I. Call to Order

II. Roll Call

III. Pledge to the Flag

IV. Approval of the February 20, 2023 Planning Commission Meeting Minutes

V. Correspondence

VI. Brief Public Comments & Questions (Limited to 3 minutes)

VII. Public Hearings:
   A. Rezoning – AG/RR split zoning to RR – Ehlert
   B. Text Amendments
      1. PUD – design considerations, building materials
      2. PUD – open space, transition areas
      3. US-31 Character Overlay – commercial architectural building material correction
      4. Signage – exempt signage correction
      5. Special Land Use Gas Stations – setbacks correction, infrastructure requirements
      6. Special Land Use Wireless Facilities – size correction, generator types, energy source
      7. Special Land Use Two-family Dwellings – infrastructure requirements
      8. Site Plan Review – exempt structures
      9. Definitions – dwelling and architectural terms

VIII. Old Business:
   A. Rezoning – AG/RR split zoning to RR – Ehlert
   B. Text Amendments
      1. PUD – design considerations, building materials
      2. PUD – open space, transition areas
      3. US-31 Character Overlay – commercial architectural building material correction
      4. Signage – exempt signage correction
      5. Special Land Use Gas Stations – setbacks correction, infrastructure requirements
      6. Special Land Use Wireless Facilities – size correction, generator types, energy source
      7. Special Land Use Two-family Dwellings – infrastructure requirements
      8. Site Plan Review – exempt structures
      9. Definitions – dwelling and architectural terms

IX. Reports
   A. Staff Report

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.
B. Commissioner Comments

X. Extended Public Comments & Questions (Limited to 4 minutes)

XI. Adjournment
I. CALL TO ORDER
Wilson called the meeting of the Grand Haven Charter Township Planning Commission to order at 6:01pm.

II. ROLL CALL
Members present: Wilson, Reenders, Frifeldt, Lemkuil, and Mesler
Members absent: Cousins, Hesselsweet, Wagenmaker, and Taylor
Also present: Senior Planner Thibault and Associate Planner Chaphalkar

Without objection, Wilson instructed Chaphalkar to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES
Without objection, the minutes of the February 6, 2023 meeting were approved.

V. CORRESPONDENCE
Casey and Mary Nash – 11479 156th Ave., West Olive
- Expresed concerns regarding the proposed density, impact on traffic, human health, and the environment.

VI. PUBLIC COMMENTS - None

VII. PUBLIC HEARING
A. PUD – Blueberry Woods – Multifamily Apartment Complex
Wilson opened the public hearing at 6:05pm.

Thibault provided an overview through a memorandum dated February 16th.

Zach Voogt, Project Engineer from Moore & Bruggink, and David Stebbins, Vice President of Land Development for Redstone Homes were present to provide the following information:
- Proposed development consists of multi-unit apartment buildings, two-attached housing units, and single housing units.
- Explained reasoning for departure requests.
  - Dumpster enclosure materials – requesting vinyl fencing where wood or masonry is required due to maintenance costs.
• Roll out bins at two-unit attached homes in place of dumpster bins – will require bins to be hidden as part of HOA regulations.

• Garages are to be recessed 25% of their depth for two-unit attached homes – applicant’s floorplan does not comply but has worked well in other communities.

• Stormwater retention basin sloping – designed basin to OCWRC standards, may lessen the sloping in areas where space is available, but otherwise is designed to 3:1 or 4:1 sloping with a 6:1 safety shelf after the first few feet of depth.

Following the initial discussions, the Chair opened the public comment period:

Elizabeth Butler – 14735 154th Avenue, Grand Haven
- Director of Economic Development Strategic Directions for the Chamber of Commerce for Grand Haven, Spring Lake, and Ferrysburg.
- Expressed the Chamber is supportive of Blueberry Woods
- Housing provided will allow more employees to live in the Tri-Cities area, and therefore ease pressure on local employers.

Joy Gaasch – 15195 Lakeshore Drive, Grand Haven
- President of the Chamber of Commerce for Grand Haven, Spring Lake, and Ferrysburg.
- Expressed support of Blueberry Woods
- Provided 2021 housing study demonstrating needed housing units in the area.

Keith Nalley – 11503 156th Ave., West Olive
- Opposes Blueberry Woods.
- Owns property adjacent to proposed development.
- Expressed concerns regarding proposed density, impact on traffic.
- Criticized lack of public outreach for proposed development.
  - Thibault clarified that all required public notices and posting were completed.

Luke Rykse – 11275 156th Avenue, West Olive
- Opposes Blueberry Woods.
- Owns property adjacent to proposed development and shares an easement with an existing home to be included in the PUD.
- Expressed concerns of impact of development on character of the area.

Jeffrey Hoek – 11375 156th Avenue, West Olive
- Opposes Blueberry Woods.
- Owns property adjacent to proposed development and access drive.
- Questioned availability for nearby residents to receive water and sewer service as a result of the proposed development.

There being no further comments, Wilson closed the public hearing at 6:51pm.
VIII. OLD BUSINESS  
A. PUD – Blueberry Woods – Multifamily Apartment Complex

The Planning Commission noted the following points of discussion:

- Considered proposed building materials, supportive of using CertainTeed panels on exterior of multi-family buildings, noting its longevity.
- Inquired about the status of the existing easement for the existing home that is to be preserved.
  - Stebbins clarified the easement will be dissolved.
- Considered the continuance of an existing accessory building to be located on a separate parcel without a home.
  - Indicated support of an agreement allowing its existence for a limited amount of time.
- Expressed support for proposed landscaping surrounding the sidewalks located near the multi-family buildings.
- Discussed proposed departures:
  - Dumpster enclosure materials may be vinyl if they match the building.
  - Roll out bins may be used at two-unit attached homes in place of dumpster bins due to HOA requirements have bins hidden.
  - Accepted the proposed garage layout, stating the intention of the ordinance language is to provide a consistent aesthetic in areas with single unit attached homes. Because the proposed development will group the two-unit attached homes, this regulation does not need to be met.
  - Direction to lessen the slope of the stormwater retention basin in areas where there is space to expand the basin.

Motion by Reenders, supported by Frifeldt, to recommend the Township Board conditionally approve the proposed multi-family residential Blueberry Woods PUD application to construct 12 multi-unit-attached buildings consisting of 224 dwelling units, 42 two-attached dwelling units in 21 buildings (duplexes), and 10 lots for single-detached dwelling units (single-family homes) of which one is existing, with a total of 276 dwelling units in Phase 1 ranging from 621-sqft to 1413-sqft in floor area. This is based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance and Master Plan. The motion is subject to, and incorporates, the following report concerning the Planned Unit Development, including conditions of approval.

REPORT – HIGH DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT - BLUEBERRY WOODS

Pursuant to the provisions of the Grand Haven Charter Township (the “Township”) Zoning Ordinance (the “Zoning Ordinance”), the following is the report of the Grand Haven Charter Township Planning Commission.
(the “Planning Commission”) concerning an application by Redstone Land Development, LLC (the “Developer”) for approval of a Blueberry Woods Planned Unit Development (the “Project” or the “PUD”).

The Project will consist of a multi-family apartment complex. This 99.86-acre Project will be developed in (2) phases. Phase 1 totals 56.82-acres, Phase 2 totals 43.04-acres. Phase 1 will consist of 12 multi-unit-attached (multi-family) three-story buildings consisting of 224 dwelling units, 42 two-attached dwelling units in 21 one-story buildings (duplexes), and 10 lots for single-detached dwelling units (single-family homes) of which one is existing. In total 276 dwelling units are proposed. The floor areas of the 276-units range from 621-sqft to 1413-sqft. It also includes 403-surface parking spaces. It will also include 17.49ac of designated open space. Phase 2 is intended to be developed in the future as market demands. This will consist of a mix of multi-attached dwelling units (i.e. townhomes and quadplexes). The Project as recommended for approval is shown on a final site plan (the “Master Site Layout & Removals”), last revised 02/03/2023, including landscaping (the “Landscaping Layout”) last revised 02/03/23 and elevation renderings (the “Exterior Elevations”), last revised 11/07/23; collectively referred to as the “Documentation,” presently on file with the Township.

The purpose of this report is to state the decision of the Planning Commission concerning the Project, the basis for the Planning Commission’s recommendation, and the Planning Commission’s decision that the Blueberry Woods PUD be approved as outlined in this motion. The Developer shall comply with all the Documentation submitted to the Township for this Project. In granting the approval of the proposed PUD application, the Planning Commission makes the following findings pursuant to Section 17.04.3 of the Zoning Ordinance.

1. The Project meets the site plan review standards of Section 18.07 of the Zoning Ordinance. Specifically, pursuant to Section 18.07.G, the Planning Commission finds as follows:

   A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

   B. Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

   C. The arrangement of public or private vehicular and pedestrian connections to existing or planned street in the area shall be planned to provide a safe and efficient circulation system for traffic within the Township.

   D. Removal or alteration of significant natural features shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission may require that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

   E. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

   F. The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein and adjacent there to. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.

   G. All buildings and groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire/Rescue Department.
H. All streets and driveways shall be developed in accordance with the Township Subdivision Control Ordinance, the Ottawa County Road Commission, and/or Michigan Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in this Ordinance or any other Township Ordinance. Except that the Planning Commission may impose more stringent requirements than those for the Road Commission or Department of Transportation with respect to driveway location and spacing.

I. Sidewalks or pathways shall be deemed to be required along all public and private roadways unless the applicant provides compelling evidence, in the opinion of the Planning Commission, that they are not necessary for pedestrian access or safety. Sidewalks shall terminate in an appropriate fashion consistent with the needs and safety of pedestrians. No sidewalk shall terminate into landscaping.

J. Appropriate measures shall be taken to ensure that removal of surface water will not adversely affect neighboring properties of the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system.

K. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets. Lighting of buildings or structures shall be minimized to reduce light pollution and preserve the rural character of the Township.

L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts of public streets, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.

M. Entrances and exits shall be provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site. The number of entrances to and exits must comply with this Ordinance and the requirements of the Ottawa County Road Commission and/or the Michigan Department of Transportation.

N. Site plans shall conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances. Approval may be conditioned on the applicant receiving necessary county, state, Federal, and Township permits before final site plan approval or an occupancy permit is granted.

O. Appropriate fencing may be required by the Planning Commission around the boundaries of the development if deemed necessary to minimize or prevent trespassing or other adverse effects on adjacent lands.

P. The general purposes and spirit of this Ordinance and the Master Plan of the Township shall be maintained.

2. The Planning Commission finds the Project meets the intent for a PUD, as described in Section 7.01 of the Zoning Ordinance. By approving this Project as a PUD, the Township has been able to negotiate various amenities and design characteristics as well as additional restrictions with the Developer, as described in this report, which the Township would not have been able to negotiate if the PUD Chapter of the Zoning Ordinance was not used.

3. Section 7.01.E of the Zoning Ordinance, as well as Section 503 of the Michigan Zoning Enabling Act, allow for departures from Zoning Ordinance requirements; these provisions are intended to result in land use development that is substantially consistent with the goals and objectives of the Township Master Plan and the Zoning Ordinance, and consistent with sound planning principles. The Developer requests four departures. The Planning Commission makes the following findings.
A. Section 4.02.B.1 – allow a 6-foot-high solid vinyl fence panel for the dumpster enclosure
   i. The Planning Commission finds it acceptable to allow a change in the material from what is otherwise permitted because the material proposed is of a durable nature

B. Section 12.50.F – allow the duplex units proposed to utilize roll-out bins, which shall be stored in the unit garage when not in use, in lieu of a dumpster enclosure.
   i. The Planning Commission finds it acceptable to allow roll-out bins to be used considering that duplexes in the Township have historically used these in similar developments

C. Section 4.02.A.3 – allow the stormwater system to utilize side slopes which vary between 1:3 and 1:5
   i. The Planning Commission finds it acceptable to allow a steeper side slope than what would otherwise be allowed because the primary stormwater system is a retention basin (i.e. pond) and ponds are permitted to have a side slope of 1:3. Further, the overall stormwater system has been conceptually approved by OCWRC who have final permit authority

D. Section 12.50.E – allow the duplex units to have a reduced garage setback of less than ¼ the depth of the garage
   i. The Planning Commission finds it acceptable to allow a reduction in the recess distance for the garages because the duplex units are located in an area planned for high density residential structures, not located within an area characterized by single unit detached homes.

4. Section 8.09 of the Zoning Ordinance allows for the Planning Commission to provide a waiver from the required access point separation distance if and only if MDOT and/or OCRC likewise grant a waiver from their standards. The Planning Commission recognizes that the proposed access connections, while not meeting the requirements of the Zoning Ordinance, are suitable and are prepared to waive this requirement pending final approval of the design by the authority who has jurisdiction.

5. Section 4.02.A.4.D of the Zoning Ordinance allows for the Planning Commission to provide a waiver from the parking lot curb requirements if the parking lot is designed to function with the stormwater system and/or allow efficient snow removal. The Planning Commission finds that the parking lot design is acceptable and the wheel stops are effective as to limit the vehicles from adversely impacting the stormwater system.

6. Compared to what could have been constructed by right, the Project has been designed to accomplish the following objectives from Section 7.01.D of the Zoning Ordinance.
   A. To encourage the use of land in accordance with its natural character and adaptability;
   B. To promote the conservation of natural features and resources;
   C. To encourage innovation in land use planning and development;
   D. To promote the enhancement of housing, commercial and industrial employment, traffic circulation, and recreational opportunities for area residents;
   E. To promote and ensure greater compatibility of design and better use between neighboring properties;
   F. To promote more economical and efficient use of the land while providing harmonious variety of housing choices and the integration of necessary commercial and community facilities; and
   G. To promote the preservation of open space for parks, recreation, or agriculture.

7. The Project meets the following qualification requirements of Section 7.02 of the Zoning Ordinance:
   A. The Project meets the minimum size of five acres of contiguous land.
B. The proposed PUD is a “Large Scale Development” (see Section 14.01) that includes eight (8) or more dwelling units, which include multi-family apartment units.

8. The Planning Commission also finds the Project complies with the general PUD Design Considerations of Section 7.08 of the Zoning Ordinance.

9. The Planning Commission finds that the Project complies with the uses permitted for a residential planned unit development, as described in Section 7.04 of the Zoning Ordinance—Residential PUD.

10. The Planning Commission also finds the Project shall comply with the below additional conditions as allowed for in Section 18.08 of the Zoning Ordinance.

A. The open space must be set aside by means of conveyance that satisfies the requirements of Section 7.10.F of the Zoning Ordinance. Said conveyance shall be submitted to the Township for review and approval by the Township Attorney and recorded with the Ottawa County Register of Deeds prior to obtaining an occupancy permit.

B. Must obtain permits from all applicable agencies including, the State of Michigan, the Ottawa County Road Commission, and Ottawa County Water Resources Commissioner. Permits shall be obtained before building permits are issued.

C. The Developer shall enter into a PUD Contract with the Township, which will be drafted by the Township Attorney and executed by the Township Board prior to receiving an occupancy permit.

D. The Developer shall come into compliance with respect to the outstanding items as described in the Staff Review Memo dated 02/16/23, which is inclusive of the following Sections in the Zoning Ordinance:

   1. (18.07.B) Provide conceptual approval from EGLE
   2. (6.07) Provide calculation of average level for sum of all impervious surface area
   3. (7.04E, 7.10) Provide a clarified exhibit drawing, describing the following areas in order for the open space to be calculated correctly.
      i. Area of regulated wetlands in Phase 1
      ii. Total area of contiguous greenspace that is at least 7500sf in area and 100-feet wide (smallest buildable lot)
      iii. Area of required stormwater detention/retention per OCWRC
      iv. Total area of Phase 1 not including public ROW easements
   4. (7.08.B.6.b) Provide finalized locations and complaint screening.
   5. (7.06.B.6.h) Provide revised apartment and duplex planting plans
   6. (7.10.B.1) Provide fence details for community garden, if applicable
   7. (4.02.A.4.a) Provide revised landscape plan for parking lot areas
   8. (4.02.B.9) Provide revised landscape schedule
   9. (5.05) Provide revised site plan showing ADA spaces
   10. (2.08) Provide revised site plan with a complaint width for Lot 4
   11. (2.08.M) Provide revised lot access for Lot 10

E. This approval is also conditioned upon the Developer meeting all applicable Federal, State, County, and Township laws, rules, and ordinances.
F. The Developer shall comply with all the requirements of the Documentation, specifically including all the notes contained thereon, and all the representations made in the written submissions by the Developer to the Township for consideration of the Project.

G. In the event of a conflict between the Documentation and these conditions, these conditions shall control.

IX. NEW BUSINESS

A. Pre-Application – Christian Reformed Conference Grounds – Site Improvements

Chaphalkar provided an overview through a memorandum dated February 16th.

Michael Perton, the Executive Director for Christian Reformed Conference Grounds was present to provide the following information:

- Explained proposed site improvements:
  - Remove four campsites and replace with two 1600 sqft cottage buildings; reconfigure the existing tennis courts to add pickleball courts.
  - Construct a new 9,160sqft ministry center, which will replace the existing store, kitchen, registration and meeting center.
  - Construct a 20,000sqft “Cottage Suites” building.
  - Construct previously approved bathhouse expansion.
- Confirmed overall density and building area will decrease from approved CRCG Master Plan.
- Informed Commissioners about ongoing discussions with Department of Public Works for sewer service within the site.

The Planning Commission noted the following points of discussion:

- Noted prior concerns from adjacent property owners for noise and parking.
- Inquired into the extent of the bathhouse expansion
- Sought clarification on approval process and lodging use.
  - Chaphalkar confirmed the improvements are to be reviewed under the site plan review process per compliance with the 1991 consent judgement.

X. REPORTS

A. Staff Report - None

B. Commissioner Comments

- Commissioners discussed the Blueberry Woods site, noting the use is in compliance with the Master Plan and meets the intent of how and where high density housing should occur.

XI. EXTENDED PUBLIC COMMENTS - None

XII. ADJOURNMENT

Without objection, the meeting adjourned at 7:59 p.m.
Respectfully submitted,

[Cassandra Chaphalkar's signature]

Cassandra Chaphalkar
Acting Recording Secretary
Community Development Memo

DATE: March 16, 2023
TO: Planning Commission
FROM: Rory Thibault – Senior Planner
RE: Zoning Text Amendment Ordinance

BACKGROUND

Precipitating from the Joint Meeting of the Planning Commission and Township Board on August 29, 2022 regarding housing type compatibility, Township Staff was directed to draft revised ordinance language based on a consensus of both bodies on the following points:

- Agreed to add definitions for Massing, Scale, and Bulk.
- Clarified dwelling definition to include the occupancy in terms of “dwelling unit” in place of defining occupancy in terms of “family” units.
- Amend PUD transition area subsection for requirements and terms
- Defined the building material requirement for residential PUDs for “predominant” building materials to comprise no less than 35% of the total building elevation.

Township Staff have been working with the Township Attorney to draft language encompassing these items. Additionally, Staff have identified sections of the Zoning Ordinance which require minor text changes due to conflicting verbiage and other errata. The proposed changes are illustrated in red with the language being replaced as striked. The full text version is also provided in your packet.

#1 – BUILDING MATERIALS IN PUDs

The Ordinance has been revised to provide a specific percentage of required building materials for all Planned Unit Developments.

7.08(B)(6)(e) shall be amended in its entirety as follows:

(e) The predominant Considerable (at least thirty-five percent (35%) of surface area) building materials shall be those that are characteristic of the Township such as brick, wood, native stone, tinted/textured concrete masonry units, and/or glass products. Other materials such as smooth-faced concrete block, undecorated tilt-up concrete panels, or pre-fabricated steel panels should only be used as accents and shall not dominate the building exterior. Metal roofs may be allowed if compatible with the overall architectural design of the building.
#2 – OPEN SPACE IN PUDs

The Ordinance has been revised to clarify where transition areas occur and what they consist of.

7.10(G) shall be amended in its entirety as follows:

(G) Transition Areas.

1. Where the PUD abuts a single-family residential district, the Planning Commission or Township Board may shall require a transition area.

2. A required transition area may shall consist of one (1) or more of the following:

   a. A row of single-family lots or condominium sites within the PUD similar to the adjacent single-family development in terms of density, lot area, lot width, setbacks, building spacing, and height; and woodlands, natural features, or a landscaped greenbelt sufficient to provide an obscuring effect; or
   b. Open or recreation space sufficient in depth to provide adequate separation; or
   c. Significant changes in topography which provide an effective buffer.

3. The massing and bulk and scale of proposed dwellings in the PUD are the same as or substantially similar to the established massing and bulk and scale of the comparison area (excluding any dwelling located in a manufactured housing park).

#3 – BUILDING MATERIALS IN US-31 OVERLAY ZONE

The Ordinance has been revised to ensure the written amount and numerical amount match.

8.11(A)(3)(c)(iii) shall be amended in its entirety as follows:

(c) Building Materials.

* * *

(iii) Front building facades shall provide a minimum fifteen percent (15%) glass windows but shall not exceed eighty percent (80%) glass. Calculations are exclusive of the roof area.

8.11(B)(3)(b) shall be amended in its entirety as follows:

(b) Building Materials. A minimum of eighty percent (50%) of the exterior finish material of all building facades (excluding the roof) visible from one or more publicly accessible spaces (public streets, private streets, parking lots, other spaces as determined by the Planning Commission), or adjacent
residentially zoned land, exclusive of window areas, shall consist of one or more of the following:

#4 – EXEMPT SIGNS

The Ordinance has been revised to require that signs not visible from a public road still proceed through the permit process.

11.04 shall be amended as follows:

The following signs shall not require a permit to be installed:

(A) Government Signs, including those used to identify public facilities, government buildings, and parks.
(B) Flags, as defined in this ordinance.
(C) All signs under one square foot in area.
(D) All signs required to be erected by law.
(E) Signs that are not visible from a public road.
(E) Temporary banners covering a permitted and approved sign, provided that the banner does not exceed the size of the sign.

* * *

#5 – GAS STATIONS

The Ordinance has been revised to ensure setbacks for gasoline pumps are measured consistently with how other setbacks are determined. Further, that this use has consistent minimum infrastructure requirements with the districts they are permitted in.

12.18.B shall be amended as follows:

(B) All gasoline pumps shall be located at least fifty (50) feet from any lot line or right-of-way, and shall be arranged so vehicles cannot obstruct any public sidewalk, pathway, right-of-way, or street. There shall be sufficient stacking space to prevent this from occurring.

* * *

(J) The use shall be supported by certain infrastructure features, including paved roads, natural gas, municipal water supply, and sanitary sewer.

#6 – WIRELESS COMMUNICATIONS

The Ordinance has been revised to expand the types of energy that may power a generator for Wireless Telecommunications; Further, the size of a Co-location of existing facilities has been revised to ensure the written amount and numerical amount match.

12.49(A)(9)(c) shall be amended as follows:
(c) The generator must be powered by natural gas or a clean-energy alternative. If natural gas is not available, diesel-powered generators may be installed, but the entire facility, including the generator, must be set back an additional fifty (50) feet from all property lines, and must be set back at least one hundred (100) feet from the nearest dwelling unit or residential zoning district.

12.49(B)(1)(c) shall be amended as follows:

(c) The applicant proposes to increase the ground-level compound to more than twenty-five thousand (2,500) square feet in area.

#7 – TWO-FAMILY DWELLINGS

The Ordinance has been revised to clarify the service infrastructure requirements for Two-Family Dwellings to match the requirements for Multiple Family Residential Districts (R-3) Statement of Purpose requiring paved roads, natural gas, municipal water, and sanitary sewer.

12.50.C shall be amended as follows:

(C) Two-family dwellings shall be connected to municipal water and— if available, municipal sanitary sewer.

#8 – SITE PLAN REVIEW EXEMPTIONS

The Ordinance has been revised to clarify that non-residential accessory structures are to be reviewed through the Site Plan Review process.

18.04.A shall be amended as follows:

The following uses are exempt from site plan submission and approval provisions of this Section:
(A) Residential Accessory Structures

#9 – DEFINITIONS

The Ordinance has been revised to clarify terms that are used in the Zoning Ordinance on a frequent enough basis to warrant a specific definition entry. The Ordinance has been revised to define buildings based on the number of dwelling units they contain; further, remain consistent with the updated definitions of family in the adopted Rental Ordinance.

21.02(A) shall be amended as follows:

Add (14A) Bulk. The bulk of buildings or structures includes: (a) the size and height of the buildings or structures; (b) the location of exterior walls or outer surfaces of the buildings or structures; (c) the gross lot area and lot width of the lot on which the buildings or structures are located; and (d) the number of buildings or structures in question.
21.02(A)(30) shall be amended as follows:

(30) (a) Dwelling, Single Family Detached. A building containing one (1) dwelling unit not sharing common structural elements with any other building intended for human occupation, and surrounded on all sides by open spaces; often referred to as a Single-Family Dwelling.

(b) Dwellings, Two Family Attached. A building containing two (2) dwelling units, sharing common structural elements, each of which has separate and direct access to the outside. Examples include side-by-side or stacked duplexes; often referred to as a Two-Family Dwellings.

(c) Dwellings, Multiple Family Attached. A building or portion thereof containing three (3) or more dwelling units, sharing common structural elements or party walls. Examples include apartment buildings or townhomes; often referred to as Multi-Family Dwellings.

21.02(A)(34) shall be amended as follows:

(34) Family. A collective number of individuals domiciled together in one (1) dwelling unit whose relationship is of a continuing, non-transient domestic character and who are cooking and living as a single nonprofit housekeeping unit.

(a) This definition shall not include any society, club, fraternity, sorority, association, halfway house, lodge, coterie, organization, group of students, or other individual whose domestic relationship is of a transitory or seasonal nature, is for an anticipated limited duration of a school term or during a period of rehabilitation or treatment, or is otherwise not intended to be of a permanent nature includes family guests, exchange students, visitors, medical caregivers, and child caregivers, any person living within a household on a permanent basis, and any other individual related by blood or affinity whose close association is the equivalent of a family relationship.

21.02(A)(59A) shall be amended as follows:

Add (59A) Massing. The scale, dimensions, and proportions of a building or structure.

21.02(A)(95A) shall be amended as follows:

Add (95A) Scale. The size, shape, location, or other element of a building or structure, relative to its surroundings and the individuals who interact with the building or structure.
If the Planning Commission finds the above text amendments acceptable, the following motion can be offered:

Motion to recommend the Township Board approve the proposed zoning text amendment ordinance with draft date of 02/24/2023.

Please contact me if this raises questions.
ORDINANCE NO. _____

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE GRAND HAVEN CHARTER TOWNSHIP ZONING ORDINANCE TO ADDRESS PLANNED UNIT DEVELOPMENTS, TWO-FAMILY DWELLINGS, AND DEFINITIONS; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. Amendment of Section 7.08 in Chapter 7 of the Zoning Ordinance. Section 7.08(B)(6)(e), concerning general planned unit development design considerations, in Chapter 7 of the Zoning Ordinance, shall be amended in its entirety as follows:

(e) Considerable (at least thirty-five percent (35%) of surface area) building materials shall be those that are characteristic of the Township such as brick, wood, native stone, tinted/textured concrete masonry units, and/or glass products. Other materials such as smooth-faced concrete block, undecorated tilt-up concrete panels, or pre-fabricated steel panels should only be used as accents and shall not dominate the building exterior. Metal roofs may be allowed if compatible with the overall architectural design of the building.

Section 2. Amendment of Section 7.10 in Chapter 7 of the Zoning Ordinance. Section 7.10(G), concerning open space requirements in planned unit developments, in Chapter 7 of the Zoning Ordinance, shall be amended in its entirety as follows:

(G) Transition Areas.

(1) Where the PUD abuts a single-family residential district, the Planning Commission or Township Board shall require a transition area.

(2) A required transition area shall consist of one (1) or more of the following:

(a) A row of single-family lots or condominium sites within the PUD similar to the adjacent single-family development in terms of density, lot area, lot width, setbacks, building spacing, and height; and woodlands, natural features, or a landscaped greenbelt sufficient to provide an obscuring effect; or

(b) Open or recreation space sufficient in depth to provide adequate separation; or

(c) Significant changes in topography which provide an effective buffer.
(3) The massing and bulk and scale of proposed dwellings in the PUD are the same as or substantially similar to the established massing and bulk and scale of the comparison area (excluding any dwelling located in a manufactured housing park).

Section 3. Amendment of Section 8.11 in Chapter 8 of the Zoning Ordinance. Section 8.11(A)(3)(c)(iii), concerning commercial architectural requirements in the US-31 Character Overlay, and the first paragraph only of Section 8.11(B)(3)(b), concerning industrial architectural requirements in the US-31 Character Overlay, all in Chapter 8 of the Zoning Ordinance, shall be amended in their entirety as follows:

(c) Building Materials.

* * *

(iii) Front building facades shall provide a minimum fifteen percent (15%) glass windows but shall not exceed eighty percent (80%) glass. Calculations are exclusive of the roof area.

* * *

(b) Building Materials. A minimum of fifty percent (50%) of the exterior finish material of all building facades (excluding the roof) visible from one or more publicly accessible spaces (public streets, private streets, parking lots, other spaces as determined by the Planning Commission), or adjacent residentially zoned land, exclusive of window areas, shall consist of one or more of the following:

* * * *

Section 4. Amendment of Section 11.04 in Chapter 11 of the Zoning Ordinance. Section 11.04, concerning exempt signs, shall be amended in its entirety as follows:

The following signs shall not require a permit to be installed:

(A) Government Signs, including those used to identify public facilities, government buildings, and parks.
(B) Flags, as defined in this ordinance.
(C) All signs under one square foot in area.
(D) All signs required to be erected by law.
(E) Temporary banners covering a permitted and approved sign, provided that the banner does not exceed the size of the sign.
(F) Architectural Features. So long as such features do not contain an explicit message, words in any language, moving parts, or illumination.
(G) Artwork. So long as such works do not contain an explicit message, words in any language, moving parts, or illumination. Murals may only be painted with the permission of the property owner.
Temporary Non-Commercial Signs. Temporary non-commercial signs shall not require a permit in any zoning district provided that the following standards are met. Signs that do not meet these requirements shall require a permit and shall only be permitted if they meet the applicable standards of this Ordinance.

1. The total area of temporary non-commercial signs on a single lot shall not exceed thirty-six (36) square feet. No individual sign may exceed sixteen (16) square feet.
2. The maximum sign height of each temporary non-commercial sign shall be four (4) feet.
3. Temporary non-commercial signs shall be located solely on private property outside of any street right-of-way or corner clearance area.
4. Any temporary non-commercial sign in place for more than six (6) months shall be considered a permanent sign and must meet all requirements of this Ordinance that apply to permanent signage, including applying for a permit. If the requirements are not met, the permit will not be issued, and the sign must be removed.

Section 5. Amendment of Section 12.18 in Chapter 12 of the Zoning Ordinance. Section 12.18, concerning Special Land Use standards for Gas Stations, in Chapter 12 of the Zoning Ordinance, shall be amended in its entirety as follows:

(A) Minimum lot area shall be one (1) acre and minimum lot width shall be two hundred (200) feet.
(B) All gasoline pumps shall be located at least fifty (50) feet from any lot line or right-of-way, and shall be arranged so vehicles cannot obstruct any public sidewalk, pathway, right-of-way, or street. There shall be sufficient stacking space to prevent this from occurring.
(C) Canopy roofs.

1. The total area of temporary non-commercial signs on a single lot shall not exceed thirty-six (36) square feet. No individual sign may exceed sixteen (16) square feet.
2. The maximum sign height of each temporary non-commercial sign shall be four (4) feet.

(D) Any outdoor ancillary sales shall be stored in a designated area denoted on the site plan and shall be enclosed with a decorative fence.
(E) All parking and circulation areas shall be paved.
(F) The parking and circulation areas shall have 6” standard curbs throughout the site. The Planning Commission may waive a portion of this regulation if, in their opinion, it improves stormwater disposition or snow removal.
(G) A minimum of 10% of the total site area shall be landscaped, including required landscaping as described in Chapter 4. If the required landscaping does not equal 10% of the total site, then additional landscaping must be added to reach 10%.
(H) Rental or storage of trucks, trailers, etc. is prohibited.
(I) Best practices must be followed to reduce or eliminate tank leakage, groundwater contamination, soil contamination, and other long-term environmental impacts of the gas station. The applicant must propose practices, equipment, and site design to the Planning Commission to meet this requirement, and the Planning Commission shall determine whether the proposal is sufficient.

(J) The use shall be supported by certain infrastructure features, including paved roads, natural gas, municipal water supply, and sanitary sewer.

Section 6. Amendment of Section 12.49 in Chapter 12 of the Zoning Ordinance. Section 12.49(A)(9)(c), concerning generator power; Section 12.49(B)(1)(c), concerning co-locations and modifications of existing wireless facilities; all in Chapter 12 of the Zoning Ordinance, shall be amended in their entirety as follows:

(c) The generator must be gaseous-fueled or a clean-energy alternative. If a gaseous-fuel is not available, diesel-powered generators may be installed, but the entire facility, including the generator, must be set back an additional fifty (50) feet from all property lines, and must be set back at least one hundred (100) feet from the nearest dwelling unit or residential zoning district.

***

(c) The applicant proposes to increase the ground-level compound to more than twenty-five hundred (2,500) square feet in area.

Section 7. Amendment of Section 12.50 in Chapter 12 of the Zoning Ordinance. Section 12.50(C), concerning two-family dwellings as special land uses, in Chapter 12 of the Zoning Ordinance shall be amended in its entirety as follows:

(C) Two-family dwellings shall be connected to municipal water and municipal sanitary sewer.

Section 8. Amendment of Section 18.04 in Chapter 18 of the Zoning Ordinance. Section 18.04(A), concerning exemptions to the site plan submission provisions, in Chapter 18 of the Zoning Ordinance shall be amended in its entirety as follows:

(A) Residential Accessory Structures

Section 9. Amendment of Section 21.02 in Chapter 21 of the Zoning Ordinance. Section 21.02(A)(14A), concerning the definition of “bulk;” Section 21.02(A)(30) (a) through (d), concerning the definition of “dwelling unit;” Section 21.02(A)(34), concerning the definition of “family;” Section 21.02(A)(59A), concerning the definition of “massing;” and Section 21.02(A)(95A), concerning the definition of “scale;” all in Chapter 21 of the Zoning Ordinance, shall be amended or added to state in their entirety as follows (all other definitions in Section 21.02 shall remain unchanged):

(14A) Bulk. The bulk of buildings or structures includes: (a) the size and height of the buildings or structures; (b) the location of exterior walls or outer
surfaces of the buildings or structures; (c) the gross lot area and lot width of the lot on which the buildings or structures are located; and (d) the number of buildings or structures in question.

(30) (a) Dwelling, Single Detached. A building containing one (1) dwelling unit not sharing common structural elements with any other building intended for human occupation, and surrounded on all sides by open spaces; often referred to as a Single-Family Dwelling.

(b) Dwellings, Two Attached. A building containing two (2) dwelling units, sharing common structural elements, each of which has separate and direct access to the outside. Examples include side-by-side or stacked duplexes; often referred to as a Two-Family Dwellings.

(c) Dwellings, Multiple Attached. A building containing three (3) or more dwelling units, sharing common structural elements or party walls. Examples include apartment buildings or townhomes; often referred to as Multi-Family Dwellings.

(d) Housing for Farm Labor. A dwelling unit or cluster of dwelling units which are located on a lot otherwise used for agriculture and used as living quarters for five or more migratory laborers engaged in agricultural activities.

(34) Family. A collective number of individuals domiciled together in one (1) dwelling unit whose relationship is of a continuing, non-transient domestic character and who are cooking and living as a single nonprofit housekeeping unit.

(a) This definition includes family guests, exchange students, visitors, medical caregivers, and child caregivers, any person living within a household on a permanent basis, and any other individual related by blood or affinity whose close association is the equivalent of a family relationship.

(59A) Massing. The scale, dimensions, and proportions of a building or structure.

(95A) Scale. The size, shape, location, or other element of a building or structure, relative to its surroundings and the individuals who interact with the building or structure.

Section 10. Effective Date. The foregoing amendment to the Grand Haven Charter Township Zoning Ordinance was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan on _____________, 2023, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended, and after a first reading of the amendment by the Township Board on _____________, 2023. This Ordinance shall be effective on _____________, 2023, which date is eight days after publication of the Ordinance as is required
by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Mark Reenders, Township Supervisor

Laurie Larsen, Township Clerk
CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on ______________, 2023. The following members of the Township Board were present at that meeting: __________

____________________________________________________________________________.

The following members of the Township Board were absent: __________________________ 

____________________________________________________________________________.

The Ordinance was adopted by the Township Board with members of the Board _____________

____________________________________________________________________________

voting in favor and members of the Board ______________________________________________________________________

voting in opposition. The Ordinance or a summary of the Ordinance was published in the Grand Haven Tribune on ______________, 2023.

Laurie Larsen, Clerk
Grand Haven Charter Township
Community Development Memo

DATE: March 16, 2023
TO: Planning Commission
FROM: Rory Thibault – Senior Planner
RE: Ehlert – AG/RR split zoning to RR

BACKGROUND

The applicant, John Ehlert, is requesting to rezone approximately 9-acres located at 15434 Lincoln St. (Parcel No. 70-07-14-200-041), which is split zoned as Agricultural (AG) and Rural Residential (RR) to entirely Rural Residential (RR).

The split zoning occurred due to an approved lot line transfer initiated by the applicant between the original parcels of 70-07-14-200-024 and -039, where 4.3-acres was added to parcel -024 from -039. Parcel -039 retains the 20-acre minimum for AG parcels and recorded ingress/egress.

Where two different zoning districts abut and a parcel boundary is changed, the zoning district does not automatically adjust to the updated configuration of the respective lots. The lot currently then must adhere to the requirements of the AG district and RR district in those portions of the original property. However, consistent with sound planning practices it is best to eliminate the split zoning of parcels when possible. This is to be evaluated in the typical rezoning process into whatever district is most appropriate.

The request to rezone to RR sets the minimum lot area at 45,000 sf and a 150-ft lot width per Section 2.08 of the Zoning Ordinance, for which parcel -041 is compliant. The property currently has one home and accessory structure on it with over 500’ of frontage on Lincoln St. The applicant has expressed a desire to ultimately subdivide this parcel into a (7) lot platted subdivision.
To note: that while a tentative land division map has been provided to staff and appears reasonable, once the property is rezoned the applicant is free to develop in any way allowed by the zoning ordinance.

The rezoning application was tested against the “Three C’s” evaluation method.

**COMPATABILITY**

*Is the proposed rezoning compatible with the existing developments or zoning in the surrounding area?*

The adjacent zoning is:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Current Zoning</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R-2</td>
<td>Residential (Cutter Park)</td>
</tr>
<tr>
<td>East</td>
<td>RR</td>
<td>Residential</td>
</tr>
<tr>
<td>West</td>
<td>RR/R-2</td>
<td>Residential</td>
</tr>
<tr>
<td>South</td>
<td>AG</td>
<td>Agricultural (Owner)</td>
</tr>
</tbody>
</table>

To note, while not bearing directly on this application: the portion of this property split zoned Agricultural was zoned Rural Residential prior to 2017, when the applicant had requested to rezone parcel -039 to Agricultural so he could relocate the horses he owns onto this property. The current Zoning Ordinance allows Agricultural uses and the keeping of Horses to occur on RR property by Special Land Use.

The 2022 Future Land Use Map has master-planned the subject parcel for Agricultural Preservation (AG) which corresponds to the Agricultural (AG) zoning district.

**CONSISTENCY**

*Is the proposed rezoning consistent with the goals and objectives of the Master Plan and does it coincide with the Future Land Use Map in terms of an appropriate use of the land?*

<table>
<thead>
<tr>
<th>STATEMENT OF PURPOSE FOR RR Zoning DISTRICT</th>
<th>STATEMENT OF PURPOSE FOR AG Zoning DISTRICT</th>
<th>SITE CONSISTENCY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Semi-open areas where agriculture and other rural-type activities may co-exist.</td>
<td>Open areas where farming, dairying, forestry operations and other rural activities exist.</td>
<td>Abuts land zoned-agricultural, and single-family residential</td>
</tr>
<tr>
<td>Large-tract residential housing and related facilities.</td>
<td>Large vacant areas, fallow land and wooded areas; Not intended for residential housing</td>
<td>RR lots adjacent range from 1ac &lt; 6ac. AG lots remain to the South with Pasturing and wooded areas</td>
</tr>
</tbody>
</table>
Adequate open and semi-open spaces are essential to the health and welfare of the Township. Adequate food supply is essential to health and welfare of the Township. Rezoning to RR would increase total residential use and decrease total agricultural use.

Should be served by paved roads, if available. No water/sewer required. No minimum infrastructure requirements. Lincoln St. is paved. Water and Sewer are also available.

Although the rezoning is not consistent with the current Master Plan the utility capacity for this sort of development to occur is present and the proposed use and purpose of the proposed district are generally consistent with the applicant’s intention of future large-tract development.

**CAPABILITY**

*Does the proposed rezoning require an extension of public sewer and water, roadway improvements, or enhanced fire and police protection, and if so, is it in an area capable of being provided with such services?*

Parcels in RR are not intended to have public utilities or even paved roads. Lincoln Street is paved and public utilities are available.

**SAMPLE MOTIONS**

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 rezoning application for 15434 Lincoln St. from Agricultural (AG) and Rural Residential (RR) to Rural Residential (RR) based on the application meeting the rezoning standards of the Zoning Ordinance and Master Plan.

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 rezoning application for 15434 Lincoln St. from Agricultural (AG) and Rural Residential (RR) to Rural Residential (RR) based on the application not meeting the rezoning 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 postpone the 15434 Lincoln St. rezoning application, and direct the applicant to address the following items:

1. List the items…

Please contact me prior to the meeting if you have questions.
February 24, 2023

John and Roseanne Ehlert
11853 Garnsey Ave
Grand Haven, MI 49417

RE: Lot Line Transfer Request Parcel #’s 70-07-14-200-024 & 70-07-14-200-039

Dear Property Owner,

Your request for the lot line transfer of the above referenced parcels has been approved contingent on recording Deeds which reflect the transfer within 90 days. Your new parcel #’s are 70-07-14-200-040 (20.2 acre parcel) & 70-07-14-200-041 (8.964 acre parcel); these parcels will be reflected on the 2024 assessing and tax rolls.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

Ashley Larrison
Director of Assessing/Deputy Treasurer
Grand Haven Charter Township
616-604-6306
alarrison@ght.org