

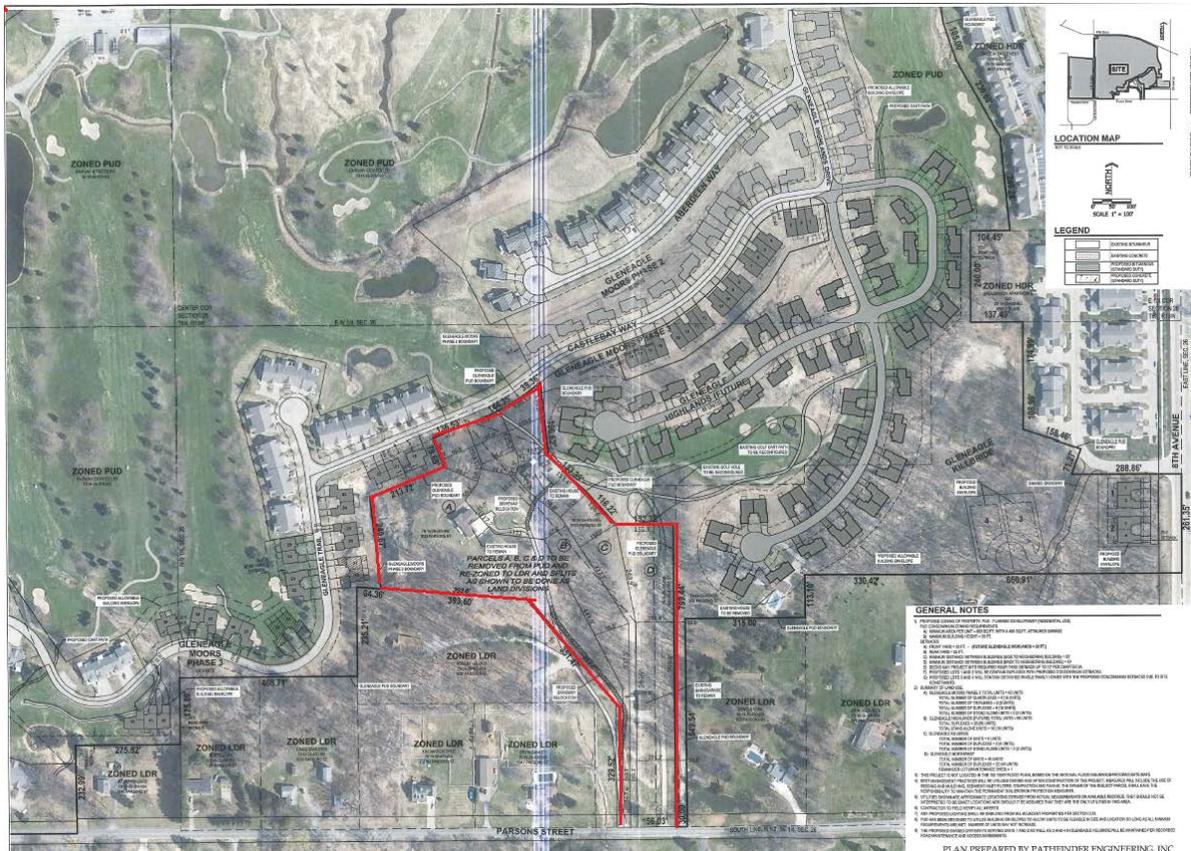
REQUEST

(REZ2002) Ordinance 2020-03 To change from (PUD) Planned Unit Development to (LDR) Low Density Residential parcels of land described as:

- a. P.P. # 70-14-26-400-092, located at 1033 Parsons St.;
- b. Part of P.P. # 70-14-26-400-047, located 1015 Parsons St.;
- c. Part of P.P. # 70-14-26-400-048, located at 1003 Parsons St.;
- d. Part of P.P. # 70-14-26-400-024, located at 957 Parsons St.;
- e. Part of P.P. # 70-14-26-400-093, located off Castlebay Way.

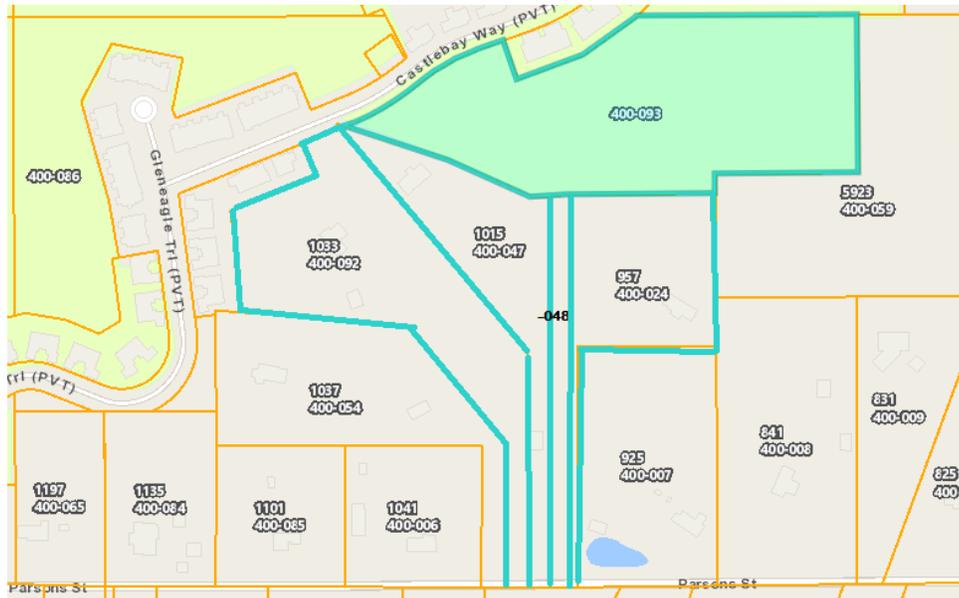
The applicant is requesting to remove the land outlined on the map below from the Glen Eagle PUD and to rezone that land from PUD to (LDR) Low Density Residential. Although the realignment of the property, land splits and property line adjustments are not a consideration for the Planning Commission, the applicant plans to create four lots to be used for single family residential purposes. The applicant does not want to service the land with water and sewer; therefore, the parcels would have to be a minimum of 13,300 square feet with a minimum width of 95 feet.

IMPORTANT NOTE: If the Planning Commission denies the request to revise the PUD to remove land from the PUD, this application to rezone the land to LDR becomes null and void because land in the PUD is required to remain zoned PUD as per the Zoning Ordinance. This application would then have to be recommended for denial to the board. If that request to revise the PUD is denied, the applicant would have the opportunity to request revised final PUD development plan approval to have single family homes instead of the condos in this area as shown on the approved preliminary development plan. In that case, water and sewer would have to be brought to the site.



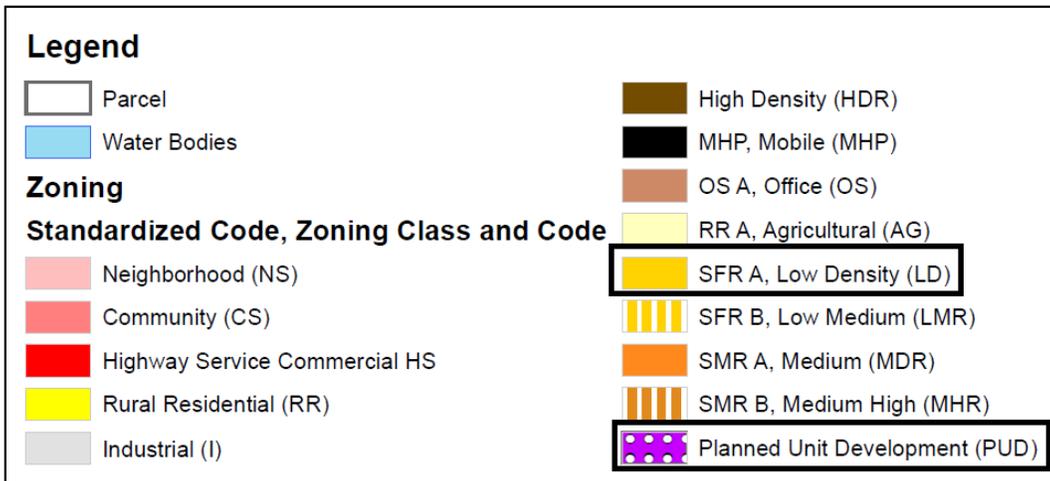
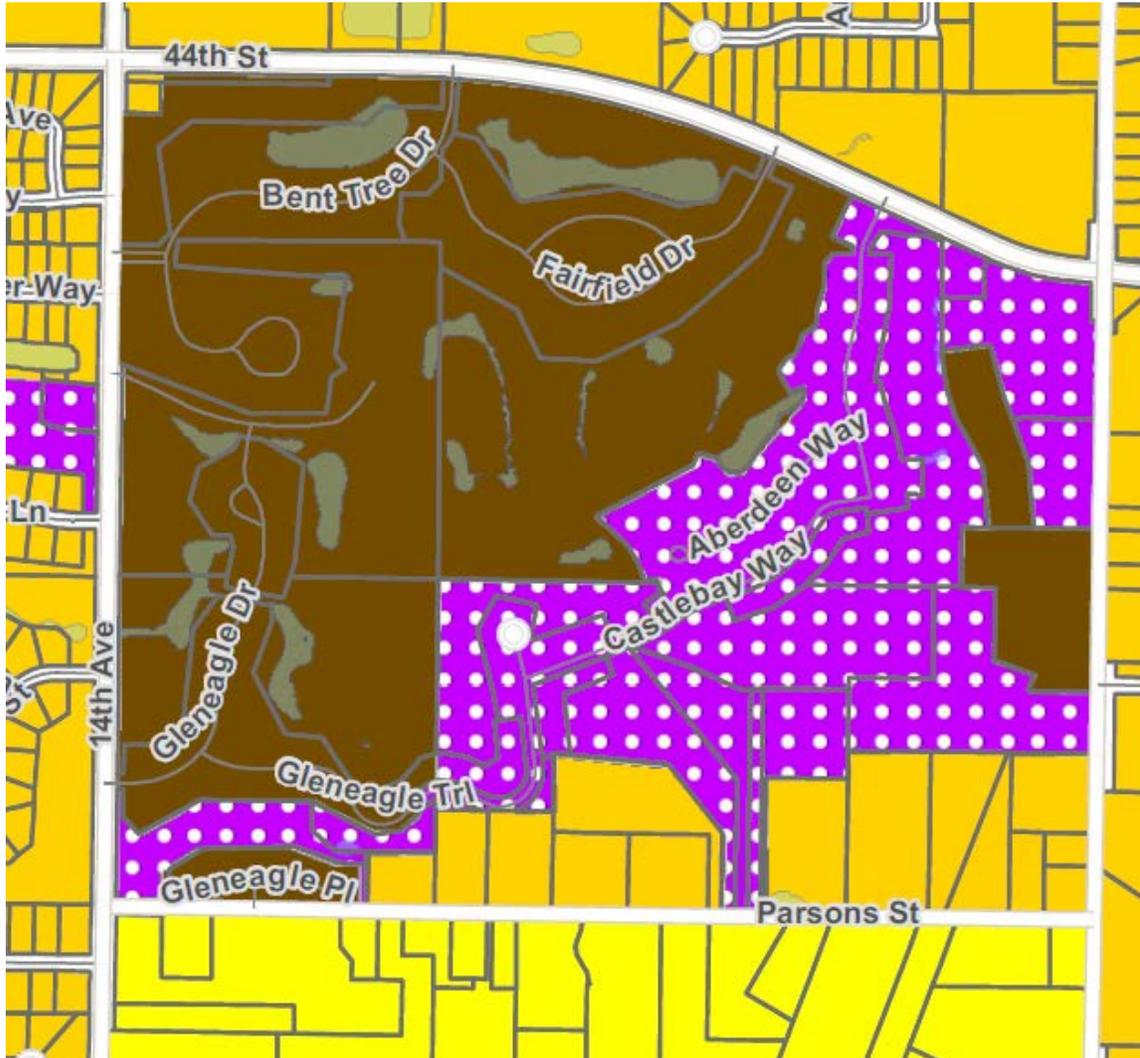


Existing parcels requested to be realigned:



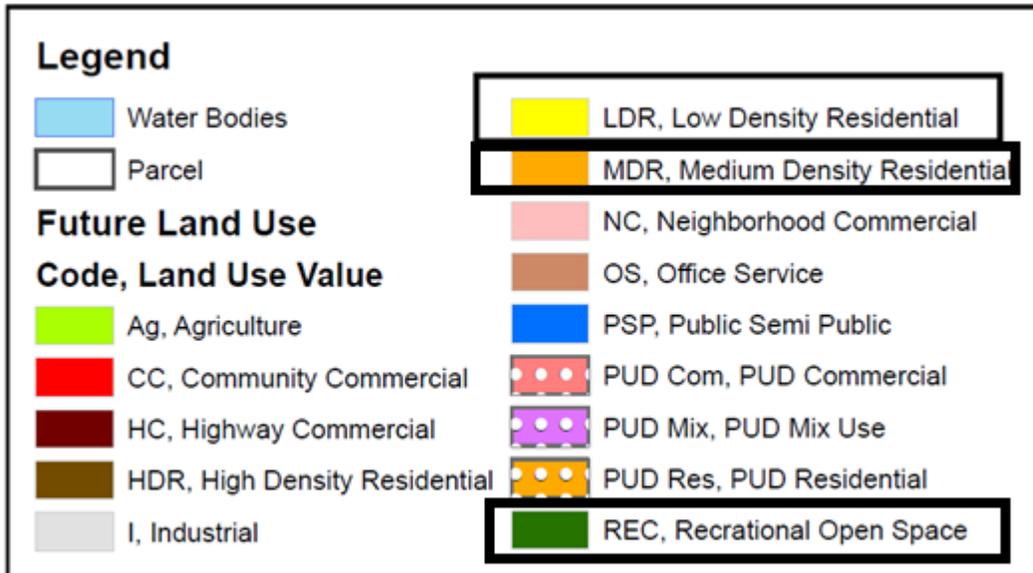
ZONING MAP

Zoning map shows the property as zoned PUD and is surrounded by LDR. Below is the legend.



FUTURE LAND USE MAP

The Future Land Use Map designates the land and surrounding area as LDR. Below is the legend.



RELEVANT MASTER PLAN LANGUAGE

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.

The Township should provide opportunities for a variety of living environments for differing preferences in housing styles and prices, however limiting more HDR dwelling units to areas around Grand Valley State University or possibly the east end of Baldwin because the need has been substantially met in other areas of the Township.

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.

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. In some cases, development of attached forms of housing may be appropriate, at low densities, in response to site specific circumstances, such as wetland, wooded lots, steep slope, floodplain, or other natural features constraints. Overall development density in this category is assumed to be two/three dwelling units per acre.

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.**

Page 35 of the Master Plan states:

Based on the issues, goals and policies presented, and on consideration of potential future population growth in the Township, a map titled “Georgetown Township Future Land Use Map” dated November 23, 2015, depicting the desired future development pattern in the Township was prepared and may be viewed at the Georgetown Township Office or online. **It is noted that lines separating land use categories are NOT to be considered to be defined lines and the lines are not necessarily parcel specific.**

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. The Future Land Use Map shows the area as LDR and the surrounding area is LDR.

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

Yes. The surrounding area is zoned LDR and parcels along Parsons have single family homes. The uses allowed in the LDR zoning district are compatible with the surrounding single family homes.

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

Yes, as evidenced by the single family homes in the area.

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.

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

No.

SUMMARY

a. **If the Planning Commission denies the request to remove the land from the PUD, the land cannot be rezoned to LDR because the land within the PUD is required by the Zoning Ordinance to remain zoned PUD.**

If the land is not removed from the PUD, the option for the motion is to deny the rezoning request because of the requirements in Chapter 22 of the Zoning Ordinance.

OPTION FOR MOTION

Motion: To adopt the staff report as finding of facts and to recommend to the Township Board to deny the following resolution based on the findings that Chapter 22 of the Zoning Ordinance requires all land within a PUD to be zoned PUD.

b. **If the Planning Commission approves the request to remove the land from the PUD, the land could be rezoned to LDR if the standards of the ordinance are met for a rezoning.**

If the Planning Commission approves the request to remove this land from the PUD, the determination is that the proposed zoning designation is **consistent** with the Master plan. The area is **determined to be capable** of sustaining the uses within the LDR district. The uses allowed within the LDR district are **compatible** with the neighboring sites.

NOTE: No land divisions or property line adjustments are approved as part of this application.

OPTION FOR MOTION

If the Planning Commission determines that the property should be rezoned to RR 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. 2020-03)**

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 RR district without addition public funds; the uses allowed within the RR district are **compatible** with the neighboring uses including both the surrounding LDR and the surrounding AG, 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:

(REZ2002) Ordinance 2020-03 To change from (PUD) Planned Unit Development to (LDR) Low Density Residential parcels of land described as:

- a. P.P. # 70-14-26-400-092, located at 1033 Parsons St.;
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 - d. Part of P.P. # 70-14-26-400-024, located at 957 Parsons St.;
 - e. Part of P.P. # 70-14-26-400-093, located off Castlebay Way.
- 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