



Georgetown Charter Township

1515 Baldwin St., Jenison, MI 49428

Planning Commission Meeting Agenda

January 17, 2018, 7:30 p.m.

1. Call To Order
2. Roll Call
3. Approval Of The Agenda
4. Approval Of The Minutes Of The Previous Meeting
5. Old Business
6. New Business
 - 6.I. (REZ1803) Ordinance 2018-06 To Change From (LDR) Low Density Residential To (AG) Agriculture Parcels Of Land Described As P.P. # 70-14-07-400-009 And -023, Located At 4050 Bauer Rd. And 42nd Ave, Georgetown Township, Ottawa County, Michigan.

Documents:

[REZ1803 STAFF REPORT.PDF](#)

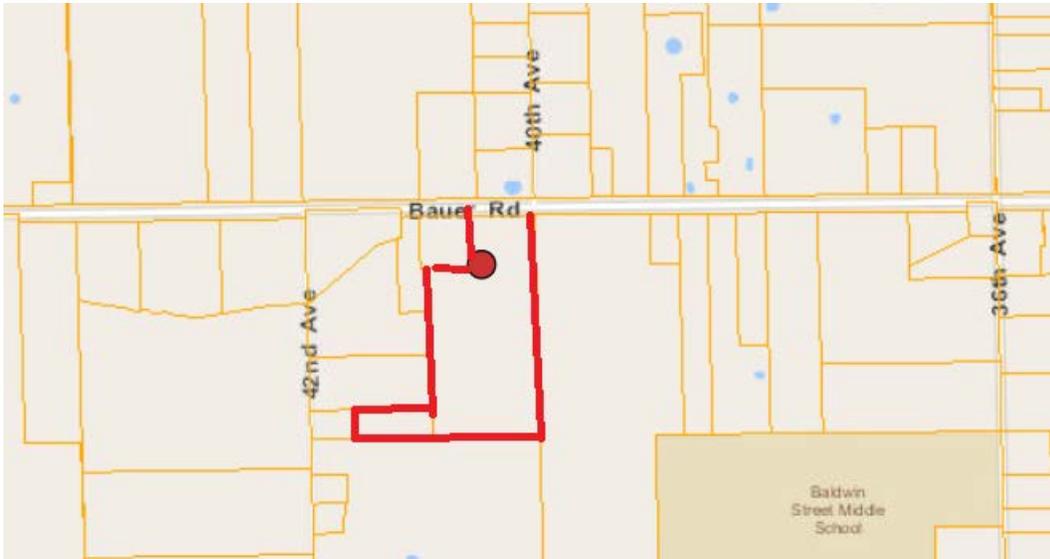
7. Communications, Letters And Reports
8. Public Comments
9. Other Business
10. Commissioner/Staff Comments
11. Adjournment

REQUEST

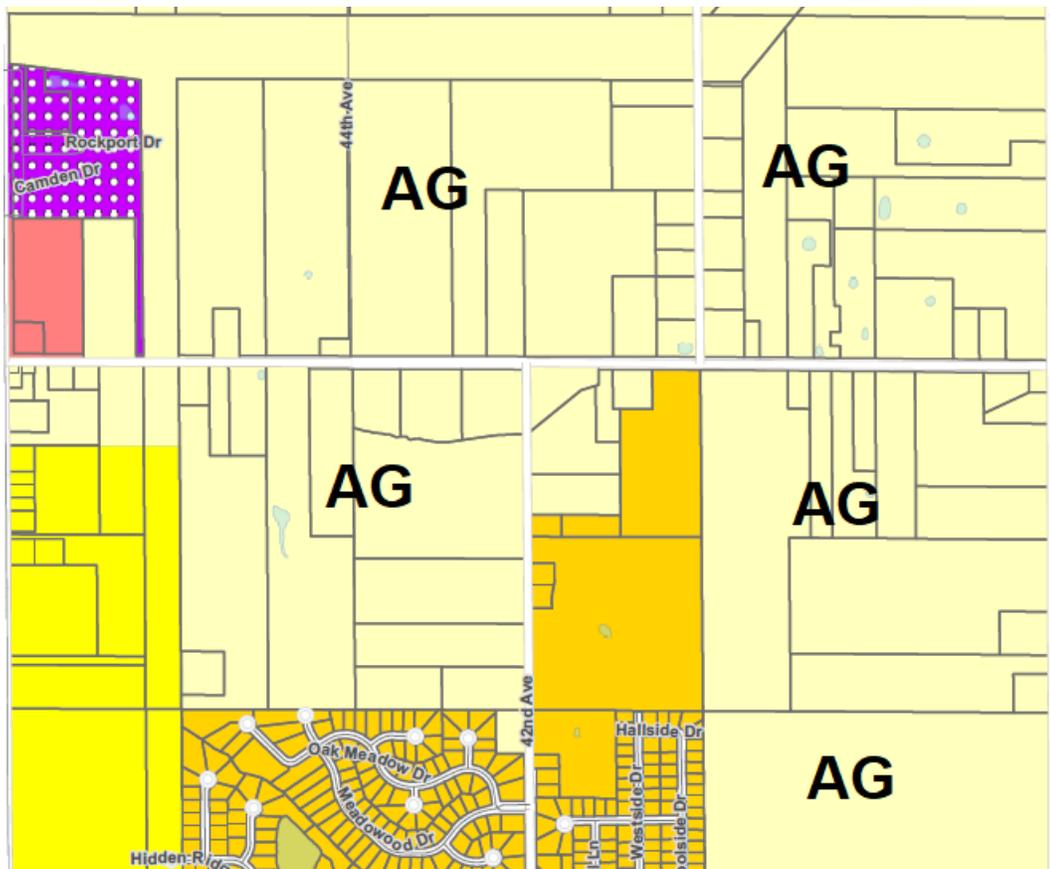
(REZ1803) Ordinance 2018-06 To change from (LDR) Low Density Residential to (AG) Agriculture parcels of land described as P.P. # 70-14-07-400-009 and -023, located at 4050 Bauer Rd. and 42nd Ave, Georgetown Township, Ottawa County, Michigan.

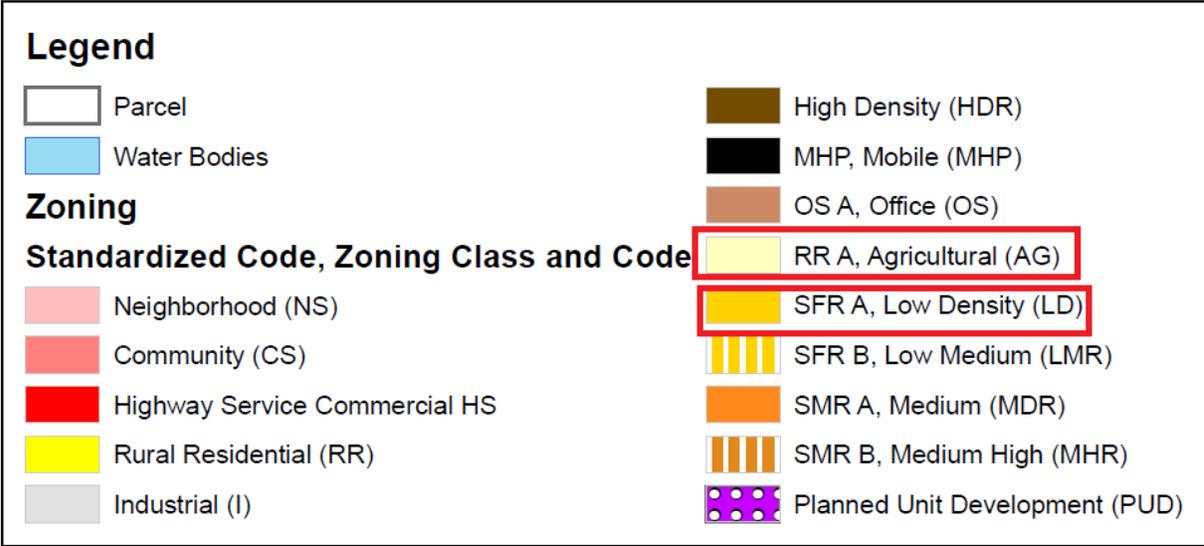
The property owners have indicated that the reason for the request to rezone the parcels from LDR to AG is because they owners want to farm the approximately 18 acres of land. The property owners have already requested the combination of the two parcels. The property was initially AG and was rezoned from AG to LDR in 2004 by the previous owners in anticipation of developing the property when sewer was brought to the site from the development to the south. That growth has not occurred and the current owners want the zoning back to AG to use the site for farming.



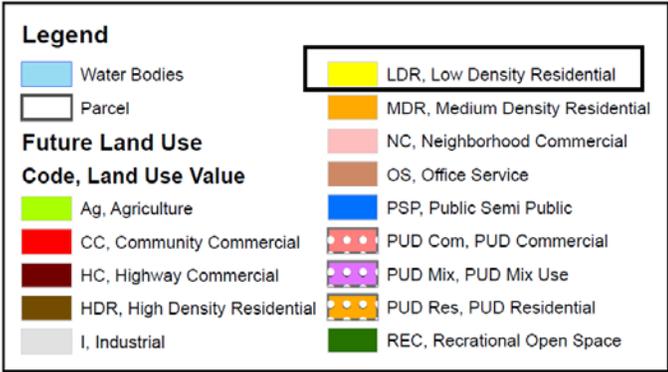
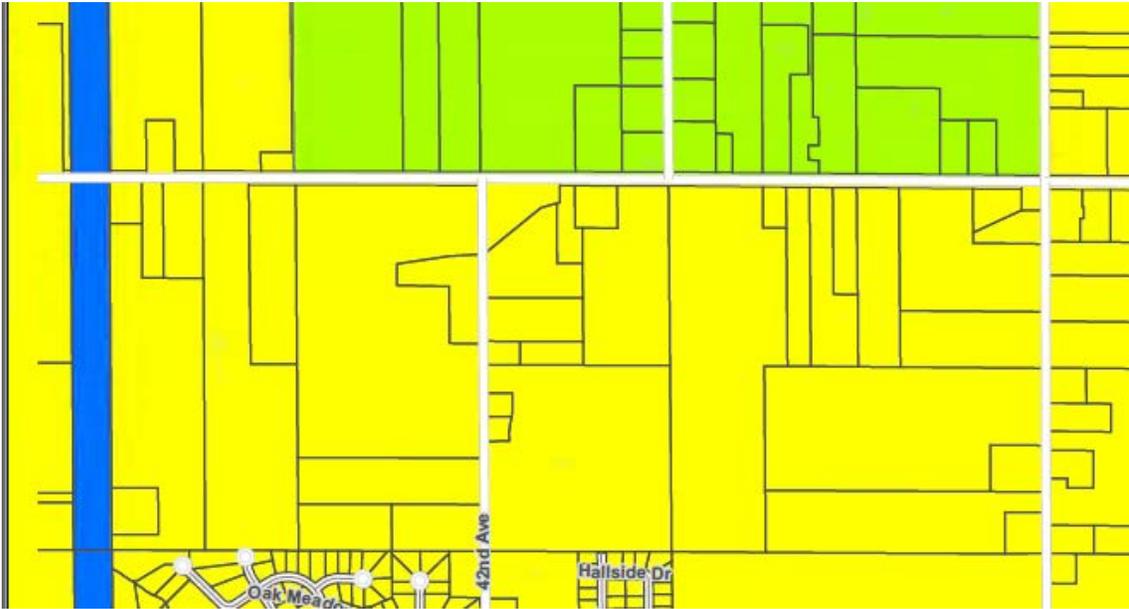


Zoning map and legend.





Future Land Use Map and legend.



Page 32 of the Master Plan states:

Residential Land Use Policies:

New residential development should occur contiguous to existing developed areas to ensure efficient utilization of existing utility lines, or the developer would be responsible to bring the utilities to the location.

Page 35 of the Master Plan states:

LDR-Low Density Residential

This category includes land primarily developed for detached single-family residential use in the LDR and LMR zoning districts. Residential development in this land use category is intended to be served by public water and sewer services.

Since the Future Land Use Map anticipates future urban growth in areas not currently served by public utilities, it is recognized that this growth will be contingent on expansion of utility services through main extensions.

REVIEW STANDARDS

Rezoning goes with the land, not the property owner or use. Therefore, once a parcel is zoned to a particular classification, the zoning is permanent unless changed by a subsequent rezoning action. Zoning cannot be conditional and a parcel cannot be rezoned for one specific use. Any use permitted within the zoning district is permitted on the property, provided the other applicable regulations of the Zoning Ordinance (lot sizes, setbacks, etc.) are met.

The following standards are used for consideration by the Planning Commission and Township Board in their review of the rezoning request.

- 1. Consistency:** Is the proposed zoning and all of its permitted uses consistent with the recommendations of the Township Land Use Plan?

Although the current zoning designation is consistent with the Future Land Use Map, the Master Plan text states that land should be used as LDR only when utilities are available. In 2004, the property owner at that time requested the rezoning from AG to LDR based on the premise that water and sewer would be brought from the development to the south to serve this site. That has not occurred and the current owners want to revert back to AG to farm the land.

The Future Land Use Map designates the parcel as LDR (see the map above). However, the designation of LDR does not comply with the text of the Master Plan because utilities are not available to serve the site.

In order to be zoned LDR, page 32 of the Master Plan states: “New residential development should occur contiguous to existing developed areas to ensure efficient utilization of existing utility lines, or the developer would be responsible to bring the utilities to the location.”

In order to be rezoned to LDR, page 35 of the Master Plan states: “This category includes land primarily developed for detached single-family residential use in the LDR and LMR zoning districts. Residential development in this land use category is intended to be served by public water and sewer services.”

Page 35 of the Master Plan recognizes that the Future Land Use Map may designate an area as LDR, but the language further clarifies that **future growth will be contingent upon utility services** and states: “Since the Future Land Use Map anticipates future urban growth in areas not currently served by public utilities, it is recognized that this growth will be contingent on expansion of utility services through main extensions.” **Therefore, as per the language in the Master Plan, rezoning this property from LDR back to AG appears to be appropriate.**

2. **Compatibility:** Is the proposed district and all of its allowed uses compatible with the surrounding area?

Yes. The land to the west, north and east of the parcel is zoned AG and has AG uses.

3. **Capability:** Is the property capable of being used for a use permitted within the existing zoning district?

Yes.

4. **Other considerations:** Will the rezoning require an inordinate expenditure of public funds (road improvements, utility extension, etc.) to make the development feasible?

No.

5. **Will the rezoning cause development to “leap frog”** other undeveloped areas in the same zoning district and necessitate premature extensions of services to rural areas of the Township?

No.

6. **Is there sufficient vacant land already zoned in a specific category** (e.g., industrial, multi-family, commercial)?

Not necessarily because the owners have indicated that they want to farm the land.

7. Is the rezoning more likely to be granted if conditions could be attached (rezonings cannot be conditional)?

No.

SUMMARY

The proposed zoning designation is **determined to be consistent** with the Master plan (specifically the text). The area is **determined to be capable** of sustaining the uses within the AG district. The uses allowed within the LDR district are **compatible** with the neighboring uses.

OPTION FOR MOTION

If the Planning Commission determines that the property should be rezoned to LDR the following motion is provided.

Motion: To adopt the staff report as finding of facts and to recommend to the Township Board to approve the following resolution:

**Georgetown Charter Township
Ottawa County, Michigan
(Ordinance No. 2018-03)**

At a regular meeting of the Georgetown Charter Township Board held at the Township offices on _____, 2018, beginning at 7:30 p.m., Township Board Member _____ made a motion to adopt this Ordinance because the proposed zoning designation is **consistent** with the Master plan and the Future Land Use Map for the area; the area is **capable** of sustaining the uses within the LDR district without addition public funds; the uses allowed within the LDR district are **compatible** with the neighboring uses and to adopt the staff report as finding of fact, which motion was seconded by Township Board Member _____:

**AN AMENDMENT TO THE GEORGETOWN CHARTER TOWNSHIP
ZONING ORDINANCE, AS AMENDED, AND MAP**

THE CHARTER TOWNSHIP OF GEORGETOWN (the “Township”) ORDAINS:

ARTICLE 1. The map of the Georgetown Charter Township Zoning Ordinance, as amended, is hereby amended to read as follows:

(REZ1803) Ordinance 2018-06 To change from (LDR) Low Density Residential to (AG) Agriculture parcels of land described as P.P. # 70-14-07-400-009 and -023, located at 4050 Bauer Rd. and 42nd Ave, Georgetown Township, Ottawa County, Michigan.

Except as expressly modified by the above, the balance of the Zoning Map of the Georgetown Charter Township Zoning Ordinance, as amended, shall remain unchanged and in full force and effect.

ARTICLE 2. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

ARTICLE 3. Except as specified above, the balance of the Georgetown Charter Township Zoning Ordinance, as amended, and map shall remain unchanged and in full force and effect.

ARTICLE 4. Effective Date. The provisions of this Ordinance shall take effect upon the expiration of seven (7) days from the date of publication of this Ordinance or a summary of its provisions in accordance with the law.

The vote in favor of adopting this Ordinance was as follows:

Yeas:

Nays:

Absent:

MOTION CARRIED UNANIMOUSLY AND ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by Georgetown Charter Township Board at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Dated: _____, 2017

By _____
Richard VanderKlok
Georgetown Charter Township Clerk