

SOUTH HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
MINUTES

Wednesday, July 5, 2023

Approved 8-2-23

1) Call to Order: 7:00 PM

2) Role Call:

Tippman - present

Kiry – present

Odland - present

Meyer – present

Poole – present

Dibble – present

Nicol – present

Audience: Cindy Compton, Jim Klett

3) Approval of the Agenda

Motion by Poole to approve the agenda as presented, second by Dibble, 7-0 yes, motion passed.

4) Approval of the Minutes

Motion by Nicol to approve the minutes with correction: New Business beginning 2nd line should say Out instead of Our, of June 7, 2023, second by Dibble, 7-0, yes motion passed.

5) Public Comment non-agenda items - none

6) Communications / Correspondence - Letter from Covert Township, they will be updating their Master Plan.

7) Public Hearing – Proposed Text Amendments

1. Amend Section 9A RCO Residential-Commercial Overlay; amend intent; Section 9A.02 Permitted uses, Section 9A.03 A. Special Uses and B. conditions; 9A.04 dimensional chart
2. Amend Section 14B Shoreline Protection Overlay; amend Section 14B.03C Site Plan Review Procedures
3. Amend Section 18.20 Swimming Pools; amend 18.20 G clarify language regarding fences, add new subsection H and I to add language for inground and above ground pools.
4. Amend Section 18.27 Parking and Storage of travel trailers; add recreational vehicle use provisions
5. Remove 18.31 Use of Mobile Home, rename Reserved
6. Amend 18.28 Temporary Transient Uses; rename Temporary Uses; sub-section for temporary use events; amend zoning administrator permit approval and planning commission permit approval; sub-section for temporary buildings and structures
7. Remove 22.02G 22.03F Site Plan Review – remove temp fireworks sales exceeding 14 days language
8. Amend building height from 35 feet to 50 feet for commercial and multi-family buildings in commercial and residential districts
9. Remove Home Business as a Special Land Use in all districts

10. Amend all district Dimensional Requirement Chart to same format and same terms
11. Correct dimensional chart requirements for building height of accessory building to reflect height stated in 18.06E

Motion by Poole to open the Public Hearing at 7:03PM, second by Meyer, 7-0, yes motion passed.

Cindy Compton stated she was at the meeting to learn more about the amendments and especially the height proposal of commercial buildings to 50ft.

No other comments

Motion by Poole to close the Public Hearing at 7:05PM, second by Kiry, 7-0, yes

8) New Business

a. Discuss/decide approve or not approve recommendation to Board for approval text amendments

#1-Amend Section 9A RCO Residential-Commercial Overlay; amend intent; Section 9A.02 Permitted uses, Section 9A.03 A. Special Uses and B. conditions; 9A.04 dimensional chart. Discussion: amend 9A.03A#11 to say “outdoor kennel” and 9A.03B5#c add a “B” in from of 1-4 (to clarify which 1-4 referring to). Motion by Kiry to recommend approval to the Board with the corrections, second by Meyer. Roll Call vote: Poole-Yes; Dibble-Yes; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 7-0, yes motion passed.

#2 Amend Section 14B Shoreline Protection Overlay; amend Section 14B.03C Site Plan Review Procedures. Discussion-none. Motion by Grant to recommend approval to the Board, second by Kiry. Roll Call vote: Poole-Yes; Dibble-Yes; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 7-0, yes motion passed.

#3 Amend Section 18.20 Swimming Pools; amend 18.20 G clarify language regarding fences, add new subsection H and I to add language for inground and above ground pools. Discussion- amend 18.20C to say “,not including hot tubs or jacuzzies” after outside pool wall. Motion by Poole to recommend approval to the Board with the correction, second by Kiry. Roll Call vote: Poole-Yes; Dibble-Yes; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 7-0, yes motion passed.

#4 Amend Section 18.27 Parking and Storage of travel trailers; add recreational vehicle use Provisions. Discussion-none. Motion by Grant to recommend approval to the Board, second by Kiry. Roll Call vote: Poole-Yes; Dibble-Yes; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 7-0, yes motion passed.

#5 Remove 18.31 Use of Mobile Home, rename Reserved. Discussion-none. Motion by Poole to recommend approval to the Board, second by Dibble. Roll Call vote: Poole-Yes; Dibble-Yes; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 7-0, yes motion passed.

#6 Amend 18.28 Temporary Transient Uses; rename Temporary Uses; sub-section for temporary use events; amend zoning administrator permit approval and planning commission permit approval; sub-section for temporary buildings and structures. Discussion- correct 18.28.1 #6; “Other than a recreational vehicle or mobile home, a building” remainder the same. Motion by Meyer to recommend approval to the Board with the correction, second by Kiry. Roll Call vote: Poole-Yes; Dibble-Yes; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 7-0, yes motion passed.

#7 Remove 22.02G & 22.03F Site Plan Review – remove temp fireworks sales language, replace with Reserved. Discussion-none. Motion by Dibble to recommend approval to the Board, second by Poole. Roll Call vote: Poole-Yes; Dibble-Yes; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 7-0, yes motion passed.

#8 Amend building height from 35 feet to 50 feet for commercial and multi-family buildings in commercial and residential districts. Discussion- Smalley stated the proposed amendment for 3+multi-family should not had been in the CSC chart. Multi-family is not an allowed use in the CSC. Should be in residential districts such as HDR, MDR, MFR. Per discussion was thought to remove the height from this amendment for 3+multi-family to another time; after the Master Plan and when revise the Zoning Ordinance and discuss what district(s) may work for such an increase in height. More discussion where the 50ft would be measured from. Proposed in CSC chart- max height average grade to highest peak. The current text for hotel height is 50ft, also a 26ft wide set-back on all sides with paving to support 75,000lbs for fire Apparatus. Consensus to keep the language, but change “paving” to “ground preparation” for both hotels and commercial buildings in the CSC District. Motion by Tippman to recommend approval to the Board with the corrections/conditions: remove 3+multi-family as an amendment; height for hotels and commercial buildings to be 50ft max height measured from average grade to highest peak; replace “paving” with “ground preparation”, second by Kiry. Roll Call vote: Poole-Yes; Dibble-Yes; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 7-0, yes motion passed.

#9 Remove Home Business as a Special Land Use in all districts. Discussion- removed from RD, AR, LDR, CSC, NSC. Motion by Dibble to recommend approval to the Board, second by Kiry. Roll Call vote: Poole-Yes; Dibble-Yes; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 7-0, yes motion passed.

Rearranged order

#11 Correct dimensional chart requirements for building height of accessory building to reflect height stated in 18.06E. Discussion- corrected for MDR, LDR, HDR, MFR, RCO, NSC current chart was 25ft corrected to 20ft per 18.06E. Motion by Poole to recommend approval to the Board, second by Nicol. Roll Call vote: Poole-Yes; Dibble-Yes; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 7-0, yes motion passed.

#10 Amend all district Dimensional Requirement Chart to same format and same terms. Discussion- Min lot width removed 330ft “except where an easement for ingress and egress is recorded with adjacent parcels” replace with “frontage access road or service drive per 18.26; Min Front Yard corrected “from a state highway” to M-43 M-140, or Phoenix (CR 388) and combined “from any other county road with from any private road “all other roads”; Min Side yard removed “except where the side yard abuts a road right-of-way, in which case the front yard setback is required” and “for residential”; Min rear yard removed “for principal structures” and “for residential”; Min Dwelling Floor area MDR LDR HDR NSC CSC add “680 square feet excluding garage and unfinished spaces with at least 500 square feet on the first floor”; Max height limit remove “Maximum” remove Wind Energy Generators, refer to residential and non-residential structures, CSC only add “Hotels and Non-residential structures 50ft height max measured from average grade to highest peak with 26 foot wide setback on all sides with ground preparation to support 75,000lbs fire apparatus”. Motion by Tippman to recommend approval to the Board with the correction, second by

Meyer. Roll Call vote: Poole-Yes; Dibble-Yes; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 7-0, yes motion passed.

9) Unfinished Business –

a. Master Plan – draft- Introduction, Chapters 1 & 2

Nicol had a few comments:

- In Chapter 1, pp. 1, 2nd paragraph- According to the US census 2020, the township population was 4041. If you look at Fig. 1, you can see that the population has remained around 4000 since 1980, 40 years! The population growth projections indicate an increase of only 0.1%. Taken together, this suggests that the township population has been quite stable, although this also indicates no growth over that period. Lowell suggested that this might be because the township has no infrastructure for such growth. These numbers and projections suggest that he might be correct. This raises an important question as to how to remedy this?

- In Chapter 1, pp. 9, 1st paragraph, line 4- Again, according to the US census 2020, the township had 2083 housing units. Take points #1 and #2 together, this indicates approximately 1 housing unit for every 2 township residents. Now, if you look at the data from Fig. 2 regarding the age distributions of the township population, approximately 25% of the population are children under the age of 19 or a total of about 1000 youngsters. If you were to consider that these children are not responsible for housing, then this reduces the population to about 3000 residents and a further increase in the number of housing units per resident.

Based on these points, it is not at all clear how we in the township can be concerned (or maybe should be?) about a housing shortage. Also, how should the 20% decline in residents of South Haven City impact the township and because of our close association, does this put the township in a poor light? This will be an interesting point(s) for discussion in further meetings. Should we decide that housing is indeed a concern, then this must be communicated and stressed in the Master Plan.

There will be few more chapters to review at Aug meeting.

10) Staff & Subcommittee report

ZBA report- none

Board report – refer to Board minutes

Zoning report – Smalley – SLU application for Aug meeting

11) Commissioner Comments and Public Comment – none

12) Adjournment at 9:15pm

Respectfully Submitted by:

Tasha Smalley

Zoning Administrator/Recording Secretary