

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

October 1, 2020

A meeting of the Manistee City Planning Commission was held on Thursday, October 1, 2020 at 7 pm by teleconferencing, Manistee, Michigan.

Meeting was called to order at 7:06 pm by Chair Wittlieff followed by the Pledge of Allegiance.

ROLL CALL

Members Present: Michael Szymanski, Pamela Weiner, Roger Yoder, Shelly Memberto, and Mark Wittlieff

Members Absent: Marlene McBride and Bob Slawinski

Others: Rob Carson (County Planning Director), Mike Szokola (Planner 1/ City Zoning) and Nancy Baker (Recording Secretary)

APPROVAL OF AGENDA

Mr. Szokola wished to amend the agenda moving Correspondences under Old Business after ZO Design Guidelines and before Short-term Rentals.

Motion by Commissioner Szymanski, seconded by Commissioner Memberto to approve the October 1, 2020 Agenda as amended.

With a Roll Call vote this motion passed 5 to 0.

Yes: Szymanski, Weiner, Memberto, Yoder and Wittlieff

No: None

APPROVAL OF MINUTES

There were no corrections or additions to the minutes.

Motion by Commissioner Szymanski, seconded by Commissioner Yoder to approve the September 3, 2020 Planning Commission Meeting minutes as presented.

With a Roll Call vote this motion passed 5 to 0.

Yes: Szymanski, Weiner, Memberto, Yoder and Wittlieff

No: None

PUBLIC HEARING

None

PUBLIC COMMENT ON AGENDA RELATED ITEMS

- Gary Schwaiger, 648 Elliot Drive, short-term rentals (STR) are a commercial use, do not belong in a residential district but rather the commercial district.
- Todd Llyod, 556 First Street, supports STR, rents his home, rentals are good for the area's economy.
- Cory Lupinacchi, 318 Lakeshore Drive, supports STR, rents his home. STR ordinance- 2 types of rentals; owner occupied and owner renting.
- Kathryn Kenny, 409 Cypress, Executive Director of Manistee County Visitors Bureau, STR are good for the local area. Voiced her STR concerns and items PC should consider.
- Jeff Bird, 314 Dunes Drive, rents home, supports STR, favors rules, not limiting number of rentals and evaluating rentals tax base.
- Tim Riley, Century 21 Boardwalk, rental manager. Supports STR and STR regulations. Ordinance will be beneficial to Manistee.
- Kipp Pomranky, 361 8th Street, lives in home full time. Home is rented certain times of the year. Supports STR and hopes this issue is well thought out.
- Susan Riley, Century 21 Boardwalk, owner/broker. Referenced different condo properties and their values.

NEW BUSINESS

Non-motorized Trail Plan

Mr. Carson reported:

- ❖ Met state eligibility requirements for adoption of 5-year Rec Plan
- ❖ Per state, only 1 Rec Plan can be adopted per community; city has 2
- ❖ 2016 county wide plan was completed for every county community
- ❖ Recent notification from DNR, plan expires 12/30/20—should have been good for 5-years
- ❖ Original DNR grant coordinator and head of the grant division positions have seen staff replacements
- ❖ DNR requests plan be placed as an addendum to the county Rec Plan, requiring all 21 plans within the plan be updated
- ❖ Will contact DNR regarding original 5-year plan approval and expiring issue
- ❖ State is placing restrictions for adopting and putting in place a proper plan displaying maps and visual materials for easy interrupting
- ❖ Plan needs to be adopted in order to obtain trail grants
- ❖ Will contact legislative representatives to have them investigate the matter
- ❖ County kayak launches, park development, lake and river improvements were eligible for grants due to the Rec Plan; DNR date change will make these county improvements or developments ineligible for grants

OLD BUSINESS

ZO Design Guidelines

Mr. Szokola presented the ordinance language for residential single-family, duplex, and triplex dwellings design standards.

Mr. Carson reviewed the design guidelines:

- Current city ordinance does not refer to design characteristics
- Looked at structure orientation, acceptable materials, other out building provisions to mimic home characteristics
- Reviewed new zoning amendments and language
- Per PC, move amendments and language forward for DDA, city manager, chamber, and legal consult to review.

CORRESPONDENCE

Mr. Szokola read the correspondences:

- Cory R Lupinacci, Harbor Village, rents home, complies with applicable laws, STR does not impact available permanent resident housing, family generations rent together, renters will go elsewhere if not available in area, renters support Manistee’s economic development.
- Mary Wilhelm, landlord of 478 4th Street, has long-term renters, should put STR on hold for health situation until March to allow city to inspect, register, and have cleaning protocols. Zoning violations occurring in many neighborhood areas.
- John M Rice, Manistee property owner, property investment purchase, rents, supports STR.
- Granicus: article on STR increase activity and available for enforcement needs.
- Kerry Gavigan, has full time renters, receives many contacts from vacated full-time renters for seasonal STR, rentals should be long- or short-term but not both.
- Mark & Debbie Mathewson, favor \$500+ for upfront fee, double fee for dishonest renters, many landlords in for the money, fine violators and occupancy violators, some condo association renters don’t follow association rules (over occupy), do not pay city based tax unless caught.
- Elizabeth (Liz) Hermann, not in favor of STR, renters cause many issues, housing for area working people is an issue, many places used for STR should be for working people.
- Aaron May, Unsalted Vacations; Tim Riley, Century 21 Boardwalk Vacation Rentals; Curtis Smith, West Shore Rental Management—support STR, largest STR management in area, host hundreds/thousands of groups a year, renters impact local economy, rentals are registered, inspected and in full compliance.
- Michelle Graves, Manistee News Advocate/Benzie County Record Patriot, supports STR regulate with limiting numbers, difficult to find decent/affordable long-term rental, STR should be better monitored.
- Kirk Tompke, Manistee resident, supports STR without limited numbers.
- Kitty Mooney, 328 Dunes Drive, zoning ordinance concerns for marihuana processors.

Short-Term Rentals:

State of Michigan Population Projection through 2045

Mr. Szokola reviewed the packet handout and the list of potential growth for Manistee County. Housing supply issue comes with potential growth. The concern is for workforce, senior, short-term housing; each being a separate issue.

Yarrow Brown Housing North

Yarrow Brown, Executive Director, reviewed the Region’s Housing Shortage Issue presentation. The workforce housing is possibly a top issue.

Mitch Foster, City of Ludington City Manager, Q & A

Mr. Foster:

- Explained the 2-year process, used drafts from 4 other communities
- Made a blanket draft and presented the steps to their entities
- Cap of 30 rentals, (chosen by number of staff required to handle paperwork), using random lottery with a waiting list
- Parking, occupancy, and inspections already covered under ordinance
- Host Compliance monitors STR sites, letters are sent to noncompliance STR and rental places that are not allowed to rent
- Can use Host Compliance or staff
- Reviewed 3-year license rules

Current City Rental Ordinance

Mr. Szokola stated City Council requested the Planning Commission develop a baseline for STR. He referred to Chapter 1482, Residential Rental Properties, 1482.02 Definitions, B. Dwellings; short-term rentals can be registered within a residential district. Per the city lawyer, STR development cannot be stopped.

Short Term Rentals (STR)

Mr. Szokola restated City Council requested the Planning Commission to do a baseline for STR. The Ludington ordinance is considered a good baseline as a starting point. Discussion ensued.

Recommendations to City Council

The following are recommendations to be presented to City Council as a baseline for STR:

- Manage STR by partnering with a professionally locally managed company or the owner occupant
- Use the Ludington ordinance as a baseline
- Limit the number of rentals
- Incorporate it into the codified long-term rental ordinance

Motion by Commissioner Yoder, seconded by Commissioner Szymanski to move forward the above recommendations to City Council.

With a Roll Call vote this motion passed 5 to 0.

Yes: Szymanski, Weiner, Memberto, Yoder and Wittlieff

No: None

Sign Ordinance

At a holding point.

Amendments to ZO:

Master List

Lower Story Dwelling

Fences, Patios, Site Plan Review Committee, Temporary Storage, Design Standards

Mr. Carson stated most of the language for the amendments has been compiled.

Dumpsters, Pads, Screening, and Enforcement

Mr. Szokola stated mailings will go out to everyone in the city regarding the dumpster(s) at their location and enforcement starting Spring of 2022.

PUBLIC COMMENTS AND COMMUNICATIONS

- Lynda Beaton, 256 Hughes Street, is involved with Michigan municipal league convention. There are 5 STR bills in Lansing right now (3 in the house, 2 in the senate). The state wants to dictate definition of STR, where STR can reside, and their rights. These bills are 4046, 4554, 4563, 1144 and 1145. It is recommended to inform Lansing the desire to keep a locally controlled ordinance.

Commissioner Slawinski entered the meeting.

- Kathryn Kenny, 409 Cypress, Visitors Bureau Director, bills in Lansing would divert money to fund Pure Michigan and not fund our local visitors bureau. She voiced concerns of the STR ordinance.
- Susan Riley, commented on condo values in relation to STR.
- Todd Llyod, 556 First Street, Ludington Ordinance should not be looked at as a baseline
- Roger Zielinski, 529 First Street, thanked those who worked on the STR, the PC, those with input and the recommendations to the council.

STAFF REPORTS

Mr. Szokola stated the PC received a request from City Council to work on STR. A great deal of time and research was spent on the matter, with no guidelines from City Council. City Council recommended in July to move forward. Many surrounding area ordinances were reviewed. Ludington's was chosen because their process is sound.

Mr. Carson thanked Mr. Szokola for his hard work on the SR. There are many other projects he and staff are working on. STR has been a project for over a year and placed in many public directions. It is a citizen's duty to pay attention to community activities.

MEMBERS DISCUSSION

Commissioner Weiner thanked staff for the STR work. This has been a long-standing project. The PC is working on making STR safer, not ending them. She experienced the lack of rental availability firsthand. Long-term rental has been an issue for a long time.

Commissioner Memberto faced her own challenges of renting. STR are not a solution for long-term issues.

Commissioner Yoder thanked the staff for their hard work.

Commissioner Szymanski stated the Ludington ordinance process fit this area and was a good baseline. Controlling numbers were not looked at but rather the many directions needed for the process.

Chair Wittlieff thanked staff and the Commission for their diligent work.

ADJOURNMENT

Motion by Commissioner Szymanski, seconded by Commissioner Yoder to adjourn the meeting. Meeting adjourned at 10:33 pm.

The next regular meeting of the Planning Commission will be held November 5, 2020.

MANISTEE PLANNING COMMISSION



Nancy Baker, Recording Secretary