

**MINUTES  
PARK TOWNSHIP  
PLANNING COMMISSION**

Park Township Hall  
52 152<sup>nd</sup> Street  
Holland, MI 49424

Strategic Planning Meeting  
Held in Park Township Conference Room

October 27, 2020  
8:30 A.M.

**DRAFT COPY**

**CALL TO ORDER:**

Chair Pfost called to order the Strategic Planning Meeting of the Park Township Planning Commission at 8:30 A.M., held in the Park Township Conference Room.

**ATTENDANCE:**

Present: Terry DeHaan, Dennis Eade, Rosemary Ervine, Diana Garlinghouse, David Kleinjans, Jeff Pfost

Staff: Greg Ransford (Planner), Dan Martin (Legal Counsel), Howard Fink (Township Manager)

Pfost noted this is a public meeting. It will be a working session with the guidance of Martin and Ransford. He thanked Ervine for her assistance.

**APPROVAL OF AGENDA:**

Motion by Ervine, supported by Kleinjans, to approve the agenda as submitted.

Voice Vote:

Ayes 6, Nays 0. Motion carried.

**1. Welcome**

Ervine introduced the warmup activity and asked everyone to pay special attention to the 11 goals of the Vision Statement for 2030. They will be given the opportunity to comment on their relevance to determining the future planning decisions of the Planning Commission.

Pfost asked each Planning Commission member what he/she would like to learn from the strategic planning discussion.

Garlinghouse said her major concern was the problem of short term rentals.

Eade said his vision of the future will be to ensure it is real and what we want the community to be with regard to affordable housing and growth areas and preserving the opportunity for residents to stay and raise families.

Kleinjans looked forward to learning a lot, and discussion about the airport, open space zoning, transportation improvements such as bike paths, and commercial development in appropriate locations in the Township.

DeHaan said his focus was on affordable housing, short term rentals, coordination with neighboring townships on affordable housing, access to water with a look at road ends, what we want Park Township to look like, future development growth, and improving dialogue with the public.

Ervine looked forward to the opportunity to dialogue in support of the vision statement, ensuring ownership of goals, and coalescing with the new Board members.

Pfost hoped for closing the communication gap between the Planning Commission and the Township residents, improving interaction with staff, and finding a better path to improved communication.

Fink shared his reason for the Strategic Planning Meeting: He wanted to reinforce what the Planning Commission's power and authority is. The community desires a greater level of feedback and communication. And, as a suggestion, once a quarter, we could have an open Township Board meeting and welcome the public to share issues and concerns.

Pfost added we need to make sure concerns and problems are considered by the Planning Commission – it empowers a sense of communication.

## **2. Roles and Responsibilities of Planning Commission Members – Dan Martin**

Martin said what is important to keep in mind is that the Planning Commission is bound by the state and federal constitutions and the laws of the State, and has no inherent authority but may only do what is authorized under state law. He added Commissioners should take an oath to this effect. He highlighted the following from a document he prepared for the Planning Commission entitled: Planning Commission's Roles and Responsibilities:

- The basis of planning and zoning is to promote health, safety and general welfare for the greater good of the community.
- Authority and limitations -  
All municipalities are entities of the State. The Planning and Enabling Act and Zoning Act represent the authority guide for the Planning Commission. The Planning Commission is limited by this authority that the State grants you. Rules have to be uniform. Zoning ordinances are limited by the State and Federal Constitutions. Equal protection is where the concept of precedence comes in: every citizen comes under the equal protection of the law.
- With reference to free speech, zoning regulations must be based on land use rather than specific activity. Some types of land use involve activities such as billboards, real estate signs, sexually-oriented businesses are protected as expression. Regarding land use regulations: The State Legislature allows medical and recreational use of marijuana. With regard to medical marijuana the Legislature didn't allow communities to opt in or opt out. However, they gave every community the authority to opt in or out with regard to recreational marijuana. We can regulate land use but not a particular activity. There is a statutory interpretation called "the specific controls the general." Park Township can say no to recreational use activity and it is not considered exclusionary zoning or a violation of the law.
- The Planning and Enabling Act allows you to adopt a Master Plan which is the vision of what you want the community to look like. The zoning ordinances are created to get to that destination. You can create overlay districts for special areas, otherwise, you have to follow the zoning rules.
- Statutory Mandate – The Zoning Act requires you to have standards. Discretionary decisions have to be based on standards to follow due process.

Fink added: Why is a mission statement meaningful? The Master Plan should be reviewed every day when there is an issue. We need to ask ourselves: How do our goals integrate with the regulatory process – if not should it be changed. Is this what we want for our community? Regarding zoning this is why visionary goals are important.

Martin said a zoning ordinance must be based on a plan. The Planning and Enabling Act states you may adopt a master plan, but the Zoning Enabling Act states that the zoning ordinance "shall be based on a plan". He reviewed the Zoning Enabling Act requirements. "The Master Plan serves a different function than the zoning ordinance and map." The Master Plan is the policy, the zoning ordinance is the law.

It is important to adjust the Master Plan and keep it up-to-date when there is a new issue from a planning standpoint.

Planning Commission Duties:

1. The Planning Commission is required to meet at least every quarter.

2. The Planning Commission has the responsibility to hold public hearings.
3. Open Meetings Act – during Public Comment attendees have right to address a Township body such as the Planning Commission. The law doesn't require members of the Planning Commission to respond. Courtesy to respond is an option.
4. As a matter of decorum during meetings it is important to respect roles and their authority. Defer to the chair for response to the public during meetings. All of life is about relationships. It is okay to have differing opinions and it is important to maintain mutual respect. It's when people lose respect when problems arise that can't be appropriately resolved. Martin mentioned the Open Meetings Guide which is helpful.
5. The Township Board makes the law. Special use application and site plan review are within the Planning Commission's purview – it's an administrative decision.
6. The Planning Commission adopts its own bylaws.
7. The Planning Commission is also required to prepare annual written report.

DeHaan asked if the Master Plan is considered law.

Martin explained that the Master Plan is not law, it is policy, and it is not enforced by the Court. But it drives township decisions regarding ordinances, and courts will review it. If there is a matter you would like to adopt as a zoning ordinance regulation, it should be within the framework of the Master Plan, as the zoning ordinance is based on the plan. The process is in place to amend the Master Plan. All documents are subject to change, and you can amend your Master Plan and zoning ordinance in concert with one another.

Fink brought up the Tree Preservation issue as an example of how flexible it is to add amendments to the Master Plan.

### **3. Carousel Activity – Review Master Plan Goals**

Planning Commission members were asked to rank the goals of the Vision Statement as to how the Township is doing and offer suggestions on improvement. The ranking was 1-5 with 1 being unsatisfactory and 5 being excellent.

Ervine reviewed the results of the first go-round of ranking:

GOAL 1 – Protect Township's distinctive environmental character

Scores were 1-5.

GOAL 2 – Retain the Township's rural and agricultural character

Scores were 2s and 3s.

GOAL 3 – Transform the Township into a fully walkable and bike-friendly community

Scores were 3-5.

GOAL 4 – Expand and improve the use/appearance of the airport and fairgrounds

Scores were 1 -3.

GOAL 5 – Improve the public’s visual and physical access to waterfronts

Scores were 1-5, with one 6.

GOAL 6 – Define and create an identity that distinguishes Park Township as a distinct community

Scores were 1-5. There was a written question – “Why is it a goal?”

GOAL 7 – Promote alternative modes of transportation, such as transit, to link Park Township with the surrounding region

Scores were 1-3.

GOAL 8 – Focus commercial development within appropriate locations in the Township

Scores were 1-4. A comment said a local grocery store would be appreciated.

GOAL 9 – Define Township’s role in the context of surrounding communities and nurture a culture of collaboration

Scores were 1-5.

GOAL 10 – Promote infill/redevelopment where infrastructure already exists

Scores were 2s and 3s.

GOAL 11 – Promote balanced housing opportunities

Scores were 2-4 with one comment – “need more information”

Discussion of Goals:

Pfost asked: What is the gap analysis? Where do we need to improve, what are we doing well? We need to prioritize these goals.

Ransford suggested determining priorities first then later determine their linkage.

Martin suggested a regional focus regarding transportation and infrastructure.

Fink suggested looking at these goals where the Planning Commission can impact the decision-making process for improvement. Are the ordinances supporting the goals?

All concurred to revisit the goal sheets and rank them a second time. The results were the following:

GOAL 1 – 2-4, one 5

GOAL 2 – 3-4

Goal 3 – 4-5

GOAL 4 – 1-5

GOAL 5 – 3-5

GOAL 7 – all 3s

GOAL 8 – 3-4

GOAL 9 – 2-4

GOAL 10 – all 3s

GOAL 11 – 2-3, one 4

**4. Assess Progress and Planning Commission Involvement to support Master Plan –**

Discussion focused on the selection of the top five goals that are considered most important to the future of the Township.

## 5. Design Planning Commission Goals for the 2020-21 Year Design Goals:

Based on the second review the Planning Commission agreed priority should be focused on the following five goals:

- Goal 2 - Retain the Township's distinctive environmental character
- Goal 4 - Expand and improve the use/appearance of the airport and fairgrounds
- Goal 5 – Improve the public's visual and physical access to waterfronts
- Goal 10- Promote infill/redevelopment where infrastructure already exists
- Goal11- Promote balanced housing opportunities

## 6. Staff identified topics:

- a. Farm Markets –
- b. Watercraft Rentals –
- c. Sexually-oriented Businesses –
- d. Short Term Rentals -

## 7. Prioritize Goals

Pfost recommended that the Commissioners maximize the Township's regional strengths as part of the planning process. He asked for discussion on action steps toward achieving these five goals.

### ACTION STEPS:

#### GOAL 2 – Rural Character

Eade recommended exploring the concept of transfer of development rights, where do we want the density, do we want to work with the farmers to see what their goals are long term, and the need to explore the legal issues involved

#### GOAL 4 – Airport and Fairgrounds

Kleinjans suggested interacting with the Township Board on this issue, updating the Park Central Plan, consideration of a 20 year plan, and a gathering place for the community.

#### GOAL 5 – Waterfront Access

DeHaan said the Township should consider expansion of its park systems, explore public access in lakefront PUDs, review ordinance language if necessary regarding this, make fiscal

improvements on road ends for Lakes Macatawa and Michigan, purchase lake property when opportunities arise, and consider regulation of visual view shed restrictions in ordinances

GOAL 10 – Infill/Redevelopment where infrastructure exists

Fink said we need to complete the NHP process, look at vacant lots and development possibilities, explore PUD development on noncontiguous properties, reduce fees for sewer and water hookups which could be subsidized by the General Fund, and consider greater density for infill developments – perhaps a density bonus for individual lots in a subdivision - and explore growth boundaries in the Master Plan.

GOAL 11 – Promote housing opportunities

Eade suggested we approach this goal from a regional standpoint and educate the Township Board, Planning Commission, and Zoning Board of Appeals on the issues. We should also consider the need for housing for employees of the growing factories in Holland Township. There is a future need for balance of infrastructure; a regional strategy is the best approach

## **8. Training Opportunities for 2021**

## **9. Parking Lot Topics**

Affordable housing  
NHP areas  
Open space zoning  
Lake Macatawa access  
Road ends  
Park Central Plan  
Short term rentals  
Communication feedback  
Airport

Pfost asked about consideration of a licensing element and develop an ordinance.

Fink said the Township Board has considered how to handle short term rentals and the suggested strategy was a licensing ordinance. The question is do you want to regulate short term rentals. If so, how?

Eade acknowledged the problem. He understands the State will soon come up with regulations on this topic. Other communities have dealt with it. Can we benefit from what these communities have done? He supported the regulation approach and the licensing concept.

Pfost said we have to be specific with ordinances. Do we need the parking, fire, and noise ordinance requirements tightened?

Garlinghouse said the problem with short term rentals is in several of the communities.

Ransford said the NHPs have said they want to handle short term rentals themselves.

Pfost asked if Staff can investigate short term rentals in the Township and submit a report to the Planning Commission. Would licensure work? What is the magnitude of the problem? Can short term rental properties be identified? For example, can we determine how many homes are there in Chippewa and how many are short term rentals? What would the economic impact look like? We can look at police reports. Fink said there is a company that does this research. He will look into it.

## **PUBLIC COMMENT**

Pfost opened Public Comment at 1:55 P.M.

There was no comment.

Pfost closed Public Comment at 1:55 P.M.

## **10. Assessment**

The question was raised about the status of the farmer's market in Waukazoo.

Martin said this was a special use permit. The Zoning Board of Appeals decided to grant the owner a two year special use variance. In two years he has to comply with the zoning ordinance conditions regarding a building, parking, and public water or stop sales. It will be an agenda item for the Planning Commission in December.

Martin noted that he researched the oath of office for members of the Planning Commission and only the Chair is responsible for taking the oath of office.

Pfost asked Ransford to e-mail a copy of the Planning Commission Bylaws to the members.

## **ADJOURNMENT**

Eade moved, supported by Garlinghouse, to adjourn the meeting at 2:10 P.M.

### Voice Vote

Ayes 6, Nays 0. Motion carried.

Respectfully submitted,

Judith Hemwall  
Recording Secretary

Approved: