

Cleveland Township Planning Commission

Cleveland Township Hall, Leelanau County, Michigan

Regular Minutes, March 1, 2023

1. Call to Order: Chair Manikas called the regular meeting to order at 7:00 PM

Roll Call: Chair Dean Manikas, Vice Chair Paul Stowe, Secretary Victoria Sutherland, and Board Rep Todd Nowak. Absent Taylor Moore.

2. Consideration of the Agenda: Accepted as presented.

3. Public Comment: None

4. Pronouncement of any Conflict of Interest: None declared

5. Consideration of February 1, 2023 Public Hearing and Regular Planning Commission Minutes: Members reviewed the minutes. MOTION BY SUTHERLAND AND SECOND BY STOWE TO ACCEPT THE MINUTES AS PRESENTED. Motion passed 4-0.

6. Report by Chair:

- a. Public notices received from Solon Township they are doing their Master Planning. They had to reissue notices.
- b. Forwarded the Citizen Planner information from Trudy. There is an online version available that can be done at your pace if the scheduled version does not work for you.
- c. Forwarded a letter from Dan Griffin to the Planning Commission about short term rental ordinances.
- d. Zoning Administrator Sheehan is working with the Leelanau Conservancy in regards to the boardwalk that is being put in.

7. Reports and Correspondence by Members:

- a. Vice Chair Stowe reported that he found out that the Planning Commission can have meetings on Zoom and receive public comments on Zoom. Commissioners however, cannot vote on Zoom.

8. Report by Zoning Administrator: None

9. Continuing Business:

- a. Zoning Amendments, deferred edits:

1. Cleveland Township Planning Commission reviewed the comments from the Leelanau County Planning Commission Meeting on the proposed amendments to Sections 5.08, 5.02, 9.11, and 3.19.
2. MOTION TO RECOMMEND THE CLEVELAND TOWNSHIP BOARD ADOPT THE AMENDMENTS TO SECTIONS 5.08, 5.02, 9.11, and 3.19 BY MANIKAS AND SECOND BY SUTHERLAND. Motion passed 4-0.

b. Short Term Rental Ordinance

1. Due to the current climate with short term rentals, the following language regarding short term rental in Cleveland Township is recommended when responding to inquiries. "Current and past conditions for short term rentals are non compliant use and civil infractions in Cleveland Township. You have no right to this commercialization of residential properties. We are writing an ordinance to allow some short term rentals with standards and conditions to operate within Cleveland Township. The Cleveland Township Board may decline what we write, they might accept it, or they might amend it."
2. Section 1 (C) – change to "All short term rental are in violation unless permitted."
3. Section 1(D) – add permitted
4. Section 3 – add and define Septic Inspection Report
5. Section 4 (J)(2) – add (d-i) site plan drawn to scale for each unit, including parking with each parking space mapped out, proof of valid property insurance for each unit being licensed for short term rentals, proof of valid liability insurance for the owner, floor plan drawn to scale with dimensions, zone designation and street address for each unit, and current septic inspection certificate.
6. The Planning Commission discussed the possibility of setting a minimum requirement for liability insurance. Discussion included options for how that minimum might be determined and what might affect the minimum, including attorney input during review of ordinance.
7. Section 4 – add introduction paragraph "An owner of any dwelling located within Cleveland Township shall not rent, or allow to be rented, a dwelling unit to another person for less than 30 days at a time, unless the owner has obtained a short term rental license for that dwelling unit in accordance with the requirements of this Ordinance."
8. Section 4(F) – edit to state "The Short Term Rental Permit shall be issued to the individual owner of the property (not a corporate entity)

and cannot be transferred to another Owner or Property. The Short Term Rental Permit is not transferable if the property sells and does not run with the Property itself.”

9. Section 4(B) – Change application deadline date to November 15th. 10. No exceptions for permits (two week rentals, etc.)

11. The Planning Commission discussed occupancy limits for short term rentals, including determining how many bedrooms and maximum occupants in a short term rental. It was also discussed how a bedroom is defined and what agency determines the number of bedrooms in a home. Section 5 will need to be reviewed and edited to meet the standards for Cleveland Township.

10. Public Comment: None

11. MOTION TO ADJOURN BY STOWE AND SECOND BY NOWAK. Motion

passed 4-0. Adjournment at 8:01 PM.

Updated and submitted April 6, 2023

Victoria Sutherland, Secretary

Cleveland Township Planning Commission