legal Counsel, Ron Bultje, for review and comment. Attached are his suggested revisions. As you will note, they are very minor and self-explanatory.

The only item of note that we wanted to highlight for you was his suggestion to strike the term "should" from subsection (b) of the Rezoning and Use of Lots section. As you know, you wanted the flexibility to allow an industrial use closer than 300 feet to Ironwood Drive, when appropriate. While we explained this intended flexibility to Mr. Bultje, he expressed that he believes the language is unclear whether it is mandatory or discretionary.

To alleviate his concern, the Planning Commission will need to indicate the circumstances in which you would justify the flexibility. In the alternative, you could use the standards of your special use approval to serve that purpose. In other words, any industrial use sought within 300 feet of Ironwood Drive can only be approved by a special use permit and the standards by which those are authorized would serve to justify or reject an industrial use within the 300 foot minimum distance. Ultimately, you must have rationale to allow an industrial use closer than 300 feet when you otherwise prohibit that distance.

Additionally attached is a clean copy of the document incorporating the suggestions of Mr. Bultje. The Ironwood Corridor Overlay District is scheduled for your review at your September 26, 2023 meeting.

If you have any questions, please let us know.

GLR
Planner

Attachments

cc: Mark Bennett, Supervisor