

WHITEWATER TOWNSHIP PLANNING COMMISSION
AGENDA FOR REGULAR MEETING, *July 1, 2020*
7:00 PM, Whitewater Township Hall
5777 Vinton Road, Williamsburg, MI 49690
Phone 231-267-5141/Fax 231-267-9020

NOTICE: DUE TO EXECUTIVE ORDER 2020-77 ISSUED BY GOVERNOR WHITMER ON 05/07/2020 AND SUBSEQUENT GUIDELINES, AS WELL AS THE LIMITED CAPACITY OF THE WHITEWATER TOWNSHIP HALL WHEN ADHERING TO SOCIAL DISTANCING GUIDELINES, THE PLANNING COMMISSION AND PUBLIC PARTICIPATION FOR THE 07/1/2020 REGULAR MEETING WILL BE FACILITATED VIA THE ZOOM MEETING APP WITH EXTREMELY LIMITED PUBLIC IN PERSON SEATING. THE PUBLIC IS INVITED TO ATTEND AND PARTICIPATE. INSTRUCTIONS FOR CONNECTING TO THE MEETING APPEAR BELOW. INSTRUCTIONS FOR PARTICIPATING IN THE MEETING WILL BE ANNOUNCED BY THE MODERATOR.

Whitewater Township is inviting you to a scheduled Zoom meeting.

Topic: July Planning Commission Meeting

Time: Jul 1, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/95144996799?pwd=NlRhVlBrM2xITHdVL0lBRGQxV2liZz09>

Meeting ID: 951 4499 6799

Password: 537408

One tap mobile

+13017158592,,95144996799#,,,,0#,,537408# US (Germantown)

+13126266799,,95144996799#,,,,0#,,537408# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

Meeting ID: 951 4499 6799

Password: 537408

1. Call to Order/Pledge Allegiance
2. Roll Call of Commission Members
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest
5. **Public Comment:** Any person shall be permitted to address a meeting of the Planning Commission. Public comments shall be carried out in accordance with the following rules and procedures:
 - a. Comments shall be directed to the Commission, with questions directed to the Chair.
 - b. Any person wishing to address the Commission shall speak from the lectern and state his/her name and address.
 - c. Persons may address the commission on matters that are relevant to township planning and zoning issues.

- d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer Commission members' questions.
 - e. Public comment shall be limited to 3 minutes.
- 6. Public Hearing: None
 - 7. Approval of minutes of March 4, 2020. No meetings held in April, May and June.
 - 8. Correspondence: Two included were both received in June plus PC Chair notification
 - 9. Reports/Presentations/Announcements/Comments
 - a. Zoning Administrator, Hall
 - b. Chair, Mangus
 - c. Township Board Representative, Lawson
 - d. ZBA Representative, Hooper
 - 10. Unfinished Business:
 - a. Master Plan Review - Starting with Introduction, Boards, Location, and History
 - 11. New Business:
 - a. Discussion: Meeting procedures and preferences going forward, including PC bi-laws.
 - 12. Next Meeting August 5, 2020, at 7 p.m.
 - 13. Public Comment
 - 14. Commission Discussion/Comments
 - 15. Continuing Education
 - 16. Adjournment

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who are planning to attend. Contact the township clerk at 231-267-5141 or the TDD at 800-649-3777.

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
March 4, 2020

Call to Order at 7:01 p.m.

Roll Call: Dean, Hooper, Jacobson, Mangus, Savage

Absent: Lawson, Render

Also in attendance: Recording Secretary MacLean

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None.

Public Comment:

Vern Gutknecht, 6801 Bunker Hill Rd., Appreciate the PC. Comments in opposition to changing the RC district lot size minimum.

Public Hearing: None

Approval of Minutes:

MOTION to approve February 5, 2020, Meeting Minutes by Dean, second by Savage. All in favor. Motion carried.

Correspondence: None

Reports:

Zoning Administrator Report, Hall: Notebooks left last month. Hope to add to it as we go along. It is a guide to help understand the process. Decisions are made by the standards in the ordinance. We are also working on the Master Plan review. Notice of intent to plan presented will be posted.

Chair's Report, Mangus: Nothing.

Township Board Rep., Lawson: Report via text: Unable to complete the attorney summary of the RC five acre. Board interviewed recodification companies. Two people have been into the township regarding marijuana. Budget meetings. Popp (from audience): The board did hire a recodification company.

ZBA Representative, Hooper: No meeting.

Committee Reports: None.

Additional Items: None.

Unfinished Business

1. RC Survey discussion: Hall did an informal build out analysis shows a max build out could add another 123 lots. This has no buildability / suitability information. Strictly based on the numbers.
Target is to get the survey out in June.
Discussion of proposed survey.
Bob will do additional build-out analyses.
Mangus will come back with changes to the survey for review.
Finalize so it can mail out and be returned by May 15.
2. Master Plan review. Postpone

New Business:

1. April 1 Special Meeting.
Motion by Hooper, second by Savage to have an open house April 1, 2020, at 6 p.m.
All in favor. Motion carried.

Next Regular Meeting is scheduled for April 1, 2020.

Special meeting April 1, 2020, 6 p.m., zoning, master plan discussion

Regular meeting agenda items: RC survey, Master Plan review

Public Comment:

Heidi Vollmuth, 8371 Winnie Lane,: Demographics haven't changed. How many people need to come to a meeting?

Gerard 292 Island View Dr., Comments on RC survey.

Loraine Ehle 268 Island View Dr., to Bob, we are not against development. There are two bodies of water in the RC area.

Commission Discussion/Comments: None

Continuing Education:

Adjournment: 9:15 p.m.

Respectfully Submitted

Lois MacLean,

Recording Secretary

DRAFT

Gentlemen of the PC and concerned citizens,

June 27, 2020

This July we are officially open thus it is my intention to hold our regularly scheduled meeting for July. In order to facilitation maximum access by the public, this meeting will be available on Zoom with very limited, in person, seating. Our public in-person participation will be limited to 2-4 individuals, based on PC attendance. If you will not be in attendance for any reason, please let me know so that we can plan accordingly.

The primary goal of this meeting will be to set priorities and procedures for the PC going forward so that we can continue to make progress while preserving maximum public transparency and participation. This may require use of some creative options and some out of the box thinking such as the use of topical sub-committees or outdoor meetings. Time permitting, we will also review the Master Plan sections: Introduction, Boards, Location, and History.

Please contact me if you have any questions.

Thank You,
Kim Mangus
Planning Commission Chair

June 2, 2020

Whitewater Township Planning Commission
Whitewater Township Hall
5777 Vinton Road
Williamsburg, MI 49690

Re: *RC-1 5-Acre Minimum Lot Size Requirement Survey*

Dear Planning Commission Chair and Members:

INTRODUCTION

My firm represents Whitewater Township residents who own property in or adjacent to the RC-1 zoning district. Many of these residents bought property in or near the RC-1 district because of the low-density residential and recreational environment. The vast natural resources and the open space of the district is due in large part because of the 5-acre minimum lot size requirement. The purpose of this large lot size requirement is not only to preserve natural resources and open space, but it is also meant to protect the low-density forested and rural character of this area. There are 7 other districts in the township that accommodate much smaller lot sizes for single and multi-family residential, commercial and industrial uses.

The RC-1 5-acre minimum has been in effect for over 30 years – and I agree with Whitewater Township attorneys - it was legally enacted and is currently a valid and important zoning regulation in the Township. Further, it is in compliance with the Whitewater Township Master Plan, which states as its goals and policies, “Preserve Whitewater Township’s Rural Character” and ‘he Future Land Use Plan states, “the Public Recreation/Conservation Districts (RC) is intended to protect and preserve publicly held land that provides parks, recreation and helps maintain the rural character of the township.” *Whitewater Township Master Plan*. Additionally, the 5-acre minimum lot size in this area of Grand Traverse County is consistent with the county’s Comprehensive Master Plan, as well as adjacent Clearwater, Union and East Bay Township’s Zoning Ordinances – all of which require 5-acre minimum lot sizes in their Recreational and Natural Area Districts.

THE DRAFT RC-1 SURVEY QUESTIONS

It is my understanding that the Planning Commission has been tasked with reviewing the 5-acre minimum lot size requirement. To that end, the Planning Commission has drafted a survey to be sent to township residents to determine if the residents want the 5-acre minimum lot size to be changed.

I reviewed the first draft of the Planning Commission's current survey and I feel it is confusing and may be misleading. In particular, the first question includes the statement that, "at the time of this change, many residents in the district did not receive notification." This statement gives the impression that the enactment of the minimum requirement was illegal, which is not true, and it should be stricken from the survey. It was a legally-enacted zoning regulation that has been in effect for 31 years. It is a proper and valid regulation for the purpose of health, safety, welfare and for density control.

Additionally, the request to rank the options for minimum lot size and the inclusion of the "Informal Build-out Analysis" is confusing and slanted toward demonstrating the lack of permissible lot-splits with a larger minimum lot size. The Planning Commission must keep in mind that the reason for this larger lot size in the RC-1 zone is to preserve natural resources and the low-density rural character of this part of the township. It is not meant for high-density residential living. There are other areas of the township that specifically allow for smaller residential lots for high-density growth and development.

The second question on the survey is also troublesome, as it does not define what is meant by "growth and development" and does not indicate where this "growth and development" is meant to be located. A resident may want to preserve the 5-acre minimum lot size requirement in the RC-1 zone **and** want the Township to, "actively seek growth and development" in the Multi-family Residential, Commercial/Village, and/or Industrial zones (R-1, R-2, R-3, C, V, and N districts). Because it is confusing and may lead to misinterpretation of the answers, this question should be stricken from the survey.

PROPOSED RC-1 SURVEY QUESTION

It is my understanding that a survey was done in 2009 regarding the minimum lot-size requirement in the RC-1 zone. That survey resulted in approximately 60% of residents being in favor of maintaining the minimum or increasing the minimum lot size, 9% had no opinion and only 30% were in favor of decreasing the minimum lot size requirement. Because the demographics of the township have not changed over the past 11 years, we expect the same or similar results from a fair and neutrally-worded survey.

Because the current version of the draft survey is confusing, may be misleading and open to having the results misinterpreted as stated above, we suggest that a more clear and straightforward question be asked:

The current minimum required lot size in the Recreational District (RC-1) is 5-acres. Should this be Decreased, Increased, Maintained or No Opinion.

Alternatively, the same survey question that was used in 2009 could be used again because it was clear and to the point:

The majority of the area south of M-72, which includes the state forests, is zoned a minimum required lot size of 5 acres. Should the 5-acre minimum required lot size of the non-state forest lands be – Decreased, Increased, Maintained, No Opinion.

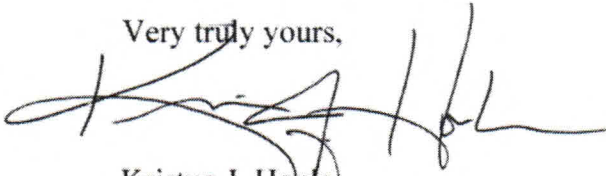
CONCLUSION

We are hopeful that the Planning Commission will honor the Master Plan, the historical land uses in the Township, and the vested interests of those who have bought property in or near the RC-1 zone specifically for its large minimum lot size requirement which protects the low-density, forested and rural character of this area.

Finally, we ask that the results of a neutrally-worded survey are tabulated fairly and accurately, and request that the survey results be counted and tabulated during a public meeting.

Thank you.

Very truly yours,



Kristyn J. Houle

Dear Friends and Neighbors

The Whitewater Township Planning Commission (PC) is seeking input from the residents of the Whitewater Township regarding the Recreation/Conservation District (RC1). The RC1 district is the area south of M-72, (South of O'Dell Dr on the townships southern border), primarily comprised of approximately 85% Pere Marquette State Forest, Sands Lake Quiet Area, and VASA Trail. The remaining 15% is private property. We are seeking your input regarding the current 5 Acre Zoning requirement in this area.

In December 1988, the Whitewater Township, in order to protect the natural resource and setting, rezoned the RC1 District from 40,000 square feet (less than 1 Acre), to the current 5 Acre Minimum for building a residential home.

At this time, the Township Board, has requested the Planning Commission to seek your input, specifically, regarding the zoning standards in the RC1 District.

- 1) For Privately Held Property, do you think that the current zoning requirement for the RC1 district, needs to be changed?

____ Yes

____ No

- a. If **YES**, Please select from the following, minimum parcel size.

- i. ____ 40,000 square feet minimum (less than 1 Acre)
- ii. ____ Change it to 2 Acre minimum.
- iii. ____ Change it to 3 Acre minimum.
- iv. ____ Change it to 4 Acre minimum.
- v. ____ Greater than the current 5 Acre minimum.

- b. Please provide Pros and Cons for **any proposed changes** to the existing 5 Acre Minimum Parcel size in the RC1 District

Pros :

- A) _____
- B) _____
- C) _____

Cons :

- A) _____
- B) _____
- C) _____