

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
May 3, 2017

Call to Order at 7:02 p.m.

Roll Call: Dean, Hooper, Lawson, Mangus, two vacancies

Absent: Link

Also in attendance: Recording Secretary MacLean, Zoning Administrator Chris Weinzapfel

Set / Adjust Agenda: Move New Business, event barn discussion before Unfinished Business

Declaration of Conflict of Interest: None.

Public Comment: None.

Public Hearing: Regarding Amendment #69 pertaining to proposed amendments to Articles 8.11, 12.11, 15, 26 and 36.

a. Open Public Hearing at 7:05.

b. Attendance sign in request

c. Notice published in The Record Eagle on April 16, 2017.

d. Article VIII, Commercial C-1 and Village V, Section 8.11, Replace the original title and text with the following: "8.11 BUILDING SIZES, LOT SIZES AND YARD REQUIREMENTS: All structures, lots, and structure setbacks from property lines shall comply with the regulations established in Article XII of this Ordinance."

Article XII, Building Sizes and Yard Requirements, Section 12.10: Replace the existing title with the following: "BUILDING SIZES, LOT SIZES AND YARD REQUIREMENTS APPLICABLE TO ALL DISTRICTS"

Amend Section 12.10A as follows: "Each dwelling or other main building hereafter erected in any district shall have a permanent foundation and a minimum of seven hundred (700) square feet of floor space, not including breezeways, porches and garages, unless specifically exempted elsewhere in this ordinance."

Add Section 12.10 D as follows: "All structures, lots, and structure setbacks from property lines shall comply with the regulations established in Article XII of this Ordinance, unless specifically exempted elsewhere in this Ordinance."

Article XV, Sanitation Requirements, amend Section 15.10 County Health Ordinance as follows: "Compliance shall be had in all land uses and in all structures erected, altered, or moved upon a premise with all provisions of the County Health Ordinance in force in Grand Traverse County entitled "Sanitary Code of Minimum Standards Regulating Sewage Disposal, Water Supplies and Sanitation of Habitable Buildings in Grand Traverse County Michigan" as the same may be amended from time to time, and violation of any provision of that Ordinance shall constitute a violation of this Ordinance."

Article XV, Sanitation Requirements: Delete Sections 15.11, 15.12, and 15.13 in their entirety.

Article XXVI, Sound Regulations: Delete all text in Article XXVI and reserve the article number for future use.

Article XXXVI, Mobile/Manufactured Home Park District (MHP):

Section 36.00: Change title to Mobile Home Standards, remove text in all sections and replace with Section 36.10 Intent, Section 36.11 Mobile Home Regulations, Section 36.12 Building Sizes, Lot Sizes and Yard Requirements, and Section 36.30 Mobile Home Condominium.

e. Presentations: None

f. Correspondence received: None

g. Public Comment:

Article 8.11 – Setbacks, no comments in favor or opposed to making language adjustments.

Article 12.11 – Setbacks, no comments in favor or opposed to making language adjustments.

Article 15 – Sanitation, no comments in favor or opposed to language change in 15.10 and removing 15.11, 15.12 and 15.13.

Article 26 – Sound, no comments in favor or opposed to completely eliminate in favor of the existing General Ordinance in affect.

Article 36 – Mobile Manufactured Homes, no comments in favor or opposed to making language adjustments.

h. Close Public Hearing: 7:10 p.m.

PC discussion, action and decision:

Motion to send to the Board for approval Amendment #69 as presented with each Article having its own roll call vote.

Article 8.11 Setbacks: Motion by Lawson, second by Hooper

Roll call vote: Dean-yes; Hooper-yes; Lawson-yes; Link-n/a; Mangus-yes; two commission vacancies

Article 12.11 Setbacks: Motion by Hooper, second by Dean.

Roll call vote: Hooper-yes; Lawson-yes; Link-n/a; Mangus-yes; Dean-yes; two commission vacancies

Article 15 Sanitation: Motion by Lawson, second by Hooper.

Roll call vote: Lawson-yes; Link-n/a; Mangus-yes; Dean-yes; Hooper-yes; two commission vacancies

Article 26 Sound: Motion by Dean, second by Lawson.

Roll call vote: Link-n/a; Mangus-yes; Dean-yes; Hooper-yes; Lawson-yes; two commission vacancies

Article 36 Mobile Home Standards: Motion by Dean, second by Hooper.

Roll call vote: Mangus-yes; Dean-yes; Hooper-yes; Lawson-yes; Link-n/a; two commission vacancies

Approval of Minutes:

Motion to approve April 7, 2017, Regular Meeting Minutes by Hooper, second by Lawson with correction of conflict of interest, Mangus has permits to build not buildings and word correction "lost" to "laws". All in favor. Motion carried.

Motion to approve April 26, 2017, Special Meeting Minutes by Hooper, second by Dean with attendance corrections.

All in favor. Motion carried.

Correspondence: Discuss event barn correspondence during Event Barn discussion.

Reports:

Zoning Administrator Report, Weinzapfel: None

Chair's Report, Mangus: Planners Lunch and Learn Series: Copies of the presentation regarding short term rentals presented to all. Reviews several local ordinances. Particular note state HB 45.03 presented last week, essentially makes all short term rental legal. Suttons Bay determined that 100, 10% of their residential, was more than they were comfortable with, chose to limit it at 150, 15%. HB 45.03 was briefly discussed. Residential use vs commercial use. HB allows for regulation at the local level but it has to apply to the short term rental the same as a residential residence and/or long term rental. Rent by the week is the same as rent by the year.

Township Board Rep., Lawson: Special meeting June 6, for construction bids. Board notes that Ordinance 40 has additional subject matter that needs to be addressed. Scott Carter was granted relief from the Private Road Ordinance as recommended by the PC. PC and ZBA applications should be brought to the May 9, board meeting.

ZBA Representative, Hooper: No meetings.

Committee Reports: None.

Additional Items: None.

New Business:

1. Event Barns:

ZA Weinzapfel: several people have requested information on event barns. They already have a barn and would like to have events part of the year or year round. Told the requesters I would bring it to the PC for discussion.

Discussion: Social trends and zoning trends are coming together.

It could be handled as a special use in the Ag district. Is it Ag? Is it commercial? Yes and Yes.

Noise and traffic could be issues.

As a special use there could be guidelines, size, parking, end times, etc. Some concerns would be addressed through construction code, health department, fire codes, etc.

Check on sample ordinances from other townships.

Event by event approval from the ZA could be an immediate resolution until a full decision is made.

Old Business:

1. Final review of Article 2, Interpretations. Discussion. Verbiage change consensus, ready for next public hearing. Motion to take Article 2 to public hearing (amendment #70) by Lawson, second by Hooper. All in favor. Motion carried

2. Article 8, Commercial. Discussion. Use by right and special uses. Consensus on offices, retail sales, vehicular facilities, personal services, recreation, manufacturing, churches/schools/non-profits, animal services, health services, restaurants, trades, rental, utilities, dwellings. Kim will bring back an assembled document to the next meeting.

Keep Commercial, Village and Industrial together for discussion purposes.

Special meeting: May 17, 2017, p.m., regarding commercial village definitions.

Next Regular Meeting June 7, 2017

Public Comment: Carol Williams, Midland Michigan, owner of the property of the event barn correspondence and discussion. Looking at options. Appreciate the PC looking at this.

Karen McKenzie, realtor: Question regarding the minutes that mention the legal opinion of event barns. (none received, it was just briefly discussed at a training). Consider event barns in the commercial district.

Commission Discussion/Comments:

Continuing Education: None.

Adjournment: 9:10 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary