

NOTICE OF REGULAR MEETING
COVERT TOWNSHIP PLANNING COMMISSION
Wednesday, March 19, 2025, at 6:30 P.M.
COVERT TOWNSHIP HALL

AGENDA

1. Call to Order / Roll Call / Pledge of Allegiance
2. Approval of Agenda
3. Approval of Minutes
 : February 19, 2025
4. Public Comments (*3 minutes/person*)
5. New Business

No New Business is scheduled for consideration

6. Ongoing Business
 - A. Text Amendment – *Short-Term Rentals (STRs)*
 - *Review – Draft #2*
 - *Public Hearing – scheduled for April 16*
 - B. Master Plan/Coastal Management Plan
 - *Continue Review – pages 1-58, Draft #1*
7. Communications
8. Public Comments (*3 minutes/person*)
9. Adjournment

PLANNING COMMISSIONERS: *Please notify the Planning Commission Chair no later than the day before the scheduled meeting if you are unable to attend the meeting. In the event of a lack of a quorum, the meeting will be canceled.*

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

Covert Township

Planning Commission

Zoning Ordinance Amendment – Short-Term Rentals (STRs)

Article 2 CONSTRUCTION OF LANGUAGE AND DEFINITIONS

Section 2.02 Definitions

(AMEND)

Dwelling Unit – A building or a mobile home or portion thereof connected to an approved sanitary wastewater collection and disposal system and having cooking, sanitary, bathing, dining, and sleeping facilities, intended for occupancy by **not more than one (1) family for residential purposes, either on a permanent or transient basis of permanent residents**. A mobile home can be classified as a dwelling unit only after meeting the standards of a mobile home as defined herein. (See Mobile Home)

(ADD)

Permanent Resident – Any person who has resided in the same dwelling unit for a period of more than 30 consecutive days is construed as a permanent resident for the purpose of this Ordinance.

Short-Term Rental – A dwelling in which short-term rental activity is allowed to occur subject to the terms and conditions of this Ordinance, the Short-Term Rental Ordinance (Ordinance #118), and the Housing and Property Maintenance Code.

Short-Term Rental Activity – The rental of a dwelling for a term of less than 31 consecutive days. However, short-term rental activity does not include the following: transitional housing operated by a nonprofit entity, group homes such as nursing homes and adult foster care homes, hospitals, or housing provided by a substance abuse rehabilitation clinic, mental health facility, or other health care related clinic, or dwelling units owned by a business entity and made available on a temporary basis to employees of that business entity or employees of a contractor working for that business entity.

Covert Township

Planning Commission

Article 18 GENERAL PROVISIONS

(ADD)

Section 18.36 – Short-Term Rentals

- A. Only single-family dwellings shall be allowed to be used for short-term rental activity.
- B. Where allowed, short-term rental activity shall be considered a residential accessory use.
- C. A dwelling unit in which short-term rental activity is allowed to occur shall be subject to the terms and conditions of this Ordinance, the Short-Term Rental Ordinance (Ordinance #118), and the Housing and Property Maintenance Code.
- D. A dwelling unit in which short-term rental activity is allowed to occur must have a minimum of one (1) off-street parking space on the same lot as the short-term rental activity for each occupant’s vehicle in addition to any other spaces required under applicable laws, rules and regulations for any other uses in the building or on the premises. Off-street parking shall be subject to compliance with Article 19 of this Ordinance.

(Not to be included in the public hearing notice)

Suggested Companion Amendments to Ordinance #118 – Short Term Rentals

- **Sec. 01-2. – Definitions**
 - Revise D.a. – ‘Dwelling Unit’ – consistent w/ Z.O. amendment
 - Delete H. – ‘Off-Street Parking’
 - Revise K. – ‘Short-Term Rental Activity’ – consistent w/ Z.O. amendment
 - Revise L. – ‘Short-Term Rental’ – consistent w/ Z.O. amendment
 - Add – definition of ‘Permanent Resident’ – consistent w/ Z.O. amendment
- **Sec 01-4 – Responsibilities of Short-Term Rental Operators**
 - Revise G. – *Rental of partial dwelling units. ~~prohibited.~~* This Ordinance pertains **only** to **both** the short-term rental of an entire dwelling unit **and** the short-term rental of a partial dwelling unit (e.g. a room or rooms within a dwelling unit). ~~is prohibited.~~