

AGENDA

Grand Haven Charter Township Planning Commission
Tuesday, January 19, 2016 – 7:30 p.m.

- I. Call to Order
- II. Roll Call
- III. Pledge to the Flag
- IV. Approval of the January 4, 2016 Meeting Minutes
- V. Correspondence
- VI. Public Comments/Questions on Agenda Items Only (Limited to 3 minutes)
- VII. Public Hearing
 - A. Special Land Use – Outdoor Pond – Walters
 - B. Zoning Text Amendment – Planned Unit Development Chapter
- VIII. Old Business
 - A. Special Land Use – Outdoor Pond – Walters
 - B. Zoning Text Amendment – Planned Unit Development Chapter
- IX. Reports
 - A. Attorney’s Report
 - B. Staff Report
 - C. Other
- X. Extended Public Comments/Questions on Non-Agenda Items Only (Limited to 4 minutes)
- XI. Adjournment

Note: Persons wishing to speak at public hearings, on agenda items, or extended comments, must fill out a “Speakers Form” located on the counter. Completed forms must be submitted to the Zoning Administrator prior to the meeting.

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
JANUARY 4, 2016

I. CALL TO ORDER

Kantrovich called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:30 p.m.

II. ROLL CALL

Members present: Kantrovich, LaMourie, Robertson, Kieft, Taylor, Gignac, Cousins & Wilson

Members absent: Reenders

Also present: Fedewa and Attorney Bultje

Without objection, Kantrovich instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the December 7, 2015 meeting were approved.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY

- Bob Wagenmaker – 16755 Timber Ridge:
 - Concerns regarding the Future Land Use Map and Utility Master Plan.

VII. OLD BUSINESS

A. Review Resilient Grand Haven Master Plan Draft

Fedewa provided an overview through memorandums dated December 30th.

The application was discussed by Commissioners and focused on:

1. General Comments

- Questioned if consultant had implemented all the changes requested prior to the Open House.

2. Senior Chapter

- Unclear why the information provided by the local seniors group does not follow the same format as the “Youth Chapter.”
 - Important to include information on this segment of the population. Master Plan needs to be consistent, so the “Senior Chapter” needs to mirror the “Youth Chapter” format.
 - Questioned if the Youth Advisory Council could participate in helping the local seniors group to draft the chapter.
3. Summary Document
- Prefer the document length be shorter rather than longer.
 - Must ensure Section 1 describes how elements of the Master Plan are implemented into the Zoning Ordinance.
4. Missing Middle Housing
- Open-minded to the concept because it will offer more housing choices for the two growing segments of the Township’s population: Millennials and Retiree’s.
 - Agree the appropriate location for this type of land use is within the boundaries of the Robbins Road Sub-Area Plan as well as the neighborhoods north of Pottawattomie Bayou.

VIII. NEW BUSINESS

A. Review Proposed Zoning Text Amendments

Fedewa provided an overview through a memorandum dated December 30th.

The proposal was discussed by Commissioners and focused on:

- Resilient Master Plan discussions have focused on the need to increase building heights to reduce sprawl.
- Staff drafted the proposed amendments based on instruction provided from the Planning Commission.
- Current Ordinance can be a barrier for businesses contemplating to locate in the Township.
- Previously, safety was a predominate factor that restricted building heights. However, now the Township has an emergency vehicle able to reach 75 feet.
- Questioned whether or not the land use “Office Buildings” should be accompanied by a list of permissible office buildings.
- The timing of this proposal may not be appropriate.

- Requested staff contact other municipalities to learn if they experienced pro's or con's with greater building heights.

Motion by Robertson, supported by Wilson, to confirm the scheduling of a public hearing on January 19th for the Zoning Text Amendment Ordinance presented as is. **Which motion carried** with Kieft opposing because it is premature to present this Ordinance Amendment.

B. Housekeeping Duties:

1. Approval of the 2016 Meeting Schedule

Motion by Cousins, supported by Robertson, to approve the Planning Commission 2016 Meeting Dates as presented. **Which motion carried.**

2. Appointment of Officers

- **Without objection**, Kantrovich was nominated and re-appointed as the Chairperson.
- **Without objection**, LaMourie was nominated and re-appointed as the Vice Chairperson.
- **Without objection**, Robertson was nominated and re-appointed as the Secretary.

IX. REPORTS

A. Attorney Report – None

B. Staff Report

- Transfer Tool intends to pursue a large expansion to their existing facility.

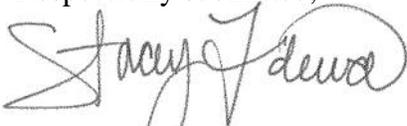
C. Other

X. EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS ONLY – None

XI. ADJOURNMENT

Without objection, the meeting adjourned at 8:29 p.m.

Respectfully submitted,



Stacey Fedewa

Acting Recording Secretary

Community Development Memo

DATE: January 11, 2016

TO: Planning Commission

FROM: Stacey Fedewa, Planning & Zoning Official

RE: Special Land Use Application – Outdoor Pond at 70-07-21-200-077

BACKGROUND

The new property owners, Joshua and Katy Walters, submitted a Special Land Use application to simultaneously construct a new Single Family Dwelling and Outdoor Pond on parcel 70-07-21-200-077. In late 2015, the Walters purchased the 13 acre parent parcel, and was approved for a land division in December, which resulted in 4 child parcels. The Walter’s intend to construct a private road; sell three of the child parcels; build a single family dwelling on the 5.5 acre child parcel, which will become their primary residence; and construct an outdoor pond that is 75 feet in diameter and 10 feet deep, with a 1:3 slope.

The Pond will be used for two primary purposes:

1. Personal enjoyment, and
2. Soil needed during the construction of the single family dwelling.

The applicant has provided information from the OCWRC, which notes that a permit is not required for the proposed pond.



SPECIAL LAND USE REQUIREMENTS		
Section 19.07.29A Provisions	Compliance	
Used for recreation, pleasure, or agricultural only	Meets standard	
Compliance with setback requirements of zoning district (RR)	Meets standard	
To protect the safety of the general public the Planning Commission can require the pond to be enclosed by a wall or fence.	Not enclosed—Planning Commission has discretion	
Constructed to applicable requirements of Conservation District, OCWRC, and MDEQ	CD	n/a
	OCWRC	n/a
	MDEQ	unknown
Slope of the banks must be a minimum of 1:3	Meets standard	
Pond shall not cause or contribute to the erosion of any adjacent, abutting, or nearby land.	Staff unaware of any issues	
Pond shall not create stagnant water	Meets standard – fountain	

Staff does not believe a wall or fence needs to be required in order to protect the safety of the general public. As you will see from the aerial included on page 1, the parcel is in a rural, and isolated location. Additionally, there are numerous outdoor ponds within the vicinity that are not enclosed.

SAMPLE MOTIONS

If the Planning Commission finds the Outdoor Pond Special Land Use application meets the applicable standards, the following motion can be offered:

Motion to approve with conditions the Outdoor Pond Special Land Use application for parcel number 70-07-21-200-077, based on the application meeting applicable requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. This motion is subject to, and incorporates, the following report. Further, the approval is conditioned upon the following:

1. Prior to construction the applicant must submit an MDEQ permit for the Outdoor Pond, or provide a Letter of No Authority if a permit is not required.

If the Planning Commission finds the Outdoor Pond Special Land Use application does not meet the applicable standards, the following motion can be offered:

Motion to deny the Outdoor Pond Special Land Use application for parcel number 70-07-21-200-077, because the application does not meet the applicable requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance.

Please contact me prior to the meeting with questions or concerns.

REPORT

1. This approval is based on the affirmative findings that each of the following standards has been fulfilled:
 - A. The proposed use is consistent with, and promotes the intent and purpose of this Ordinance.
 - B. The proposed use is of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the district in which situated and of adjacent districts.
 - C. The proposed use does not have a substantially detrimental effect upon, nor substantially impair the value of, neighborhood property.
 - D. The proposed use is reasonably compatible with the natural environment of the subject premises and adjacent premises.
 - E. The proposed use does not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.
 - F. The proposed use does not interfere or unduly burden water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services.
 - G. The proposed use is such that traffic to, from, and on the premises and the assembly of persons relation to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and the general character and intensity of the existing and potential development of the neighborhood.
 - H. The proposed use is consistent with the health, safety, and welfare of the Township.
2. The application meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:
 - A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.
 - B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
 - C. Safe, convenient, uncontested, and well defined vehicular and pedestrian circulation is provided for ingress/egress points and within the site. Drives, streets and other circulation

- routes are designed to promote safe and efficient traffic operations within the site and at ingress/egress points.
- D. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.
 - E. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
 - F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
 - G. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.
 - H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
 - I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.
 - J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.
 - K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
 - L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.
 - M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
 - N. The site plans conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
 - O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.



GRAND HAVEN CHARTER TOWNSHIP
SPECIAL LAND USE APPLICATION

Fees

Original Application - \$125.00 plus a \$1,000.00 escrow*

Special Land Use Amendment - \$100.00 plus a \$500.00 escrow*

Applicant information

Name JOSEPH WALTERS
Phone 616 405 1063 Fax _____
Address 15165 WILDFIELD DR.

Owner information (If different from applicant)

Name _____
Phone _____ Fax _____
Address _____

Property information

Address/Location 16964 BUCHANAN
Parcel # 70-07-21-200-043
Property size (acres) 13.5
Current Zoning RR Master-Planned Zoning RR

Description of Proposed Use/Request (attach additional pages as needed)

Pond - approx. 75' in diameter and
10' deep. ≈ 1,600 cubic yards
for fill

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following all applicable requirements, including those of Chapters 19 and 23 of the Zoning Ordinance. Initially, submit five copies of the required information for staff review. Once staff has granted tentative approval, additional copies will be required as requested by staff.

If approval of this application requires/includes the extension of a municipal sanitary sewer main, an additional \$5,000.00 escrow fee shall be required, and an additional \$2,000.00 escrow fee shall be required for the installation of a lift station.

I hereby attest that the information on this application form is, to the best of my knowledge, true and accurate.


Signature of applicant

11/19/15
Date

* To cover cost of legal and consulting fees, may be increased as necessary

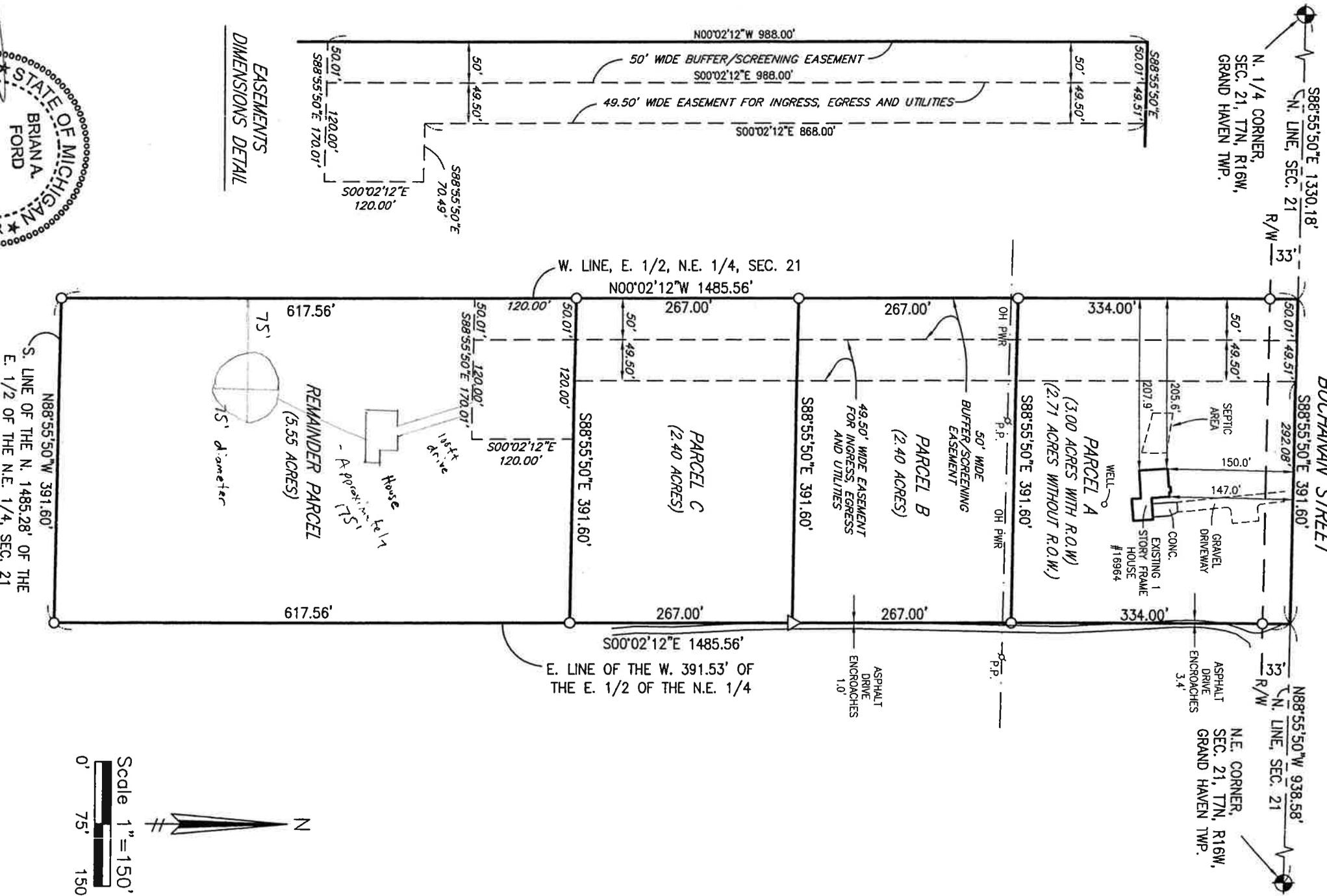
Points to address

Page 1

1. The pond will be used for recreation.
2. The lots lines have been written down. The lot will be improved as a house will be on it.
3. Emails/no permit needed from Ottawa County and MDEQ.
4. Pond will have a 1 in discharge pipe at an angle that will go into the Earth and connect it with the water table below.
5. The pond will be 10 feet deep. The sloped will be 1/3 per township requirements.
6. A pond fountain will be installed to prevent stagnant water.

LAND DIVISION MAP

CORNER TO CORNER = 2660.36'
 BUCHANAN STREET



EASEMENTS
 DIMENSIONS DETAIL



Brian A. Ford, Professional Surveyor No. 47199

This survey was made in accordance with the description shown above. The description should be compared with the Abstract Title or Title Insurance Policy for accuracy, easements and exceptions.

RECEIVED
 12/16/2015

S. LINE OF THE N. 1485.28' OF THE
 E. 1/2 OF THE N.E. 1/4, SEC. 21

N88°55'50"W 391.60'

S00°02'12"E 1485.56'
 E. LINE OF THE W. 391.53' OF
 THE E. 1/2 OF THE N.E. 1/4



- LEGEND
- SET CON. MON
 - FOUND CONC. MON
 - SET CAPPED IRON
 - △ SET MAG NAIL
 - FOUND IRON
 - ✕ SET CUT "X"
 - P. PLATTED
 - M. MEASURED
 - D. DESCRIBED
 - CALC. CALCULATED

FOR JOSH WALTERS

Milanowski and Englert
 Engineering and Surveying, Inc.
 927 Beechtree Street, suite 3
 Grand Haven, Michigan 49417
 Phone(616)847-4070 Fax(616)847-6626

SEC. 21, T7N, R16W, GRAND HAVEN TWP.
 DATE 11-16-2015 DRAWN BY TV/DRB
 SHEET 1 of 5 JOB NO. 15167



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: January 11, 2016
TO: Planning Commission
FROM: Stacey Fedewa, Planning & Zoning Official
RE: Proposed Zoning Text Amendment Ordinance

BACKGROUND

During the last 18 months the Planning Commission has been working to update the Master Plan. The Resilient Master Plan has a focus on protecting the valuable undeveloped land that remains in the Township.

One way to accomplish this goal is to adopt text amendments to the zoning ordinance that allow a developer to build vertically rather than horizontally. In doing so, less undeveloped land is disturbed. Furthermore, by strategically allowing increased building heights within the “urbanized” areas, the Township is able to limit the costs of infrastructure extensions.

“Encourage development to occur in high, vertical density in areas where infrastructure is available. This will help ensure the protection of natural spaces and help local governments maintain valuable infrastructure.”

- 2016 Resilient Master Plan Draft

Furthermore, the Robbins Road Sub-Area Plan (*planning phase – 2009 & 2010; adopted 2011*) was adopted and included in the 2009 Master Plan, which encourages new development to expand vertically.

“Minimum building heights should be established and allowed to exceed 2.5 stories and 35 feet.”

- Robbins Road Sub-Area Plan

Extending infrastructure to undeveloped areas inherently promotes the development of such land, which in turn encourages sprawl. Additionally, although the developer is responsible for installation—the Township is financially responsible for long-term maintenance of the new infrastructure.

Moreover, the Township is experiencing a more diverse development pressure than it was in 1999, when the current zoning ordinance was adopted. In order to remain proactive in managing the growth of the Township it is imperative that ordinance regulations are tailored accordingly.

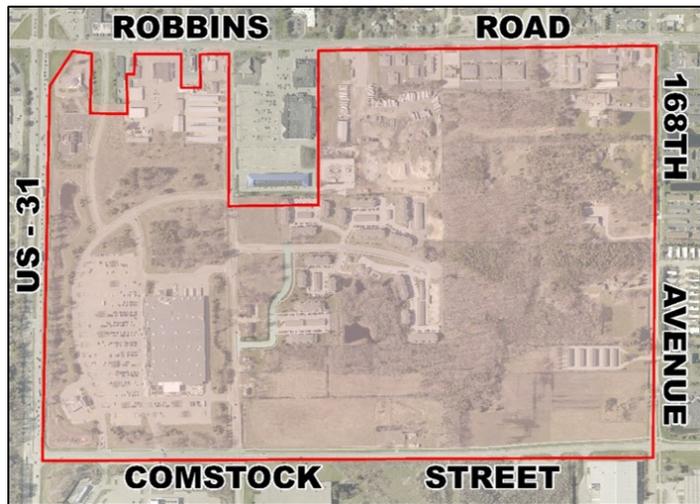
As such, the Planning Commission has directed staff to begin drafting text amendments to address the current development trends.

PROPOSED TEXT AMENDMENT

Per the direction of the Planning Commission staff has drafted five text amendments to the Planned Unit Development (PUD) Chapter of the Zoning Ordinance. As previously discussed, the logical and strategic location to “test” increased building heights—to address sprawl—is within the Robbins Road Sub-Area (*see below*). This is the “urbanized” area of the Township that is on the cusp of rapid redevelopment. Furthermore, this amendment will support the goals and objectives of the Robbins Road Sub-Area Plan and Resilient Master Plan.

The proposed text amendments address three items:

1. The **regulatory flexibility** language that grants authority to approve departures from the zoning ordinance has been addressed more explicitly. The proposed amendment provides clearer direction to the Planning Commission and Township Board for making decisions on departure requests.
2. There is a lack of cohesion between the **land uses permitted by the PUD Chapter** in the Zoning Ordinance, and those described in the Master Plan. In an effort to ensure the two documents are cohesive staff has simplified the uses permitted by right, and those permitted as a special land use.
3. To allow an **increased building height for Commercial PUD’s** within the boundaries of the Robbins Road Sub-Area. Staff recommends a maximum building height of 4 stories, or 55 feet, whichever is lower.
 - Fifty-five feet, is a common building height that allows for a multitude of use groups by the Michigan Building Code.
 - The MBC, coupled with the GHT Fire/Rescue equipment that can reach a height of 75 feet, forms the basis for why the proposed combination of height and stories was selected.



SAMPLE MOTIONS

If the Planning Commission supports the proposed text amendments, the following motion can be offered:

Motion to recommend to the Township Board approve the proposed Zoning Text Amendment Ordinance to revise sections of the Planned Unit Development Chapter of the Grand Haven Charter Township Zoning Ordinance.

If the Planning Commission opposes the proposed text amendments, the following motion can be offered:

Motion to deny the proposed Zoning Text Amendment Ordinance to revise sections of the Planned Unit Development Chapter of the Grand Haven Charter Township Zoning Ordinance.

If the Planning Commission does not have enough information to make a recommendation, the following motion can be offered:

Motion to table the proposed Zoning Text Amendment Ordinance to revise sections of the Planned Unit Development Chapter of the Grand Haven Charter Township Zoning Ordinance until such information becomes available.

Please contact me prior to the meeting with questions or concerns.

ORDINANCE NO. _____

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF GRAND HAVEN CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN, BY ADDRESSING REGULATORY FLEXIBILITY, BASE REGULATIONS, COMMERCIAL PLANNED UNIT DEVELOPMENT LAND USES, STRUCTURE HEIGHT; AND BY PROVIDING FOR AN EFFECTIVE DATE.

GRAND HAVEN CHARTER TOWNSHIP, COUNTY OF OTTAWA, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Planned Unit Development District – Regulatory Flexibility. Section 17.01.5 of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

Regulatory Flexibility. The provisions of this Chapter are not intended as a device for ignoring this Ordinance, or the planning upon which it has been based. However, to encourage flexibility and creativity consistent with the PUD concept, departures from the regulations may be permitted subject to review and approval by the Township Board after the recommendation of the Planning Commission. For example, such departures may include but are not limited to modifications in lot dimensional standards; floor area standards; setback requirements; height requirements; parking, loading, and landscaping requirements; and similar requirements. Such modifications may be permitted only if they will result in a higher quality development than would be possible without the modifications. The provisions of this Chapter are intended to result in the land use development that is substantially consistent with the goals and objectives of the Township Master Plan, this Ordinance, and consistent with sound planning principles.

Section 2. Permitted Planned Unit Developments – Base Regulations. Section 17.06 of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

1. A Planned Unit Development may be approved as any of the following:
 - A. Residential PUD (Section 17.07)
 - B. Commercial PUD (Section 17.08)
 - C. Industrial PUD (Section 17.09)
 - D. Mixed-Use PUD (Section 17.10)

2. Applicable Base Regulations. Unless waived or modified in accordance with Section 17.01.5, the yard and lot coverage, parking, loading, landscaping, lighting, and other standards for the underlying zoning shall be applicable for uses proposed as part of a PUD. The underlying zoning

shall be the current zoning map designation of the property in the proposed PUD, or the Future Land Use Map designation of the property. Mixed-uses shall comply with the regulations applicable for each individual use, except that if regulations are inconsistent with each other, the regulations applicable to the most dominant use shall apply. The site standards for all individual land uses and facilities as provided in this Ordinance (such as special land uses) must be observed unless waived by the Township Board after the recommendation of the Planning Commission for any, or all, of the specific uses and facilities.

Section 3. Commercial PUD – Permitted Uses. Section 17.08.2 of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

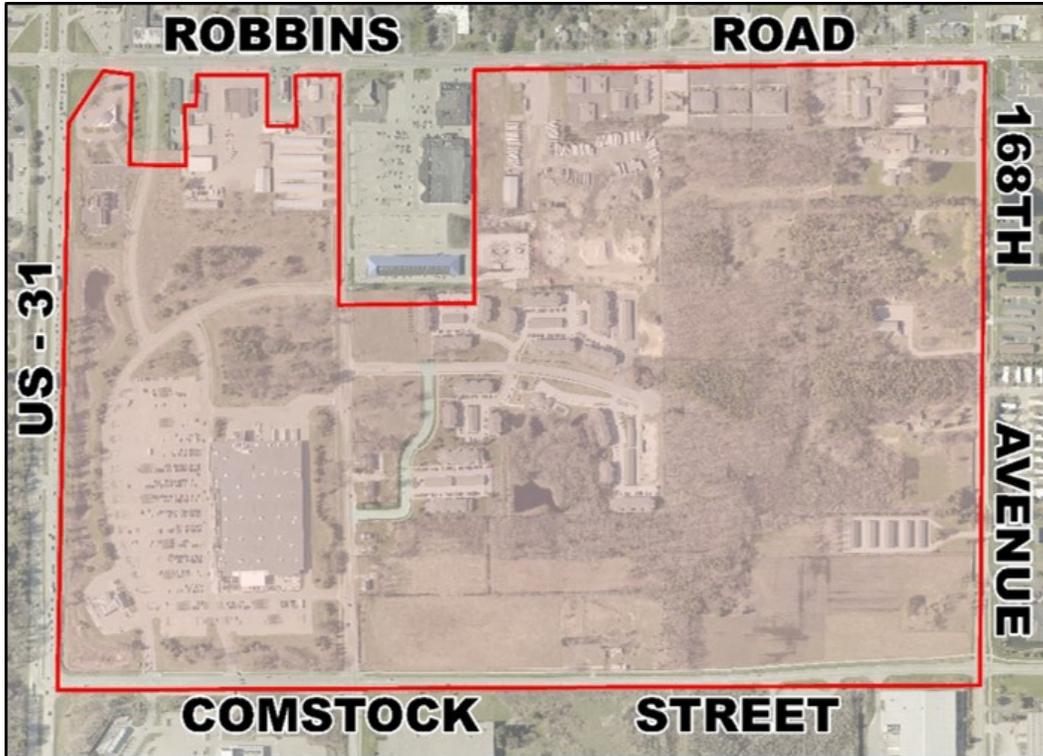
2. Except as provided in Section 17.08.3 below, in a Commercial PUD District, no building or land shall be used and no building or structure shall be erected, except for the following uses:
 - A. C-1 Commercial District Permitted Uses described in Section 15.02.
 - B. SP Service/Professional District Permitted Uses described in Section 14.02.

Section 4. Commercial PUD – Special Land Uses. Section 17.08.3 of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

3. The following uses are permitted in the Commercial PUD District when the PUD approval includes a consideration of the standards and the relevant specific requirements imposed by Chapter 19 (Special Land Uses):
 - A. C-1 Commercial District Special Land Uses described in Section 15.03.
 - B. SP Service/Professional District Special Land Uses described in Section 14.03.

Section 5. Commercial PUD – Structure Height. Section 17.08.5 of the Grand Haven Charter Township Zoning Ordinance shall be added to state in its entirety as follows.

5. All buildings within the Robbins Road Sub-Area, as illustrated below, shall have a maximum structure height of four (4) stories, or fifty-five (55) feet, whichever is lower. This Section should not be interpreted as a prohibition of granting reasonable height departures outside of the Sub-Area.



Section 6. Effective Date. This amendment to the Grand Haven Charter Township Zoning Ordinance was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan on _____, 2016, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on _____, 2016, and after posting and publication following such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on _____, 2016, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Text Amendment Ordinance in the *Grand Haven Tribune*, as required by Section 401 of Act 110, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Karl French,
Township Supervisor

Laurie Larsen,
Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2016. The following members of the Township Board were present at that meeting: _____
_____. The following members of the Township Board were absent: _____. The Ordinance was adopted by the Township Board with members of the Board _____
_____ voting in favor and members of the Board _____ voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Haven Tribune* on _____, 2016.

Laurie Larsen,
Township Clerk