

COVERT TOWNSHIP

PLANNING COMMISSION

MINUTES OF THE FEBRUARY 19, 2025 REGULAR MEETING

6:30 P.M., COVERT TOWNSHP HALL

Call to Order / Roll Call / Pledge of Allegiance

Chair Rendell called the meeting to order at 6:30 p.m.

Members Present: Robert Brown, Tom Bury, Luke Dennison, Austin Harding, Jena Johnson, Wayne Rendell, Lonze Taylor

Members Absent: None

Others Present: Rebecca Harvey, Township Planning Consultant

Approval of Agenda

Motion by Taylor, seconded by Bury, to approve the agenda of the February 19, 2025 regular meeting, as presented. Motion carried unanimously.

Approval of Minutes – *January 15, 2025 Regular Meeting*

Motion by Dennison, seconded by Bury, to approve the minutes of the January 15, 2025 regular meeting, as presented. Motion carried unanimously.

Public Comment

No public comment was offered.

New Business

Text Amendment Request: Accessory Buildings on Vacant Lots (Kinney)

Chair Rendell introduced a text amendment request filed by James Kinney proposing an amendment of the Zoning Ordinance to allow accessory buildings on lots without a principal use/building. He directed the Planning Commission to Section 2.02 – Definitions, wherein ‘accessory use or accessory (building)’ is defined as ‘a use . . . located on the same zoning lot as the principal use to which it is related’, and Section 18.12 – Regulations for Accessory Use Structures and Buildings.

In response to questions, Harvey outlined the review process applicable to a text amendment request and confirmed that the accessory building provisions of the Zoning Ordinance do not apply to agricultural buildings (per RTFA).

Planning Commission consideration of the request ensued, wherein the following was noted:

- Consideration to amend the Ordinance as requested should not factor in the applicant’s land use/property circumstances. An amendment will apply to all Township properties and should be considered accordingly.
- The current regulation is in place to 1) improve the probability that the accessory building will in fact be occupied by a use that is accessory to a residential use; 2) maintain the character of the residential areas of the Township, both in intensity of use and in development patterns; 3) ensure an on-site presence (principal use) to provide oversight and maintenance of the accessory building to avoid conditions of blight; and 4) maintain public health and safety within the Township.
- The current regulation is supported by the Master Plan’s objectives regarding residential development within the Township.
- The presence of violations of this regulation in the Township is not a reason in and of itself to amend the Zoning Ordinance. These violations should instead be addressed through enforcement.
- The RR Rural Residential District was reviewed for a targeted amendment wherein it was concluded that such an amendment was not supported by the ‘intent’ of the District (Section 5.01) and would open up a large portion of the Township slated for residential growth to incompatible land use intensities/patterns and the potential for blight.

Following the Commission's lengthy consideration of the request, it was agreed that there was no support for pursuing the requested amendment. Motion by Taylor, seconded by Harding, to reject continued consideration of amending the Zoning Ordinance to allow accessory buildings on a lot without a principal use/building, based upon the noted points of consensus. Motion carried unanimously.

Text Amendment: Short Term Rentals (STRs)

Harvey referenced questions raised at the January meeting regarding short-term rentals within the Township. In response to the questions raised, she offered the following assessment of the Township's current regulation of STRs:

- Ordinance #118 – Short Term Rental Ordinance (copied in the meeting packet) was adopted by the Township in May, 2024. It is a general ordinance and establishes regulations regarding STR permitting, operations, and inspections.
- Ordinance #118 does not regulate where or how STRs are allowed within the Township; this can only be regulated by the Zoning Ordinance.
- With the adoption of Ordinance #118, the Zoning Ordinance needs to be amended to establish where and how STRs will be allowed within the Township. Such an amendment should be initiated by the Planning Commission (per MZEA).

Harvey then referenced the Planning Commission Memorandum on STRs dated February 6, 2025 wherein draft amendments to the Zoning Ordinance for consideration are presented. She reviewed the suggested amendments to Section 2.02 – Definitions and Article 18 – General Provisions intended to provide for STRs in the Township. Harvey noted that the draft text also includes suggested amendments to Ordinance #118 for consistency . . for Township Board consideration.

She summarized that the Planning Commission will want to determine where (in what districts) STRs should be allowed; in what types of dwellings (SF, 2F, etc.) they should be allowed; and, whether they should be allowed by right or as a special land use.

Lengthy Planning Commission discussion of the draft text ensued wherein the following was noted:

- STRs should be limited to single-family dwellings.
- A cap on the number of STRs allowed should be considered to avoid the problems currently experienced in South Haven and other coastal areas. It was acknowledged that such a cap would need to be established within Ordinance #118 (not the Zoning Ordinance) and would be the purview of the Township Board.
- The STR activity in the Township is minimal, noting the differences between Covert Township and the other communities referenced.
- However, the housing stock in the Township is limited and there is no desire to see STRs take over the community.
- STR interest would likely focus on the lakeshore . . . which is largely built out in the Township. This would likely serve to limit STR interest/opportunity. Does it make sense to limit STRs to the LD-1 District?

In conclusion, the Planning Commission agreed that subsection A. of the draft text should be revised to limit STRs to single-family dwellings and that the remainder of the draft text is acceptable as written. It was noted that subsection B. is found to be acceptable as written (i.e. allowing STRs in any residential district as an accessory use) if Ordinance #118 is amended to include a cap on STR activity.

Taylor acknowledged that the Township is still in the process of determining how many STRs currently exist in the Township . . . which will likely influence the discussion on adding such a cap and what that cap would be.

Motion by Taylor, seconded by Chair Rendell, to accept the draft text as modified and to schedule same for public hearing in March. Motion carried unanimously.

Ongoing Business

Master Plan/Coastal Management Plan

Chair Rendell reminded that the first draft of the updated Master Plan/Coastal Management Plan was presented/distributed to the Planning Commission at the January meeting . . . and that it had been agreed that the Commission would conduct individual reviews of pages 1-58 (through Chapter 6) for discussion at the February meeting. He noted that there was further agreement that the rest of the review schedule would be determined at the February meeting.

Chair Rendell stated that he would like to proceed with a page-by-page review with Commission members providing comment according to their review notes.

The Planning Commission then provided review comments and held discussion on pages 1-9 (Chapters 1 & 2) of the draft document.

Due to the lateness of the hour, it was determined to postpone the document review process to the March meeting. To improve the efficiency of the review process, it was agreed that members would provide comments/corrections related to the mechanics of the document to Harvey via a marked-up document . . . allowing for the review discussion at the meeting to focus on substantive questions/deliberations regarding Plan content.

Communications

Harvey reported that the updated Zoning Ordinance distributed at the January meeting was subsequently found to have some errors. She noted that all corrections have been made and that, upon receipt of the recently adopted 'shipping containers' ordinance, she will make a final update to the document and reissue same to the Township.

Public Comment

No public comment was offered.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 8:58 p.m.

Respectfully Submitted,
Rebecca Harvey, AICP, PCP
(McKenna)Township Planning Consultant