Planning Commission Meeting Minutes

June 13, 2023

1. **Call to Order at 6:01pm**
2. **Roll Call –** Chairperson DeBoer, Commissioners Dean, Tecca, and Bliesener, City Manager Stoddard, and Zoning Administrator (ZA) Harvey.

* Motion to excuse Commissioner Lyon-Jenness by Chairperson DeBoer and supported by Commissioner Bliesener. All ayes.

1. **Approval of Minutes – May 24, 2023**

* Motion to accept the minutes by Bliesener and supported by Tecca. All ayes.

1. **Citizen Comments**

* No comments

1. **Old Business**
2. Short Term Rentals (STRs)

* DeBoer reopened the discussion by having Zoning Administrator (ZA) Harvey reintroduce STRs for those that did not hear it at the last meeting.
* ZA Harvey – The STRs topic came up to consider as it may already be happening in Parchment. Last month was the PCs first opportunity to discuss the STRs. A basic approach is for the PC to use the zoning ordinances to say where STRs are allowed and the general ordinances for regulation of it.

There could be a required program and she gave two examples: 1) Some cities say that it is not a problem and they only acknowledge STRs as accessory use. Not a violation, as it relieves the position of the PC by providing for STRs in the ordinance. 2) If not a problem, then just amend the ordinance to include STRs. Degrees of STR placement could be added.

The PC has had time to read about Three Oaks that has a cap on its STRs. They look at a general ordinance approach for standards.

* DeBoer said that the PC needs to be mindful that there are administrative and financial obligations imposed on the City if a detailed rental registration program was proposed. He asked the City Manager to speak to her history with rental registration programs.
* Manager Stoddard explained that she was hired 3 days a week to specifically work on the Rental Registration Program. It consisted of initial inspections for the first year ($500 cost to landlord). If there were few/no violations, the landlord was allowed to make corrections and they were not required to get another inspection for three years. If a landlord was found to have multiple violations they were given a deadline to correct them and then another inspection was performed. A landlord with multiple violations had to be inspected again after one year. This program had to be closely monitored for deadlines, renewals, inspections, and follow-up inspections by the staff.
* Bliesener remarked that if we allow STRs and add them in, then they would not be in violation. Or should we continue until this becomes a problem. Perhaps using the amount of 10, or when it becomes an issue.
* DeBoer asked if we would allow for enforcement. Would it be complaint based?
* ZA Harvey stated that if there is no permitting, then there is no enforcement. We just allow for it.
* Tecca asked if we register bed and breakfast (B & B) establishments and boarding houses; he asked if we have any.
* ZA Harvey said that site plan reviews are required as it is a special use by right. There are specific standards and a review process.
* Tecca asked what the difference is between B & Bs and Air BnBs. If we do not have any why should we treat them differently?
* Bliesener said that a B & B would be different because food is served. If I was to let my house for a month, I would not want to have a site plan review.
* Dean views it as a homeowner could be away for a month and rent their house as an Air BnB for that month, because there is nothing in place to prevent it.
* ZA Harvey stated that the ordinance does not speak to STRs, so they are not allowed.
* Dean said that she does not think that it will be a huge issue, not like Saugatuck. There should be some sort of registry to handle rentals if the volume increases. There should be a middle ground like charging $50 to register so that the City knows where they are located.
* ZA Harvey said that some cities are destination and STRs are a good option for them. In a more urban area, STRs are an alternate to hotels. Some Planning Commissions, just outside of Kalamazoo, have fallen into this need to make a decision. She does not see the demand overcoming the City of Parchment. Most communities have nuisance ordinances that help police with weekend renters. A community could rely on those ordinances. The PC could identify what needs to be monitored.
* Bliesener asked how the City would make sure that the STRs are registered.
* Dean said that she would personally like to know if a rotating bunch of strangers are next door. Trying to monitor in some way would provide middle ground.
* Bliesener asked if ZA Harvey could work on the wording.
* ZA Harvey said that she would, stating that STRs would be a single family home with accessory use, and some sort of registration language.
* Dean looks at a registration program as a benefit to the City residents, especially if they were listed on the City’s website.
* DeBoer asked if it would bother Dean to not know who is next door.
* Dean said a registration program would help so a person would know what is going on next door.
* DeBoer asked if the PC had the option to do nothing.
* ZA Harvey stated that 1) If the ordinance does not allow for it, then a complaint would have to be filed. 2) The broader issue would be by not providing for STRs at some level, the City cannot use the zoning ordinances to prevent reasonable use of property.
* DeBoer asked if STR usage would be a commercial rental operation in a residential area.
* ZA Harvey said that some local units of government say STRs are a commercial use. Others would argue that, Rent to Live is the same as residential use. It is occupancy of a residential building.
* DeBoer said that STRs are like little hotels in a community.
* Dean said that her family chooses STRs because of the kitchen and bedrooms.
* DeBoer stated that a convention downtown could bring anybody into town; it’s a business.
* ZA Harvey said that a person could rent an STR for 6 weeks, 4 days, or a month. All of these have been seen in legislation. The PC can put a time frame into the ordinance if it so chooses. Wisdom is where you started with this conversation because STRs in the community were suspected. It was not a complaint that brought up the conversation. If the PC wants to wait until it needs to address it that is an option. New Buffalo spoke to pre-existing STRs in their ordinance. The City could find out who is using their property as an STR.
* Dean stated that she would like to know who is doing STRs in the community, including those that rent out their homes for a year until they sell them.
* DeBoer stated that he cares about who is staying in the city, not those that move away.
* Dean said that there are benefits to businesses like Twisters and the grocery store with STRs. She would still like to have some monitoring of STRs so that we know who is renting their homes out.
* Bliesener said that she does not want to interfere with supplemental income. She would like to see a statement to review at the next meeting.

1. **New Business**
2. Letter of Intent – Fidel Coronado

* Manager Stoddard was invited to explain the role of the PC when they are considering a Letter of Intent. 1) Make sure that the business that is being proposed for the building/property aligns with the City’s Master Plan (MP) and Planned Unit Development (PUD) 2) Is the business appropriate for the building/property for which it is being proposed.
* DeBoer invited Mr. Fidel Coronado to the podium to explain his interest in the property.
* Fidel Coronado explained that he is looking to expand his current business which is fabrication of construction materials and the storage of work products and material stock. The buildings have a lot of space including bathrooms, offices, and a break room area.
* DeBoer asked what a job specific partition is.
* Fidel Coronado stated that it was a fire rated wall to secure a section in the inside of a building.
* DeBoer asked what would be built on the site.
* Fidel Coronado said that you see these walls in malls. His workers build them (pre-fab) at the business and then transport them to the site.
* DeBoer asked about the time table from start to finish.
* Fidel Coronado said that it may take time to clean up. He has also talked with the City Manager about the brush and debris. The clean-up will impact their time line but they do want to aggressively work on the project.
* DeBoer suggested that Coronado gets to know the building inspector at KABA.
* Coronado stated that they have created a good relationship with the building inspector. He also asked about some steel that was being stored alongside of the building that he is interested in purchasing.
* Tecca asked if Coronado would be the sole owner or would he be subletting.
* Coronado replied that he will occupy a good portion of the building for his business. He does see that there will be a renter in a smaller portion of the building.
* Bliesener asked what he did through his business.
* Coronado replied that he does commercial construction and needs more storage for his materials and equipment, also, a bigger workspace to construct walls.
* Bliesener confirmed that it was an extension of his existing business.
* Coronado said he has been thinking about expanding into roofing and siding.
* Dean asked about the business hours; would there just be a first shift or others.
* Coronado said that he works for an insurance adjuster six days a week, 8 hours a day. They get materials, construct, and deliver items to workspace.
* Dean asked if any hazardous materials are on site.
* Coronado replied that there are no hazardous materials, not even paint, just drywall and studs.
* Bliesener asked Dan Bussema if he had anything to add.
* Bussema explained his part in the process.
* Motion was made by Tecca to pass the Letter of Intent from Fidel Coronado on to the City Commission, Bliesener supported the motion. Roll Call: All Ayes.

1. Sign Ordinances

* ZA Harvey stated that this discussion was not slated, however it came about because of a question that was asked regarding a sign permit. The language was tripping up the decision. The PC should clarify the ordinance language when the PC has a break in business. This seemed like a good time to look at the sign ordinance.

1. Section 15.7 – Regulating sign size based on a single side of sign and on the other side. If it’s a V sign then its two signs. The City’s ordinance used total surface area (both sides). This is not a problem, just different in one section as it speaks to single face of sign and used single side with an increase. All the language should be looked at. Total sign area is used 75% of the time. The PC will need to be consistent in its use of words.
2. Fixing the wording to be content neutral in the ordinance is what is needed. If the PC wants to expand, then they may review the ordinances for inconsistencies.

The PC may use a comprehensive approach, amending all ordinances at once or just fix the two areas of concern. She could draft language for the July meeting. She asked if there were any questions about the fixes.

* Tecca asked if the ordinance spoke to lighting.
* ZA Harvey replied that some areas allow for internal lighting. Lights can’t shine onto roadways.
* DeBoer asked if the PC pursued the two objections, are they going to have future problems. He was thinking about businesses that would be moving to the mill site.
* ZA Harvey said that is what she would be reviewing it for, ordinance construction – as she noticed that those ordinances needed to be fixed. The PC may want to do the fixes all at once.
* DeBoer said that he would like the ZA to add her comments as well as fixing the language.
* ZA Harvey stated that when a term is used, it’s distinguished in the ordinance. We must use the same wording.
* Bliesener said that since the inconsistencies were uncovered, the PC should do a deep dive in to correct them.
* ZA Harvey said that she would do a review to show inconsistencies. She also noted that the City of Parchment’s temporary sign ordinance established a temporary sign standard for the district.
* DeBoer requested the ZA to move forward with the corrections to the ordinance language.

1. **Comments from Planning Commissioners**

* Dean asked the PC to follow the news about the Graphic Packaging air quality. Although the air is not directly affecting us, but we have schools and day care providers only 1 ½ miles from the business. She said that she reached out to the schools. She asked if the air quality should be monitored in Parchment. She would like everyone to continue to follow the progress with these concerns.
* DeBoer asked Dean if she would be willing to provide updates to the PC every month.
* Dean agreed to update the PC. She also stated that there was a meeting of the school superintendents regarding the air quality in the communities.
* Bliesener was appalled by the articles – Graphic Packaging is pushing the envelope with their air quality. She asks that everyone be aware of what is going on with this business.
* Dean encouraged everyone to be aware of what is going on at Graphic Packaging.

1. **Next Meeting** – July 26, 2023 at 6pm

1. **Adjournment** – Motion by Dean, supported by Bliesener. All ayes. Meeting ended at 7:08 pm.