1. **CALL TO ORDER**

2. **ROLL CALL**
   - Bectel, Duer, Garrison, Horine, Parker, VanderMeulen

3. **APPROVAL OF THE AGENDA**

4. **APPROVAL OF THE MINUTES** – April 25, 2023 Meeting

5. **CORRESPONDANCE**

6. **STATEMENTS OF CITIZENS – AGENDA ITEMS ONLY**

7. **PUBLIC HEARING:**
   - **A. Special Use – Short Term Rental – 210 S Cutler**
     A request for a Special Use permit to establish a Short Term Rental located at 210 South Cutler Street.

8. **OLD BUSINESS:**
   - **A. Special Use – Short Term Rental – 210 S Cutler**
     A request for a Special Use permit to establish a Short Term Rental located at 210 South Cutler Street.

9. **NEW BUSINESS**
   - **A. Discussion – Text Amendments - Accessory Buildings, Neon Signs, Family Definition**
   - **B. Appointment of Officers – Vice Chairperson**

10. **STATEMENTS OF CITIZENS – NON-AGENDA ITEMS ONLY**

11. **COMMENTS OF PLANNING COMMISSIONERS**

12. **STAFF REPORT**

13. **ADJOURNMENT**

Cassandra Chaphalkar, Village of Spring Lake, (616) 604-6319

Next Meeting: June 27th, 2023
1. CALL TO ORDER

   Chair Garrison called the meeting to order at 7:00 p.m.

2. ROLL CALL

   Present: Bectel, Duer, Garrison, Horine, Parker & VanderMeulen

   Absent: None

3. APPROVAL OF THE AGENDA

   Motion by Duer, second from Bectel, to approve the agenda as presented. All in favor, motion carried.

   Yes: 6  No: 0

4. APPROVAL OF THE MINUTES – March 28, 2023, Meeting

   Motion by Duer, second from VanderMeulen, to approve the minutes of the March 28, 2023 meeting. All in favor, motion carried.

   Yes: 6  No: 0

5. CORRESPONDANCE – N/A

6. STATEMENTS OF CITIZENS – AGENDA ITEMS ONLY –

   Darcy Dye, 114 N. Fruitport Rd, thanked the Commissioners regarding their careful consideration regarding the amendments to the existing zoning ordinance.

7. PUBLIC HEARING:

   A. Proposed Text Amendments: Alcohol Manufacturing Facilities

      Brewpub, Microbrewery. Small Distillery, Small Winery, Restaurants, Assembly Operations, Restaurants with Assembly Operations

   Garrison opened the public hearing at 7:03 P.M.

   Chaphalkar addressed the Commissioners by presenting the staff memo dated April 21st.

   The Citizens present had no additional comments.
Motion by **Duer**, second from **VanderMeulen**, to close the public hearing at 7:10 P.M. All in favor, motion carried.

Yes: 6  No: 0  Abstained: 0

8. **OLD BUSINESS:**

   A. **Proposed Text Amendments: Alcohol Manufacturing Facilities**

      Brewpub, Microbrewery, Small Distillery, Small Winery, Restaurants, Assembly Operations, Restaurants with Assembly Operations

      Commissioners noted the following discussion points:

      - **Duer** summarized Village Council’s direction to pursue the proposed use through Restaurants with Assembly Operations.
      - **Commissioners** asked clarifying questions where needed and discussed the updated ordinance.

      Motion by **VanderMeulen**, second from **Horine**, to recommend the Village Council **approve** the proposed zoning text amendment ordinance with a draft date of 04/21/2023.

          Yes: 6  No: 0

9. **STATEMENTS OF CITIZENS – NON-AGENDA ITEMS ONLY** – N/A

10. **COMMENTS OF PLANNING COMMISSIONERS** – N/A

11. **STAFF REPORT**

    Chaphalkar spoke regarding the need for the **Commissioners** to review the Master Plan at a future meeting.

12. **ADJOURNMENT**

    There being no further business, the meeting adjourned at 7:16 p.m. All in favor, motion carried.

__________________________________________________________
Cassandra Chaphalkar, Associate Planner  Jordan Schwing, Deputy Clerk
M E M O R A N D U M

Date: May 18, 2023
To: Village of Spring Lake Planning Commission
From: Cassandra Chaphalkar – Contractual Planner
Subject: Special Use – Short Term Rental – 210 S Cutler St

BACKGROUND
Parker Penney, the owner of 210 S Cutler Street, is requesting approval to operate a short term rental out of the property. The property has not previously been used as a short term rental.

SPECIAL USE STANDARDS
Article X of the Zoning Ordinance details the requirements for compliance.

Lot Size and Setbacks
The property is slightly undersized at approximately 7,840sqft where a minimum 8,000sqft lot is required for Single Family Residential (SFR) properties. The lot is about 58’ wide where 66’ is required, and the house is non-conforming in location in regards to the front setbacks. Because the property has both water frontage and street frontage, both of these yards are considered front yards with a minimum 25’ required on each yard, and about 9’ and 15’ provided.

Additionally, the property is located directly adjacent to the Grand River Greenway, with an easement located south of the house.

When a property has non-conformities Planning Commissioners may deny the request or require additional screening to mitigate impact onto adjacent properties or the public.

Commissioners will need to determine if the north and east yards need to be screened or fenced in. Because
the setbacks on that side are conforming and there are not any decks or gathering areas, Commissioners may choose to waive this requirement.

**Occupancy and Parking**

Per the provided floor plan, there is one bedroom totaling 153 sq ft, which allows for a maximum occupancy of three (3) people. There are two available parking spaces in the garage.

**Outdoor Congregating Areas**

The existing deck projects is legally non-conforming in location as it extends into the required front yards. Because of this, the Zoning Ordinance requires the deck to be fenced in or screened. However, due to the close proximity of the pathway easement, screening the area is challenging.

In lieu of a privacy fence, which is not allowed in a front yard, staff would recommend the Planning Commission consider requiring plantings adjacent to the deck. This could be considered as a condition of approval with administrative review.

The applicant has noted there is an existing firepit on the property, but it is non-conforming in location and shall be removed prior to operation of the STR.
If the Planning Commission finds the application meets the required standards, the following motion can be offered:

**Motion to conditionally approve** the Special Land Use request by J. Parker Penney for a Short Term Rental located at 210 South Cutler Street because the application meets the standards of the Spring Lake Village Zoning Ordinance. This motion is subject to the report of findings and the following conditions:

1. The sleeping occupancy shall not exceed three (3) people, which requires two (2) parking spaces.
   - The sleeping occupancy will be verified by the Village staff after inspection of the proposed rental occurs, including inspection of the bedroom size and ceiling height as determined by the requirements of the International Property Maintenance Code (IPMC).
   - Sleeping shall only occur within the bedrooms with the occupancy of each room determined by the International Property Maintenance Code.

2. The applicant shall submit a landscaping plan that provides screening along the eastern edge of the existing deck, which shall be reviewed administratively.

3. The fire pit shall be removed prior to renting the property.

4. The short-term rental shall be maintained in compliance with the submitted site plan and floor plan.

5. The applicant will comply with any other local, state, and federal laws.

6. The applicant will comply with all written and verbal representations.

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

**Motion to deny** the Special Land Use request by J. Parker Penney for a Short Term Rental located at 210 South Cutler Street because the request does not meet the criteria of Article X of the Zoning Ordinance for the following reasons:

1. *List reasons for denial*...

If the Planning Commission finds the applicant must make revisions, the following motion can be offered:
Motion to table the short term rental application and direct the applicant to make the following revisions:

1. List the revisions:

REPORT (to be used with a motion for approval)

1. This approval is based on the affirmative findings that all standards of the Special Use Criteria outlined in §390-134 have been fulfilled:
   A. That the use is designed and constructed, and will be operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the area in which it is proposed.
   B. The use is consistent with the adopted Spring Lake Village Master Plan.
   C. The authorized use is compatible with adjacent uses of land, the natural environment and the capacities of the public services and facilities affected by this use.
   D. The use is, or will be, served adequately by public services and facilities, including, but not limited to streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities and schools.
   E. The use does not involve activities, processes, materials and equipment or conditions of operation that is unreasonably detrimental to any persons, property or the general welfare by reason of excessive traffic, noise, smoke, fumes, glare or odors.
   F. The buildings, structures, and entrances are situated and designed to minimize the adverse effects upon owners and occupants of adjacent properties and the neighborhood.
   G. The site plan and special land use comply with the specific requirements contained in Article X of the Zoning Ordinance, as applicable.

2. The application meets the site plan review standards of §390-126 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:
   A. The use proposed will preserve to the greatest extent practical, the existing natural features of the site, including vegetation, topography, water features, and other such features. Only the areas under actual development will be disturbed.
   B. Buildings and structures are proposed to be placed in an orderly, logical fashion consistent with its surroundings and intent of the district. Where open spaces are proposed, it is located and arranged in a manner which provides view protection, visual relief, physical separation, environmentally sensitive area protection, and/or recreational value to the site and surrounding properties.
   C. The proposed use will preserve the views from adjacent properties and streets open to water areas to the greatest extent practical. Placement and height of buildings and locations of open spaces make reasonable provision for protecting existing views.
   D. The use proposes proper relationships between the existing streets within the vicinity, including deceleration lanes, service drives, entrance and exit driveways, and parking areas to provide safe and convenient movements of pedestrians, bicycles, and vehicles. Streets, access plans, and/or ingress/egress drives conform to the current regulations of the Village and MDOT.
   E. The proposed use has given special attention to proper site surface drainage, so the removal of surface waters does not adversely affect neighboring properties, the public storm drainage system, or nearby bodies of water. Surface water will be collected at designated intervals to prevent standing water that would obstruct vehicle and/or pedestrian traffic. The standards of the Spring Lake Stormwater Management Ordinance are met.
   F. All utilities for the proposed use are provided in a manner least harmful to surrounding properties and the utilities are located underground (as applicable), unless specifically waived by the Planning Commission.
   G. The proposed use will be screened from view from adjoining streets and properties for any exposed storage areas, trash receptacles, machinery installations, service areas, truck unloading areas, utility buildings and structures, and similar accessory areas. Screening complies with Article XIV.
H. The site plan for the proposed use provides adequate access to the site and all buildings on the site by emergency vehicles.

I. The proposed use provides an orderly transition for all structures to adjacent development of a different scale.

J. The site plan for the proposed use provides outdoor common areas and associated amenities for employees, customers, and/or residents which may include public trash receptacles, bike racks, seating areas, recreation areas, shade trees, bus stop turnouts, and similar facilities; where appropriate.

K. The proposed use complies with all applicable local, state and federal approvals prior to issuing a land use permit.

L. The site plan for the proposed use is consistent with the intent and purpose of this Ordinance.

Please contact staff with any questions.

CC: Christine Burns, Village Manager
MEMORANDUM

Date: May 17, 2023
To: Village of Spring Lake Planning Commission
From: Cassandra Chaphalkar – Contractual Planner
Subject: Text Amendments – Accessory Buildings, Neon Signs, Family Definition

BACKGROUND

The Zoning Ordinance is a living document in the sense that it should be reviewed and updated as the needs of the Village change. Staff keep a running list of topics to review based on comments from Commissioners and internal staff discussions, which are provided in this memo.

ACCESSORY BUILDINGS

The current language for accessory buildings is tailored for residential properties. As written, there are not separate regulations pertaining to non-residential accessory buildings. Through review of the current language and internal staff review, staff have drafted proposed language for Planning Commission Review:

### Residential Accessory Building Area

The allowances for accessory buildings are based on if the primary building has an attached garage, and allows for a maximum 650 sqft detached garage for those properties without an attached garage. In addition, all properties are enabled to two 150 sqft accessory buildings. Because the term garage is specific to the use of car storage, it could be argued that an attached structure is not a garage, but a workshop, or similar accessory use.

Rather than focus on the presence of a garage, staff have drafted ordinance language to regulate building size based on the lot size. This is similar to the regulations in Spring Lake Township and Grand Haven Township. To determine the appropriate lot size restrictions, staff analyzed the lot sizes, found where the natural breaks were, and adjusted for the sake of simplicity. An acreage map is included in the meeting packet, which breaks down the residentially classed properties in the Village into brackets based on the property size.

Lot coverage restrictions will still apply to all properties, with SFR allowing a maximum 50% lot coverage, and MFR properties allowing up to 60% lot coverage.
**Residential Accessory Building Height**

The current building height limit is 14’, which is in line with height for many standard sheds, but creates difficulties for larger structures as the roof typically increases in height in order to maintain the standard roof sloping. Staff are proposing a maximum 20ft height or one story. In order to maintain a more residential scale, language limiting the sidewall height to 10’ could be added to the ordinance.

In regards to an upper level, many property owners request additional height for attic storage space. Staff have included language to allow an attic area (less than 6 ft tall at any point) for accessory buildings as part of the height.

<table>
<thead>
<tr>
<th>Current Accessory Building Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attached Garage</td>
</tr>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proposed Residential Accessory Building Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Size</td>
</tr>
<tr>
<td>&lt; .25 Acre</td>
</tr>
<tr>
<td>.25 - &lt; .5 Acre</td>
</tr>
<tr>
<td>.5 - &lt; 1 Acre</td>
</tr>
<tr>
<td>≥ 1 Acre</td>
</tr>
</tbody>
</table>

* An upper floor area, in which the ceiling height does not exceed 6ft at any point, shall be considered an attic and shall not count towards the gross floor area of the accessory building.

Is the Planning Commission supportive of the proposed Residential Accessory Building Regulations?

**Non-Residential Accessory Building Regulations**

Non-residential accessory structures such as storage sheds or gazebos are less common than those on residential properties. For these smaller scale structures, the Planning Commission may consider limiting the total number to two accessory buildings, to not exceed 200 sqft each. Because structures of this size are exempt from Building Code, it would be a reasonable limit for an accessory structure. Anything larger than 200 sqft may be considered as a principal building.

<table>
<thead>
<tr>
<th>Proposed Non-Residential Accessory Building Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Number of Accessory Buildings</td>
</tr>
<tr>
<td>2</td>
</tr>
</tbody>
</table>

Is the Planning Commission supportive of the proposed Non-Residential Accessory Building Regulations?
NEON WINDOW SIGNS

Commissioners indicated support for an amendment that would allow neon signage in specific circumstances. Staff have drafted language that would allow neon window signs only in the CBD and CC Districts, limited to 10 sqft in size, which would be included in the total window sign allowance of a maximum 25% coverage.

Additional regulations would require the sign to appear static (not flashing), be extinguished outside of business hours, and be located under an awning, roof overhang, building recess, or similar device in order to mitigate un shielded light exposure.

Is the Planning Commission supportive of the neon sign regulations?

AMENDED FAMILY DEFINITION

The definition of family will be expanded to accommodate situations for people who are not related by blood such as exchange students, caregivers, or other individuals living in a household on a permanent basis. The current definition is not as lenient for non-blood relatives.

DIRECTION

No motion is required for this discussion. Commissioners should come to a consensus on the above topics and direct staff to draft language and schedule a public hearing for the next available meeting.

Please let me know if this raises questions.

CC: Christine Burns, Village Manager
**TriCities Accessory Building Regulations:**

**Ferrysburg**

<table>
<thead>
<tr>
<th>Maximum Number of Accessory Buildings</th>
<th>Total Accessory Building Area</th>
<th>Maximum Building Height Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>40% of the rear yard.</td>
<td>14’</td>
</tr>
</tbody>
</table>

**City of Grand Haven (LDR, NS, MDR, DR, S, E, OT, B, NMU)**

<table>
<thead>
<tr>
<th>Maximum Number of Accessory Buildings</th>
<th>Total Accessory Building Area</th>
<th>Maximum Building Height Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>1,000 sqft or not to exceed 25% of the yard.</td>
<td>Dependent on the Principal Building Height</td>
</tr>
</tbody>
</table>

**Grand Haven Township**

**STANDARDS FOR SIZE AND HEIGHT**

<table>
<thead>
<tr>
<th>Number of Accessory Buildings</th>
<th>Total Floor Area</th>
<th>Maximum Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>720 sqft</td>
<td>24-feet in height, or the height of the Dwelling, whichever is greater.</td>
</tr>
<tr>
<td>3</td>
<td>1,000 sqft</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>1,500 sqft</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>2,000 sqft</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>2,500 sqft</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>3,000 sqft</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>3,500 sqft</td>
<td></td>
</tr>
<tr>
<td>9+</td>
<td>4,000 sqft</td>
<td></td>
</tr>
</tbody>
</table>

* Every additional 10 acres is permitted an additional building or structure
* Includes a lean-to structure and roof overhang greater than 3 feet
* Every additional 5 acres is permitted an additional 2,000 sqft

**Spring Lake Township:**

K. R-1, R-2, R-3 and R-4 Accessory Buildings and Structures shall comply with the following:

<table>
<thead>
<tr>
<th>Acreage</th>
<th>Total Area of Accessory Buildings</th>
<th>Number of Accessory Buildings</th>
<th>Setbacks</th>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greater than 1 acre</td>
<td>960 sq. ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greater than ¼ acre and less than or equal to 1 acre</td>
<td>768 sq. ft.</td>
<td>2</td>
<td>Accessory Building or Structure Setbacks shall be 10 feet from any other Accessory or principal Building and 5 feet from any Side or Rear Lot line.</td>
<td>Supporting walls shall not be taller than 10 feet. Height shall not exceed 20 feet. Accessory Buildings and Structures shall not be greater than one (1) Story.</td>
</tr>
<tr>
<td>Less than or equal to 1/2 acre</td>
<td>576 sq. ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MEMORANDUM
Date: May 17, 2023
To: Village of Spring Lake Planning Commission
From: Cassandra Chaphalkar – Village Planner
Subject: Appointment of Officers – (Vacancy)

APPOINTMENT OF OFFICERS

Former Vice Chairperson Van Leeuwen-Vega resigned from the Planning Commission, which leaves the position vacant. Commissioners will need to appoint a new Vice Chairperson.

If other officers change due to the nomination those positions will also need to be filled and included in the motion.

The current appointments are:
- Chairperson Garrison
- Vice Chairperson VACANT
- Secretary VanderMeulen

SAMPLE MOTION

The following motion may be offered:

Motion to nominate [Name] for Planning Commission Vice Chairperson.

Please let me know if this raises questions.

CC: Christine Burns, Village Manager