

**RUTLAND CHARTER TOWNSHIP  
PLANNING COMMISSION MEETING  
AGENDA**

**December 2, 2020**

**7:00 PM**      Open Meeting  
                 Pledge of Allegiance  
                 Roll Call  
                 Approval of Agenda  
                 Consideration of Minutes of **November 4, 2020**

**GENERAL PUBLIC COMMENT:**

**GUESTS:**

**NEW BUSINESS:** Resolution #2020-013 – Planning Commission Regular Meeting Schedule for 2021 Calendar Year

Election of Planning Commission Officers

**OLD BUSINESS:** **PUBLIC HEARING:** Proposed Amendments of Designated Text Section within Chapter 220 (Zoning) of the Rutland Charter Township Code of Ordinances

**ZONING ADMINISTRATOR'S REPORT:**

**OPEN COMMENTS:**

**ADJOURNMENT:**

Respectfully Submitted;  
Robin J. Hawthorne, Clerk

# **Rutland Charter Township Planning Commission Meeting**

Wednesday November 4, 2020 at 7pm

## **Members Present:**

Stacey Graham, Brenda Bellmore, Larry Haywood, Dan King, Jim Blake

## **Others Present:**

Les Raymond, Andy and Alyssa Petzoldt, Gene Hall, Brad Kotrba, Nickie Haight

## **Approval of Agenda:**

Motion by King to approve the meeting agenda for November 4, 2020, second by Bellmore. All ayes, motion passes.

## **Meeting Minutes:**

Motion by Graham to accept the October 7, 2020 Meeting Minutes, second by Bellmore. Roll Call Vote: Graham - Yes, Bellmore - Yes, Haywood - Yes, King - Yes, Blake - Yes. Motion passes.

## **General Public Comment:**

### **Alyssa and Andy Ptezoldt**

Introduce themselves and explain they have a backup offer in on the Yeckley property. They share that they are here to better understand the process.

## **Guests:**

### **Brad Kotrba - Williams & Works**

Kotrba introduces himself again and asks if the PC all received copies of his email. He explains that he has worked through the first 6 chapters of the Master Plan and has made the needed changes. He says the first 6 chapters are community info. He says there may be some major changes but mostly minor updates. He comments that he will not remove the dates of previous updates.

Blake asks why it says 5 year update when it has been 10 years. Kotrba says the statute uses 5 years and that the PC reviewed the Master Plan in 2015. Blake asks for those dates to all be added.

Graham asks to have the climates updated because it currently says 2000. She also asks to have Kent ISD added and Pleasantview removed.

Kotrba starts his slide presentation which the PC has copies of.

Blake clarifies that Kotrba will do a population projection since the census numbers will not be available in time. Blake also asks where Kotrba got the income numbers and Kotrba says they came directly from the residents' assessed values.

Kotrba asks the PC if there has been any discussion on more green ideas. Raymond says there was a solar power company that had looked into some land in RCT. He asks about expanding non-motorized trails. Graham and Bellmore both comment that this has been in the works for a while now but some people do not support it. The PC thinks it would be beneficial to include things like the trails and Blue Zone in the Master Plan. Kotrba will reach out to the Thornapple Trails Association about connecting trails from Caledonia to Middleville to Hastings.

Kotrba asks the PC if they want to involve the community with a survey. Bellmore explains that the RCT Board has already approved doing a survey. Kotrba will start developing a survey. Blake asks if they can do a hybrid survey and Kotrba says yes there are some different options.

Raymond tells Kotrba that Rick Moore is RCT's most active citizen for the trails and Raymond will get Moore's info to Kotrba. Kotrba says he will be back at the December meeting with some more updates.

## **New Business:**

### **Discuss Proposed Text Amendments:**

Raymond shares that the Special Land Use permit that the PC discussed at the October meeting is not happening as quickly as he thought because the following text amendments are needed first.

- 220-2-2 Rural Retreat Definition
- 220-4-3 Special Land Use
- 220-17-3 Temporary Structures

Raymond says the PC all have copies of the proposed text amendments. He says they can put in whatever requirements they see fit. He shares that there is a neighbor voicing concerns and he expects there will be some neighbors at the public hearing.

Graham asks if Attorney Rolfe put the text amendments together. Raymond says yes he did. Graham and Blake share that this new packet is different from the email they got from Attorney Rolfe. Raymond will get clarification from Rolfe.

Haywood asks what the specific complaints are from neighbors. Raymond says: traffic, lots of people coming and going, different people moving in and out. Raymond says there are only about 8 residents within the 300 foot that would require letters sent to them.

Raymond says Kevin Prins sent letters of intent to nearby residents.

### **Temporary Structures Discussion:**

Blake disagrees with the wording “sewerage”. He says it implies that it is sewer related. Blake says the correct way to say it is “sewage” which implies sewer or septic.

Blake asks if the hand written notes in their packets are what Raymond wants to change. Raymond says yes those are his ideas.

Blake asks for it to all be written in the same format and Raymond says he will update it.

Raymond explains that these permit times should match the existing permit length of 6 months. Graham asks if the resident could get extensions on permits once the 6 months is up. Raymond says yes they have done them in the past but it is not common. He explains they could do 2 extensions if needed and approved. Haywood says to make it clear that they will not automatically have an extension. Graham clarifies that this is relating to Recreational Vehicles and not mobile homes.

Raymond explains that these amendments are across the board and not specifically in certain zones. He says this originated about RVs coming to stay for a bit.

King makes a motion, seconded by Graham to set a public hearing for the December PC meeting and to approve the following text amendments for the public hearing:

- 220-2-2 Rural Retreat Definition
- 220-4-3 Special Land Use
- 220-17-3 Temporary Structures

Roll Call Vote: Graham - Yes, Bellmore - Yes, Haywood - Yes, King - Yes, Blake - Yes. Motion passes.

**Old Business:** None

**Zoning Administrator Report:** None

### **Open Comments:**

Raymond asks if the PC all saw the calendar for the special land use. They all have. King clarifies some dates and that some dates may depend on the approval from the PC at the December meeting.

### **Adjournment:**

Motion by Bellmore to adjourn, seconded by King. All ayes.

Meeting Adjourned 8:11pm. Submitted by Nickie Haight, Recording Secretary

# RESOLUTION #2020-013

## RUTLAND CHARTER TOWNSHIP

### PLANNING COMMISSION

#### REGULAR MEETING SCHEDULE FOR 2021 CALENDAR YEAR

The Rutland Charter Township Planning Commission meetings will be held on **the 1<sup>st</sup> Wednesday of each month at 7:00pm**, unless otherwise posted.

January 6, 2021

February 3, 2021

March 3, 2021

April 7, 2021

May 5, 2021

June 2, 2021

July 7, 2021

August 4, 2021

September 1, 2021

October 6, 2021

November 3, 2021

December 1, 2021

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**Motion by \_\_\_\_\_, supported by \_\_\_\_\_ to approve the foregoing Resolution.**

**On Roll Call Vote:**

**Ayes:**

**Nays:**

**Absent:**

**CHARTER TOWNSHIP OF RUTLAND**

**BARRY COUNTY, MICHIGAN**

**TENTATIVE TEXT OF PROPOSED ZONING ORDINANCE TEXT AMENDMENTS  
SCHEDULED FOR PUBLIC HEARING AND PLANNING COMMISSION  
CONSIDERATION AT DECEMBER 2, 2020 MEETING**

**ITEM 1**

**AMENDMENT OF § 220-2-2 (DEFINITIONS)**

§ 220-2-2 of the Rutland Charter Township Code (Definitions) is proposed to be amended to add a definition for the term “Rural Retreat” reading as follows:

“RURAL RETREAT --- A facility owned and operated by a non-governmental entity for the purpose of providing a secluded rural setting in which indoor and/or outdoor programs and activities are offered for the physical relaxation and/or spiritual renewal of individuals, families, or other affiliated groups of people. This land use may include, for registered participants, temporary lodging accommodations and food-beverage services, and educational, recreational, and therapeutic programs and activities. This land use may also include a year-round or seasonal residence for a manager-caretaker of the facility.”

**ITEM 2**

**AMENDMENT OF § 220-4-3 (SPECIAL LAND USES IN AG/OS  
AGRICULTURAL/OPEN SPACE PRESERVATION DISTRICT)**

§ 220-4-3 of the Rutland Charter Township Code (Special Land Uses in AG/OS Agricultural/Open Space Preservation District) is proposed to be amended to re-letter existing subsection W of same to be subsection X, and add a new subsection W reading as follows:

“W. Rural Retreat.”

**ITEM 3**

**AMENDMENT OF § 220-17-3 (TEMPORARY USES OR STRUCTURES REQUIRING  
ZONING ADMINISTRATOR AUTHORIZATION)**

§ 220-17-3 of the Rutland Charter Township Code (Temporary Uses or Structures Requiring Zoning Administrator Authorization) is proposed to be amended to revise existing subsection C of same to read as follows (existing verbiage proposed to

be deleted is shown lined-thru; new verbiage proposed to be added is shown in bold type):

~~“C. Temporary use of motor home/recreation vehicle as dwelling. Upon application, the Zoning Administrator may issue a permit for a motor home or recreation vehicle to be used for temporary dwelling purposes on premises having running water and sewage facilities. Such a permit shall not be issued for a total of more than 14 days in each six month period on lots with less than 100,000 square feet in area. In addition, a motor home or recreation vehicle may be used for temporary occupancy purposes, without such a permit issued by the Zoning Administrator, on premises in the AG/OS District or CR District with a lot area of at least 100,000 square feet, and having running water and sewage facilities. This section shall not be construed to permit long-term occupancy of recreation vehicles in mobile home parks or elsewhere; and shall also not be construed to allow a campground except as provided in this chapter.”~~

**“C. Temporary occupancy of recreation vehicle as a dwelling. Upon application on such form as the Township may prescribe the Zoning Administrator may issue a zoning compliance permit for one recreation vehicle to be temporarily occupied as a dwelling on a lot in any district where single family dwelling is a designated permitted use, in the circumstances of subsection 1 and subsection 2 herein:**

**1. Where the recreation vehicle is proposed to be occupied for temporary non-commercial purposes associated with recreational activities on the subject property, or for personal visitation by the occupants with the occupant of the permanent dwelling on the subject property, subject to the following terms and conditions:**

**a. The recreation vehicle shall not be leased or rented to the occupants for any form of monetary compensation or other non-monetary consideration.**

**b. The recreation vehicle shall be sited on the lot in compliance with all setback requirements that would apply to a principle building or structure, as shown on a site diagram submitted with the zoning compliance permit application.**

**c. The recreation vehicle shall be connected to a water supply and have sewerage facilities for the duration of the temporary occupancy that comply with all applicable County and State health regulations, as specified with the zoning compliance permit application.**

- d. The temporary occupancy of the recreation vehicle shall be limited to a total of not more than 14 days, cumulatively, in any six month period.
2. Where the recreation vehicle is proposed to be temporarily occupied during construction of a permanent dwelling on the same lot, subject to the following terms and conditions:
- a. Occupancy of the recreation unit shall be limited to the intended occupants of the permanent dwelling to be constructed on the same lot.
  - b. All permits required for the construction of the permanent dwelling have been obtained.
  - c. The recreation vehicle shall be sited on the lot in compliance with all setback requirements that would apply to a principle building or structure, as shown on a site diagram submitted with the zoning compliance permit application.
  - d. The recreation vehicle shall be connected to a water supply and have sewerage facilities for the duration of the temporary occupancy that comply with all applicable County and State health regulations, as specified with the zoning compliance permit application.
  - e. The temporary occupancy shall be limited to a total of not more than 180 days; provided the Zoning Administrator may approve one extension of the permit for not more than 90 additional days if the Zoning Administrator determines substantial progress has been made on the construction of the permanent dwelling and the construction should be completed with due diligence by the end of the extension period.
  - f. The temporary occupancy of the recreation vehicle shall cease no later than 7 days after the Building Official has issued a certificate of use and occupancy for the new permanent dwelling.”