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**Hamburg Township
Planning Commission
Wednesday, September 15, 2021
7:00 P.M.**

1. CALL TO ORDER:

The meeting was called to order by Chairman Muck at 7:00 p.m.

Present: Bohn, Hamlin, Hughes, Leabu, Muck & Priebe

Absent: Muir

Also Present: Scott Pacheco, Township Planner & Chris Madigan, Planning & Zoning Administrator

2. PLEDGE TO THE FLAG: Chairman Muck led those present in the pledge to the flag.

3. APPROVAL OF THE AGENDA:

Motion by Priebe, supported by Hughes

To approve the agenda as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

4. APPROVAL OF MINUTES:

August 18, 2021 Planning Commission Meeting Minutes

Motion by Hughes, supported by Bohn

To approve the minutes of August 18, 2021 as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

5. CALL TO THE PUBLIC:

Chairman Muck opened the call to the public.

Mr. Raymond Dobis of 11487 Pleasant View Drive indicated that it has come to his attention that they have started a motel two doors down from his home which has caused different people fishing off the docks, dogs not leashed, etc. He was given information relating to Bill 4722 which allows these types of businesses in a residential area. He discussed his privacy, security concerns, etc. associated with these air b&bs. He discussed those communities and associations that are both for and against this Bill that allows the uses.

Bonnie Swanson of 11463 Lauderdale Ct. discussed her concerns with the air b&bs including the number of people, the hours they maintain, fact that Tamarack Lake is a private lake, and the maintenance of the homes, which is affected. She stated that they do not want kids playing on the docks, etc. and they are concerned about safety and liability. She

discussed the quality of people that we could possibly be dealing with for a short-term rental. She would like to find out how Hamburg Township is going to deal with these situations.

Hearing no further public comment, the call was closed.

6. NEW BUSINESS:

a) Permitted Use Table - Zoning Text Amendment Discussion (ZTA21-003)

Chairman Muck stated that staff is going to make a presentation this evening but are not asking for a decision at this point. This will be brought back at the next meeting to give the Commission an opportunity to ask more specific questions and set a public hearing.

Planner Pacheco stated that this is an extensive ordinance change, much of which takes the existing ordinance and puts it into a different format so that all of the regulations for the existing uses are in the same location. It is clearer and more concise. This would reduce the length of the ordinance by 40 pages, so it is a significant change in the way the code is written but does not significantly change what is in the code.

Pacheco addressed the short-term rentals. We have talked about the Senate Bill and the House Bill. He stated that no municipality is in favor of the House Bill because it takes away the local municipality's right to govern land use. He discussed other legislation that takes away the municipalities' rights to govern. He discussed the process that has been taking place with both the House Bill and the Senate Bill. He discussed what has taken place locally since 2015 and what we have done to regulate the short-term rentals until the House Bill overrides it. He discussed the inclusion of a definition of "motel" in tonight's draft language and other alternatives to address short-term rentals. He discussed the manner in which we have been enforcing these rentals under the ordinances including the noise ordinance, parking regulations, litter, debris, meeting the definition of family, etc. Further discussion was held on regulating short-term rentals. Our current code does not include any regulation of short-term rentals. Pacheco stated that his recommendation is to add the definition that he suggested in the draft until the Township is ready to create regulations for short-term rentals. This would limit short-term rentals to the commercial districts. It was stated that the Planning Commission makes a recommendation to the Board, but they make the ultimate decision. Discussion was held on the process moving forward, including discussion and setting a public hearing for the November meeting and then to the County and Township Board.

Pacheco explained what is before the Commission is an amendment to add a permitted use table to Article 7 of our Zoning Ordinance. He explained the current layout of Article 7 and the proposed, which would encompass all of the permitted uses in one table. He explained the change to 7.7.1 and Article 8 that defines all of the regulations for the individual uses which would be moved to a new 7.7.6 to be called Specific Use Regulations. He explained how that interacts with the table. He discussed streamlining the ordinance and making it more easily useable. He stated that he did not include in any of the mixed development uses and explained the reasoning and the fact that there are only three parcels that would allow the mixed use. He stated that this is not a big change, but rather re-organizing it and getting rid of language that is unnecessary.

Pacheco discussed some of the added uses such as Adult Uses in order to limit where they are located rather than simply retail business, etc. He discussed the Live-work, definition; live above, live behind or live in front and where they are permitted with the associated regulations. Discussion was held on the regulations for the commercial use with living space. Discussion was held on the regulations for the various districts as well as the special use process. Pacheco stated that the Commission can look at the uses allowed and see if there is a valid reason to allow them in a different zoning district.

Discussion was held on the Commission taking time to review the suggested changes and make suggestions to staff for consideration and discussion at the next meeting. It was stated that we could separate the live-work and/or air b&b issues to be handled as a separate amendment if the Commission chooses.

Planner Pacheco and Planning & Zoning Administrator Madigan discussed some of the other proposed changes such as kennels, campgrounds, home occupations, motor vehicle sales, etc. as well as some of the language that has been eliminated. Pacheco discussed the changes to Article 8.

Discussion was held on the importance of taking time and reviewing all of the proposed changes and the shifting of things so that nothing is missed. Discussion was held on the publishing of the ordinances and changes.

Further discussion was held on this item being on the agenda again next month for further discussion. Any comments should be emailed or dropped off to Township Hall by October 8th.

7. **OLD BUSINESS:** None

8. **ZONING ADMINISTRATOR'S REPORT:**

Chris Madigan, Planning & Zoning Administrator, gave an update on active projects. He stated that we are getting closer to submittals for residential developments. Discussion was held on the Kroger proposal.

Discussion was held on the status of the current air b&bs, and if we eliminate the use with the proposed amendment.

9. **ADJOURNMENT**

Motion by Bohn, supported by Priebe

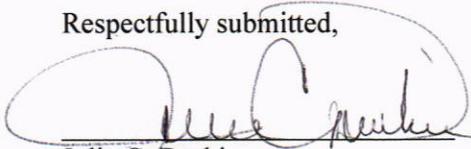
To adjourn the meeting

VOTE:

MOTION CARRIED UNANIMOUSLY

The Regular Meeting of the Planning Commission was adjourned at 8:32 p.m.

Respectfully submitted,



Julie C. Durkin
Recording Secretary

The minutes were approved as presented/Corrected: _____


Jeff Muck, Chairperson