AGENDA
Planning Commission
Monday, March 15, 2021 – 7:00 p.m.
Remote Electronic Meeting

According to the Attorney General, interrupting a public meeting in Michigan with hate speech or profanity could result in criminal charges under several State statutes relating to Fraudulent Access to a Computer or Network (MCL 752.797) and/or Malicious Use of Electronics Communication (MCL 750.540). According to the US Attorney for Eastern Michigan, Federal charges may include disrupting a public meeting, computer intrusion, using a computer to commit a crime, hate crimes, fraud, or transmitting threatening communications. Public meetings are monitored, and violations of statutes will be prosecuted.

Join Online @ www.zoom.us/join or Call 1-929-205-6099
Meeting ID: 920 5303 0916 | Passcode: 030784

I. Call to Order

II. Roll Call

III. Statement on Remote Meeting

IV. Approval of the February 15, 2021 Planning Commission Meeting Minutes

V. Correspondence

VI. Brief Public Comments & Questions (Limited to 3 minutes)
   If you would like to comment on an Agenda Item Only, please click “Raise Hand” at the bottom of your screen or by pressing Alt+Y. The Zoom Moderator will unmute you when it is your turn to speak.

VII. Old Business
   A. Review the DDA Report

VIII. Presentations & New Business
   A. Presentation by Staff – Planning Commission Bylaws
      1. Amend the Planning Commission Bylaws
   B. Presentation by Bultje – Special Land Use Authority + Q&A

IX. Reports
   A. Attorney Report
   B. Staff Report
      ➢ City of Grand Rapids – Ground-mounted Solar Array
   C. Commissioner Comments

X. Extended Public Comments & Questions (Limited to 4 minutes)
   If you would like to comment on a Non-Agenda Item Only, please click “Raise Hand” at the bottom of your screen or by pressing Alt+Y. The Zoom Moderator will unmute you when it is your turn to speak.

XI. Adjournment
I. CALL TO ORDER
Cousins called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:00pm.

II. ROLL CALL
Members present: Cousins, Wilson, Chalifoux, Taylor, Reenders, Hesselsweet, Wagenmaker, Mesler and Lemkuil
Members absent: None
Also present: Community Development Director Fedewa. Associate Planner Hoisington joined the meeting at 7:30pm.

Without objection, Cousins instructed Fedewa and Hoisington to coordinate the recording of minutes.

III. STATEMENT ON REMOTE MEETING
It was noted the Planning Commission was meeting remotely on the Zoom platform because of health concerns associated with COVID-19 pandemic. Information on this remote meeting has been posted so that the public may participate. All commissioners present noted they are meeting remotely and are located within Grand Haven Charter Township.

IV. APPROVAL OF MINUTES
Without objection, the minutes of the February 1, 2021 meeting were approved.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS – None

VII. PUBLIC HEARING
A. Special Land Use – Two-Family Dwelling – Diekevers
Cousins opened the public hearing at 7:06pm.

Fedewa provided an overview through a memorandum dated February 11th.

The applicant was not present to discuss the project.

The application was discussed by the Commissioners and focused on:

- Discussed the size of the duplex and noted it is not to scale with the existing homes in the neighborhood.
• Concerns that duplexes are not suited for the neighborhood.
  o Mixed concerns over how the duplex may be maintained in the future.
  o Likely high rent due to size and quality, which will impact tenant selection.
• Would prefer stricter regulations on duplexes and where they are allowed.
  o Expression of regret over eliminating R-3 district in new zoning ordinance.
    ▪ Duplexes were still allowed by a special land use in R-2 district under the previous zoning ordinance.
  o Fedewa explained there is a demonstrated need for two-family dwellings in the Township and the state enabling laws mandate local governments provide for land uses where a demonstrated need has been created. A special land use allows the Township to impose reasonable conditions to ensure the use fits within a neighborhood.
• Consensus among Commissioners that the front parking pads were undesirable and wished to see alternate parking solution.
• Discussed possible landscape screening.

There being no further comments, Cousins closed the hearing at 7:13pm.

VIII. OLD BUSINESS
A. Special Land Use – Two-Family Dwelling – Diekevers

Motion by Taylor, supported by Chalifoux to table the Diekevers Special Land Use application, and direct the applicant to make the following revisions:
  1. The applicant shall be present at the meeting to discuss the application.
  2. The applicant shall provide a landscape plan.

Which motion carried unanimously.

B. DDA Boundaries + Potential Projects – Step 3 of 3

Fedewa provided an overview through a memorandum dated February 11th.

The Planning Commission noted the following points of discussion:
• Questioned how properties in the proposed boundary were selected.
  o Map was generated based on previous discussion by the Planning Commission.
• Clarified how the DDA captures taxes.
Individual property owners would not notice a difference in their taxes because the “capture” only occurs on the annual inflation that increases rates.

Taxing jurisdictions such as Ottawa County may eliminate themselves from the capture for new properties being added to the Downtown Development Authority.

- Confirmed staff identified the priority projects:
  - Build a second emergency interconnect with the City of Grand Rapids watermain.
  - Extending municipal water, and sanitary sewer if feasible, to:
    - US-31 between Buchanan Street and Winans Street.
    - 168th Avenue between Buchanan and Lake Michigan Drive.
- Smaller project suggestions include:
  - Upgrade traffic signals to “box span” on Comstock Street at the 172nd and 168th Avenue intersections.
  - Install benches and bike racks at Township Hall, Hayes Street at 172nd and 168th Avenue intersections.
  - Add a bike path connector from Ferris/168th intersection to strip mall.
  - Replace existing streetlights with LED bulbs.

Staff will prepare a report for the DDA containing the official recommendations by the Planning Commission. It will be brought back on March 1st to confirm the report prior to distribution.

IX. NEW BUSINESS

A. Discussion – Single Family Dwelling Minimum Floor Area with Ryan Kilpatrick of Housing Next

Fedewa provided an overview through a memorandum dated February 11th.

Ryan Kilpatrick of Housing Next was present and provided information:

- Local employers hire workers who primarily live outside the tri-cities region due to a lack of workforce housing.
- Working class families can’t afford to live in the area due to increased cost of living.
- A smaller minimum floor area allows families to start small and add onto the house to build wealth, similar to what was done by previous generations.
• Smaller minimum is also advantageous to those looking to downsize. Such as empty-nesters and retirees.

• HOAs and similar organizations often regulate size and design standards at a development level and are far greater than Township minimums. Therefore, new home buyers will still know what they’re “buying into” as far as aesthetics for new developments.

• An average new home in the area costs around $325,000, which is out of reach for the average laborer.

• The cost of building new homes has increased significantly from the past. However, those costs are predominately attributed to kitchen and bathrooms. The cost of adding bedrooms to increase square footage is minimal when compared to the overall costs of new home construction. Meaning, kitchens and bathrooms raise the value of homes far more than a bedroom.

The Planning Commission noted the following points of discussion:

• Concerns over possible impact on neighboring property values.
  - Kilpatrick noted there was no known data to support this concern.
    - Smaller houses sell for a higher price per square foot as compared to larger homes due to the increased demand at lower price points.

• Division between Commissioners as to whether the owner of a larger home is entitled to a reasonable expectation that neighboring homes will be built to the same size and quality as their own.
  - Disagreement if owners of larger homes should dictate the rights and aesthetics of surrounding property owners.
  - There are existing examples of large and small homes co-existing. Many houses in the dunes/lakefront areas are neighborhoods with smaller cottages, but occasionally a large mansion is built. These houses may not fit the character of the existing neighborhood but are still allowed.
  - Opined that a smaller house would improve aesthetics and have a lesser impact on the neighborhood because of less lot coverage when compared to a large home that maximizes the building envelope.
    - Owners of smaller homes may be living within their financial means more than an owner of a large new home. Perhaps the owner with the smaller home should be concerned the large home will not be able to maintain and invest in their property like the existing smaller homes.

• Discussion over how large 800 sqft is compared to other sizes when constructed.
• Staff will work with Kilpatrick to provide visual representations of houses at different sizes.

• Conversation about the purpose of district regulations. Each district is separate and distinct from the others. Including, minimum design requirements, minimum infrastructure improvements, permitted and special land uses, etc.

• Worries that the smaller floor area could spur development in areas where it would not be suited, such as rural areas and agricultural land.

• Concern a smaller house would not be constructed at the same quality as a larger home. Quality is subjective. Building code requirements are minimum standards and apply regardless of the home size.
  
  o Minimums are found to be acceptable by the state for construction, and by the Township when adopted into the zoning ordinance.

• Keeping the minimum floor area as it currently stands is not likely to create an increased demand for houses of that size.
  
  o In the year since the new zoning ordinance was adopted there have not been any proposed new homes built at or close to the minimum floor area.

• The tri-cities area lacks diversity in most population demographics, promoting a solution for affordable housing could increase the economic diversity.
  
  o Allowing a smaller minimum floor area makes the Township more accessible to a variety of people.
  
  o Worries about becoming an elitist community to people who are from working-class and lower middle-class families.

• Discussed the demand for smaller homes extends passed those needing affordable housing.
  
  o The demand for larger houses has decreased with millennials focusing on smaller homes to allow for enhanced quality of living. Less money on the house itself allows for more to be spent on experience-economy.
  
  o Retirees are looking to downsize and may not need the extra space.
  
  o A smaller home can be maintained just as well as a larger home but may be more manageable for groups that wants to age in place.

• Other local municipalities have similarly reduced minimum floor areas.
  
  o Some of these municipalities (such as the City of Grand Haven) have smaller average lots.
• Suggestion to designate areas of the Township where smaller houses would be better suited, ideally near major employers.

Staff will create a report based on the discussion that occurred. A joint meeting between the Board and Planning Commission will be scheduled to determine what next steps may be necessary.

X. REPORTS
A. Staff Report
  ➢ Attorney Ron Bultje is offering the annual Planning Commissioner Essentials virtual training on February 16th.

B. Commissioner Comments
  ➢ Wagenmaker requested the Planning Commission reconsider the master plan in mind of where future industrial areas should be planned. This could also be used to designate areas for affordable housing.
  ➢ Taylor indicated it is difficult to know what the Board wants from the Planning Commission regarding minimum dwelling sizes because there has not been much direction from the Board.

XI. EXTENDED PUBLIC COMMENTS – None

XII. ADJOURNMENT

Without objection, the meeting adjourned at 8:42 pm.

[Signature]

Cassandra Hoisington
Acting Recording Secretary
Community Development Memo

DATE: March 11, 2021
TO: Planning Commission
FROM: Stacey Fedewa, AICP – Community Development Director

BACKGROUND

As you recall, the Township DDA Board requested the Planning Commission review the boundaries and TIF Plan to determine if additional projects can be completed. The Planning Commission held 3 meetings to complete this project—January 18th, February 1st, and February 15th.

☑ Step 1 of 3 – initial discussions – complete
☑ Step 2 of 3 – group brainstorming – complete
☑ Step 3 of 3 – final recommendations – in progress

STAFF REVISIONS TO PLAN

While preparing the final report, staff identified a few items that have resulted in changes from the February 15th meeting.

1. The project recommending municipal water and sanitary sewer be installed on 168th Avenue between Buchanan Street and Lake Michigan Drive was removed from the project list.
   - The area is strictly residential, which precludes the use of DDA TIF funds.

2. The boundary expansion recommendation along the west side of US-31 between Lincoln Street and Rich Street was removed from the map.
   - This area is strictly residential and agricultural. It is also master-planned for residential and agricultural. This precludes the use of DDA TIF funds.
3. There are **68 parcels recommended for inclusion in the DDA.** However, approximately half of these lots will need to be revised on the Future Land Use (FLU) Map during the master plan update.

   - 33 lots are zoned Agricultural or Residential and master-planned for the same. Which necessitates a revision to the Future Land Use Map to ensure it is supporting the recommendations to the DDA.
   - 8 parcels are zoned Commercial, but master-planned as Agricultural Preservation. Again, necessitating revisions to the FLU Map.

### SAMPLE MOTIONS

If the Planning Commission finds the proposed DDA Report acceptable, the following motion may be offered:

**Motion to approve** the Final DDA Report, as presented, and direct staff to forward it to the Downtown Development Authority Board for their review and consideration.

If the Planning Commission finds the proposed DDA Report needs revisions, the following motion may be offered:

**Motion to table** the Final DDA Report, and direct staff to address the following items:

1. *List items here…*

Please contact me if this information raises questions.
REPORT TO
THE DDA

Boundaries & TIF Projects

PREPARED BY:
Stacey Fedewa, AICP
Community Development Director

APPROVED BY:
Grand Haven Charter Township Planning Commission
The Downtown Development Authority (DDA) is nearing the completion of its original project list in the Tax Increment Financing (TIF) plan. The DDA requested the Planning Commission review the boundaries and TIF plan for potential revisions.

Request
The DDA requested the Planning Commission review the boundaries and TIF plan for potential revisions.

Boundaries
Should the DDA boundaries be expanded to include new areas?

Projects
Are there additional projects the Township should pursue within the existing and/or expanded boundaries?
THE PROCESS

WEEK 1

Introduce the request by the DDA. Discuss the creation of the DDA and its TIF Plan. Directions on how to review the boundaries and identify potential projects.

WEEK 2

In depth discussion with Superintendent Cargo regarding the DDA, TIF Plan, legal nuances, and initial review of boundary expansions and new projects.

WEEK 3

Final review of the proposed boundary expansions, including adjustments based on a legal review of the consolidated Acts. Finalized project list and identified priority projects.
RECOMMENDATIONS

The Planning Commission's formal recommendations on the DDA boundaries and potential projects to consider.
EXPAND BOUNDARIES

**New Boundaries**

The Planning Commission recommends the properties shown in yellow be added to the DDA boundaries. Includes 68 new parcels.

**Zoning Changes**

For a parcel to be located within the DDA, it must be zoned or master-planned for non-residential uses.

Of the 68 parcels, some will need to have their master-plan designation updated on the Future Land Use Map:

- 33 parcels are zoned Agricultural or Residential.
- 8 parcels are zoned Commercial, but master-planned as Agricultural Preservation.

The updates will be made to ensure consistency and cohesiveness between the DDA Boundaries, the Zoning Map, and the Future Land Use Map.
Description

The Planning Commission recommends expanding the DDA boundaries south to include M-45 and portions of Winans Street. Including, the former Zelenka property. Two additional lots are recommended for inclusion to widen the end-caps of the north/south industrial corridor at 168th & Hayes and 168th & Johnson.

2021 will include a review of the Master Plan and Future Land Use map, which guides future growth and development patterns in the Township. The necessary updates will be completed during that process.

A primary point of consideration will be master-planning more land for industrial uses because the greater Grand Haven area is lacking room for growth.

The manufacturing sector plays a large role in our local economy and find it prudent to support these businesses by creating opportunities for them to stay local and grow local.
Recommended Additions to TIF Plan

- Second emergency interconnect with the City of Grand Rapids watermain.

- Install municipal water and sanitary sewer on US-31 between Buchanan Street & Winans Street.

- Upgrade traffic signals to "box span" style at two Comstock Street intersections:
  - 172nd Avenue
  - 168th Avenue

- Install benches and bike racks:
  - Township Hall
  - Hayes Street @ 172nd Ave
  - Hayes Street @ 168th Ave

- Build bike path connector from Ferris/168th intersection to adjacent strip mall.

- Replacement schedule to convert all lighting to LED.
Second Interconnect

- As a best practice, consider building a second emergency interconnect with the City of Grand Rapids watermain.
- The Resilient Master Plan supports and encourages multiple hazard mitigation strategies to protect the community during a disaster.

Extend Municipal Infrastructure Services

- To support growth and development along the US-31 corridor, it is recommended the DDA install municipal water and sanitary sewer. Pick up sewer at Lincoln and water at Buchanan and run south to Winans.

Upgrade Traffic Signals

- Traffic safety codes now recommend a "box span" signal now because it prevents the driver from losing sight of the traffic light when pulling forward into the intersection.
- The current designs are "diagonal spans" hung by wire over the intersection. Whereas the "box spans" have a pole on each corner with an arm stretching over the lanes. Example: intersection of Robbins Road & 172nd Avenue.
Benches & Bike Racks

- To continue improving the users experience on the pathway, new amenities should be installed at appropriate locations.

- The Township should replicate the design at Mercury Drive and Robbins Road.

- Suggested locations include:
  - Township Hall
  - Hayes at 172nd Avenue
  - Hayes at 168th Avenue

Bike Path Connector

- Find a way to connect the bike path near Ferris and 168th to the multi-tenant commercial building along US-31.

- Creating this connection will provide pathway users with direct access to a commercial center. In turn, it will help support the local economy.

- This could be a direct one-way connection that does not loop to Lincoln because the Township will be creating the loop on 160th Avenue.

LED Conversion

- Establish a schedule to convert all public lighting to LED. Including, streetlights, lighting within the parks, and all other Township buildings.

- Building a schedule will ensure all of the lights are identified. Then incorporated into a budget to implementation.
CONCLUSION

The Planning Commission appreciated the opportunity to provide input on the future direction of the DDA.

Thank you for the opportunity.
## 2021 DDA Report
### Parcels Recommended for Inclusion in the Boundaries

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**KEY - Master Plan**
- AP | Ag Preservation
- RR | Rural Residential
- PQ | Public/Quasi Public
- C | Commercial
- GI | General Industrial

**KEY - Zoning**
- AG | Agricultural
- RP | Rural Preserve
- RR | Rural Residential
- R-2 | Single Family
- C-2 | Regional Commercial
- I-1 | Industrial
Community Development Memo

DATE: March 11, 2021
TO: Planning Commission
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Planning Commission Bylaws and Rules – Update

BACKGROUND

A requirement of the Michigan Planning Enabling Act (MPEA) is the Planning Commission establish Bylaws and Rules of Procedure. The last update was completed in 2017.

SYNOPSIS OF REVISIONS

The following items were updated to reflect the current practices:

1. **Section 3.1 – Meetings.**
   
a. The organization meeting that establishes the next year’s meeting schedule and appointment of officers occurs on the **last meeting of the year** instead of the first.
   
b. Staff and/or the Chairperson may adjourn, cancel or reschedule meetings.
   
c. Request for a special meeting is **submitted to Staff instead of the Secretary.**
   
d. Members are responsible for keeping Staff apprised of **current email address, mailing address and phone number.**
   
e. **Compliance with the Open Meetings Act** is required.

2. **Section 3.2 – Officers.**
   
a. Elected officer may not serve as Chairperson.
   
b. Secretary **delegates their duties** to Township Staff.
   
c. Annual Reports will also **include rezonings and text amendments**, but not standard zoning applications because those are processed by Staff.
   a. When a member has a conflict of interest, they shall refrain from discussing, deliberating, or voting on the application.
   b. There is a conflict of interest if the Planning Commissioner has a business or financial interest in the applicant, in addition to their business or property.
   c. Planning Commission may inquire about a potential conflict of interest of another member. The member shall respond to the inquiry. If the member does not believe that a conflict of interest exists, another member may make a motion to recuse said member. If seconded and adopted by a majority of those present, the member shall recuse themselves.
      i. This method prevents Staff and Attorney Bultje from making the determination that a member may, or may not, have a conflict of interest.
   d. If a Planning Commissioner is an applicant, they shall not appear before the Commission, but shall have a representative appear instead to avoid the appearance of impropriety.

4. Section 3.8 – Mandatory Duties.
   a. Removed the duty related to preparing a capital improvements plan because the Township Board handles this function.

**SAMPLE MOTION**

If the Planning Commission agrees with the proposed revisions to the Bylaws and Rules, the following motion may be offered:

**Motion to approve** the revised Bylaws and Rules of the Planning Commission, as presented, and authorize the Chairperson and Secretary to sign the document.

If the Planning Commission finds the Bylaws and Rules need revisions, the following motion may be offered:

**Motion to table** the revised Bylaws and Rules of the Planning Commission and direct staff to address the following:

Please contact me if this raises questions.
BYLAWS AND RULES OF THE
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION

SECTION I

PURPOSE

The members of the Grand Haven Charter Township Planning Commission are appointed by the Township Board and are charged with the responsibility of implementing the philosophy of the master plan pursuant to the provisions of the Michigan Zoning Enabling Act (Act 110 of the Public Acts of 2006, as amended) and Michigan Planning Enabling Act (Act 33 of the Public Acts of 2008, as amended). The Planning Commission may establish rules and bylaws to govern its operations. These Bylaws and Rules are to be read in a manner consistent with state law and township ordinance or administrative policies, and any provision herein deemed inconsistent with state law shall be struck and the remainder of the Bylaws and Rules shall remain in full force and effect.

SECTION II

ORGANIZATION

2.1 MEMBERSHIP AND QUORUM.

The Planning Commission shall total nine (9) members, appointed by the Supervisor and approved by a majority vote of the members of the Township Board elected and serving. The Commission members should represent a wide array of interests in the community without the political considerations that influence elected officials. A quorum of the Planning Commission shall be five (5) members. All but one (1) member shall be qualified electors of the Township. One (1) member of the Township Board shall be a member of the Planning Commission. Members of the Planning Commission shall continue to hold office until their successors are appointed.

2.2 FIDUCIARY DUTIES.

All members must recognize their fiduciary duty to the Township. While the Planning Commissioners are representative of different constituencies within the Township, they shall endeavor to promote the general public good rather than special interests. No Planning Commissioner shall release information exempted by the Freedom of Information Act. Any such breach shall be considered a cause for removal.

2.3 ATTENDANCE.

Regular attendance of members is essential if the Planning Commission is to effectively discharge its responsibilities and advisory role. If a member is unable to attend a Planning Commission or committee meeting, the member should contact the Township Staff or Chairperson by 5 p.m. of the day preceding the meeting and advise them of the reason for the absence. Failure to notify the Planning Department or the Chairperson of the reason for absence will result in the absence being declared "unexcused." The Planning Commission
or committee shall also have the discretion, despite utilization of the notice and reporting provisions herein, to declare the absence "unexcused." Three (3) unexcused absences or six (6) total absences of a member from Planning Commission meetings during any twelve (12) month period shall be reported to the Township Board and may be "cause" for that Board's removal of the member.

2.4 COMPENSATION.

Planning Commissioners will be paid a per diem as established by the Township Board for each Planning Commission meeting or committee meeting attended.

Planning Commissioners are encouraged to attend training seminars and will be paid for their attendance pursuant to the Township's Administrative Policies. Training is considered to be an important aspect of a Commissioner's responsibility. Members are asked to report all training that they attend to Township staff for inclusion in the Annual Report. *(Training may include seminars offered through a Commissioner's work if it is related to planning, zoning, or general development issues.)* A Commissioner's training record may be used by the Board in evaluating an application for reappointment.

Planning Commissioners may be reimbursed for actual, reasonable and necessary expenses incurred in the discharge of their duties, including the inspection of sites being considered by the Planning Commission. No such reimbursement shall be paid without appropriate receipt or mileage statement. Each Planning Commissioner or member shall be responsible for procuring and presenting such back-up documentation to staff who shall collect and preserve such documentation.

SECTION III

OPERATIONS

3.1 MEETINGS.

The Planning Commission will hold regular meetings on the first and third Mondays of each month. At the 1st meeting in January, last regular meeting of each calendar year (the “organizational meeting”) the Planning Commission shall select from its membership a Chairperson, Vice-Chairperson, and Secretary and any other officers decided upon by the Planning Commission. The Planning Commission may also use a recording secretary who is not a member of the Planning Commission.

At the organizational meeting, a schedule of regular meetings for the year shall be established, including the organizational meeting for the following January. This schedule shall include the date, time and meeting location. The above regular meetings may be adjourned, canceled or rescheduled by the Chairperson and/or Township Staff for cause.

State law provides that special meetings to discuss particular topics may be called by the Chairperson or by a written request signed by two (2) Planning Commissioners and filed with the Secretary and/or Township Staff. Special meetings of the Commission will require forty-
eight (48) hours notice to all Planning Commissioners of the meeting date, time, location and topic. No business except that related to the topic may be conducted at the special meeting.

Each Planning Commissioner shall be responsible for keeping Township Staff the Secretary apprised of the Commissioner's current email address, mailing address and telephone number and if such information is utilized, no defect in notice will be recognized.

No Planning Commission action shall be official unless it occurs upon a proper vote at a properly convened meeting or unless it is ratified by a proper vote at a subsequent, properly convened meeting.

"Properly convened meeting" refers to a Planning Commission meeting where a quorum is present, and which was the subject of forty-eight (48) hours prior written notice to each member or diligent prior attempts to reach each member telephonically.

"Proper vote" refers to a polling of the Planning Commissioners of the Planning Commission at a properly convened meeting which results, unless otherwise specified in these Bylaws, in a majority of those members present and voting in support of a motion or resolution. A motion which receives an equal number of votes both for and against the motion will be deemed to have failed.

With respect to the notices for all Planning Commission meetings, there shall be compliance with all requirements of Michigan Act 267 of 1976, as amended, the Michigan Open Meetings Act.

3.2 OFFICERS.

The Officers of the Planning Commission shall consist of the Chairperson, Vice-Chairperson, and Secretary and any other officers decided upon by the Planning Commission, and shall be elected for a one (1) year term by a proper vote at the organizational meeting. An elected officer of the Township shall not serve as Chairperson.

Officers shall exercise functions including but not limited to those described below:

A. Chairperson: Shall preside at the meetings of the Planning Commission, serve as its spokesperson and signatory and coordinate its activities.

B. **Vice-Chairperson**: Shall exercise the powers of the Chairperson when the Chairperson is unavailable.

C. Secretary: Shall be responsible for arranging meetings, and recording and distributing the minutes of each meeting, and for carrying on the normal administrative duties necessary to the Planning Commission's functions. Upon approval of the Planning Commission, the details of these duties may be delegated to non-Commission members or other Commission members.
The Secretary may delegate any or all of the below duties to Township Staff, which is the standard practice.

1. Minutes: The Secretary shall be responsible for a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records.

2. Correspondence: The Secretary shall be responsible for the issuance of formal written correspondence with other groups or persons, as directed by the Planning Commission. All communications, petitions, reports, or other written materials received by the Secretary shall be brought to the attention of the Planning Commission.

3. Attendance: The Secretary shall be responsible for maintaining an attendance record for each Planning Commission member and report those records annually to the Planning Commission for inclusion in the Annual Report to the Township Board.

4. Notices: The Secretary shall issue such notices as may be required by the Planning Commission.

5. Annual Report: The Secretary shall draft an Annual Report for consideration by the Planning Commission. This report shall contain, at a minimum, the following:

   a. The attendance record of each Commissioner, including both excused and unexcused absences;

   b. The training record of each Commissioner;

   c. The Committee(s), if any, that each Commissioner served;

   d. A breakdown of the actions taken by the Planning Commission pursuant to the following:

      i. Zoning applications by category;

      ii. Special land use applications;

      iii. Planned Unit Developments;

      iv. Site plans;

      v. Subdivision;

      vi. Site Condominiums;
vi. Rezonings;

vi-vii. Text Amendments; and,

vii-viii. Any other action deemed noteworthy.

3.3 COMMITTEES.

The Planning Commission may establish such standing committees, special committees and task forces as it deems necessary. Such committees and task forces shall be advisory only in authority and shall not exercise the powers of the Planning Commission.

Standing committee members must be members of the Planning Commission. Members of special committees or task forces need not be members of the Planning Commission. Any special committee or task force established shall be required to file a written report of its activities upon the completion of its assigned task. Special committees or task forces shall be dissolved upon presentation of a final report. The Planning Commission may dissolve any special committee or task force it establishes, at any time. The Chairperson shall make committee and task force appointments subject to the approval of the Planning Commission upon a proper vote. Each committee or task force shall elect a chairperson from its membership.

3.4 RULES OF ORDER.

Except as otherwise provided herein, members shall have the following rights and duties.

A. When a Commissioner wishes to speak, the Commissioner shall be recognized by and shall address the Chairperson.

B. When two (2) or more Commissioners wish to speak at the same time, then the Chairperson shall decide who is to speak first.

C. When a Commissioner is speaking on any question before the Planning Commission, the Commissioner shall not be interrupted except to be called to order by the Chairperson.

D. When a Commissioner is called to order by the Chairperson, the Commissioner shall immediately suspend the Commissioner's address except to register an appeal. The Planning Commission, if appealed to, shall decide the question upon a proper vote. If there is no appeal, the ruling of the Chairperson shall be final.

E. The Chairperson shall vote on all questions decided by yea and nay except on an appeal from the Chairperson's own decision. The Chairperson is not required to vote last. When a yea and nay vote is taken, every Commissioner present shall vote or note any abstention.
F. All members have a fiduciary responsibility to vote on all motions, unless an abstention is allowed pursuant to law.

G. Planning Commission members shall declare a Conflict of Interest and refrain from discussing or deliberating or voting as a member of the Planning Commission on an application when:

1. a relative (i.e. a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, niece, or nephew including any in-law or step relationship of the described types) is an applicant or is formally associated with an applicant before the Planning Commission;

2. the Planning Commission member has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant or the applicant's company, agency, or association, corporation, partnership, limited liability company, or any other entity; or

3. the Planning Commission member owns or has a financial interest in neighboring property (for purposes of this section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the Zoning Ordinance, or other applicable Ordinance, or Michigan Zoning Enabling Act); or

4. there is a reasonable appearance of a conflict of interest, as determined by the Planning Commission member declaring such conflict; or

5. if a Planning Commissioner is asked about a potential conflict of interest, the Planning Commissioner shall respond on the record to the inquiry. If the Planning Commission does not believe that a conflict of interest exists, another Planning Commissioner may make a motion to recuse the Planning Commissioner for having a conflict of interest. If the motion is seconded and passed by a majority of the Planning Commissioners at the meeting, excluding the Planning Commissioner at issue, the Planning Commissioner at issue shall be recused.

H. Each member of the Commission shall avoid conflicts of interest and incompatibility of offices. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:

1. Issuing, deliberating on, voting on, or reviewing a case concerning the Commission member;

2. Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by the Commission member, or which is adjacent to land owned by the Commission member, or whose statutory notice area under the
Michigan Zoning Enabling Act includes land owned by the Commission member;

3. Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which the Commission member is a part owner, or any other relationship where the Commission member may stand to have a financial gain or loss;

4. Issuing, deliberating on, voting on, or reviewing a case which results in a pecuniary benefit to the Commission member;

5. Issuing, deliberating on, voting on, or reviewing a case concerning the Commission member's spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, niece, or nephew including any in-law or step relationship of the described types;

6. Issuing, deliberating on, voting on, or reviewing a case where the Commission member's employee or employer is:
   a. an applicant or agent for an applicant, or
   b. has a direct interest in the outcome.

I. If a Planning Commission member shall not appear as an applicant before the Planning Commission in a case where the Planning Commission member has a conflict of interest, either as an individual, corporation, company, partnership, or any other entity in which the member is a part owner, the Commissioner shall be required to have a representative speak on their behalf to avoid any appearance of impropriety. The Planning Commission member shall have a representative appear before the Planning Commission instead.

3.5 ORDER OF BUSINESS.

Regular meetings of the Planning Commission shall generally follow an order of business structured as follows:

A. Call to Order by Chairperson
B. Roll Call
C. Approval of Minutes of Previous Meeting
D. Presentation of Correspondence
E. Brief Public Comments
F. Public Hearings
G. Old Business
H. New Business
I. Reports
J. Extended Public Comments
K. Adjournment

Planning Commission meetings are meetings in public; the meetings are not meetings with
the public. The Planning Commission shall ensure that the decision making process always
occurs in public.

Public participation shall require that each individual identify the individual's name and
address and speak to the Chairperson in an orderly fashion. The Chairperson may set
reasonable limits upon public participation, subject to reversal by a proper vote of the
Planning Commission.

3.6 PUBLIC HEARINGS.

The following rules of procedure shall generally apply to public hearings held by the
Planning Commission:

A. Chairperson opens the public hearing and announces subject.
B. Chairperson summarizes the procedures/rules to be followed during the hearing.
C. Township Staff/Planner/Engineer/other consultants present their report and
   recommendation.
D. Applicant presents the main points of the application.
E. Persons wishing to speak during the public hearing are recognized.
F. Chairperson closes the public hearing.

To ensure that everyone has the opportunity to speak, the Chairperson may elect to limit
the time permitted for each person to speak, except that the applicant may be permitted
such time as the Chairperson allows. The Chairperson may also elect to allow persons to
speak only once, until all persons have had the opportunity to speak, at which time the
Chairperson, in the Chairperson's discretion, may permit additional comments.

All comments by the public, staff, and the Planning Commission shall be directed to the
Chairperson.

3.7 RECORDS.
The records of the Planning Commission shall be considered public records subject to potential disclosure under the Freedom of Information Act, MCL 15.231 et seq. The Township Superintendent/Manager is responsible to respond to requests for information, unless otherwise directed by the Township Board.

3.8 MANDATORY DUTIES.

A. The Planning Commission shall perform the mandatory duties specified by statute. Some specific duties include the following:

1. The Planning Commission is responsible to make, adopt and maintain the Township's Master Land Use Plan, including maps, and the necessary descriptive materials.

2. The Planning Commission shall make reasonable restrictions on land that conforms with the Master Plan and provide for the best interests of the health, safety and general welfare of the Township's residents.

3. The Planning Commission shall make recommendations to the Township Board with regard to amendments to the Zoning Ordinance.

4. The Planning Commission shall review and take action on all site plans, special land uses, and planned unit developments required by the Zoning Ordinance.

5. The Planning Commission shall annually prepare a capital improvements program of public structures and improvements, unless that duty is performed by the Township Board.

B. All decisions by the Planning Commission should be based upon the Master Plan, the standards contained within the Zoning Ordinance and the specific facts applicable.

C. The Planning Commission shall be assisted by the Township staff and such consultants as it may deem necessary, including, but not limited to, those for Planning, Engineering, and Legal assistance (the “Consultants”), in the performance of the duties of the Planning Commission.

D. The Superintendent/Manager, Community Development Director, and Consultants shall be responsible for the professional and administrative work in coordinating the functions of the Planning Commission.

E. The Superintendent/Manager and/or Community Development Director shall:

1. Supervise and review the work of Consultants and Township staff.
2. Accept applications for matters to be reviewed by the Planning Commission and ensure that such applications are complete.

3. Forward application materials to the Planning Commission at least four (4) days prior to the meeting at which such matters will be considered.

4. Inform the Planning Commission of administrative and enforcement actions taken on behalf of the Township related to the Zoning Ordinance, or other appropriate Ordinance.

F. Consultants shall perform the following duties, as directed by the Planning Commission, Township Board, or Township staff:

1. Attend Planning Commission meetings.

2. Consult with the Planning Commission, Superintendent/Manager, Community Development Director, and other Township officials concerning interpretation, procedural questions, and other matters arising from the Zoning Ordinance.

3. Prepare amendments to the Zoning Ordinance as directed by the Planning Commission.

4. Prepare and forward to the Superintendent/Manager and/or Community Development Director written reviews and recommendations, if appropriate, for requests and development proposals to be considered by the Planning Commission.

5. Meet with applicants, their representatives, and/or Township officials, as needed to properly perform project reviews.

6. Perform other duties as directed by the Township.

3.9 MASTER PLAN.

The Planning Commission may adopt the Plan in total or in parts corresponding to major geographical or topical sections. Approval of the Plan or any part shall require a proper vote of a majority of the members appointed and serving. An approving resolution must refer expressly to any maps, charts, plats or descriptive material intended to be part of the Plan and such supplementary material must be signed by the Chairperson as a notation of its inclusion in the Plan.

3.10 PLANNING COMMISSION REVIEW.

Once a Master Plan or a part thereof has been approved and certified, the Planning Commission must furnish its advice and recommendations regarding zoning matters to the
Township Board in a prudent and responsible manner. The Planning Commission shall in general work toward the implementation of the Master Plan, unless conditions upon which the Master Plan is adopted have significantly changed.

SECTION IV

FISCAL ADMINISTRATION

4.1 BUDGET.

The Planning Commission may prepare a detailed budget for submission to the Township Board for approval, revision or rejection.

The Planning Commission shall work within the fiscal administration and budgetary policies and procedures established by the Township Board.

The Planning Commission staff shall inform the Planning Commission Chairperson if there arises a need for additional funds.

SECTION V

ADOPTION AND AMENDMENTS

5.1 These Bylaws and Rules shall be adopted and become operative when approved by two-thirds of the Planning Commissioners appointed and serving. These Bylaws and Rules may be amended at any time provided the Planning Commissioners have been provided with a written copy of the proposed amendments at least four (4) days prior to a meeting at which the amendments will be considered. Adoption of any amendment will require approval of two-thirds of the Planning Commissioners appointed and serving.

ATTESTATION

We, the Chairperson and Secretary of the Grand Haven Charter Township Planning Commission, certify that on August 7, 2017March 15, 2021, the Planning Commission duly approved these Bylaws and Rules.

Chairperson, Bill Cousins

Secretary, Bob WagenmakerPhil Chalifoux
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
MARCH 15, 2021

SPECIAL LAND USE CONSIDERATIONS

I. Special land use versus allowed by-right use.
   A. The SLU might fit in the zoning district; the by-right use will be considered to fit.
   B. By virtue of requiring SLU consideration, the Township requires a site plan.
   C. Purpose of site plan – apply all standards – does it fit?
   D. To find a SLU does not fit – not an indication the SLU should be removed from the zoning district.

      1. Purpose of SLU process – SLU might/might not fit.
      2. Consider two-family dwellings.
         a. Not allowed in R-1.
         b. Allowed by right in R-3.
         c. R-2: allowed by SLU.
   
   E. Three possible answers to SLU application.

      1. Yes.
      2. No.
      3. Yes with conditions.
         a. Negotiate like with a PUD.
            - Except no Zoning Ordinance flexibility.
            - So can’t demand concessions.
b. Don’t forget Walmart example.

II. SLU Standards.

A. General – Section 12.04.

B. Specific – if applicable – Sections 12.06 through 12.49.

C. Site Plan Standards – for every SLU – Section 18.07(G)(1) – (16).

D. Lots of verbiage in a draft motion - listing all the standards - review each factor in relation to the site plan.
   1. Review each factor in relation to site plan.
   2. Is the standard met?
   3. Even if met, could it be met in a reasonable way that is better for the neighborhood and the Township?
   4. If it is not met, could the site plan be revised so that the standard could be met and the SLU approved?

E. A, B, and C above will tell you to say yes or no.
   1. If no, process ends.
   2. If yes, then important work begins.

III. Conditions.

A. Density.

B. Setbacks to protect neighbors.

C. Berms and landscaping in setbacks.

D. Location of access roads.

E. Utility extensions and improvements – water, sanitary sewer, storm sewer, etc.
F. Accessory building limitations.

G. Animal limitations.

H. Parking.

I. Signage.

J. Outdoor lighting.

K. Hours of operation.

L. Noise limits – buffers.

M. Etc.