CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720
PLANNING COMMISSION PUBLIC MEETING AGENDA

MONDAY, MARCH 12, 2018 AT 6:00 PM in the City Council Chambers, 210 State Street, Charevoix, MI

A. Call to Order/Pledge of Allegiance

B. Roll Call

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

E. Approval of the Minutes

1. February 12, 2018 minutes

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Update the Bylaws
2. Presentation from Lindsey Dotson, Main Street Executive Director, on the history of Historical Districts in Charlevoix
3. Prioritizing Exercise

H. Old Business

1. Boarding Houses/Long Term Rentals

I. Staff Updates

J. Requests For Next Months Agenda or Research Items

K. Adjournment. The meeting will adjourn by 8:00 PM unless extended by a motion.

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one weeks' notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250.

CITY OF CHARLEVOIX

Approval of the Minutes

TO:

FROM:

SUBJECT: February 12, 2018 minutes

DATE: March 12, 2018

ATTACHMENTS:

- February 12, 2018 Minutes

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, February 12, 2018 - 6:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order
The meeting was called to order at 6:00 p.m. by Chair Chamberlain.

B. Roll Call

Chair:	Sherm Chamberlain
Members Present:	Judy Clock, Mary Eveleigh, Nelson Fletcher, Brian Gelb, Rick Golding, Dennis Halverson, RJ Waddell
Members Absent:	Toni Felter
Staff Present:	Kathy Egan, Community Planner Networks Northwest

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda
Motion by Member Clock, second by Member Eveleigh, to approve the agenda as presented. Motion passed by unanimous voice vote.

E. Approval of the January 8, 2018 Minutes
Motion by Member Eveleigh, second by Member Fletcher, to approve the minutes of January 8, 2018 as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business
1. Continue Public Hearing Zoning Ordinance Amendment: Article 11 Signs
   a. Staff Presentation

Chair Chamberlain stated that the City Attorney reviewed the draft revisions to the new Sign Ordinance and made some modifications based upon the U.S. Supreme Court's 2015 case *Reed v. Town of Gilbert*. Planner Egan said she agreed with the revisions.

Chair Chamberlain stated in reviewing the draft it appeared that a lot is put on the Zoning Administrator to make interpretations about banners and when someone disagrees with the Zoning Administrator's opinion the individual could appeal that decision and he wondered whether the City could waive the fee for sign appeals. After discussion, no changes were made to the appeals process that goes through the Zoning Board of Appeals.

Planner Egan referenced provisions in the draft ordinance that the City Attorney recommended changes to, including:

- 5.101(1)(h) – remove reference to the Banner Program. City Attorney recommended "getting rid of the banner program altogether" or put in place "a permitting process open to all". Chair Chamberlain stated that the Zoning Administrator would have to make the determination as to whether the event advertised "creates a benefit to the City". Discussion followed regarding treating banners as temporary signs or keeping the existing language in place. Planner Egan stated that the key was to make sure that the application process and the banner program language are content neutral. Commission agreed to take out the language referencing that the event advertised must "create a benefit to the city". She stated that they could make the language referencing the two locations for banners (adjacent to the city golf course and at the intersection of M-66 and US-31) to read: "signs in these two areas require approval of the Zoning Administrator". The Commission agreed to leave the existing language regarding banners in place.
- 5.101.(2)(a) Signs Authorized Without a Sign Permit – Commission agreed to change signs posted on private property from one square foot to two square feet.
- 5.101.(5)(a) Unsafe Signs – Planner Egan stated that unsafe signs were covered in the Nuisance Ordinance under "abatement of dangerous signs", but the Nuisance Ordinance refers back to this section. Chair Chamberlain recalled that the Commission felt that it was best to keep everything related to signs in the Sign Ordinance including dangerous or unsafe signs. After discussion, the Commission concurred to leave the Unsafe Sign section as written.

DRAFT

Motion by Member Clock, second by Member Fletcher, to approve the Sign Ordinance with the City Attorney's comments and the Commission's discussion tonight. Motion passed by unanimous voice vote.

2. Discussion: Boarding Houses

Substantial discussion followed regarding companies buying homes to rent to their seasonal employees, locations for boarding houses, safety issues, short-term rental requirements, defining particular areas for boarding houses, and the possible need for a long-term rental ordinance to ensure safe dwellings and limit the number of people living in a home. Planner Egan stated that she would do more research regarding long-term rentals and boarding houses.

3. Redevelopment Ready Communities Report

Planner Egan stated that the draft Report of Findings was completed and it included specific action steps. Chair Chamberlain suggested that Planner Egan sit down with the City Manager to identify priorities for the action steps. Planner Egan stated she has been putting together a To Do list from the Commission meeting minutes, Sarah Lucas's notes, and other resources and suggested that the Commission determine their priorities at the next meeting,

4. Meeting Ending Time

Chair Chamberlain suggested establishing an ending meeting time and Planner Egan commented that they could set an ending time of 8:00 p.m. and the agenda could read: ADJOURNMENT by 8:00 p.m. unless otherwise extended by motion. The Commission concurred with the suggestion.

H. Old Business

I. Staff Updates

1. Zoning Administrator Interview Process Update

Planner Egan stated that Sarah Lucas and the City Manager should make a candidate selection by the end of next week.

2. Planning Commissioner General Comments

Planner Egan stated that the Solid Waste Ordinance was tentatively scheduled for a City Council public hearing on March 19th. Chair Chamberlain updated the Commission on the status of the Division Street project.

3. Planner Report

J. Request for Next Month's Agenda or Research Items

Planner Egan stated that she would change the By-Laws to reflect the new meeting time of 6:00 p.m. to consider at the next meeting.

K. Adjournment

Motion by Member Fletcher, second by Member Clock, to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 7:34 p.m.

Joyce M. Golding/fgm City Clerk

Sherm Chamberlain Chair

DRAFT

CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Update the Bylaws

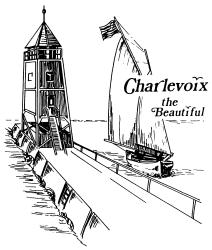
DATE: March 12, 2018

BACKGROUND

The enclosed draft shows a change to reflect the new meeting time of 6:00 PM, and one change to correct a typo. The Bylaws can be reviewed for any other changes as you see fit. Any updates/amendments will become official immediately after a motion is voted on.

ATTACHMENTS:

- Draft Bylaws



CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720

Planning Commission Bylaws

Adopted May 12, 2014

Commented [KE1]: There are only two changes in this draft: Sect 5.1 change meeting time to 6:00 and Sect 5.5 correct a typo of "he" to "the".

1.0 Purpose.

1.1 The name shall be the City of Charlevoix Planning Commission, hereafter known as the "Commission". The City of Charlevoix hereafter shall be known as the "City."

1.2 These Bylaws are adopted by the Commission to facilitate the performance of its duties as outlined in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, (M.C.L. 125.3801 *et seq.*), hereinafter "the Planning Act."

1.3 These Bylaws are also adopted to facilitate the duties of the Commission for administration of a zoning ordinance as outlined in P.A. 110 of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 *et seq.*), hereinafter "the Zoning Act."

2.0 Membership. Members of the Commission are appointed pursuant to Title I, Chapter 7, Article V of the City Code, entitled Planning Commission. (Ord. 751)

2.1 Each member shall represent and advocate what is best for the City as a whole, putting aside personal or special interests.

2.2 In an effort to establish a diverse Commission, the City shall make every effort to appoint members who represent important sectors of the community and economy consistent with the requirements of Title I, Chapter 7, Article V of the City Code.

2.3 Liaisons. The purpose of liaisons is to provide technical assistance and advice, participate in discussions with the Commission, and answer questions from the general public or the Commission. Liaisons may include Planning Department staff, City department heads, planning consultants, the City Attorney, surveyors, engineers, or other qualified consultants.

2.4 Attendance. A Commission member's absence from three consecutive regularly scheduled meetings shall be considered nonfeasance in office. Nonfeasance in office shall be grounds for the City Council to remove a member from the Commission for nonperformance of duty, or misconduct, after holding a public hearing on the matter. The Commission secretary, or acting secretary in the absence of the elected secretary, shall keep attendance records and shall notify the City Council whenever any member of the Commission is absent from three consecutive regularly scheduled meetings, so the City Council can consider further action allowed under law or excuse the absences.

2.5 Training. Each member is encouraged to attend at least four hours per year of training in planning and zoning during the member's current term of office.

2.6 Incompatibility of Office.

a.) Each member of the Commission shall avoid conflicts of interest and/or incompatibility of office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:

(1) Issuing, deliberating on, voting on, or reviewing a case concerning the member, on land owned by the member, or if the case involves land adjacent to the members property.

(2) Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.

(4) Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to the commissioner, or a friend or family member of the commissioner.

(5) Issuing, deliberating on, voting on, or reviewing a case concerning his or her spouse, children, stepchildren, grandchildren, parents, brothers, sisters, grandparents, parents in-law, grandparents in-law, or members of his or her household.

(6) Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is an applicant or agent for an applicant, or has a direct interest in the outcome.

b.) If a question exists whether the circumstances actually present a conflict of interest, the Planning Commission member or zoning staff shall make a reasonable attempt to contact the city attorney prior to the Planning Commission meeting at which the matter that may give rise to the conflict of interest will be considered to obtain a legal opinion concerning whether a conflict of interest legally exists. If the Planning Commission member or zoning staff is not able to obtain a legal opinion from the city attorney then the Planning Commission may, by majority vote of the members present, adjourn the case to a specific time, date, and place in order to obtain a written opinion from the city attorney.

c.) When a conflict of interest exists, the member of the Commission, or committee, shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists:

(1) declare a conflict exists at the next meeting of the Commission or committee:

(2) cease to participate at the Commission or committee meetings, or in any other manner, or represent one's self before the Commission, its staff, or others, and

(3) during deliberation of the agenda item before the Commission or committee, remove one's self from the front

table where members of the Commission sit, until that agenda item is concluded.

d.) If a member of the Commission is appointed to another office, which is an incompatible office with his or her membership on the Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Commission. If a member of another office is appointed to the Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Commission, that shall result in an automatic resignation from the other office.

3.0 Duties of all members.

3.1 *Ex Parte* contact

a.) Members shall avoid *Ex Parte* contact about cases where an administrative decision is before the commission whenever possible.

b.) Despite one's best efforts it is sometimes not possible to avoid *Ex Parte* contact. When that happens, the member should take detailed notes on what was said and report to the Commission at a public meeting or hearing what was said, so that every member and other interested parties are made aware of what was said.

3.2 Site Inspections

(a) Planning Commissioners are encouraged to do a site inspection prior to any public meetings or hearings where a decision may be made on a particular lot or parcel. Planning Commissions should visit the site by themselves and avoid contact with the applicants, property owners, and neighbors. If requested, members may visit the site with the Zoning Administrator or liaison.

3.3 Code of Conduct/Accepting gifts.

a.) Each Planning Commissioner shall abide by the City of Charlevoix Code of Ethics and Conflict of Interest Policy. Gifts shall not be accepted by a member of the Commission or liaisons.

4.0 Officers

4.1 Selection: At the first regular meeting of each calendar year, the Commission shall select from its membership a Chair, and Vice-Chair. All officers are eligible for reelection. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term.

4.2 Tenure. The Chair and Vice-Chair shall take office at the first regular meeting of the calendar year following their selection and shall hold office for a term of one year or until their successors are selected and assume office.

4.3 Chair's Duties. The Chair retains his or her ability to discuss, make motions and vote on issues before the Commission. The Chair shall:

a.) Preside at all meetings with all powers under parliamentary procedure;

b.) Shall rule out of order any irrelevant remarks; remarks which are personal; remarks about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics; profanity; or other remarks which are not about the topic before the Commission;
c.) Call special meetings if deemed necessary;
d.) Review with the staff, prior to a Commission meeting, the items to be on the agenda if he or she so chooses;
e.) Periodically meet with the Planning Director and/or other Planning Department staff to review Planning Department operation, procedures, and to monitor progress on various projects.
f.) Chair or perform a major role in the interview and selection process for a Planning Director;
g.) Act as the Commission's and Planning Department's chief spokesman and lobbyist to represent the Commission at local, regional, and state government levels.
h.) Represent the Commission before the City of Charlevoix; and
i.) Perform such other duties as may be ordered by the Commission.

4.4 Vice-Chair's Duties. The Vice-Chair shall:
a.) Act in the capacity of Chair, with all the powers and duties found in Section 4.3 of these Rules, in the Chair's absence;
b.) Perform such other duties as may be ordered by the Commission.

4.5 Recording Secretary's Duties. The Recording Secretary shall be the City staff designated by the Planning Commission to properly notice meetings, record the audio, and compose draft minutes.

5.0 Meetings

5.1 Regular meetings. Meetings of the Commission will be held the second Monday of every month at ~~7~~ 6 p.m. at 210 State Street. When the regular meeting day falls on a legal holiday, the Commission shall select a suitable alternate day in the same month. An annual notice or regularly scheduled Commission meetings shall comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meeting Act M.C.L. 15.261 *et seq.*)

5.2 Special Meetings. Special meetings shall be called by the Chair, by any two members of the Commission, or by the Chair at the request of any non-member of the commission. Special meetings shall be properly notice in accordance with the Open Meetings Act.

5.3 Quorum. More than half the total number of seats for members of the Commission, regardless if vacancies exist or not, shall constitute a quorum for the transaction of business and the taking of official action for all matters before the Commission. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day.

5.4 Motions.
a.) Motions shall be restated by the Chair before a vote is taken.

b.) Findings of Fact. All actions taken in an administrative capacity (including but not limited to, special use permits, subdivisions, zoning, site plan review, planned unit developments, review and submission on another municipality's proposed plan, review and submission on a capital improvement, review of township zoning) shall include each of the following parts.

(1) A finding of fact, listing what the Commission determines to be relevant facts in the case in order to eliminate misleading statements, hearsay, irrelevant, and untrue statements.

(2) Conclusions to list reasons based on the facts for the Commission's action, often directly related, or not, to a finding of compliance, or noncompliance, to standards.

(3) The Commission's action; recommendation or position, approval, approval with conditions, or disapproval.

5.5 Voting. Voting shall be by voice and shall be recorded as passing or failing. Roll call votes will be recorded only upon request by a member of the Commission and shall be recorded by "yes" or "no". Members must be present to cast a vote. Voting by proxy shall not occur. Except as provided herein, the affirmative vote of a majority of those present shall be necessary for the adoption of motions. The affirmative vote of a majority of the total number of seats for members of the Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any plan or amendment to a plan.

5.6 Parliamentary Procedure. Parliamentary procedure in Commission meetings shall be informal. However, if required to keep order, Commission meetings shall then be governed by *Roberts Rules of Order Newly Revised,* (10th Edition, Perseus Publishing, New York, 2000 (ISBN 0-7382-037-6)) for issues not specifically covered by these Bylaws. Where these Bylaws conflict, or are different than *Robert's Rules of Order*, then these Bylaws control.

5.7 Public Participation. All regular and special meetings, hearings, records, and accounts shall be open to the public.

a.) All public comments not specifically related to agenda items shall be provided at the beginning of the meeting in accordance with the agenda. Public comments on specific agenda items shall be called for at the appropriate time by the Chair.

b.) The Chair may limit the amount of time allowed for each person wishing to make public comment at a Commission meeting. The Chair may ask members of the audience to caucus with others sharing similar positions so they may select a single spokesperson. If a single spokesperson is selected, that individual shall be able to make public comment at the Commission meeting without time limit or an extended time limit.

5.8 Order of Business. Agenda. The Recording Secretary, or designee, shall prepare an Agenda for each meeting and the order of business shall be as follows:

a.) Call to order and Pledge of Allegiance.

b.) Roll call.
c.) Inquiry into potential conflicts of interest.
d.) Approval of agenda.
e.) Approval of the minutes.
f.) Call for public comment not related to agenda items.
g.) New business
h.) Old business
i.) Staff updates/Planning Commission general comments/Request for research items.
j.) Requests for future agenda items, research, or miscellaneous business.
k.) Adjournment.

5.9 Placement of Items on the Agenda.
a.) The City Planning Director/Zoning Administrator or City Manager may place items on the agenda with approval from the Chair.
b.) The Chair, Vice-Chair, any member of the Commission may request specific items be placed on the agenda.
c.) Any member of the public may request items be placed on the agenda, with prior approval from the Planning Commission Chair.

5.10 Minutes and Record. The Commission Secretary shall keep, or cause to be kept, a record of Commission meetings, which shall at a minimum include an indication of the following:
a.) Copy of the meeting posting pursuant to P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act, M.C.L. 15.261 *et seq*.)
b.) Copy of the minutes, and all its attachments which shall include a summary of the meeting, in chronological sequence of occurrence.

5.11 Retention. Commission records shall be preserved and kept on file in accordance with the State of Michigan

6.0 Committees

6.1 The Planning Commission may establish executive, ad-hoc, or citizen committees to assist the Commission in research, creation of neighborhood plans, to increase public involvement, or other specific purposes. Any committee established by the Commission may include not more than three Planning Commissioners. All committees are considered advisory and shall be required to follow the State of Michigan Open Meetings act.

7.0 Mileage and Per Diem

7.1 If requested, mileage shall be paid to members of the Commission at rates established by the City of Charlevoix for attending Commission meetings and other authorized meetings and trips to represent the City of Charlevoix. City Council may establish a per diem rate for Commissioners. Commissioners may be reimbursed for travel expenses to attend training sessions or conferences with prior authorization from the City Planner/Zoning Administrator.

8.0 Hearings

8.1 Plan Hearings. Before the adoption of any part of a plan, as defined in the Planning Act, or any amendment to a plan, or recommending approval of an amendment to the City Council, the Commission shall hold at least one public hearing on the matter. Notice of the time and place of the hearing shall be given, not less than 15 days prior to such hearing, by at least one publication in a newspaper of general circulation within the city.

8.2 Any other hearings required by the Zoning Ordinance or special hearings requested by the Planning Commission shall be properly noticed in accordance with the City Zoning Ordinance, the Zoning Enabling Act, or Open Meetings Act.

9.0 Planning Commission Responsibilities

9.1 Planning Commission responsibilities and duties shall include all those delegated to the Commission by the Planning Enabling Act, the Zoning Enabling Act, the Land Division Act, Condominium Act and the City of Charlevoix Zoning Ordinance. Examples include but are not limited to:

a) Adoption and amendment to the City Master Plan and Parks and Recreation Master Plan.

b) Review of adjacent, or contiguous, local government plans from surrounding townships or Charlevoix County.

c) Review of the annual Capital Improvement Plan (CIP) and subsequent recommendation to City Council.

d) Review of new capital improvement projects not included in the annual CIP as defined by the adopted Capital Improvement Review Policy. (Resolution 2013-10-02 adopted on October, 21 2013)

e) Recommendations to City Council on zoning map and text amendments, Level B Site Plan Reviews, PUDs, and Site Condominiums.

f) Review and decision on Special Use Permit applications.

9.2 The Planning Commission may make other decisions or recommendations pertaining to land use if requested by City Council or the general public.

9.3 All powers of the zoning commission have been transferred to this Commission, pursuant to M.C.L. 125.3301 of the Zoning Act.

10.0 Adoption, Repeal, Amendments

10.1 Upon adoption of these Bylaws of May 12, 2014, they shall become effective and all previous Bylaws, shall be repealed.

10.2 The Commission may suspend any one of these Bylaws, for a duration of not more than one agenda item or meeting.

10.3 These Bylaws may be added to, amended or repealed in whole or in part. Proposed changes to these Bylaws must be submitted in writing to the members of the Planning Commission at least one (1) month in advance of the meeting at which the proposed changes will be considered. A majority vote of the entire Planning Commission members, regardless of any vacancies, shall be required to amend these Bylaws. OR A vote of two-thirds (2/3) of the Planning Commission members present shall be required to amend these Bylaws.

CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Prioritizing Exercise

DATE: March 12, 2018

BACKGROUND

I know you have prioritized your goals in the recent past, and I'm sorry to put you through it yet again. There were many, separate lists in the records as I came on board, and I didn't know which to focus on first. I have compiled them all into one master list that we can discuss.

Included in the packet is the list and a blank sheet of four quadrants. Together we will assign each item on the list to a quadrant on the sheet and then discuss the top priority in each box.

ATTACHMENTS:

- To Do List
- Quadrant Sheet

City of Charlevoix
Compiled To-Do List by Category
March 12, 2018 Meeting

Here is a list of To-Do's compiled from other lists, emails, reports, and notes that I found in the files. I have grouped them by category. We can use this list to help set priorities for 2018.

Administration

- Site Plan Review article overhaul
  - There is a list of over a dozen items to address, change, or consider for the SPR article.
- Joint meeting with other jurisdictions
  - Set agenda, choose date, send invites
  - This is relatively easy to do, and will likely generate more work for PC
- Review nonconformities
  - This was on list from Denise Cline's review of ZO

Zoning Districts/Development Standards

- Review Residential Districts
  - Housing flexibility – allow for different housing types where appropriate
  - Accessory building heights
  - Lot sizes
  - Lot coverage standards
  - Review residential uses and dimensional requirements
  - Include state licensed residential facilities
- Review landscaping standards
  - From fall 2017 list
- Review B&B and other transient housing standards/definitions
  - This was on list from Denise Cline's review of ZO
- Review Home Business levels and standards
  - This was on list from Denise Cline's review of ZO
- Review Wind Energy Conversion Systems
  - This was on list from Denise Cline's review of ZO

City Ordinance/Issues

- Long term rental
- Create opportunities for parking requirements flexibility
  - Request from city hall

RRC

- Prioritize city owned properties for redevelopment
  - Develop vision for each parcel
  - Gather info on each parcel
  - Create guide to development that explains policies, procedures, and steps to approval.

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High Effort		
Low Effort		

CITY OF CHARLEVOIX

Old Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Boarding Houses/Long Term Rentals

DATE: March 12, 2018

BACKGROUND

The discussion on boarding houses/Long term Rentals continues…

Instead of giving you sample ordinances from other cities to consider I want to take a step back and understand why you are considering such an ordinance. What issues are you trying to address?

To help guide this discussion I've provided a listing of the possible areas such an ordinance can focus on. By reviewing those categories your goals will hopefully become clear.

I came across an article that provides an easy to read, visual history of the role that boarding houses have played in America. It gives a Big Picture look at the importance of this type of housing over time and into today. Here is the link to the article:

https://www.citylab.com/equity/2018/02/the-rise-and-fall-of-the-american-sro/553946/?utm_source=citylab-daily&silverid=NDMxMzQ4MjAxNDI5S0

ATTACHMENTS:

- Long Term Rental Considerations

City of Charlevoix
Planning Commission
March 12, 2108 Meeting

Long Term Rental Ordinance Considerations

The idea of Long Term Rentals ("LTR"), specifically as it would pertain to employee housing in existing structures throughout the city, has been a topic of discussion. There are many factors that could be measured when considering whether to institute a long term rental policy for the city.

The first question to ask is why? Why is a long term rental policy being considered? What is the most important issue to the city?

Start with:

1. **Articulate the regulatory goals.**
   Why are you considering this?
   - Impact on neighborhood/community character
   - Noise, parking and other nuisances
   - Safety of those living in the rentals
   - Creating affordable housing options for area workforce
   - Other?

2. **Understand the marketplace.**
   What activity is currently taking place?
   - Renting entire houses, bedrooms, and what are people paying
   - Weigh the city's goals with that of neighborhoods, employers, Chamber of Commerce, EDC, and others

3. **Enforcement considerations.**
   Know that the more complex the regulations the higher the cost for enforcement
   - Have to be able and willing to enforce
   - Have to regulate equally and fairly

4. **Regulation options.**
   City can determine how many and by what method
   - No limit on number of LTRs
   - Limit number of LTRs in city
   - Restrict to certain zoning districts
   - Separate by a specific distance (example: 200' distance between LTRs)
   - Other?

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Definitions and Applicability

Close attention should be paid to defining the terms used. By defining a long term rental as a "commercial" operation it strengthens the city's ability to have regulatory differences between a long term rental and multi-family residential uses.

Other types of housing, and the terms used, should be examined at this time. Care should be taken that the terms used work with the standards of the Zoning Ordinance.

LTR Ordinances are city "police power" ordinances because they are regulating an activity.

Standards to Consider

Each community will have different needs. Consider which of the following apply to your community:

- Type of structure: may limit rentals to single family residence, or may include all dwelling units including apartment, duplexes and condos.
- Safety of structure: may require that building has an occupancy permit (meets state code) or require that it passes a current home inspection.
- Premises: there could be standards for exterior and interior premises instead of relying on state construction code.
- Storage: may address the need for and location of any outdoor storage.
- Fire safety: insure that there is adequate egress in every sleeping area.
- How many per parcel: may state than no more than one dwelling unit per parcel may be rented out or decide not to limit the number per parcel.
- Minimum length of rental period: ordinance may require 30 days or more to insure the use doesn't become a short-term hostel.
- Local contact person required: may require owner or agent be available to respond to calls or come to the site within a certain time period (usually a response time of 45 minutes or one hour is required).
- Notify the neighbors: may require that neighbors within a certain distance would be given notice that the home will be rented out, along with the name and contact information of local contact person.
- Maximum occupancy: may limit the number of people allowed to reside in the building. This can be done with a simple formula: per bedroom or by square footage requirements.
- Post the standards: may require the standards to be posted and made available to renters.
- Parking: may require it to be off roadways. Could require it to not be in the yard/lawn.
- Noise: may have designated Quiet Hours.
- Trash: may require that it is kept in a closed receptacle to avoid problems with vermin. May require that operator provide trash services.
- Regulation: consider how to regulate, register, inspect, and enforce the provisions.

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