

Planning Commission

Regular Meeting Minutes Thursday, February 4, 2016



City of South Haven

1. Call to Order by Paull at 7:00 p.m.

2. Roll Call

Present: Bill Fries, John Frost, Clark Gruber, Larry Heinig, Steve Miles, Brian Peterson, Terri Webb, Dave Paull

Absent: Judy Stimson

Motion by Heinig, second by Gruber to excuse Stimson.

All in favor. Motion carried.

3. Approval of Agenda

Motion by Heinig, second by Miles to approve the February 4, 2016 regular meeting agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes – January 7, 2016

Motion by Miles, second by Heinig to approve the January 7, 2016 regular Meeting Minutes as written.

All in favor. Motion carried.

5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

Rosalie Plechaty, 995 Monroe Boulevard. Stated, in response to Miss Stimson's closing remarks at the last meeting, that she did not move into a tourist town but a community.

Susan Ryan, 37 Cass Street. Spoke about rentals in neighborhoods and made several suggestions, including hiring a consulting firm and restoring historic neighborhoods.

Dorothy Appleyard, 806 Wilson Street. Spoke to Paull's comments about there being no intent to do away with short term rentals and stated she wants assurance that there is no intent to do away with residential neighborhoods.

6. New Business - None

7. Other Business

Paull made remarks regarding the work continuing and ways to communicate your opinions via Wednesday 10:00 a.m. meetings and emails to landerson@south-haven.com

a) Rental Ordinance update

Paull explained that the purpose for this agenda item is for the committee to update the full commission on progress on the rental ordinance.

Anderson commented on yesterday's discussion. Stated she has not received the revised documents from our attorney that reflect yesterday's revisions. Much discussion led to occupancy caps being determined as more important than house size. In the single family residential (R1-A, R1-B and R1-C) zones, it was proposed that occupancy be limited to two (2) people per bedroom plus two (2) additional people per occupied floor with a cap of 16. Children six (6) and under would be exempt from counting toward the occupancy cap. In the other areas, (RM1, R2 and B3), the same requirements would apply, but Planning Commission could grant a cap of 24 if all the current and proposed standards were met. Proposed new standards include the following:

Except as otherwise provided in this section, the maximum occupancy load shall be 2 persons per bedroom, plus two additional persons per finished level with means of emergency egress (e.g. a functional window), up to a total of 16 persons. Applicants who wish to request a maximum occupancy load of more than 16 persons, or more than 2 persons per bedroom, must do so on the application form. The Zoning Administrator and Fire Code Official may approve such requests upon determining that the proper safety features are met, may require some of all of the following:

- Has a parking site plan allowing sufficient access for emergency vehicles
- Automatic sprinkler systems
- Fire alarm systems
- Interconnected smoke alarm systems
- Fire rated corridors
- Fire rated stairwell enclosures
- Sleeping rooms with automatic door closers
- A sufficient number of emergency exits, suitably placed in relation to the designated bedrooms.

These standards would provide more of a commercial review/construction than a typical house would have, even in the areas where larger houses may be permitted.

A brief discussion ensued regarding the Primary Residence Exemption (PRE) issue. Some members believe rentals qualifying for PRE but renting for less than 15 days per

year should still be included in the registration. The city attorney feels strongly that PRES should be exempt.

The next sub-committee workshop meeting is to be held Wednesday, February 10 at 10:00 a.m. and will focus on Sec. 10-244: Violation and revocation of the registration.

Gruber commented that he thought the Planning Commission was going to review with South Haven Area Emergency Services (SHAES) their requirement for driveway access. Anderson agreed that is covered in the parking site plan and will be included in the site plan review process that will go to SHAES and noted that the city engineer will also have to review the plans submitted.

Peterson noted that he is not entirely sold on the child exemption, noting, "We are essentially saying unlimited kids are allowed," but stated he does not know how it could be worded better. Paull agreed that this is a dilemma we need to resolve. Gruber said he has been told before that he could not rent to that number. Webb stated that some of the homes they manage could have the occupancy bumped, but we are not going to and agreed, "You don't want sixteen toddlers running around a house". Frost said we talked about this a couple weeks ago and asked, "Would you rather have a group of twelve twenty-five year old men on a golf outing or grandma and grandpa, their three (3) children and spouses and nine (9) grandchildren?" Frost stated that the latter are not the groups that cause the problems. "These people are celebrating their 50th wedding anniversary and going to bed at 9:00 p.m. We need to take a good hard look at any sort of a hard cap. I recently told a group of 12 people 'no' because I know I can fill that week with a family. Twelve thirty- year-old guys? No, sorry." Frost continued, "But if we have a hard cap, I'm not going to be able to do that anymore; I have to fill it or I will lose it. I'm willing to talk about this." Paull agreed that is what needs to be done, noting "This is not as easy an issue as one would like to simply put down on a piece of paper and pen. That is why the discussion will continue and hopefully be as open as it has been, because it needs to be."

b) Annual Report to Council 2015

Anderson noted this is an annual report required by the Michigan Planning Enabling Act of 2008, as amended, detailing the activities of the Planning Commission. This is a month-by-month report and last year was pretty typical with no large numbers.

While not required, Anderson also prepared a report on the Zoning Board of Appeals (ZBA) and noted that the ZBA was busier last year than the past two (2) years, meeting 12 times compared to six (6) times in the previous year.

8. Commissioner Comments

Gruber: While he hasn't been on the Planning Commission for very long, expressed appreciation for emails the last couple of days. He also noted the report shows some diverse applications: a retail establishment; an impound lot; an auto expansion; a restaurant brew pub; condos and a repair shop. "There is a lot that goes on outside of just rental ordinances."

Anderson: There were 19 work sessions in addition to the regular meetings.

Paul: "Stop publishing lies. This burns badly. Just stop doing it. If you are not at a meeting, I don't know how you can attest to anything that is occurring here. Stop publishing lies. It's slander and with that I'll ask for a final motion."

9. Adjourn

Motion by Gruber, second by Heinig to adjourn at 7:23 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary