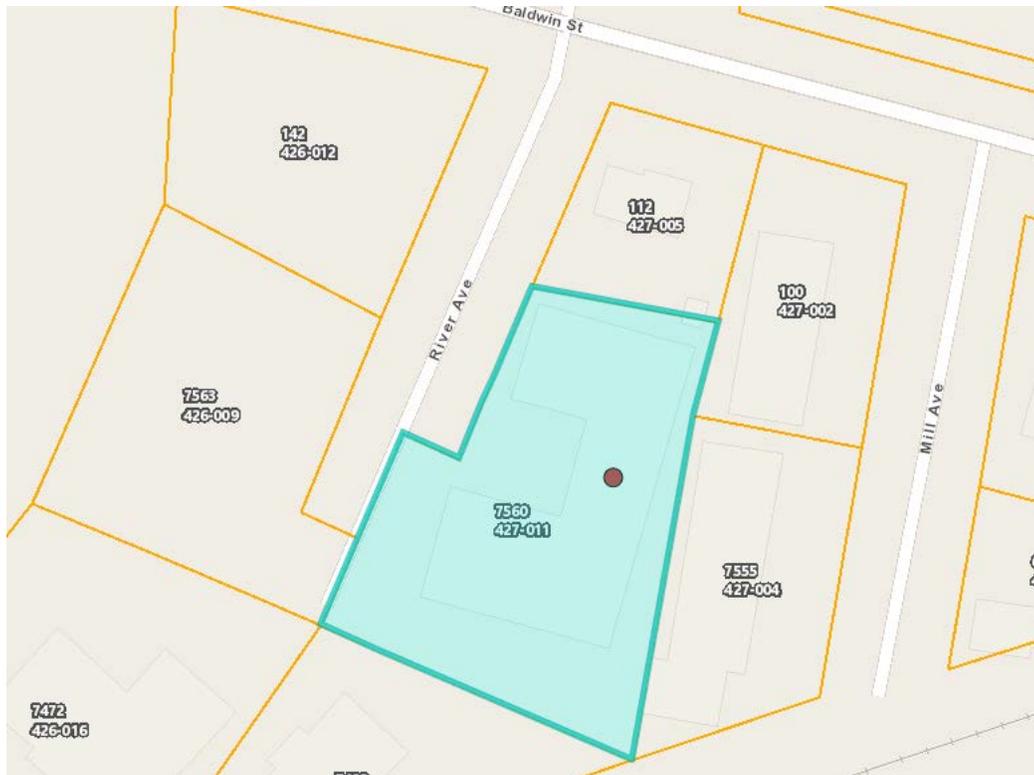


REQUEST

(REZ2004) Ordinance 2020-05 To change from (CS) Community Service Commercial to (I) Industrial a parcel of land described as P.P. # 70-14-13-427-011, located at 7560 River Ave., Georgetown Township, Ottawa County, Michigan.

The applicant is requesting the rezoning of the 0.7234 acre parcel from CS to Industrial because the applicant is seeking to have dog boarding on the site (defined in the Zoning Ordinance as a kennel), in addition to the current use of dog grooming. A kennel is allowed by right under Sec. 17.2(E) in the Industrial district.

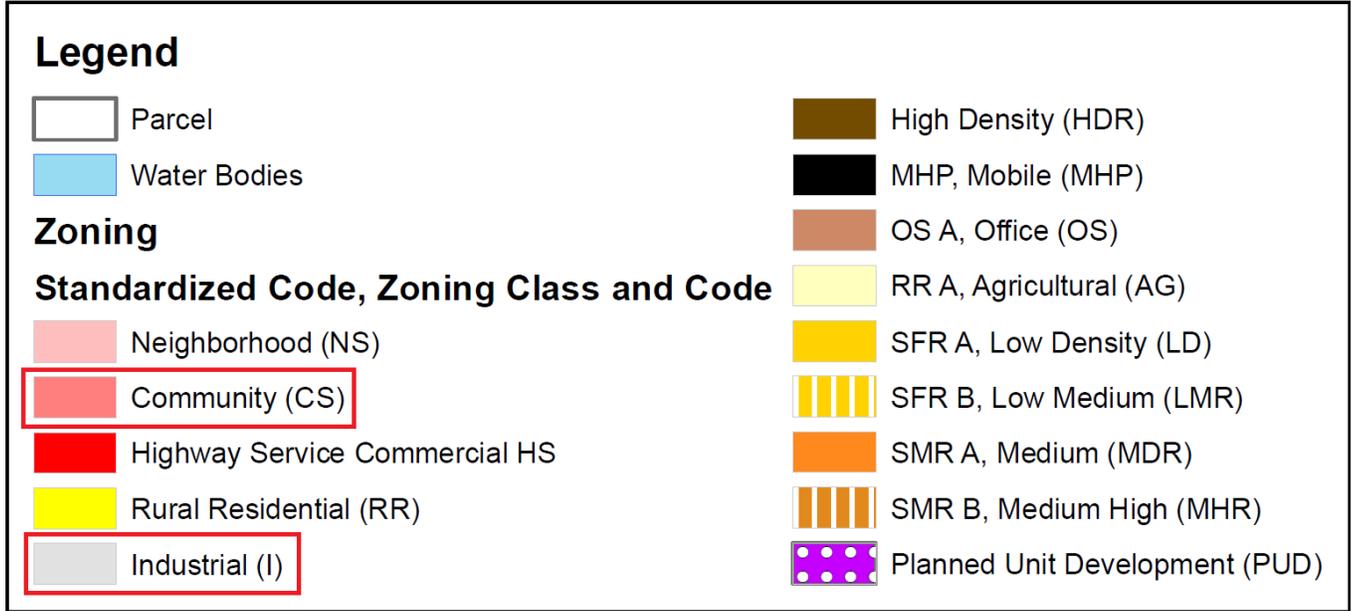
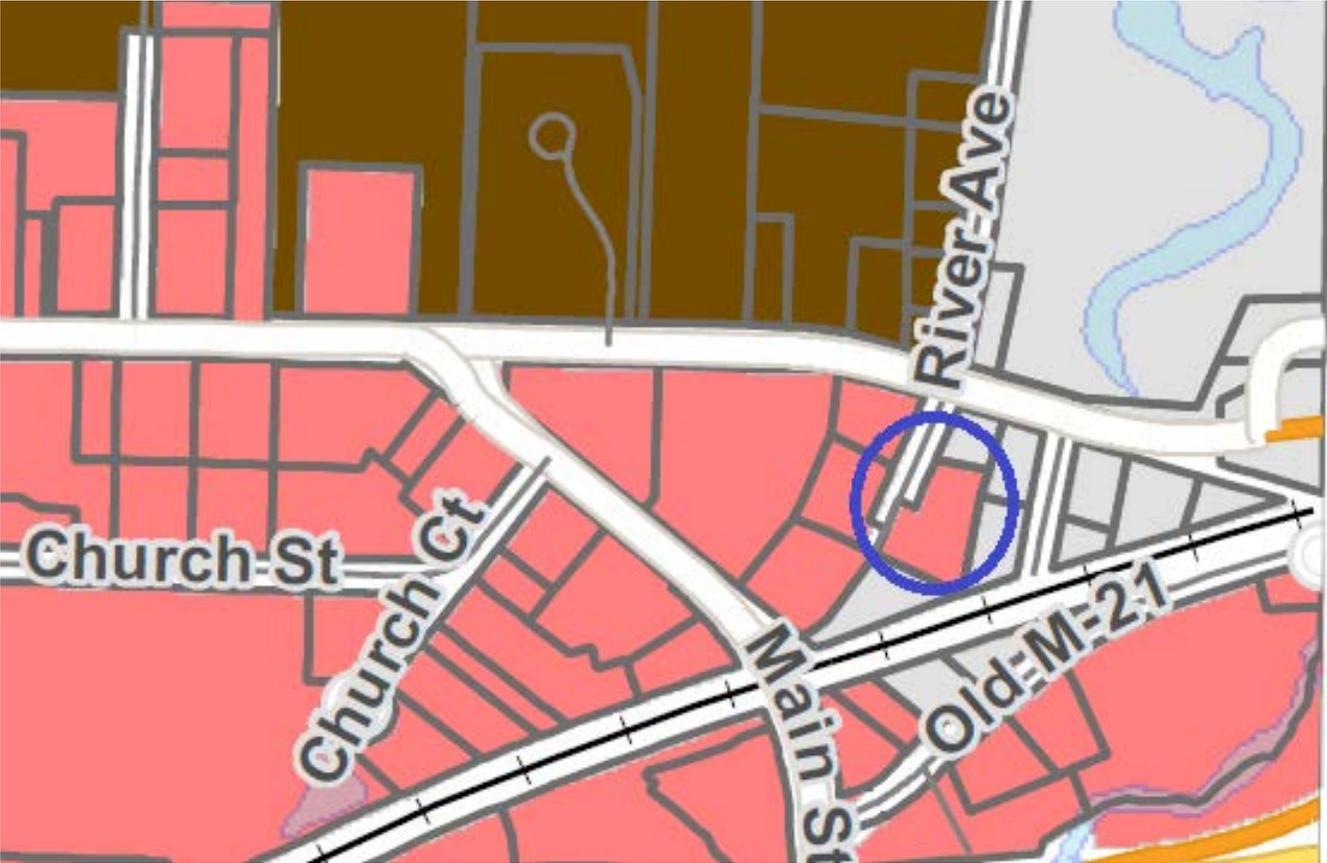


HISTORY

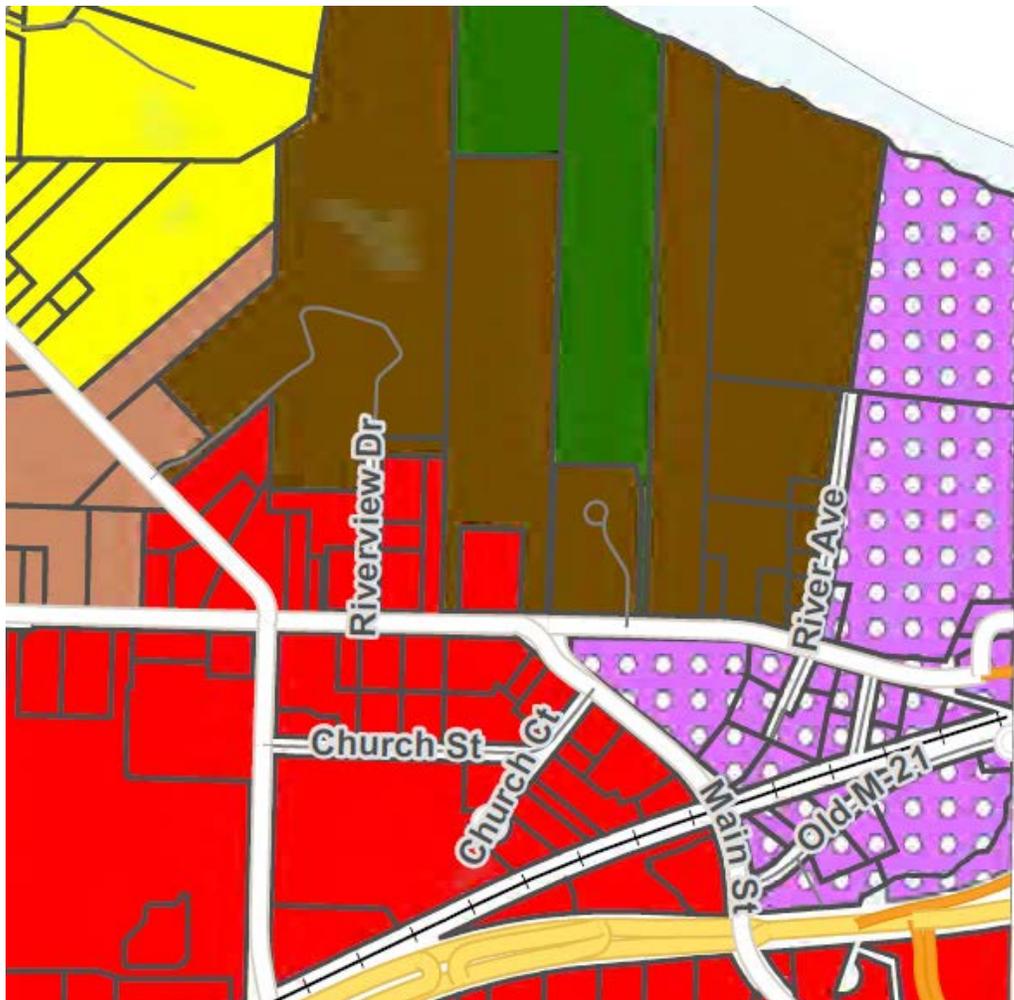
- a. On January 14, 2016, a Use Zoning Compliance application was submitted, and subsequently approved, for the use of dog grooming (under the ordinance section for Personal Service Establishment).
- b. The stipulations of the approval state that **there shall be no overnight boarding of animals, the animals cannot be kept outside and all activities shall be within an enclosed building.** The reason for the stipulations was because the use was ONLY to be for dog grooming and not boarding. These conditions were based on the definition of “kennel,” which is defined in the ordinance as any lot or premises on which four or more animal, four or more months of age or older, are kept temporarily or permanently for the purpose of breeding, boarding or for sale.
- c. The site is nonconforming because the building does not meet setback requirements.



Zoning map and legend. Note that the parcel is surrounded by Industrial zoning to the north, east and south. The property to the west is zoned CS.



Future Land Use Map and legend.



Legend	
	Water Bodies
	Parcel
Future Land Use Code, Land Use Value	
	Ag, Agriculture
	CC, Community Commercial
	HC, Highway Commercial
	HDR, High Density Residential
	I, Industrial
	LDR, Low Density Residential
	MDR, Medium Density Residential
	NC, Neighborhood Commercial
	OS, Office Service
	PSP, Public Semi Public
	PUD Com, PUD Commercial
	PUD Mix, PUD Mix Use
	PUD Res, PUD Residential
	REC, Recrational Open Space

RELEVANT MASTER PLAN LANGUAGE

Page 33 of the Master Plan states:

Industrial Land Use Policies:

The benefits of new industrial development should be weighed against the resulting traffic impacts, land use conflicts and potential noise, odor and other adverse impacts of industrial growth.

New industrial development should be directed to select areas which have good road access and utility services, or are planned to receive them, and where conflicts with other land uses are minimized.

Page 40 of the Master Plan states:

The Future Land Use Map reflects the expected continued development of the Township as a high-quality residential community. In addition, smaller amounts of land are provided for expansion of the Township's commercial and industrial base. Following is a discussion of the Future Land Use Map organized according to several specific geographical sub-areas of the Township which served as the focus for issue identification and policy development by the Planning Commission. **The map shall be used in conjunction with the text of the Land Use Plan since the language is a vital part of the Plan relative to uses that are planned for the future without specific locations known at the time of the adoption of the Plan.**

Jenison Commercial Core

The land adjacent to the Chicago Dr., Baldwin St., and Cottonwood area serves as the commercial service core of the Township. The extension of Cottonwood St. south of Chicago Dr. to Port Sheldon Rd. provides the opportunity for minor expansion of the commercial core and could be developed as a Town Center. Commercial uses should not encroach any further north on Cottonwood or west on Baldwin St.

Land on the east end of Baldwin St. near the access to I-196 including the land to Chicago Dr. could be redeveloped with mostly low intensity commercial use such as Office Service, with limited access, and possibly higher density residential uses. Consideration should be given for the area to be a single development, or as much as possible, with very limited access to the main roads and with most accesses to interior roadways only. Consideration should be given for connection to bike trails or mass transit. However, the Grand River and Rush Creek floodplains, as well as the nearby City of Grandville waste treatment facility may impose limits on the extent of any new development along the east end of Main St. In addition, any development in this area should have special attention paid to aesthetics such as landscaping and identifying signage since this is one of the major gateways to the community.

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?

Yes. Although the Future Land Use Map shows the area as PUD due to the initial desire of the Township to see the entire area developed as a PUD when the I-196 expressway entrance was constructed, using the language of the Master Plan a determination can be made that the proposed Industrial zoning is consistent with the Master Plan.

The text of the Master Plan states that the map should be used in conjunction with the language in the Master Plan. It also states “New industrial development should be directed to select areas which have good road access and utility services, or are planned to receive them, and where conflicts with other land uses are minimized.” The determination can be made that this site meets that criteria.

Further, the Master Plan in 2004 references the connection to the I-196 expressway as contemplated for the future and suggests the area should be developed as one development, such as a PUD. The Master Plan in 2010 references the Baldwin St. entrance as constructed and suggests the area should be developed as one development, such as a PUD. This idea of one development was contemplated for the past 16 years and has not come to fruition. Rather new development in this area has occurred on single parcels, including the new signage and landscaped area, the Veteran’s Plaza and the Starbucks building. In 2021 when the Planning Commission reviews the Master Plan, this area should be evaluated for future plans that would be more realistic, taking into account the current new development in the area..

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

Yes. The adjacent property to the north, east and south is zoned Industrial

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

Yes, it is capable of being used in the CS and I districts

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

No. The site is already constructed and serviced by public water and sanitary sewer.

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. The site is ¾ surrounded by Industrial.

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

Not necessarily.

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

No.

SUMMARY

The proposed zoning designation appears **to be consistent** with the language of the Master plan. The area is **determined to be capable** of sustaining the uses within the Industrial district. The uses allowed within the Industrial district are **compatible** with the neighboring uses, both the adjacent I and the adjacent CS.

OPTION FOR MOTION

If the Planning Commission determines that the property should be rezoned to I 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. 2020-05)**

At a regular meeting of the Georgetown Charter Township Board held at the Township offices on _____, 2020 beginning at 7:00 p.m., Township Board Member _____ made a motion to adopt this Ordinance because the proposed zoning designation is **consistent** with the language of the Master Plan; the area is **capable** of sustaining the uses within the Industrial district without addition public funds; the uses

allowed within the Industrial district are **compatible** with the neighboring uses, as recommended by the Planning Commission, 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:

(REZ2004) Ordinance 2020-05 To change from (CS) Community Service Commercial to (I) Industrial a parcel of land described as P.P. # 70-14-13-427-011, located at 7560 River 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: _____, 2019

By _____
Richard VanderKlok
Georgetown Charter Township Clerk