AGENDA
Planning Commission
Tuesday, July 6, 2021 – 7:00 p.m.

I. Call to Order
II. Roll Call
III. Pledge to the Flag
IV. Approval of the June 21, 2021 Planning Commission Meeting Minutes
V. Correspondence
VI. Brief Public Comments & Questions (Limited to 3 minutes)
VII. Old Business
   A. Conditional Rezoning – Stillwater Development – AG to RR
VIII. New Business
   A. Discussion – Text Amendment – Two-Family SLU – Minimum Lot Width
   B. Training Video – Roles & Responsibilities (16 minutes)
   C. Training Video – Housing (30 minutes)
IX. Reports
   A. Attorney Report
   B. Staff Report
   C. Commissioner Comments
X. Extended Public Comments & Questions (Limited to 4 minutes)
XI. Adjournment

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 Township Staff prior to the meeting.
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, Reenders, Hesselsweet, Wagenmaker, Mesler and Lemkuil
Members absent: Taylor
Also present: Community Development Director Fedewa, Associate Planner Hoisington, and Attorney Bultje

Without objection, Cousins instructed Hoisington to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES
Without objection, the minutes of the June 7, 2021 meeting were approved.

V. CORRESPONDENCE
Don Reis – 13213 Hidden Creek Drive, Grand Haven, MI 49417
  • Opposes the vandenBerg special land use application.
  • Believes approval would be an instance of spot zoning.

VI. PUBLIC COMMENTS
Russ Doane – 13462 Hidden Creek Ct, Grand Haven, MI 49417
  • Opposes the vandenBerg Excavating application due to an anticipated adverse impact on the Hidden Creek Neighborhood.
  • Opposes the proposed text amendment for outdoor businesses.

Richard Edwards – 13224 Hidden Creek Ct, Grand Haven, MI 49417
  • Opposes the vandenBerg Excavating application.
  • Believes it will negatively impact surrounding residents due to potential for noise and pollution.

Don Reis – 13213 Hidden Creek Drive, Grand Haven, MI 49417
  • Submitted letter of correspondence.
  • Former urban planner.
• Believes approval of the vandenBerg Special Land Use application violates the future land use map and would be spot zoning.

Susan Robertson – 13252 Hidden Creek Drive, Grand Haven, MI 49417
• Was on the Planning Commission during the time when a similar use was established on US-31.
• Noted many issues with violations from the special land use, but the new owners have been doing a good job.
• Believes the Township does not have a good history of enforcing conditions of approval for special land uses.

Dan Bradbury – 13490 Hidden Creek Court, Grand Haven, MI 49417
• Opposes the vandenBerg Excavating application.
• Shared concerns over traffic congestion on Ferris Street and the potential impact on young drivers.

Attorney Bultje clarified two subjects:
• The special land use application is not an example of spot zoning because the land is not being rezoned.
• A text amendment does not rezone a property.

VII. PUBLIC HEARING
A. Rezoning – Stillwater Development – Winans Street – AG to RR

Cousins opened the hearing at 7:13pm.

Fedewa provided an overview through a memorandum dated June 15th.

The applicant, Kelly Kuiper of Stillwater Development, was present to answer any questions and provided the following information:
• The requested application is consistent with the future land use designation of Rural Residential.
• The parcel is bisected by Little Pigeon Creek and has significant wetlands and floodplains present.
• The parcel is granted up to 9 divisions by right, but divisions are limited by the lot width/depth ratio requirements. The 6 proposed lots maximize the buildable land for sellable parcels.
• Is agreeable to a contract rezoning based on the proposed divisions.

Following the initial discussions, the Chair opened the public comment period:
Harold Englund – 10568 168th Avenue, West Olive, MI 49460
• Property has wetlands, floodplains, and is a spring fed cold water stream that are essential for spawning.
• Shared concerns about protecting the natural resources on site.

Laura Newman – 10574 168th Avenue, West Olive, MI 49460
• Enjoys the peace and quiet that exists in the area.
• Noted the presence of a variety of animal species in the area that need to be protected.

Dave Newman – 10574 168th Avenue, West Olive, MI 49460
• Adjacent property owner.
• Enjoys the wildlife in the area.
• Shared concerns about over developing the area.

Dean Reisner – 16555 Pierce Street, West Olive, MI 49460
• Adjacent property owner.
• Rural Residential is not appropriate zoning for the area.
• Lack of utilities in the area.
• The area is not ripe for development yet – a similar lot was planted as a blueberry field and is expected to remain in that state for many years.
• The proposed divisions are not binding after the rezoning.

Jon Bagley – 16552 Winans Street, West Olive, MI 49460
• Notes the remainder parcel is almost entirely encumbered by floodplains.
• Questioned if it was feasible to build on the remainder parcel.

There being no further comments, Cousins closed the hearing at 7:31pm.

VIII. OLD BUSINESS

A. Rezoning – Stillwater Development – Winans Street – AG to RR

The Planning Commission asked Attorney Bultje to explain contract rezoning.

• The proposed land division plan that accompanies the rezoning application is non-binding. If the rezoning is approved the applicant may propose divisions that do not match the layout.

• Contract rezoning must be initiated by the applicant but can include written conditions that the Planning Commission may either accept or reject.

• The contract rezoning “runs with the land” and is binding on future owners.

• The Planning Commission may consider a contract rezoning to be a good solution if the applicant is willing to include the division information in a request for a contract rezoning.

The Planning Commission noted the following points of discussion:
• Shared concerns about overdeveloping the area when it may not be ripe for development.
• Discussed the buildable areas on the various lots.
• Discussion over the differences in Rural Residential, Rural Preserve, Planned Unit Development’s and land division rights.

• Expressed concern about the potential for a driveway to be built over the creek on the Remainder parcel. Not in favor of any private roads being constructed. Prefer easement access on a parcel abutting Pierce Street.

• Open to contract rezoning to lock in parcel divisions as proposed by the applicant.

  **Motion** by Wagenmaker, supported by Hesselsweet, to **table** the Stillwater Development rezoning application to await a written request for a contract rezoning agreement that includes proposed conditions. The agreement would be drafted by the Township Attorney for consideration by the Planning Commission. **Which motion carried unanimously.**

B. Text Amendment – Minimum Floor Area per Dwelling Unit

Fedewa provided an overview through a memorandum dated June 17th.

Fedewa shared comments from Commissioner Taylor who was not present at the meeting. Strongly disagrees with the proposal to increase minimum floor areas. No evidence of lower home values. Support from local realtors on current size. Not all Board members agree that a lower minimum floor area is needed.

The Planning Commission noted the following points of discussion:

• Suggestion to wait on the text amendment until revisions to the Township Master Plan are completed so the topic can be addressed in more detail.

  **Motion** by Wagenmaker, supported by Wilson, to **schedule a public hearing** for the proposed zoning text amendment ordinance concerning Minimum Floor Areas for Dwelling Units. Sizes are as follows: AG, RP, RR, R-1 = 1,100 sqft; R-2 = 960 sqft.

  **Which motion carried**, as shown by the following roll call:

  *Ayes:* Wilson, Hesselsweet, Chalifoux, Wagenmaker, Reenders, Mesler  
  *Nays:* Cousins and Lemkuil  
  *Absent:* Taylor

C. Text Amendment – Outdoor Storage

Fedewa provided an overview through a memorandum dated June 17th.

The Planning Commission noted the following points of discussion:

• Discussion over the terminology “undue hardship” in Section 12.34.A.5. Bultje recommended to provide more specific language to better define situations where discretion is merited.

• Questioned if a 100-foot setback is typical. Fedewa confirmed it is typical and helps prevent a “takings” case.
Motion by Wagenmaker, supported by Reenders, to direct staff to schedule a public hearing for the proposed zoning text amendment ordinance concerning Outdoor Storage that includes the revisions to Section 12.34.A.5 to provide guidance on when discretion should be utilized. Which motion carried unanimously.

IX. NEW BUSINESS
A. Training Video – Roles & Responsibilities – CANCELED
B. Training Video – Housing – CANCELED

X. REPORTS
A. Attorney’s Report – None
B. Staff Report
   ➢ Fedewa researched connection with NOWS for a possible sewer connection on Fillmore Street and determined it was not possible.
C. Commissioner Comments – None

XI. EXTENDED PUBLIC COMMENTS – None

XII. ADJOURNMENT
Without objection, the meeting adjourned at 8:34 pm.

Respectfully submitted,

Cassandra Hoisington
Acting Recording Secretary
Community Development Memo

DATE: June 30, 2021
TO: Planning Commission
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Stillwater Development (Kuiper) – AG to RR

PROPERTY INFORMATION

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<tr>
<th>Property Address</th>
<th>Parcel Number</th>
<th>Parcel Size</th>
<th>Application Type</th>
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<td>40-acres</td>
<td>Rezoning</td>
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Existing Zoning

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<tr>
<th>Existing Land Use</th>
<th>Existing Infrastructure</th>
<th>Existing Site Improvements</th>
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<tbody>
<tr>
<td>AG</td>
<td>Vacant</td>
<td>Paved Road (Winans)</td>
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</table>

Master-Planned Zoning

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<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
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<td>RR</td>
<td>Single Family</td>
</tr>
<tr>
<td>S</td>
<td>AG</td>
<td>Blueberry Farm</td>
</tr>
<tr>
<td>E</td>
<td>RP</td>
<td>Vacant &amp; Single Family</td>
</tr>
<tr>
<td>W</td>
<td>RR, RP, AG</td>
<td>Single Family</td>
</tr>
</tbody>
</table>

BACKGROUND

On June 21st the Planning Commission held a hearing on a rezoning application for 40 acres on Winans Street, AG to RR. The application was tabled because the applicant expressed a willingness to offer a written proposal for a conditional rezoning.

The conditional rezoning would restrict the number and layout of parcels presented at the June 21st meeting. It would also address the PC’s concerns with impacting the creek.

CONDITIONAL REZONING REQUEST

As promised, the Stillwater Development group submitted a written request to conditionally rezone the property. Staff believes it addresses the concerns raised by the Planning Commission.
June 25, 2021

Ms. Stacey Fedewa  
Community Development Director  
Grand Haven Township  
13300 168th Avenue  
Grand Haven, MI 49417

Dear Ms. Fedewa:

Included in this letter is a proposal for a contract rezoning for “0” Winans Street (east of 168th Avenue, situated between, and with frontage on both Winans Street and Pierce Street, PPN: 70-07-27-300-003).

Stillwater Development, proposes a rezone to the Rural Residential (RR) zoning district, subject to the included proposed land division layout, and with the following conditions:

1. The parcel will be limited to six (6) resulting land divisions per the included sketch.
2. Four (4) resulting land divisions will front Pierce Street and two (2) land divisions will front Winans Street.
3. The minimum lot area and lot width for the resulting land divisions will be two (2) acres and 150 feet in width.
4. Due to the remainder parcel being bisected by the Little Pigeon Creek, the resulting land division remainder will maintain access to upland areas directly from its legal frontage along Winans Street, and through easement access from Pierce Street. Vehicular access (paved crossing) across Little Pigeon Creek will be prohibited.
5. Easement access to the remainder parcel from Pierce Street will be limited to a 20-foot-wide easement to be utilized for a single-family residential driveway only.

The above proposed contract rezoning conditions for “0” Winans Street (PPN: 70-07-27-300-003) are being submitted for consideration at the next regular Planning Commission meeting. Should you have any questions or need additional information, please do not hesitate to contact me at (616) 485-5321.

Sincerely,

Kelly Kuiper

Enclosure
If the Planning Commission finds the rezoning application meets the standards, the following motion can be offered:

**Motion** to recommend the Township Board **approve** the Stillwater Development Conditional Rezoning Agreement for Parcel No. 70-07-27-300-003 from Agricultural (AG) to Rural Residential (RR).

If the Planning Commission finds the rezoning application does not meet the standards, the following motion can be offered:

**Motion** to recommend the Township Board **deny** the Stillwater Development Conditional Rezoning Agreement for Parcel No. 70-07-27-300-003 from Agricultural (AG) to Rural Residential (RR) because the application does not meet the standards of the Zoning Ordinance and Master Plan.

If the Planning Commission finds the rezoning application is premature or needs revisions, the following motion can be offered:

**Motion** to **table** of the Stillwater Development rezoning application, and direct the applicant to address the following items:

1. *List the items*…

Please contact me prior to the meeting if this questions.
CONDITIONAL ZONING AGREEMENT

This Agreement is between Grand Haven Charter Township, a Michigan charter township, at 13300 – 168th Avenue, Grand Haven, Michigan 49417 (the “Township”) and Stillwater Development, a Michigan Domestic Limited Liability Company, at 6719 Pine Ridge Ct., Jenison, Michigan 49428 (the “Developer”).

This Agreement is based upon the following facts.

A. The Township has adopted the Grand Haven Charter Township Zoning Ordinance (the “Zoning Ordinance”), which includes the Grand Haven Charter Township Zoning Map (the “Zoning Map”), and which is based in part on the Future Land Use Map.

B. The Developer has an option to purchase certain property in the Township, which property is located on Winans Street and Pierce Street (the “Property”), the parcel number and legal description of which are attached as Exhibit A.

C. The Property is included in the Agricultural District of the Zoning Map.

D. The Township is reluctant to rezone the Property to the Rural Residential District, even though the Future Land Use Map calls for that, because the Property is not ripe for full development in the Rural Residential District.

E. The Developer is willing to limit the development of the Property according to an offer made by letter dated June 25, 2021, with an attached sketch showing the land divisions to be established for the Property, which letter and sketch are attached as Exhibit B, pages 6 and 7.

F. Under Section 405 of Public Act 110 of the Public Acts of 2006, as amended, a landowner may voluntarily offer in writing, and a township may approve, certain conditions which attach to a rezoning of property in that township.

THEREFORE, the parties agree as follows.

Section 1. Rezoning of the Property. The Township has adopted a Zoning Map Amendment Ordinance (the “Amendment Ordinance”), rezoning the Property to the Rural
Residential District, contingent on this Agreement taking effect. This Agreement is contingent upon the Amendment Ordinance taking effect and remaining valid.

Section 2. **Condition of Rezoning.** Rezoning the Property to the Rural Residential District shall be conditioned upon the Developer, and any subsequent owners of the Property or portions of the Property, complying with the condition that the Property shall be prohibited from future land divisions beyond what is shown on Exhibit B, and complying with all other conditions included in Exhibit B.

This rezoning of the Property is further conditioned upon the Developer closing on the purchase of the Property and becoming the owner of the Property.

Section 3. **Township Findings.** The Township finds that the Property should be rezoned to the Rural Residential District. That rezoning subject to this Agreement would be compatible with surrounding area, would fit the purpose of the Rural Residential District as stated in Section 2.03 of the Zoning Ordinance, and would be consistent with the Future Land Use Map.

Section 4. **Compliance.** The development of the Property pursuant to this Agreement shall be subject to compliance with all Federal, State, County, and Township laws and ordinances.

Section 5. **Binding Nature of This Agreement.** The Developer acknowledges that this Agreement will run with the Property and will be binding upon successor owners of the Property or portions of the Property.

Section 6. **Recording of This Agreement.** The Township and the Developer acknowledge that this Agreement shall be recorded by the Township with the Ottawa County Register of Deeds.

Section 7. **Violation of This Agreement by the Developer.** If the Developer violates any provision of this Agreement, that violation shall constitute a violation of the Zoning Ordinance and shall be subject to legal enforcement action and judicial abatement action as provided by law.

Section 8. **Acknowledgment by the Developer.** The Developer acknowledges that no permit or approval shall be granted under the Zoning Ordinance for any use or development that is contrary to this Agreement.

Section 9. **Time Period.** The obligation of the Developer to comply with the requirements of this Agreement shall be effective immediately and shall remain in effect throughout the term of this Agreement, as long as the Property is maintained in the Rural Residential District pursuant to this Agreement.

Section 10. **Reversion of Zoning.** If the condition in Section 2 is not satisfied or is violated during the term of this Agreement, then the Property shall be reconsidered for rezoning back to the Agricultural District. The reconsideration of this conditional rezoning shall be initiated by the Township Board, which shall request that the Planning Commission hold a public hearing on the rezoning of the Property and make a recommendation to the Township Board. The
procedure for considering and accomplishing this rezoning shall be the same as applies to all other rezoning requests.

Section 11. **Subsequent Rezoning of the Property.** If the Property is subsequently rezoned to a different zoning classification or to the Rural Residential District but subject to the terms of a different agreement or no agreement at all, the terms of this Agreement shall cease to be in effect. Upon the request of the owners of the Property at the time, the Township shall record with the Ottawa County Register of Deeds a notice that this Agreement is no longer in effect.

Section 12. **Amendment of this Agreement.** This Agreement may be amended in the same manner that the Property was rezoned to the Rural Residential District pursuant to the terms of this Agreement.

Section 13. **Township’s Right to Rezone.** Nothing in this Agreement shall prohibit the Township from rezoning all or any portion of the Property to another zoning classification. Any such rezoning shall be conducted in compliance with the Zoning Ordinance and applicable law.

Section 14. **Miscellaneous.** This Agreement shall inure to the benefit of and be binding upon the parties and their respective heirs, personal representatives, members, assigns, and successors. All notices and other documents to be served or transmitted shall be in writing and addressed to the respective parties at the addresses stated on Page 1 of this Agreement or such other address or addresses as shall be specified by the parties from time to time, and may be served or transmitted in person or by ordinary or certified mail properly addressed with sufficient postage. This Agreement has been executed in the State of Michigan and shall be governed by Michigan law. The waiver by any party of a breach or violation of any provision of this Agreement shall not be a waiver of any subsequent breach or violation of the same or any other provision of this Agreement. If any section or provision of this Agreement is unenforceable for any reason, the unenforceability shall not impair the remainder of this Agreement, which shall remain in full force and effect. This Agreement represents the entire understanding and agreement between parties, and all prior understandings and agreements are specifically merged in this Agreement. The captions in this Agreement are for convenience only and shall not be considered as part of this Agreement or in any way amplifying or modifying its terms and provisions.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

WITNESSES:

STILLWATER DEVELOPMENT,
a Michigan Domestic Limited Liability Company

By: ________________________________
Name: ______________________________
Its: ________________________________
GRAND HAVEN CHARTER TOWNSHIP

________________________  By:_________________________________
Stacey Fedewa
Mark Reenders, Supervisor

________________________  By:_________________________________
William D. Cargo
Laurie Larsen, Clerk

STATE OF MICHIGAN )
)ss.
COUNTY OF OTTAWA )

The foregoing Agreement was acknowledged before me this _____ day of __________, 2021, by ______________________________, who, being duly sworn says that (s)he is the__________________________ of Stillwater Development, a Michigan Domestic Limited Liability Company, and that (s)he has executed the Agreement on its behalf.

________________________
Notary Public, Ottawa County, Michigan
My Commission Expires: ________________
Acting in Ottawa County, Michigan

STATE OF MICHIGAN )
)ss.
COUNTY OF OTTAWA )

The foregoing Agreement was acknowledged before me this _____ day of __________, 2021, by Mark Reenders and Laurie Larsen, respectively the Supervisor and the Clerk of Grand Haven Charter Township, a Michigan charter township, on behalf of the Township.

________________________
Notary Public, Ottawa County, Michigan
My Commission Expires: ________________
Acting in Ottawa County, Michigan

Prepared by:
Ronald A. Bultje
Dickinson Wright PLLC
200 Ottawa Avenue N.W., Suite 1000
Grand Rapids, Michigan 49503
Telephone: (616) 336-1007

4816-7174-9104 v1 [90425-4]
EXHIBIT A

LEGAL DESCRIPTION AND PARCEL NUMBER

“0” Winans Street

E 1/2 OF W 1/2 OF SW 1/4 SEC 27 T7N R16W 40 A

PPN: 70-07-27-300-003
June 25, 2021

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Community Development Director  
Grand Haven Township  
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Grand Haven, MI 49417

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Sincerely,

Kelly Kuiper

Enclosure
Community Development Memo

DATE: June 30, 2021
TO: Planning Commission
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Discussion – Text Amendment – Two-Family SLU Minimum Lot Width

BACKGROUND

During the discussions of minimum floor area per dwelling unit some of the Commissioners expressed a desire to consider increasing the minimum lot width for two-family dwellings.

Below, please find the historical data for previous zoning ordinances to assist with determining the best approach to regulate two-family dwellings.

<table>
<thead>
<tr>
<th>Ord. Year</th>
<th>District</th>
<th>Permitted or SLU</th>
<th>Min Lot Area</th>
<th>Min Lot Width</th>
<th>Min Floor Area (sf)</th>
<th>Min Side Yard</th>
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<tbody>
<tr>
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<td>13,500</td>
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<tr>
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<td>988</td>
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<td>1999</td>
<td>R-3.5</td>
<td>SLU</td>
<td>15,000</td>
<td>100’</td>
<td>832 or 884</td>
<td>10’ min; 30’ total</td>
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<td>SLU</td>
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<td>884</td>
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<td>R-2</td>
<td>SLU</td>
<td>13,000</td>
<td>80’</td>
<td>500² + 100 sf/bedroom</td>
<td>10’</td>
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<tr>
<td>2020</td>
<td>R-3</td>
<td>Permitted</td>
<td>15,000</td>
<td>100’</td>
<td>500² + 100 sf/bedroom</td>
<td>15’</td>
</tr>
</tbody>
</table>
1 Apartments, multiple dwellings and hotels permitted by right. Board of Appeals charged with appropriately siting the buildings.

2 May only be erected on platted lots which are contiguous to railroads, industrial, commercial, shopping center district, or on unplatted lots which do not exceed 200’ in depth from centerline of a major arterial street. The Planning Commission, however, may also, after public hearing, permit such uses in other areas of the R-2 district if it determines such use follows sound planning principles. In making such determination, the Planning Commission will ensure the use does not impair or depreciate the use and value of surrounding property being used for a more restricted purpose. Such area must have immediate access to a major arterial street and must be located so traffic generated will not tend to infiltrate and use streets running through any single family area.


4 Minimum square footage per dwelling unit.

### City of Grand Haven – Current Standards for Two-Family Dwellings

<table>
<thead>
<tr>
<th>District</th>
<th>Permitted or SLU</th>
<th>Min Lot Area</th>
<th>Min Lot Width</th>
<th>Min Floor Area (sf)</th>
<th>Min Dwelling Width</th>
<th>Min Side Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low-Density Residential</td>
<td>SLU</td>
<td>8,700</td>
<td>66’</td>
<td>760</td>
<td>20’</td>
<td>8’ min; 20’ total</td>
</tr>
<tr>
<td>Moderate Density Residential</td>
<td>SLU*</td>
<td>5,800</td>
<td>44’</td>
<td>570</td>
<td>20’</td>
<td>6’ min; 16’ total</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>Permitted</td>
<td>5,800</td>
<td>44’</td>
<td>570</td>
<td>20’</td>
<td>6’ min; 16’ total</td>
</tr>
<tr>
<td>Southside</td>
<td>SLU</td>
<td>5,800</td>
<td>44’</td>
<td>570</td>
<td>20’</td>
<td>6’ min; 16’ total</td>
</tr>
<tr>
<td>Eastown</td>
<td>Permitted</td>
<td>5,800</td>
<td>44’</td>
<td>570</td>
<td>20’</td>
<td>6’ min; 16’ total</td>
</tr>
<tr>
<td>Old Town</td>
<td>Permitted</td>
<td>4,350</td>
<td>33’</td>
<td>570</td>
<td>20’</td>
<td>3’ min; 9’ total</td>
</tr>
<tr>
<td>Neighborhood Mixed Use</td>
<td>Permitted</td>
<td>5,800</td>
<td>44’</td>
<td>570</td>
<td>20’</td>
<td>6’ min; 16’ total</td>
</tr>
<tr>
<td>Office-Service</td>
<td>Permitted</td>
<td>N/A</td>
<td>N/A</td>
<td>570</td>
<td>N/A</td>
<td>6’ min; 16’ total</td>
</tr>
</tbody>
</table>

* along key street segment:

→ Pennoyer Avenue (from the MDR district westernmost boundary to Friant Streets right-of-way)
→ Friant Street (from Wavery Street to the Grant Street rights-of-way)

Special land use criteria for the LDR, MDR, and Southside districts (see Section 40-526):

**B. Regulations and conditions.**

1. Scale elevation drawings depicting architectural features shall be provided. A two-unit dwelling shall be designed to look like a one-unit dwelling and shall include architectural details found on the majority of dwellings in the neighborhood, so that the two-unit dwelling is consistent with the aesthetic character of existing buildings.

2. A garage serving a two-unit dwelling shall be (1) recessed or (2) placed to the rear of the dwelling with side or rear entry.

3. Within the MDR districts, a two-unit dwelling shall front on and be accessed primarily from a key street segment, as defined herein.
Spring Lake Township – Current Standards for Two-Family Dwellings

<table>
<thead>
<tr>
<th>District</th>
<th>Permitted or SLU</th>
<th>Min Lot Area (sf)</th>
<th>Min Lot Width</th>
<th>Min Floor Area (sf)</th>
<th>Height / Stories</th>
<th>Min Side Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-4 High Density</td>
<td>Permitted</td>
<td>16,000</td>
<td>60</td>
<td>720</td>
<td>43' / 3 stories</td>
<td>8’ min; 20’ total</td>
</tr>
</tbody>
</table>

In many ways, SLT appears to be following a similar pattern as GHT as it relates to higher density zoning districts on the zoning map and future land use map. The vast majority of land master-planned for high density residential is already zoned multi-family residential. Meaning, the two communities are not creating opportunities for future higher density developments. This is a topic the Township Board will continue to discuss this year.

**ALTERNATIVES**

Staff believes there may be alternative options better suited to address the Township’s concerns and the needs of current and future residents.

**Road Classification**

The Township could establish a regulation that limits the location of two-family dwellings on certain roads. Options could include:

→ All county primary roads
→ Establish key streets/segments
→ Identify certain streets and/or road classifications that are excluded (examples include: county local, unpaved, any road south of Lincoln, etc.)

**Increase Side Yard Setbacks**

Another option to consider are increasing setbacks. Typically, the side yard setback is addressed in these circumstances. Whether establishing the setback as a percentage of the lot width or setting a firm number. For example:

► 80-foot lot width @ 30% = 24’ setback for each side yard.
   ○ 48’ wide duplex + 48’ side setbacks = 96’ wide lot is necessary to be eligible

► 100-foot lot width @ 25% = 25’ setback for each side yard.
   ○ 48’ wide duplex + 50’ side setbacks = 98’ wide lot is necessary to be eligible

► 150-foot lot width @ 20% = 30’ setback for each side yard.
   ○ 48’ wide duplex + 60’ side setbacks = 108’ wide lot is necessary to be eligible

► All side yards shall be a minimum of 25-feet (or whichever number deemed appropriate)
Revert to 1999 Zoning Ordinance

Below is a screenshot of the 1999 special land use standards for two-family dwellings.

<table>
<thead>
<tr>
<th>Two-Family Dwellings.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. A minimum lot area of twenty six thousand (26,000) square feet shall be required, and the minimum lot width shall be one hundred fifty (150) feet.</td>
</tr>
<tr>
<td>B. Two (2) off-street parking spaces shall be provided for each dwelling unit.</td>
</tr>
<tr>
<td>C. The setbacks and height requirements shall comply with the requirements for single family dwellings as required for the R-2 District.</td>
</tr>
<tr>
<td>D. Buildings shall be of substantially similar appearance as other residential buildings on adjacent properties and in the neighborhood.</td>
</tr>
<tr>
<td>E. The use shall be supported by certain infrastructure features, including paved roads, natural gas, and municipal water and, if available, sanitary sewer.</td>
</tr>
</tbody>
</table>

If the Planning Commission chooses this path, staff wants to perform some research before a public hearing is scheduled. In essence, if an ordinance allows a use but creates regulations that prohibit it from being possible to implement—it can be considered a takings case. Reports are being run from the Assessing database and will be reviewed prior to the July 19th meeting.

**NEXT STEPS**

This is first time the topic is listed as an agenda item for the Planning Commission to discuss. If a consensus can be reached staff would bring a draft text amendment ordinance for you to review at the next meeting. From there, you would determine if it is acceptable and ready for a public hearing.

**SAMPLE MOTION**

Motion to direct staff to draft a zoning text amendment ordinance for review at the next regularly scheduled meeting. The contents of which will be reflected in the meeting minutes.
Community Development Memo

DATE: June 17, 2021
TO: Planning Commission
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Training Videos – Course Descriptions

ROLES & RESPONSIBILITIES

City Councils, Township Boards, Planning Commission and Zoning Board of Appeals. Who is supposed to do what? This workshop reviews roles and responsibilities to ensure that everyone stays in their lane and goes in the same direction.

HOUSING

Housing is a hot button issue in many communities. This presentation covers how a community should assess its housing needs as well as strategies for ensuring those needs are met. State and federal housing laws are also addressed in this comprehensive workshop. Next steps for implementation are also included.

ALTERNATIVE OPTION

The Township has purchased 3 training sessions, which must be watched by August 1st. Topics selected by Chair Cousins are:

1. Roles & Responsibilities (16 minutes)
2. Housing (30 minutes)
3. DDA’s & TIF’s (35 minutes)

In the interest of time, if the rezoning application and text amendment discussions take quite a while, staff recommends the Housing video be delayed until one of the July meetings.

Please contact me if this raises questions.
Build Your Own Workshop

Next Steps / Resources – Housing

Step 1: Understand the housing needs of your community

Step 2: Remember location, affordability and accessibility

Step 3: Amend the zoning ordinance to provide housing choices that are affordable, accessible, and manageable, regardless of age

Step 4: Have open discussions with the community with benefits in mind: attracting and keeping residents who will be engaged in community neighborhoods and civic life

Step 5: Understand concerns and apply zoning standards to mitigate those concerns (commonly traffic, parking, ownership)

Step 6: Strive to include renters in community conversations, wherever they live. Renters may be your neighbors, your children, your parents, or even you.