

Approved Minutes of the May 17, 2021 City of the Village of Clarkston Virtual Planning Commission Meeting.

1. Call to order at 7:00 p.m. by Chairman Little.
2. Little, Gualdoni, Rogers, Wylie and Schoebel all present in Clarkston by roll call.
3. Motion by Wylie, second by Rogers to approve the May 17,2021 Agenda. Motion carried unanimously by roll call vote.
4. Public Comments: None.
5. Motion by Wylie, second by Little to approve the April 5,2021 Minutes. Motion carried unanimously by roll call vote.
6. Pubil Hearing to review proposed Ordinance changes to align the Residential Development District (RPDD) language with the Village Master Plan opened at 7:10 p.m. Mr. Ben Carlisle of the Carlisle/Wortman Group stated the intent was to create clarity of language to enable more creative use in future City development. The discussion focused on the vacant land at Waldon and Main. There are three major groupings:

1. Procedural
2. Bulk Issues:
  - a. Height
  - b. Density
  - c. Setbacks
3. Standards

Mr. Carlisle stated that this would entail no changes to the Master Plan. The Ordinance would be amended to conform to the Master Plan. These changes are more specific than existing ordinances. They cover the City as a whole and the standards are legally enforceable.

Public comments expressed concerns about setting legal precedents, impact on adjacent historic homes, density, the traffic impact and incursion of commercial into a residential district.

The Public Hearing was closed at 7:59 p.m.

#### 7. New Business

A. Site Plan Review to convert 29 S Holcomb Rd from an existing duplex to a single family dwelling. Mr. Quisenberry, owner of the property, stated that the only changes to the exterior were the addition of a new front porch facing Holcomb and a window replacement. The new porch would be 12 feet from

Holcomb. Motion by Wylie, second by Schoebel to approve the site plan subject to receiving a variance to the 20 foot setback required in R-2 for the front porch. Motion carried unanimously by roll call vote.

B. Capital Improvement Plan (CIP). City Manager Jonathan Smith submitted an updated 5 year CIP which includes 22 items for 2022-2027. Mr. Smith noted that changes were needed due to lack of revenue that would have been generated from the suspended paid parking. Motion by Schoebel, second by Little to approve the CIP as presented. Motion carried unanimously by roll call vote.

8.Unfinished Business: Short Term Rental (STR) Regulations: Mr. Ben Carlisle stated at the direction of Council the Planning Commission prepare a Short-Term Rental Ordinance that permits Short-Term Rentals in the Village Commercial (VC) only. Ordinances and licensing are recommended.

#### A. Ordinances

1. Only in VC and not in any other zoning district.
2. A Short-Term Rental means any dwelling that is rented wholly or partly for compensation for periods of 90 days or less by persons other than the permanent residential owner. Any property rented for greater than 91 consecutive days shall be considered a Short- Term Rental property and not be subject to these regulations.
3. Any Short- Term Rental advertisement on site and via online platform must contain the City's assigned Short-Term Rental permit registration number for that property.
4. Occupancy limited to two (2) the number of bedrooms.
5. A Building Department "safety" inspection prior to obtaining a rental license or renewal.
6. Limited to a total of 90 rental nights per calendar year (consecutive or collective). The minimum stay is 2 nights.
7. Annual registration and permit fee.
8. Failure to adhere to these regulations will result in license revocation.
9. Any existing rentals in the City that are defined as a Short-Term Rental must cease operations within six months. If the existing Short –Term Rental is located in VC the property owner must apply for a Short-Term Rental license.

#### B. License:

1. Only to the owner or permanent resident of the property.
2. Only one Short-Term License per dwelling unit.

3. The applicant shall provide property owner information, address, type of dwelling, names and contact information for two persons updated as necessary.

4. The applicant shall be responsible for the annual payment of the nonrefundable license fee.

5. The Short-Term Rental license is not transferable.

Motion by Wylie, second by Schoebel to recommend to Council the proposed regulations and license requirements for Short-Term Rentals with the following amendments: 1. An STR is defined as 60 days or less. These STR's are restricted to the Village Commercial (VC) District. In addition, an STR property in the VC District may only be rented as an STR for a maximum of 90 days per year. 2. A phase out of one year instead of six months. Motion carried by unanimous roll call vote.

B. Main Street Speed Data: City Intern C.J. Sivak and Commissioner Glen Gualdoni presented April data collection from the south "your speed is" sign. Most speeding occurs between midnight and 5 a.m. The signs are very effective at alerting drivers to adjust their speed. The graphics were very enlightening and reinforced the need for more speeding enforcement. The findings will be presented to Council at their June 14<sup>th</sup> meeting.

9. All Else: None.

10. Motion by Schoebel, second by Little to adjourn at 9:32 p.m. Motion carried unanimously by roll call vote.

Draft Minutes Respectfully Submitted by Frank Schoebel, Secretary.