

# AGENDA

SPECIAL JOINT SESSION  
GRAND HAVEN CHARTER TOWNSHIP BOARD & PLANNING COMMISSION  
WEDNESDAY, AUGUST 10, 2016 – 7:00 p.m.

- I. Call to Order
- II. Roll Call
- III. Items for Discussion
  - A. Integrated Assessment Project
- IV. Public Comments/Questions (Limited to 4 minutes)
- V. 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 prior to the meeting.**

MEETING MINUTES  
GRAND HAVEN CHARTER TOWNSHIP  
PLANNING COMMISSION  
JULY 18, 2016

I. CALL TO ORDER

Kantrovich called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:35 p.m.

II. ROLL CALL

Members present: Kantrovich, Robertson, Kieft, Taylor, Cousins, Reenders, and Gignac

Members absent: LaMourie and Wilson

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 June 6, 2016 meeting were approved.

V. CORRESPONDENCE

- Port Sheldon Township – Notice of Master Plan Update

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY – None

VII. OLD BUSINESS

A. Integrated Assessment Update from UM and LIAA

The project team, consisting of Richard Norton, Zachary Rable, and Katie Sieb gave a presentation on the project and offered several coastal issues that can be pursued.

1. Dunes/Fire Hazards

- Dwellings within the Critical Dune Area (CDA) provides a strong tax revenue, but the structures are in potentially dangerous locations.
- Regulatory takings are a real concern in the CDA, particularly with local preemption from the State of Michigan.
  - Township in a “double bind” because unable to regulate within the CDA but have a duty to protect structures that are difficult for emergency crews to access.

2. Coastal Wetlands

- Wetlands can fluctuate with lake levels. When the water level is high, the wetlands can be larger, but when levels are low the wetlands can be smaller.
  - Should focus be given to protecting wetlands under 5 acres in size?
  - Should focus be given to wetlands that drain into the watershed or other body of water?
  - If regulations were enacted that restricted development, should a commensurate real property tax reduction be provided?
3. Water Quality
- Environmental Protection Agency (EPA) increasing requirements for stormwater disposition. No longer only regulating point-source-pollution.
  - Reviewed the Ottawa County Water Resources Commissioner proposed MS4 draft ordinance that would increase the requirements for stormwater disposition.
  - Important the Township incorporate Best Management Practices into a new ordinance.
4. Viewsheds
- The Township has a high aesthetic value due to the unique environmental features, and may want to consider incorporating viewshed requirements into the zoning ordinance.
  - Boulder, CO and Village of Holly, MI were cited as examples.
5. Public Access
- Township may consider working towards developing new points of public access to the waterfront, or improve existing access points.
  - Rosy Mound, Kirk Park, Buchanan Street road-end, and Brucker Street road-end are sufficient public access points. The majority of residents utilize the beach within the City of Grand Haven.
  - Perhaps the Township could update the “Beach Access Rules and Regulations” to reflect the 2005 Michigan Supreme Court case findings in Glass v. Goeckel, which determined the public has a right to walk along the shores of the Great Lakes, even on privately-owned land. Lakefront property owners may own the land down to the water’s edge, but the public trust doctrine nevertheless allows the public to walk on the land between the water’s edge and the ordinary high water mark, the place on the shore up to which the presence and action of the water is so continuous as to leave a distinct mark.
6. Other

- May recommend the creation of new zoning district(s) to better accommodate waterfront and coastal area properties.
- Will work towards establishing development review coordination process/checklist with the myriad of other agencies involved with development projects.
- Township is interested to learn more about regulating hard structures, such as seawalls, along the shoreline because it can cause significant erosion to adjacent property owners.

VIII. NEW BUSINESS

A. PUD Minor Amendment Report

Fedewa provided an overview of the PUD Minor Amendments through a memorandum dated July 13<sup>th</sup>. There was no discussion.

IX. REPORTS

A. Attorney Report

- Brief review of the July 11<sup>th</sup> Health Pointe Claim of Appeal Hearing.

B. Staff Report – None

C. Other

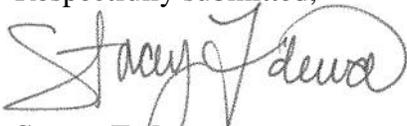
- Commissioners requested staff consider drafting a Drone Ordinance.
- Commissioners requested staff incorporate short-term rental regulations when the Zoning Ordinance is updated.
- Informed staff that Bignell Ridge appears to be experiencing issues with standing water.
  - Fedewa explained staff is aware that one, or more, catch basins was covered during the construction of a dwelling. The developer is required to clear the catch basins and pipes prior to receiving an occupancy certificate.

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

XI. ADJOURNMENT

**Without objection**, the meeting adjourned at 9:22 p.m.

Respectfully submitted,



**Stacey Fedewa**  
Acting Recording Secretary



# Community Development Memo

DATE: August 8, 2016  
TO: Township Board & Planning Commission  
FROM: Stacey Fedewa, Community Development Director  
RE: Integrated Assessment Overview

## BACKGROUND

GHT and the City of Grand Haven were selected to participate in “phase 2” of the Resilient Michigan project. Staff has been working with the University of Michigan (UM) and the Land Information Access Association (LIAA) to identify areas of the zoning ordinance that could be updated to have our Township become more resilient.

On June 6<sup>th</sup> Professor Richard Norton from UM met with the Planning Commission and discussed various issues. Additionally, UM and LIAA received the information on the top goals identified by the Commissioners.

The goal is to provide potential text amendments in late Fall 2016. At that point the Planning Commission and Township Board would determine which amendments should be incorporated into the ordinance.

## PURPOSE

UM and LIAA will be attending the August 10<sup>th</sup> special joint meeting to provide a short presentation covering the project goals and process so far. They will be presenting a range of options the Township may consider adopting for each “key issue” that has been identified. They will be looking for your feedback to assist with remainder of the project.



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

**From:** [Bill Cargo](#)  
**To:** [Township Board](#)  
**Cc:** [Stacey Fedewa](#)  
**Subject:** FW: Resilient Grand Haven - Integrated Assessment Update  
**Date:** Thursday, July 21, 2016 11:16:47 AM

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To All:

Please see the update below from Planner Fedewa.

I have concerns with some of the “coastal issues” that the Planning Commission may study (*i.e., research and draft proposed ordinances*). See my comments below highlighted in “yellow”.

Before this Planning Commission authorizes University of Michigan to complete research in these areas, it may be beneficial to have a joint meeting with the Planning Commission to ensure that the Board is comfortable with these proposed areas of research.

I will address this further at Monday’s Board meeting.

FYI

**William D. Cargo**

Superintendent

Grand Haven Charter Township

(616) 604-6324

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**From:** Stacey Fedewa  
**Sent:** Tuesday, July 19, 2016 11:56 AM  
**To:** Bill Cargo <BCargo@ght.org>  
**Subject:** Resilient Grand Haven - Integrated Assessment Update

Bill,

Last night, the Integrated Assessment team (*U of M and LIAA*) gave a presentation to the Planning Commission identifying 6 coastal issues that could be researched further in order to begin drafting zoning text amendments. The team noted the Township is experiencing a high rate of new development and some redevelopment, which comes with a set of benefits, challenges, and concerns:

Benefits

- Growing community
- Tax revenue
- Quality development
- Includes trails and other new amenities

### Challenges

- Reduce fire risk
- Promote improved water quality
- Conserve viewsheds

### Concerns

- Regulatory takings
- Conflict of laws
- Political viability
- Administrative challenges

With those in mind, the 6 coastal issues that will receive further research are listed below in order of importance established by the PC after last night's presentation:

#### 1. Dunes/Fire Hazards

Sand dunes are aesthetically pleasing, a desirable location to live, and they retain high property values. However, the location poses challenges such as fire risk. It can take over 20 minutes for Fire/Rescue to setup and stage hoses to begin fighting a fire in the dunes. In some cases the delay in time will allow the fire to spread to adjacent structures resulting in more damage. Another challenge is access. Although F/R can see a house on fire they may have to travel several miles in order to reach the fire because the existing roads are narrow, winding, and do not provide connectivity. Emergency evacuations are concerning too because the roads are so narrow that traffic can only move in one-direction. If emergency crews need to access a site, but residents need to evacuate there can be a serious conflict that arises. Particularly, if the evacuee's have blocked the road with their cars preventing crews from accessing the site to address the emergency.

The team has been very intrigued by this issue and will be doing in depth research to learn what options the Township may have to make improvements. (Recall that the Fire/Rescue Department was involved in a previous program with the State to increase education regarding preparedness and fire safety within the dune area.)

#### 2. Water Quality (Stormwater)

The EPA and DEQ are working to update stormwater regulations. Based on the draft language the new regulations will be cumbersome and there is an emphasis on implementing Best Management Practices (BMPs) to assist with stormwater disposition. The team will be working to update the Township's existing stormwater policy to include BMPs, maintenance requirements, and granting more authority to the OCWRC to address issues that may arise (*because they are the experts, staff is more comfortable with their department addressing stormwater issues*).

Additionally, the team will look at developing a "maximum lot coverage" regulation that limits the amount of impervious surface that is allowed on a property.

3. Viewsheds

There is an incredibly wide range of regulations that can pertain to viewsheds. For example, the most common is through zoning by restricting height, accessory buildings, setbacks, fencing, pools, etc.; second, require new development to be clustered to keep green space preserved (*green space would be strategically located to provide scenic views*); third, a purchase or transfer of development rights program could be established that would provide some form of compensation to a property owner, and in return they would have restrictions placed on their property to protect scenic views; fourth, the Township could pursue an acquisition program to purchase strategically located properties in order to preserve scenic views. (This could evolve into a significant expansion zoning regulations and could be controversial.)

4. Hard Structures on Shoreline

There is less information on this subject because the conversation grew organically during the meeting. According to the team, local governments have the right to develop ordinances that restrict or prohibit hard structures (*e.g., sea walls*) from being erected along the shoreline. The Planning Commission requested the team research this issue further because these structures can cause significant erosion to adjacent properties, and believe it would be beneficial to explore this to understand the risk vs. reward. (This is currently regulated by the Army Corp of Engineers and MDEQ and adding another layer of oversight/regulations could be controversial and might be considered unnecessary.)

5. Development Review Coordination Process/Checklist

Townships have limited jurisdiction when it comes to roads, stormwater, water wells, etc., and have found the various agencies tend to amend their regulations quite frequently making it difficult for residents and staff to stay knowledgeable on the subject. As such, the team will look at developing a review coordination process/checklist that can be used by staff during plan reviews. It is anticipated this information will greatly assist staff in determining when permits are needed from other agencies, which will in turn speed-up the permitting process.

6. Coastal Wetlands

Generally, the Planning Commission was not in favor of developing regulations for wetlands under 5 acres in size because they believe it will be too cumbersome and expensive for property owners to perform delineations. Rather, the Commission requested the team only create a public educational effort for residents, developers, and local officials about the strategies to protect wetlands and the benefits they provide. (The Planning Commission appears to not want to become involved in the oversight of “unregulated wetlands” ... and that there are likely few wetlands within GHT that would fall into this category. However, the Board may want to affirm this direction.)

Staff anticipates the team will present draft ordinances for review and comment in Sept/Oct, and will have the final versions completed in Nov/Dec. At that time, the Township will determine what, if any, ordinances should be adopted and incorporated into the Zoning Ordinance.

Please contact me if this raises further questions.

Best regards,

Stacey Fedewa  
Community Development Director  
Grand Haven Charter Township  
(616) 604-6326 Direct  
(616) 260-4982 Cell  
[sfedewa@ght.org](mailto:sfedewa@ght.org)



# GRAND HAVEN TOWNSHIP INTEGRATED ASSESSMENT

JULY 18<sup>TH</sup>  
PLANNING COMMISSION

## INTEGRATED ASSESSMENT TEAM

Richard Norton- *Principle Investigator, University of Michigan*

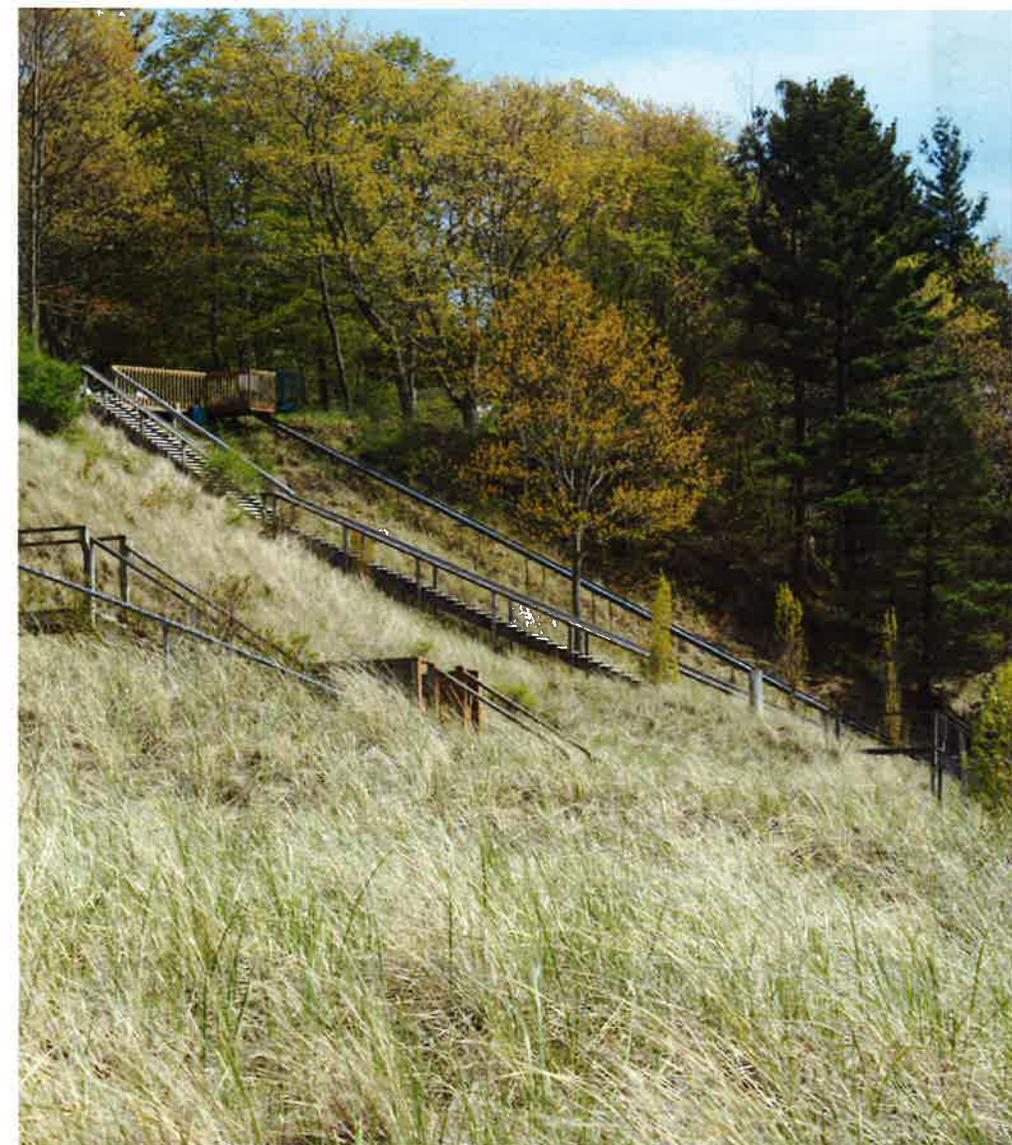
Zachary Rable- *Research Associate, University of Michigan*

Katie Sieb- *Community Planner, Land Information Access Association*

Guy Meadows- *Director of Great Lakes Research Center, Michigan Tech University*



*Project Support from: Graham Institute of Sustainability*



- Building on adopted Master Plans in Grand Haven Township and City in 2016.
- Purpose of the Integrated Assessment is to address vulnerabilities identified in the Master Plan by providing zoning amendment language, infrastructure policy, etc.
- Research goal is to apply findings statewide.
- Focused on Lake Michigan's changing water levels and coastal hazards.

# AGENDA TONIGHT

1. Overview of Process
2. Key Issues
3. Recommendations
4. Discussion



# PROJECT TIMELINE

**Completed Tasks:** Identified key coastal assets and issues from several sources:

- Planning Commission
- 2016 Master Plan
- Township Staff

**July/August:** Present amendment options

**September/October:** Present ordinances for selected options, Refine with Planning Commission feedback

**November/December:** Public hearing and adoption process for selected amendment(s)

# GRAND HAVEN TOWNSHIP'S COASTAL ISSUES

## **New Development & Redevelopment**

- **Dune Areas / Wildfire Hazards**
- **Coastal Wetlands**
- **Stormwater Management**
- **Viewsheds**
- **Public Access**

## **EACH COASTAL ISSUE:**

- **Possible Amendments**
- **Range of Options**
- **Case Studies**

## **KEEP IN MIND:**

- **What is a fit for the Township?**
- **What would you like to learn more about?**

## RESERVE YOUR SITE TODAY!



- 🌿 19 Custom Home Sites
- 🌿 1+ Acre Wooded Sites
- 🌿 Access To Lake Michigan
- 🌿 Sites With Lake Views

ANOTHER COMMUNITY BY:



# NEW & (RE) DEVELOPMENT

# NEW DEVELOPMENT (AND REDEVELOPMENT)

## Benefits:

- Growing community
- Tax revenue
- Quality development
- Includes trails and other new amenities

## Challenges:

- Reduce fire risk
- Promote improved water quality
- Conserve viewsheds

## Concerns:

- Regulatory Takings
- Conflict of Laws
- Political Viability
- Administrative Challenges



**DUNES / FIRE HAZARDS**

# DUNES / FIRE HAZARDS

## OPTIONS:

Level I. Create public educational effort for residents, developers, and local officials about strategies to protect dune health.

Level II. Implement rules to, e.g., reduce fire risk including regulation on vegetation and driveway/road design to ensure emergency access. (*Need to check on this.*)

Level III. ?

## Benefits:

- Aesthetic
- Rare environmental feature
- Economic benefit

## Challenges:

- Regulation gaps
- Fire risk
- Development impacts on dune health



# COASTAL WETLANDS

# COASTAL WETLANDS

## OPTIONS:

Level I. Create public educational effort for residents, developers, and local officials about strategies to protect wetlands and the benefits wetlands provide.

Level II. A. Use existing wetlands data to regulate development in wetlands under 5 acres that the State of Michigan does not protect. B. Establish a site-specific delineation process (~ Spring Lake Twp's FQI).

Level III. Re-map wetlands located within the Township.

## Benefits:

- Flood control
- Habitat
- Water quality
- Aesthetic
- Tourism

## Challenges:

- Regulation gaps
- Outdated data



**WATER QUALITY**

# WATER QUALITY

## OPTIONS:

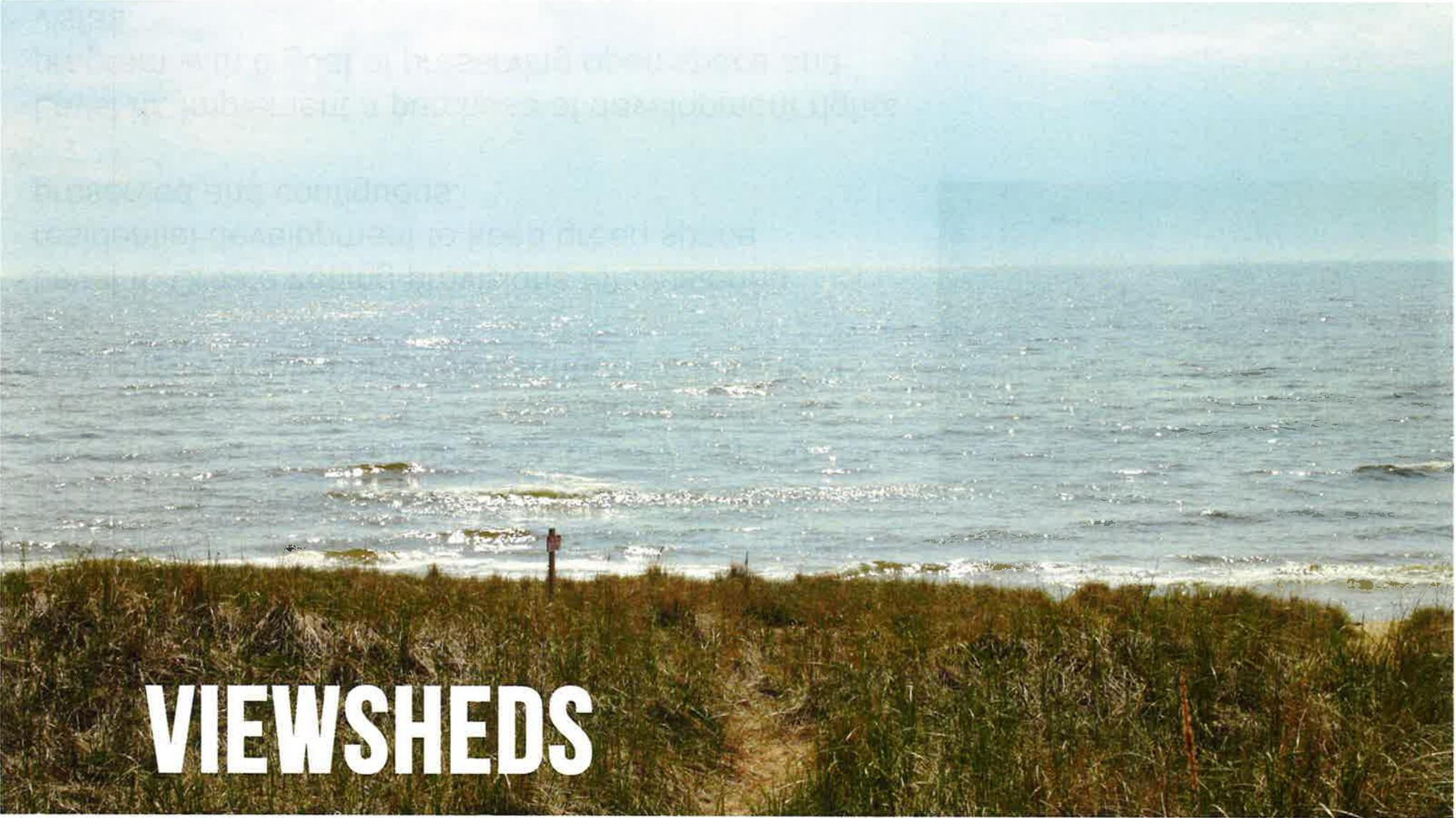
Level I. Develop impervious surface regulation, which could include maximum lot coverage (15%, 20%, etc.) for residential zones.

Level II. A. Revisit township stormwater management ordinance (Ottawa Co. WRC proposed MS4). B. Offer a density bonus or a density transfer. A bonus or transfer would allow for greater density in a given district or site in exchange for more contiguous green space.

Level III. Create a stormwater utility, with fees that could help fund and encourage Low Impact Development.



**Also: Septic Regulation**



# VIEWSHEDS

# VIEWSHEDS

## OPTIONS:

Level I. Evaluate current zoning in particular corridors for its ability to protect and preserve public vistas through height requirements, secondary building restrictions, setbacks, fence restrictions, and pool restrictions. Implement more stringent requirements.

Level II. Create zoning provisions for clustering residential development to keep green space preserved and contiguous.

Level III. Implement a purchase of development rights program with a goal of preserving open space and vistas.



**↓ PUBLIC LAND ↓**  
**ENDS HERE ↓**

**If you go beyond this sign,  
you are trespassing on  
private property.**

**PUBLIC ACCESS**

# PUBLIC ACCESS

## OPTIONS:

Level I. Work with community to identify needed improvements to existing public access areas.

Level II. Identify how public access might be improved through acquisition and public projects.

Level III. Incorporate waterfront considerations, including public access, into the Capital Improvement Plan to ensure that public projects near the waterfront will consider public access.





GRAND HAVEN CHARTER TOWNSHIP

## Beach Access Rules and Regulations

1. Access hours are 8:00 a.m. to 10:00 p.m.  
Parking is prohibited between the hours  
of 10:00 p.m. and 8:00 a.m.
2. Occupant - 90 people.
3. Alcoholic beverages are prohibited.
4. Launching of any watercraft is prohibited.
5. All pets and domesticated animals are prohibited.
6. Hunting, trapping or possession of a firearm  
or weapon is prohibited.
7. Fires are prohibited.

## Reglas y reglamentos para acceso a la playa

Los horarios de acceso a la playa son de las 8 a.m. a las 10:00 p.m. Se prohíbe estacionarse entre las 10 p.m. y las 8 a.m.

**COMPREHENSIVE AMENDMENTS**

# COMPREHENSIVE AMENDMENTS

- Establish a “Waterfront” or “Coastal Area Management” District, wherein the waterfront concerns of residential properties are considered separately from other R-1 homes.
- Establish development review coordination process / checklist

