

PLANNING COMMISSION
Minutes for Special Meeting of
June 9, 2021

AMENDED

PRESENT Commissioners Dave Roesler, John Gloster, Mike Holman, John Warner and William Josephson.

ALSO PRESENT Zoning Administrator Jensen and Recording Secretary Sally Dion and 1 interested party.

NOT PRESENT Ina Ray and Maribeth Picard, excused.

CALL TO ORDER Chairperson Roesler called the June 9, 2021 meeting to order at 6:00 p.m. and led those in attendance in the Pledge of Allegiance.

AGENDA Motion by Commissioner Warner, second from Commissioner Holman, **ADOPTED**, to accept the agenda as written.

5 AYES, 2 ABSENT

PUBLIC COMMENT

1. Jeff Marcinkowski, 3767 Jay Road, as Supervisor, thanked the Planning Commission for having a Special Meeting to set Public Hearing on some sensitive language regarding short term rentals. He advised them that Legislation to strip township authority and oversight of sand and gravel mining operations passed the Senate this week. The bills allow state takeover on the permitting of sand and gravel mining and prohibit a township from regulating aggregate mining—eliminating local jurisdiction over the issuance of a permit, approval or any authorization on the location, operation or reclamation of aggregate and places sole authority with the state. When this takes effect Ordinance Amendments will be necessary.

NEW BUSINESS

Proposed Zoning Ordinance Amendment Discussion and set Public Hearing Date

Suggested language is as follows:

ARTICLE II **DEFINITIONS**
SECTION 2.04 **DFINITIONS – C**

COMMERCIAL

This term relates to the use of property in connection with the *lodging of transient guests for profit for a rental fee or the purchase, sale, lease, barter, display or exchange of goods, wares, merchandise or personal services or that is used in commerce or the maintenance of service offices or recreation or amusement enterprise or garage/basement/yard sales operating more than six (6) days during any one (1) twelve (12) month period and designed to make a profit. Any rental of a dwelling for a fee if less than 30 consecutive days is a commercial use.*

Motion by Commissioner Josephson, second from Commissioner Warner, **ADOPTED**, to set public hearing for July 15, 2021 on the language as written above.

5 AYES, 2 ABSENT

SECTION 2.18 DEFINITIONS – R

RESIDENTIAL

This term relates to the use of real property for dwelling purposes and is the owner's principal, seasonal or main living place. This term does not include any rental of a dwelling for a fee if less than 30 consecutive days.

Property owners who own a dwelling but who live there only on a seasonal basis and who have a continuity of presence as evidenced by the storing of their personal possessions for their personal use such as golf clubs, ski equipment, cycling equipment, boating equipment, and clothing is included within the meaning of the term Residential.

Motion by Commissioner Holman, second from Commissioner Josephson, **ADOPTED**, to set public hearing for July 15, 2021 on the language as written above.

5 AYES, 2 ABSENT

ARTICLE III GENERAL PROVISIONS
SECTION 3.29 OUTDOOR STORAGE IN RESIDENTIAL DISTRICTS

The outdoor storage or parking of recreational vehicles or **recreational** equipment, in all Residential Districts shall be subject to the following minimum conditions:

Motion by Commissioner Warner, second from Commissioner Holman, **ADOPTED**, to set public hearing for July 15, 2021 on the language as written above.

5 AYES, 2 ABSENT

ARTICLE VIa LAKE MICHIGAN SHORELINE DISTRICT
SECTION 6.04a SITE DEVELOPMENT STANDARDS

1. All structures and buildings installed or built (or expanded) within the Lake Michigan Shoreline Overlay District shall conform to the following standards related to the natural topography and vegetation of the bluffs and dunes.
 - a) No structures or buildings shall be built or installed lakeward of the bluff line except for wooden stairs and platforms which provide beach access and comply with the requirements of Michigan Law and the Department of Environmental Quality (DEQ). ~~Total platform area may not exceed one hundred fifty (150) sq. ft. in surface area.~~ All such Items (including stairs and platforms) shall be approved by the Zoning Administrator.

Motion by Commissioner Josephson, second from Commissioner Warner, **ADOPTED**, to set public hearing for July 15, 2021 on the language as written above.

5 AYES, 2 ABSENT

ARTICLE VIIIa INLAND LAKES DISTRICT
SECTION 8.02a SITE DEVELOPMENT STANDARDS

11. No structures or buildings shall be built or installed lakeward of the bluff line except for wooden stairs and platforms which provide beach access and comply with the requirements of Michigan Law and the Department of Environmental Quality (DEQ). ~~Total platform area may not exceed one hundred fifty (150) sq. ft. in surface area.~~ All such Items (including stairs and platforms) shall be approved by the Zoning Administrator.

Motion by Commissioner Warner, second from Commissioner Holman, **ADOPTED**, to set public hearing for July 15, 2021 on the language as written above.

5 AYES, 2 ABSENT

ARTICLE XIV SPECIAL LAND USES
SECTION 14.04 SPECIAL LAND USE SPECIFIC REQUIREMENTS

LL. Historic Resorts

2. Applicability. The provisions of this Section 14.04LL shall only be applicable to Parcel Numbers 61-06-245-005-0001-00, ~~61-06-012-300-0018-00, 61-06-012-300-0020-00 and 61-06-012-300-0023-00~~ which ~~are~~ is the only historical resorts located within the Inland Lakes Zoning District in existence and operating as of the effective date of this Ordinance amendment July 5, 2016. Only historic resorts located in the Inland Lakes Zoning District that were in existence and operating as of the effective date of this Ordinance amendment may be issued a special land use permit in accordance with the procedures and requirements of this Section.

Motion by Commissioner Warner, second from Commissioner Holman, **ADOPTED**, to set public hearing for July 15, 2021 on the language as written above.

5 AYES, 2 ABSENT

ADJOURNMENT

Motion by Commissioner Holman, second from Commissioner Warner, **ADOPTED**, to **ADJOURN**, the June 9, 2021 regular meeting at 6:35 p.m.

Respectfully Submitted,

Sally Dion, Recording Secretary
Township of Fruitland