

CITY OF HARBOR SPRINGS
PLANNING COMMISSION MEETING
MINUTES – 17 September 2009

Chairman Fred Walstrom called the meeting to order at 6:00 PM in the Harbor Springs City Council Chambers, 160 Zoll Street, Harbor Springs, MI, 49470

I. Roll Call and Verification of a Quorum

Present: Chairman; Fred Walstrom, Commissioners; Andrew Bowman, Mary Ellen Hughes, Laura Kors, Lee Kramer, Sheryl McCleery and Sara Smith

Absent: Commissioners Jack Deegan and Jeffery Ford

Also Present: City Manager; Tom Richards, City Planner; Larry Nix, resident; John DeGarmo

II. Approval of Minutes – Meeting of August 20, 2009

In discussion of the minutes, Smith pointed out the word “Pastry” was misspelled on page 3, item D. With that correction, a motion was made by Kors and supported by Smith to approve the minutes of the August 20 meeting. The motion was approved by a unanimous vote of the commissioners present.

III. Public Comments

Chairman Walstrom asked if there any correspondence had been received, or if any member of the public had comments or questions on any issue not on the agenda. John DeGarmo introduced himself, and explained that he understood the issue of temporary “for rent” signs was on the agenda for discussion.

Chairman Walstrom asked if there was any objection to moving that question (item B) up in the agenda. Without objection, the agenda order was changed to address that item first.

IV. New and Old Business

A. **Restrictions on Temporary Rental Signs:**

Richards reviewed his brief to the Commission, explaining the discrepancy between zoning code regulations on signage allowed for an owner selling property, and an owner offering property for a long term lease. Richards explained that Mr. DeGarmo expressed that he felt he was unfairly disadvantaged as a landlord trying to attract renters.

It was explained that the “for rent” signage allowed by code was much more restricted than the signage allowed if the property was “for sale”.

Discussion followed about the distinction between properties offered for short term ‘seasonal’ rentals, versus long term residential rentals (for the term of a year or more). Also discussed was the fact that rental signs, for long term rentals, are typically displayed only when the rental property is vacant.

Planner Nix suggested the possibility that the City could require rental properties to be licensed and that the signage permitted could be different depending upon the commitments made in the permit application by the property owner.

Discussion followed about the suggestion that all signage (including “for sale” signs) be held to the more restrictive standard of rental signs. Also discussed was the suggestion that signs are not necessary as a means to find buyers or renters, as demonstrated in Wequetonsing and Harbor Point.

Richards proposed the concept of managing the look, size and location of “for rent” signs by allowing only a City-provided sign to be posted in front of a long-term rental property.

Mr. DeGarmo explained that he owns several (long term) rental properties in the region, but he feels that the restrictive sign regulations of Harbor Springs result in a much lower response rate than his other properties (in other jurisdictions), where he is allowed post a sign near the street. He felt that the restrictive regulations make his Harbor Springs properties more difficult to rent... and therefore the ‘for rent’ signs may need to be posted for a longer period.

Discussion followed about the getting advice from the City Attorney on the possibility of creating a distinction between seasonal/vacation rentals versus the long term lease of a home. Some Commissioners felt that short term rentals are more of a tourism / business function than a property owner renting a home for a long period.

Also discussed was the opinion that the signs advertising long-term rentals were less likely to be needed frequently, or to be posted for long periods of time.

Discussion followed about managing the type and appearance of rental signs, which tend to be less professional and less consistent than ‘for sale’ signs.

Nix and Richards proposed discussing the question with the City Attorney to explore some options on making the rental sign issue more equitable and manageable.

Discussion followed about the property owners' various options of advertising rental properties (seasonal and long term) and the effectiveness of the various options. Mr. DeGarmo felt strongly that yard signs have been critically important in attracting renters. He also reiterated that has rental properties in other cities, but Harbor Springs has the most restrictive regulations regarding for-rent signs.

Richards and Nix indicated that they would review the options with City Attorney Ramer and bring recommendations to the Commission at the next meeting.

B. Restrictions on Yard Sale Signs:

Richards briefed the Commission on a question of apparent conflict in the City Code (section 77.103) regarding signs to advertise permitted yard / garage sales.

Richards noted that one part of the regulation indicates that "one yard sale sign is permitted per site" and another statement states the requirements for "off site signs", implying that multiple signs are permitted.

Planner Nix asked if this had been a controversial issue, and whether new regulations could become an administrative problem for the City staff. Richards explained that off-site signs are frequently removed by the police department. Usually those signs are illegally located in the street right-of-way.

Discussion followed about the existing regulations and restrictions on yard sales. Council members shared opinions that while the language may not be as clear as it could be, further regulation or clarification may not be necessary.

The general consensus of council was that residents requesting a permit for a garage sale could be advised that off-site signs are allowed, but must be placed on private property with the permission of the property owner.

C. Review – Set Public Hearing – Ordinance 373 – Setback and Lot Coverage

Richards explained that the lot coverage restrictions approved at the August meeting had been incorporated into the revised ordinance (ordinance 373) which was before the Commission.

The Commission reviewed the final language of the ordinance. Nix clarified that the special exception for the Southard and Crandall's plat was no longer in

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the ordinance. Richards noted that he had shared the proposed ordinance with Mr. Wiggins and had advised him that the item was being reviewed at the meeting.

By consensus, the Commission agreed to set a public hearing for the ordinance for the October 15 meeting at 6:00 PM.

V. Member Comments

There were no member comments offered by Commissioners

VI. Adjournment

With no further business, Chairman Walstrom adjourned the meeting at 6:57 PM.

Thomas Richards, City Manager