

PLANNING COMMISSION MINUTES - SEPTEMBER 13, 2023

The meeting was called to order by chairperson Larry Shaffer at 6:00pm.

MEMBERS PRESENT: Walt Mixon, Christine Lundquist, Jenny Irvine, Larry Shaffer, Lou lundquist

Consultant, Pat Coleman joined the meeting via zoom.

AGENDA: The agenda was adopted on a motion by Christine with support by Jenny.

MINUTES: The minutes for August 28, 2023 were approved on a motion by Walt with support by Lou.

PUBLIC COMMENT: None at this time.

SHORT-TERM RENTAL DISCUSSION: Larry reviewed two documents previously provided to the Commission members, including the Eagle Harbor zoning law and a legal discussion from Fahey Schultz Burzych Rhodes PLC. Pat reviewed some of the Eagle Harbor zoning requirements. He noted that some courts have considered ST rentals to be commercial land use. Pat asked that we define some of our concerns with ST rentals. Members voiced concerns about the lack of long term rental availability and skyrocketing prices on homes. It was noted that parking and home capacity were also concerns.

Larry asked the zoning administrator if the Township had defined ST vs LT rental. Christine noted that LT rentals were not affected by what we were considering, and that we probably need to include a definition in whatever we propose to the Township.

Christine suggested that penalties need to be more significant for those operating a ST rental without a Township permit, and suggested that the Township should monitor ads for local short-term rentals, comparing them to permits, and fining those operating without a permit. It was noted that occupancy should be limited by the number of beds/bedrooms.

Larry suggested having Commission members state their concerns.

Larry noted he was concerned with: 1). Health & Safety issues. 2) Affect on affordable housing 3) Transferability between owners.

Lou indicated 1) current license fees are too low and 2) The need to be able to revoke license /permit for violations.

Jenny indicated she is not comfortable with increased fees and penalties. She likes the idea of 1) a good neighbor guide and required local manager 2) giving more than 30 days for transferring ST rental permits if a property is sold.

Christine indicated that she 1) likes the idea of using a percentage of households to determine the number of permits allowed each year 2) Believes the number of ST rentals owned by any person or entity should be limited to a relatively low number 3) Feels annual permit fees should be higher & progressively higher penalties should be charged to those who do not follow the permit rules after being notified.

Walt indicated that he 1) thinks Eagle Harbor's law may be more than we need 2) We should not allow camping on property 3) Off street parking availability should be required 4) We need to define lot size 5) Would like people to be able to own more than two ST rentals 6) Need to

define long vs short-term rental 7)Thinks penalties may be too much 8) Questions distance requirements noted in the Eagle Harbor ordinance.

Lou mentioned that some communities have fire departments doing the home inspections. Larry discussed legal liabilities and how inspections can assist. Pat noted that the responsibility to obtain and pay for an inspection and provide proof of it can be made the owner's responsibility.

Larry noted that this is an ongoing discussion which will remain open to the public. The Planning Commission will eventually make a recommendation to the Township Board.

OTHER: Lou noted that we need to work on the Planning Commission ordinance. Christine noted that the Township Board did indicate that sitting on the school board was not a problem as it is not a political office.

Pat asked about a subcommittee to work on the ST rental issue. Larry indicated that with the small size of the commission, he did not think that was necessary. Pat would like a mock up as soon as possible. Christine noted that at least two members would not be available for about a month. She indicated a willingness to compile ideas from members via email if that would be helpful. Larry indicated that may cause issues due to the requirement for public input.

PUBLIC COMMENT: Nancy Grizwold asked about the possibility of a "hospitality tax" to be charged to ST renters. Molly Reddish feels we need to better define our concerns and need to make sure we are looking at good data. Chet Taylor indicated we need better communication from the Township and indicated he has gotten mixed signals from the zoning administrator in relation to multiple properties he owns. Kim Weaver asked if we had a date scheduled for the next meeting. It has not yet been determined as members have schedule conflicts. Mark Johnstone indicated he believes rules and fees are necessary for ST rentals and said he would hate to see major developments on larger properties.

ADJOURNMENT: The meeting was adjourned on a motion by Christine with support by Lou.