



**ACME TOWNSHIP PLANNING COMMISSION MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
June 11, 2018 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 p.m.

ROLL CALL: Members present: K. Wentzloff (Chair), S. Feringa (Vice Chair), B. Balentine, D. Rosa, M. Timmins (Secretary), D. VanHouten, D. White

Members excused: none

Staff present: S. Winter, Planning & Zoning Administrator, V. Donn, Recording Secretary

A. LIMITED PUBLIC COMMENT: Limited Public Comment opened at 7:02 pm and closed at 7:02 pm with no public comment.

B. APPROVAL OF AGENDA:

Motion by Timmins to approve agenda as presented, supported by White. Motion carried unanimously.

C. INQUIRY AS TO CONFLICTS OF INTEREST:

White recuse himself from J. OLD BUSINESS, 1. Zoning Ordinance Amendment 046- Solar Energy Farms.

D. SPECIAL PRESENTATIONS:

1. Short-Term Rentals – Wentzloff and Balentine

Wentzloff and Balentine attended a seminar hosted by Networks Northwest to learn about the impact of the growing short-term rental industry and regulations. Wentzloff talked about specifics, percentages and types of rentals in Michigan and GT area that were given at the meeting. The seminar ended with a panel consisting of individuals from local industries who gave their perspectives on the topic.

E. CONSENT CALENDAR:

1. RECEIVE AND FILE

- a. Township Board Meeting Draft Minutes 06/05/18
- b. Parks and Trails Committee Meeting Draft Minutes 05/18/18

2. ACTION:

- a. Adopt Planning Commission Meeting Draft Minutes 05/14/18

Winter requested to remove 2. a. Adopt Planning Commission Meeting Draft Minutes 05/14/18 from the Consent Calendar to item F. 1. ITEMS REMOVED FROM THE CONSENT CALENDAR.

Motion by Timmins to remove 2. a. Adopt Planning Commission Meeting Draft Minutes 05/14/18 from the Consent Calendar, supported by White. Motion carried unanimously.

F. ITEMS REMOVED FROM THE CONSENT CALENDAR:

- 1. 2. Action, a. Adopt Planning Commission Meeting Draft Minutes 5/14/18, should be changed under J. Old Business: 1. Zoning Ordinance Amendment 049- Map Amendment, in the Motion to be carried by 6 instead of 5 and to included VanHouten.

Motion by Timmins to approve the Planning Commission Meeting Draft Minutes 5/14/18 with correction under J. Old Business: 1. Zoning Ordinance Amendment 049- Map Amendment, the motion changed to carried by 6 instead of 5 and to include VanHouten, supported by Balentine.

Motion carried unanimously.
G. CORRESPONDENCE: None

H. PUBLIC HEARINGS: None

I. NEW BUSINESS: None

J. OLD BUSINESS:

1. Zoning Ordinance Amendment 046 – Solar Energy Farms

White recused himself from this topic.

Winter distributed to the board copies of an article from the Traverse City Record-Eagle pertaining to solar energy.

Winter informed version 2 of the draft zoning ordinance amendment has changes in 9.28.2 c. Setbacks, as discussed at the last meeting. New language was put in adding, at least 20 feet from side/rear property lines, and 50 feet on the front along a road right-of-way easement. Section 9.28.2, h. Landscaping has been modified based on a more prescriptive screen requirement with considerations to residential uses and districts. Section 9.28.3, 1. Township Review has been deleted from the draft per counsel's request.

It was decided after further discussions to amend the ordinance with the following for Version 3; 9.28.2 Standards c. Setbacks, change 500 feet to 200 feet from an existing residential dwelling, replace the word structure with dwelling, revise wording and add under h. Landscaping 3. Buffer, i. along the property line adjacent to all residential zoning districts, ii. If solar panels are located within two hundred (200) feet of a public road right-of-way., iii. Along the property line for the portion of the project within a two hundred (200) foot radius of a residential dwelling in a non-residential zoning district.

Motion by Timmins to recommend the approval of the Zoning Ordinance Amendment 046 which will allow and regulate utility-grade solar energy farms to the Township Board as amended in the meeting and incorporate as Version 3 in the minutes, supported by Feringa. Motion carried by 6 (Balentine, Timmins, VanHouten, Wentzloff, Rosa, Feringa), recused White.

2. Capital Improvements Plan – Scoring

Feringa gave a final CIP draft with one correction made to Acme Connector Trail (ACT) changing the estimated amount to \$220,838. The summary was ranked in priority with estimated costs for each project. The list is completed and ready to send to the Township Board for review.

Motion by Balentine to send the Capital Improvements Plan with the correction to board, supported by VanHouten. Motion carried unanimously.

K. PUBLIC COMMENT & OTHER PC BUSINESS

Public Comment opened at 8:30 pm and closed at 8:30 pm with no public comment.

- 1. Zoning Administrator Report - Shawn Winter:** Reported Beckett & Raeder and Acme Township have received an award from Improving Michigan's Access to Geographic Information Networks (IMAGIN) for the Acme Solar Suitability Analysis. The award will recognize Beckett & Raeder for GIS Innovation of the Year and Acme for being a municipal pioneer in solar suitability analysis through GIS. The award will be presented at the annual conference on June 19 at the Park Place. Winter added next week due to the construction at Bayside Park there will be one traffic lane closed.
- 2. Planning Consultant Report - John Iacoangeli:** No Report
- 3. Township Board Report – Doug White:** No Report
- 4. Parks & Trails Committee Report - Marcie Timmins:** No Report

ADJOURN: Motion to adjourn by Timmins, supported by Balentine. Meeting adjourned at 8:34



ACME TOWNSHIP PLANNING COMMISSION MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
June 11th, 2018 7:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE

ROLL CALL:

- A. LIMITED PUBLIC COMMENT:** Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator's discretion
- B. APPROVAL OF AGENDA:**
- C. INQUIRY AS TO CONFLICTS OF INTEREST:**
- D. SPECIAL PRESENTATIONS:**
 - 1. Short-Term Rentals – Wentzloff and Balentine
- E. CONSENT CALENDAR:** The purpose of the consent calendar is to expedite business by grouping non-controversial items together for one Commission motion without discussion. A request to remove any item for discussion later in the agenda from any member of the Commission, staff or public shall be granted.
 - 1. **RECEIVE AND FILE**
 - a. Township Board Meeting Draft Minutes 06/05/18
 - b. Parks and Trails Committee Meeting Draft Minutes 05/18/18
 - 2. **ACTION:**
 - a. Adopt Planning Commission Meeting Draft Minutes 05/14/18
- F. ITEMS REMOVED FROM THE CONSENT CALENDAR**
 - 1. _____
 - 2. _____
- G. CORRESPONDENCE:**
- H. PUBLIC HEARINGS:**
- I. NEW BUSINESS:**
- J. OLD BUSINESS:**
 - 1. Zoning Ordinance Amendment 046 – Solar Energy Farms
 - 2. Capital Improvements Plan – Scoring
- K. PUBLIC COMMENT & OTHER PC BUSINESS**
 - 1. Zoning Administrator Report – Shawn Winter
 - 2. Planning Consultant Report – John Iacoangeli
 - 3. Township Board Report – Doug White
 - 4. Parks & Trails Committee Report – Marcie Timmins

ADJOURN:



MEMORANDUM

Planning and Zoning

6042 Acme Road | Williamsburg, MI | 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

To: Acme Township Planning Commission
From: Shawn Winter, Planning & Zoning Administrator
CC: Jeff Jocks, Counsel; John Iacoangeli, Planning Consultant
Date: June 6, 2018
Re: June 11, 2018 Planning Commission Packet Summary

A. LIMITED PUBLIC COMMENT:

Open: _____ **Close:** _____

B. APPROVAL OF AGENDA:

Motion to approve: _____ **Support:** _____

C. INQUIRY AS TO CONFLICTS OF INTEREST

Name: _____ **Item:** _____

Name: _____ **Item:** _____

D. SPECIAL PRESENTATIONS:

E. CONSENT CALENDAR:

1. RECEIVE AND FILE:

a. Township Board Meeting Draft Minutes 06/05/18

b. Parks and Trails Committee Meeting Draft Minutes 05/18/18

2. ACTION:

a. Approve Draft Planning Commission Meeting Draft Minutes 05/14/18

Motion to adopt: _____ **Support:** _____

F. ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR:

1. _____

2. _____

G. CORRESPONDENCE:

H. PUBLIC HEARINGS:

I. NEW BUSINESS:

J. OLD BUSINESS:

1. Zoning Ordinance Amendment 046 – Solar Energy Farms

Version 2 (V2) of the draft zoning ordinance amendment to allow and regulate solar energy farms (e.g. utility-scale solar installations) has been enclosed in the packet. Changes from what has previously been distributed include:

- Section 9.28.2(c) "Setbacks" was discussed with an intent to add language stating

the setbacks will meet those of the zoning district, but be at least 20 feet from side/rear property lines, and 50 feet on the front along a road or right-of-way easement. Looking at other ordinances, and given the concerns brought up at previous meetings about aesthetics, V2 not has a 50 foot setback for the whole development. This meets or exceeds the setbacks of all but one district (B-4 front setback is based on lot depth, but capped at 60 feet).

- Section 9.28.2(h) “Landscaping” has been modified the most from the previous draft. Basing the changes again on the discussions related to aesthetics, the new language is more prescriptive in the screening requirements, with additional considerations given to residential uses/districts. The intent is to establish an effective screen around the property, eliminating any requirement for berming that I feel will be rather ineffective while also extremely costly. There had been mention of habitat disruption, which is why native grasses, flowers, and plants are called for in the new buffer area to help establish habitat and pollination opportunities. This section should be discussed carefully at this month’s meeting since most of the past discussions have focused on this issue.
- Section 9.28.3(l) “Township Review” has been struck from the draft per counsel’s request.

Hopefully these changes address some of the previously discussed concerns. The draft can easily be changed at the meeting as requested. Although I do believe these changes will help with some of the visual concerns, it should be noted that given the rolling topography of the Township it will be impossible to completely screen these installations from every vantage point. It then becomes a question of tolerance level the community is willing to except if these were to be installed.

Suggested Motion for Consideration:

Motion to recommend approval of zoning ordinance amendment 046 which will allow and regulate utility-grade solar energy farms to the Township Board.

2. Capital Improvements Plan – Scoring

Last month the PC scored the CIP plan while also removing projects that were not truly capital projects. Prior to recommending approval of the draft to the Board, a cleaned up copy was requested. That new version has been included in the packet for your review.

Suggested Motion for Consideration:

Motion to send the Capital Improvement Plan worksheet with established ranking the Township Board with recommendation for approval.

K. PUBLIC COMMENT & OTHER PC BUSINESS:

1. Public Comment:

Open:

Close:

2. Zoning Administrator Report: Shawn Winter

• **Permits** (since May 14, 2018)

➤ Land Use Permits – 6

- LUP 2018-15 New home, 4077 Windward Way
- LUP 2018-16 New home, 3867 Kennedy Place
- LUP 2018-17 New home, 4836 White Rd
- LUP 2018-18 Demo (accessory), 8250 Bennett Rd
- LUP 2018-19 Accessory structure, 8841 Birchview
- LUP 2018-20 Accessory structure, 4532 Hampshire

- Sign Permits – 2
 - SIGN 2018-08 Temporary, Dr. Chappell Chiropractic
 - SIGN 2018-09 Temporary, Pro Fireworks
- Tourist Homes – 1
 - TH 2018-04 8866 Crockett Rd
- The Board approved Zoning Ordinance Amendment 049 – Map amendment at their June meeting.
- Beckett & Raeder and Acme Township have received an award from Improving Michigan’s Access to Geographic Information Networks (IMAGIN) for the Acme Solar Suitability Analysis. The award will recognize Beckett & Raeder for GIS Innovation of the Year and Acme for being a municipal pioneer in solar suitability analysis through GIS. The award will be presented at the annual conference on June 19 at the Park Place.

3. **Planning Consultant Report:** John Iacoangeli
4. **Township Board Report:** Doug White
5. **Parks & Trails Committee Report:** Marcie Timmins

L. **ADJOURN:**

Motion to adjourn:

Support:

Shawn Winter

From: Karly Wentzloff <karly.wentzloff@gmail.com>
Sent: Monday, May 21, 2018 11:23 AM
To: Shawn Winter
Subject: Short Term Rentals

Since 2016 there has been a 233% growth in short term rentals in Michigan

25,000 unique rentals and 1200 listings in GT County, for a total of 900 unique rentals.

84% of rentals are entire home rentals

70% of STRs are single family homes (not condos)

Less than 105 of owners register and pay their fair share of property taxes

prohibition is not effective- for example in Santa Monica \$31,000 in revenue from citations- but the municipality spent \$400,000 to enforce and collect that money

large emphasis on getting proper enforcement for the nuisance laws already on the books

Ulrich Binzer from Host Compliance (Sutton's Bay is contracting them) They enforce ordinances and manage STRs in municipalities. Argues that it pays for itself to hire them.

Ended with a panel of

Jonathan Peck- Cherry Tree Inn and Traverse City Tourism

Jennifer Rigerink- Michigan Municipal League

Teresa Woods- Visit Up North

Tom Nixon- Sutton's Bay township

Greg Bryan- Charlevoix City Council/ Realtor

main take away 'Don't harm the property owners who have been doing it the right way for decades, hiring professionals etc. '

I will be happy to talk about it at the meeting, but I wanted to type up my notes!



Coldwell Banker Schmidt Realtors | WCR | PMN | ABR | SRS | SFR
m 231.944.9800 | f 231.946.1384 | 402 e. front street traverse city, mi 49686
www.karlywentzloff.com | karly.wentzloff@gmail.com



**Networks
Northwest**

Talent / Business / Community

SHORT TERM RENTALS

MAY 16, 2018

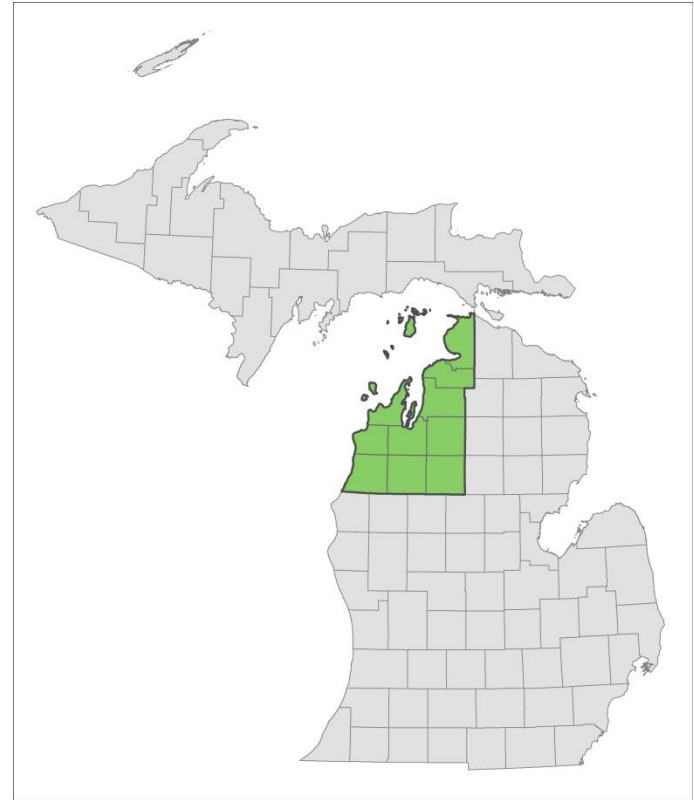
NETWORKS NORTHWEST

10-county agency service areas

- Talent/Workforce
- Businesses
- Communities

Community Development Department

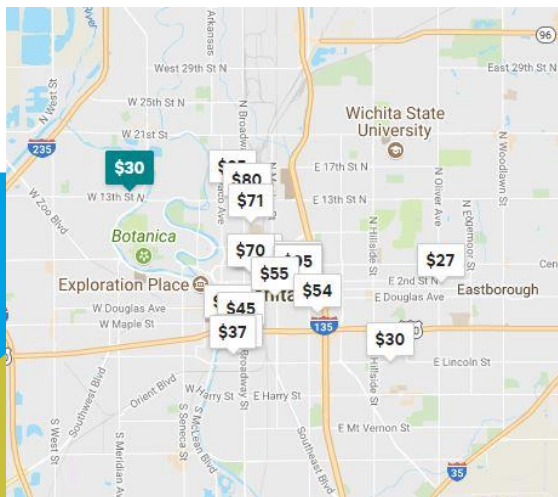
- Master Plans
- Recreation Plans
- Transportation Planning
- Planning & Zoning Services
- Educational workshops



*Antrim, Benzie, Charlevoix, Emmet, Grand Traverse, Kalkaska,
Leelanau, Manistee, Missaukee, Wexford Counties*

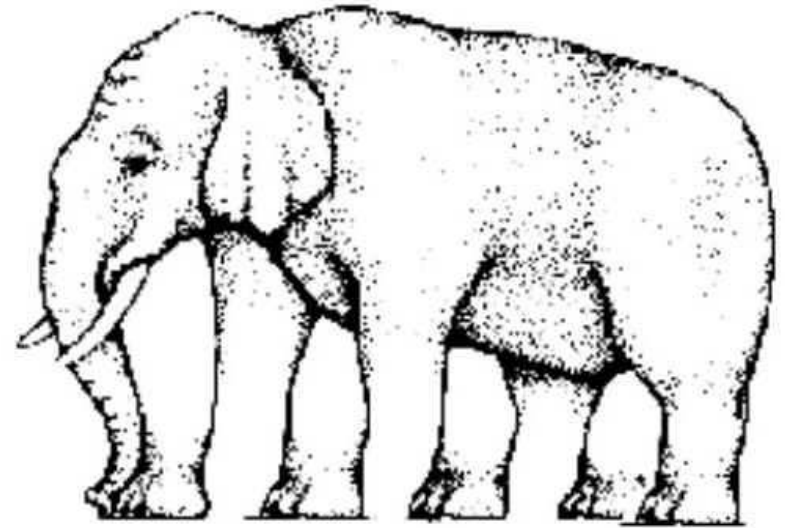
SHORT TERM RENTALS ARE EVERYWHERE

- Short Term Rentals exist everywhere
- They are not new
- They are not a trend
- They are not going away
- \$100 billion global market



MANY VIEWPOINTS

- Homeowner
- Neighbors
- Local government
- Realtors
- Local Chamber of Commerce
- Area B&B, Motels, Hotels
- State Government



INDUSTRY VIEWPOINTS

- **National Association of Realtors:**
 - The right to rent is a core property right
 - Regulations should apply to every residence and not just those being rented
- **Insurance companies**
 - Any rental operation (long or short term) is a business and not a residential use, therefore it requires special insurance
 - Homeowners insurance does not cover actions/claims of the renters



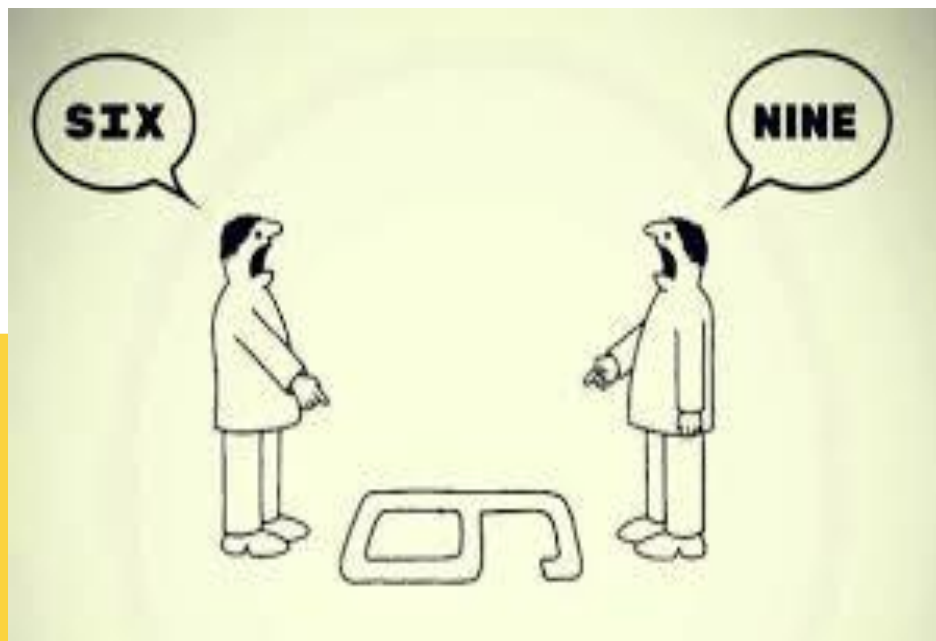
INTRODUCED LEGISLATION

- **Senate Bill 326 / House Bill 4503**
- **Short term rentals:**
 - **are a residential use** of property and a permitted use in all residentially zoned districts
 - **are not** subject to a special use or conditional use permit
 - **are not** a commercial use of property



COMMUNITY PERSPECTIVE

- There are many invested viewpoints
- Every community has varying issues (or not)
- Communities need to determine if it needs regulation
- There are many approaches to the idea of regulation



DIFFERENT COMMUNITY RESPONSES

Municipality	Not Allowed	Allowed	Allowed in Some Districts	Registration Only	Permit /License Required
Acme Township		X			X
Bingham Township		X			
Cadillac		X			X
Charlevoix		X		X	
Elk Rapids - Village			X		
Frankfort			X		
Harbor Springs		X			Special Land Use
Garfield Township			X		
Hayes Township			X		X
Long Lake Township				X-in discussion	
Milton Township		X		X	
Peninsula Township	X				
Suttons Bay Township		X			X
Suttons Bay -Village		X	X		X
Torch Lake Township	X				
Traverse City	X				

REMAIN BALANCED ON THE ISSUE

- Consider all interested parties
- Don't let one side set the agenda, even if they speak louder
- Regulate fairly



DETERMINE PRIORITIES FIRST

- Understand why you want to regulate
- What is important to the community?
 - Neighborhood character
 - Quality of life
 - Housing pressures
 - Nuisance issues
 - Safety
 - Regulatory consistency
 - Other?



GET PUBLIC INPUT

- Listen
- Let people express their opinion
 - Let them rant if they need
- Don't verify or refute
- Look for underlying patterns
- Address the root cause
- Discuss *before* it is a hot issue



SHORT TERM RENTALS ARE DIFFICULT TO REGULATE

- Make sure standards are enforceable
- Only adopt what you can and will enforce
- The more complex the ordinance the more difficult enforcement will be
- Consider time limits of staff



ORDINANCE CONSIDERATIONS

- Type of structure
- How many per parcel
- Minimum length of rental period
- Local contact person
- Notify the neighbors
- Maximum occupancy number
- Septic system inspection
- Parking
- Fireworks
- Noise
- Campfires
- Trash
- Watercraft
- Other?



RECAP

- Short term rentals are everywhere
- They are here to stay
- Everyone is invested and has an opinion
- Decide what is important to you community
- Take action?



CONTACT INFORMATION



Sarah Lucas, AICP

Community Development Director

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networksnorthwest.org/community



facebook.com/NNWCommunityDevelopment



SHORT TERM RENTALS: *Trends, Impacts, & Options*

May 2018

Agenda

- **Introduction**
- Michigan Short-term Rental Market Overview
- So What is the Big Deal?
- How to implement Fair and Effective Short-term Rental Regulations
- How to make the Rules Work on the Ground
- Q&A

Introduction:



- San Francisco based technology company
- World's leading provider of short-term rental compliance and enforcement technology for governments
- Team of seasoned technology executives and data-scientists

How we help:

- **Data:** Detailed Short-term Rental listing and activity data across the 50 top Short-term Rental websites (~99% of the Short-term Rental universe)
- **Compliance Monitoring:** Comprehensive suite of solutions to help local governments identify and address non-compliance with Short-term Rental ordinances
- **Consulting:** We help local governments draft and adopt enforceable Short-term Rental regulation that fits their specific needs and circumstances



More than 120 leading government institutions are looking to Host Compliance for guidance, data and solutions to their short-term rental challenges



Check <https://hostcompliance.com/clients/> for updates

We already have deep relationships in a number of communities in the Great Lakes Region



Suttons Bay Township

MARQUETTE *Michigan*



Agenda

- Introduction
- **Michigan Short-term Rental Market Overview**
- So What is the Big Deal?
- How to implement Fair and Effective Short-term Rental Regulations
- How to make the Rules Work on the Ground
- Q&A

Short-term rentals 101

Q: What are short-term rentals?

A: Rental of a residential dwelling units for periods of less than a month.

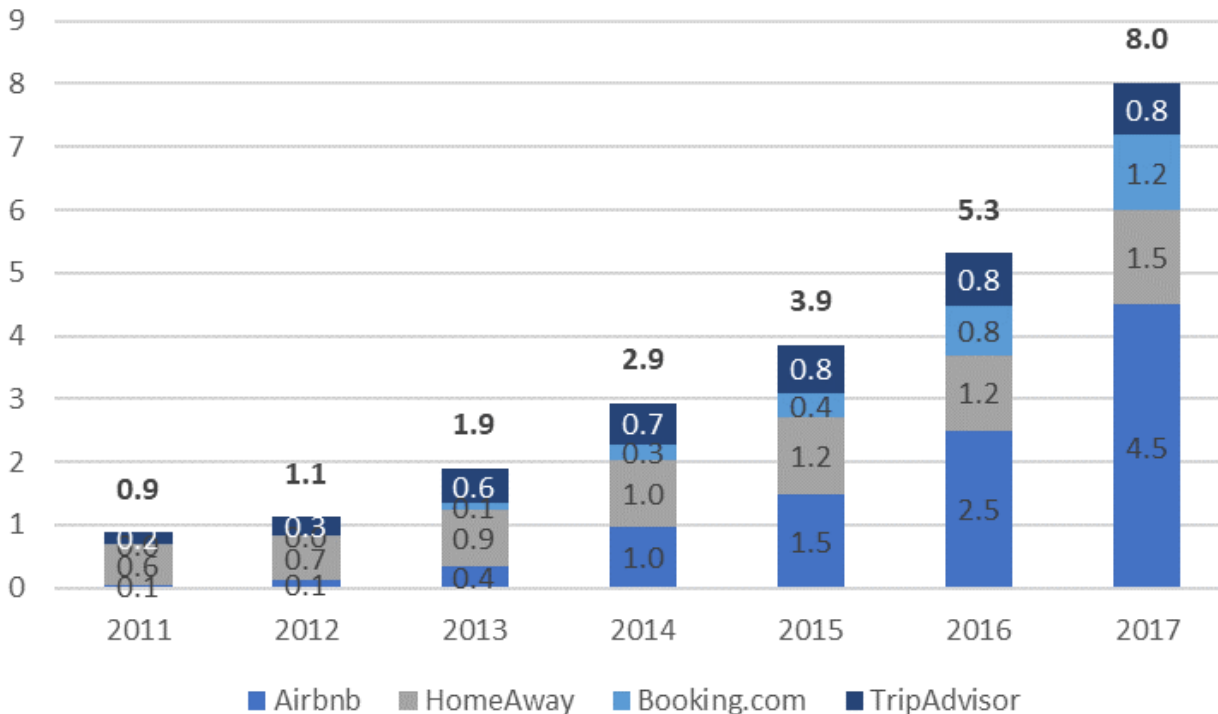
Q: What do Airbnb, VRBO and the 100s of other short-term rental platforms do?

A: Airbnb, VRBO and FlipKey etc. act as online marketplaces connecting travelers with local hosts. On one side the platforms enable people to list their available space and collect rent. On the other, the platforms enable travelers to easily book unique home stays.

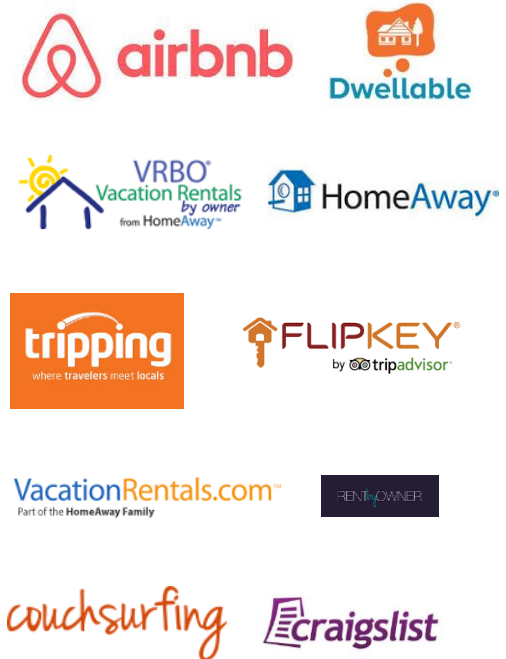
Market Context: AirBnb, VRBO and 100's of other vacation rental websites have turned vacation rentals into a booming (underground) economy...

The short-term rental market has grown 800% since 2011

Millions of Short-term Rental listings



Market is fragmenting



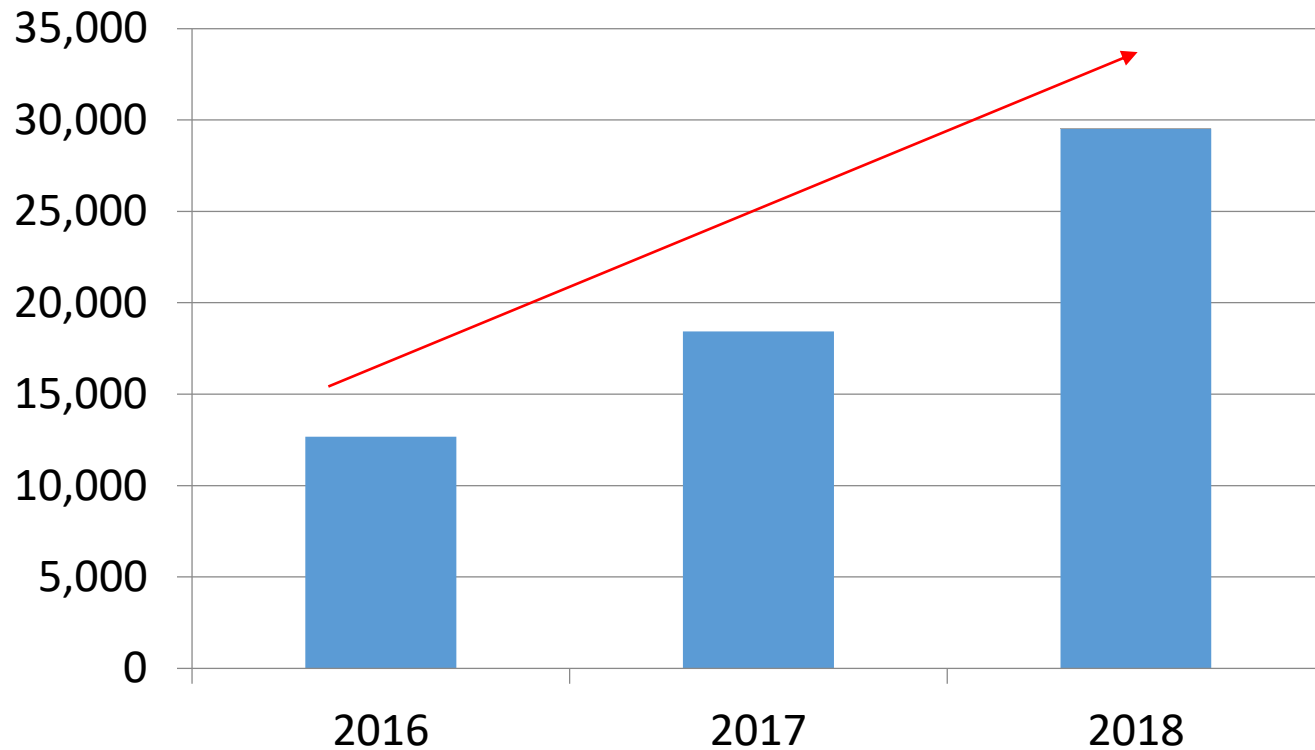
100+ other web platforms

Sources: AirBnB, Expedia, TripAdvisor and Booking.com



The number of short-term rental listings in Michigan has grown 233% since 2016

of Listing on Airbnb in Michigan

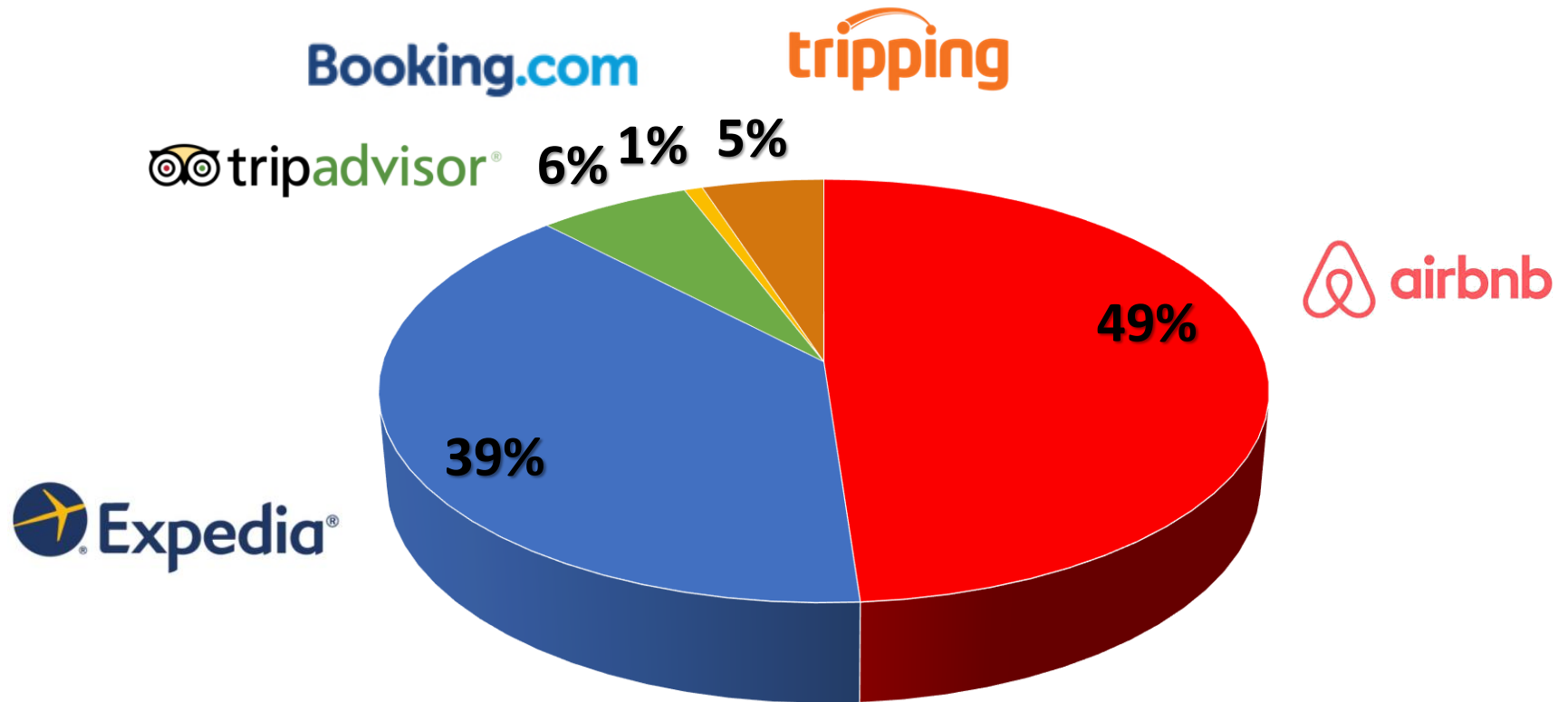


Sources: Host Compliance proprietary data

There are currently ~30,000 short-term rental listings in Michigan, representing ~25,000 unique rental units

Wayne County	2,395	2,257	Benzie County	448	381
Leelanau County	2,220	1,898	Roscommon County	418	314
Washtenaw County	2,191	2,049	Manistee County	390	255
Charlevoix County	1,748	1,316	Otsego County	368	280
Oakland County	1,582	1,462	Ingham County	348	344
Berrien County	1,427	1,130	Oceana County	344	307
Allegan County	1,160	791	Kalamazoo County	338	284
Grand Traverse County	1,159	948	Cass County	312	272
Kent County	876	810	Macomb County	294	286
Ottawa County	828	699	Muskegon County	288	233
Emmet County	809	676	Mason County	282	193
Van Buren County	800	648	Lake County	272	218
Antrim County	743	559	Marquette County	271	236
Gogebic County	626	464	Cheboygan County	267	213
Alger County	540	394	All Others	5,794	4,952
			Total	29,538	24,869

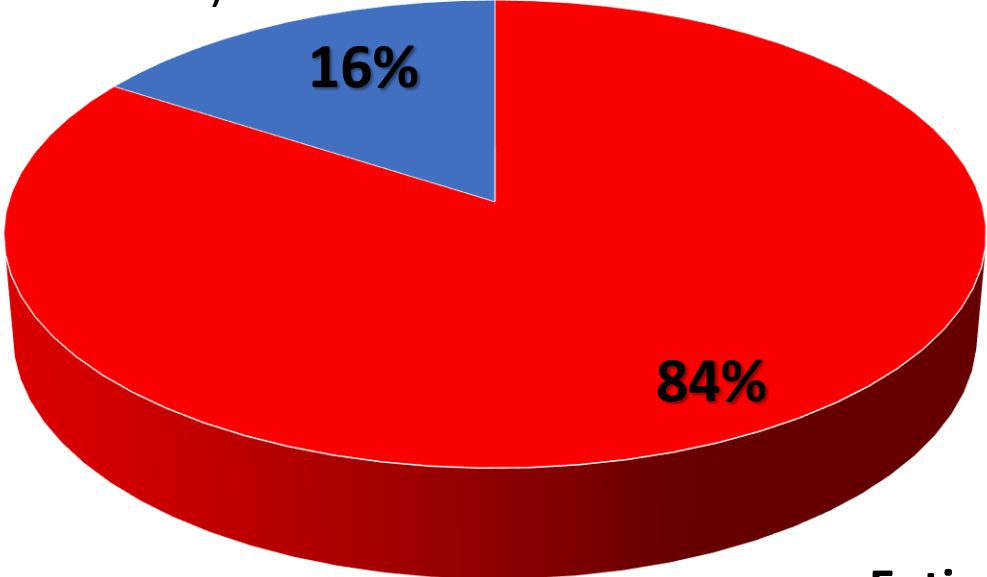
The Michigan Short-term Rental market is fragmented and Airbnb represents less than half of the total listings in the State



Sources: Host Compliance proprietary data

84% of Michigan's Short-term Rentals are entire home rentals (which are the types of rentals that generate the most revenue and have the biggest negative impact on housing affordability and the neighbors' quality of life)

Partial home rentals
(i.e. room rentals)

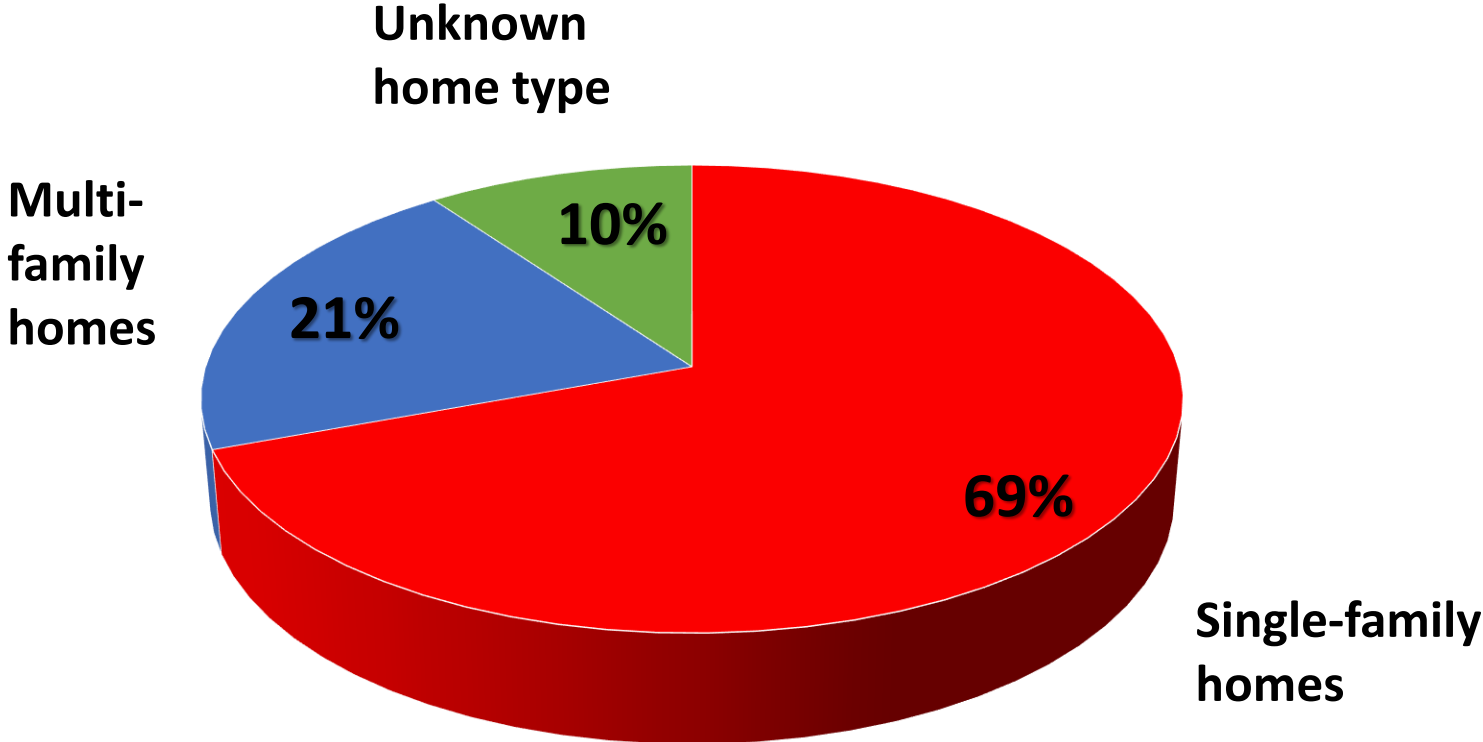


Entire home rentals
(i.e. traditional vacation rentals)

Sources: Host Compliance proprietary data



~70% of Michigan's short-term rentals are single family homes



Sources: Host Compliance proprietary data

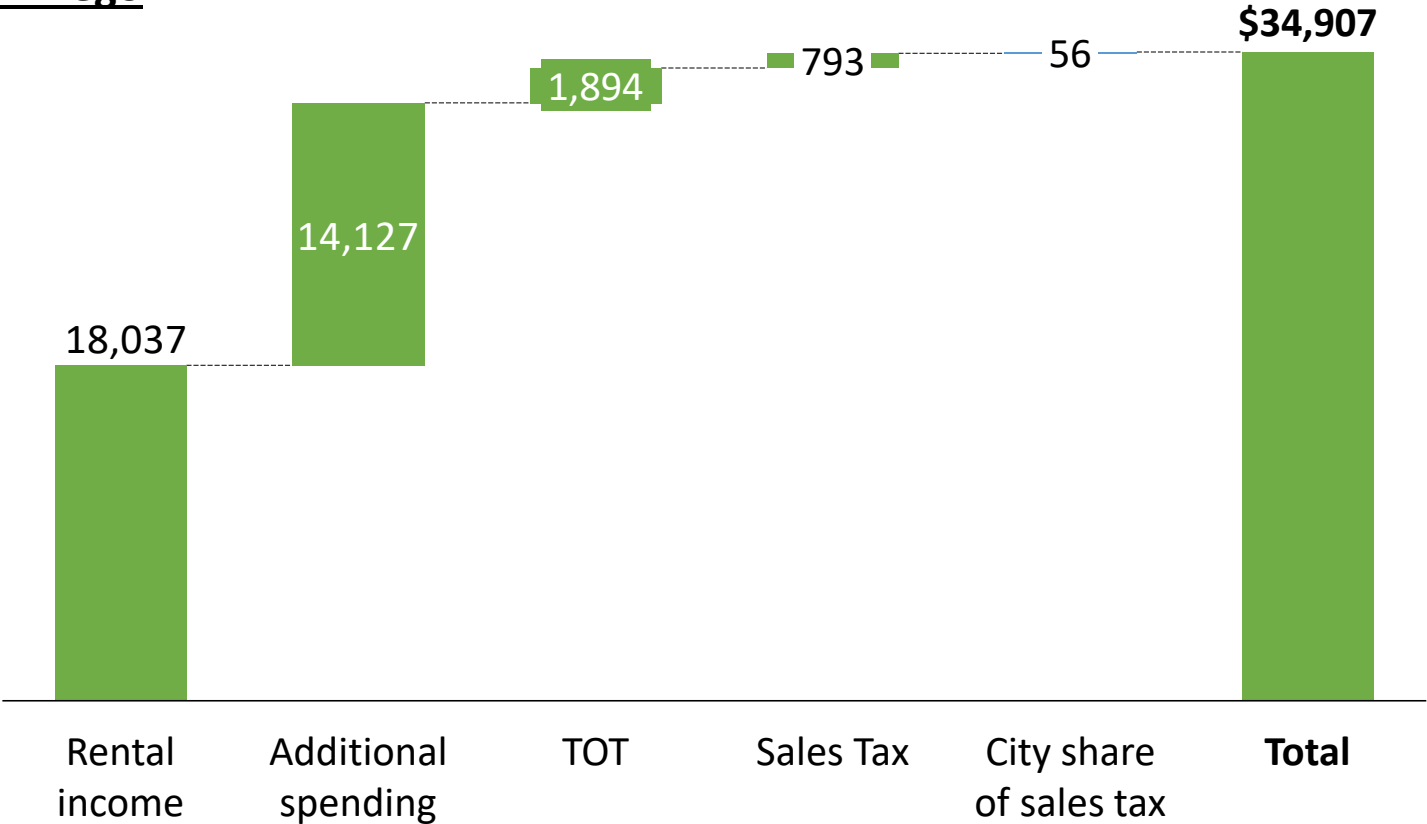


Agenda

- Introduction
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- **So What is the Big Deal?**
- How to implement Fair and Effective Short-term Rental Regulations
- How to make the Rules Work on the Ground
- Q&A

The Good: Short-term rentals can drive significant economic growth..

Example: Estimated Annual Economic Impact per Short-term Rental in the City of San Diego



Source: National University System Institute for Policy Research (October 2015)



The Bad: Short-term rentals can displace long-term tenants, alter the neighborhood character and raise legitimate parking, noise, safety, trash and fairness concerns

Conversion of long-term rentals into Short-term Rentals can affect



Increased tourism can change the neighborhood character



Visitors don't always know (or follow) local rules



Short-term renters may not care about keeping good neighborly relations



Increased occupancy can have negative trash related side-effects



Unfair competition from VRBOs can cause conflicts and hotel job losses



In some communities short-term rentals have caused significant neighborhood tension



Emmy Jodoin

“It is loud, and there is live music and karaoke stuff, and it’s all done outside because of the pool. They’re out in front at 4 in the afternoon waiting for their Uber to come, drunk on the front lawn.”

“We did not buy our house to be living next to a hotel. Would you buy a home if you knew a hotel like this was operating next door, if you wanted to set your life up and raise a family?”



Jessica C. Neufeld

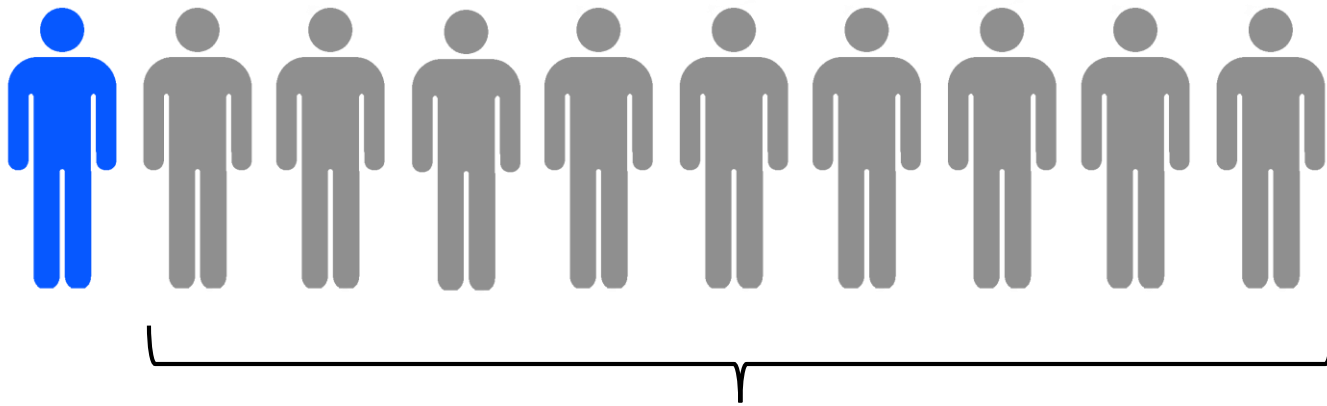


Hazel Old, age 11

“Sometimes, when they are outside, they’re playing beer pong just wearing their underwear”

Without proper enforcement, only a fraction of short-term rentals will get registered and pay their fair share of taxes

IN GENERAL LESS THAN 10% OF SHORT_TERM RENTAL OPERATORS VOLUNTARILY REGISTER AND PAY THEIR FAIR SHARE OF TAXES



Large potential for increasing tax revenue and fairness

... as a result, short-term rentals has become one of hottest topics in many Michigan communities

Airbnb rental explosion splits Traverse City

By Greg Tasker, Special to The Detroit News Published 12:00 a.m. ET March 20, 2018 | Updated



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Traverse City — With their three children grown and gone, Gary Schilkey and his wife, Lisa, spruced up a small studio apartment at the rear of their century-old

In the age of Airbnb, Michigan beach towns try to balance renters and residents

By DOUG TRIBOU • APR 28, 2017

PROGRAM Morning Edition TWEET SHARE Google+ EMAIL



Grand Haven City Council voted to limit the number of short-term rentals in certain neighborhoods.

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Business Bridge

Airbnb battle brews in Lansing

October 17, 2017 Lindsay VanHulle Business Bridge

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The last time the fire suppression system was updated at the historic hotel Bob Pierce manages not far from The Henry Ford in Dearborn, it cost the owner close to \$750,000.

Pierce, general manager of the Dearborn Inn, has employees who monitor the property around the clock. Yet he doesn't expect homeowners who take on paid guests to install fire sprinklers or employ a 24-hour surveillance crew if they decide to rent their houses to travelers.

That's what Pierce said bothers him about home-sharing companies like Airbnb and HomeAway, which use digital platforms to connect travelers with individual homeowners who rent out their houses for short stints: They don't have to play by the same, cost-boosting rules.

An effort brewing in Lansing to prevent cities and townships from using their zoning laws to decide how and where homeowners can rent out their homes — in essence, setting up restrictions on Airbnb rentals — has hotel operators squaring off against real estate agents in a debate over the definition of a hotel.

Pierce, and the lodging industry at large, insists he welcomes the competition. But hoteliers think short-term rentals — particularly those with frequent guest turnover — are essentially commercial properties, not homes, and should be regulated as such.

The hotel industry has company from city and township leaders, who say they know better than Lansing about how to govern their specific communities, and from neighbors who say short-term rentals have created a host of problems in their communities, from parking to noise.

They claim that home-sharing as originally intended — people renting a room in a house occupied by the owner — has been superseded by an increasing and, they say, disturbing trend of people snatching up multiple housing units solely to lease them for short vacation stays. Though a national hotel group commissioned a study on the subject, evidence of that happening in Michigan is mostly anecdotal.

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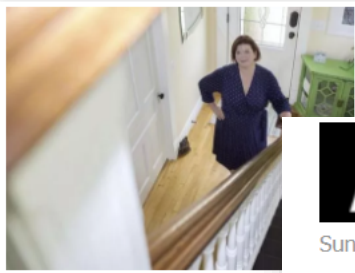
Managed Services. Why It's Good for Business

...as well as an issue of heated debate at the state level

Vacation rental bans under state scrutiny

Jonathan Oosting, Detroit News Lansing Bureau

Published 12:05 a.m. ET Oct. 9, 2017 | Updated 9:11 a.m. ET Oct. 9, 2017



(Photo: Tessa Lighty / AP)

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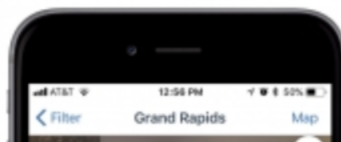
Sunday, 12 November 2017 15:00

'Ban the ban': As apps increase access to short-term rental properties, Lansing tries to catch up

Written by [Andy Balaskovitz](#)

font size [-](#) [+](#) | [Print](#) | [Email](#)

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A proposal to prohibit local units of government from banning short-term rental properties like those found through Airbnb has attracted



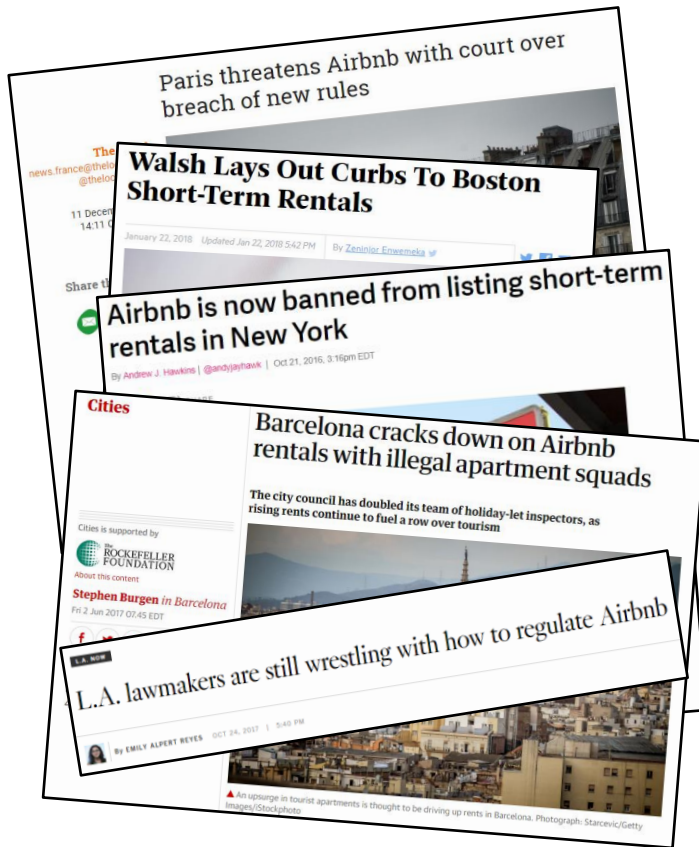
HOST COMPLIANCE

Agenda

- Introduction
- Michigan Short-term Rental Market Overview
- So What is the Big Deal?
- **How to implement Fair and Effective Short-term Rental Regulations**
- How to make the Rules Work on the Ground
- Q&A

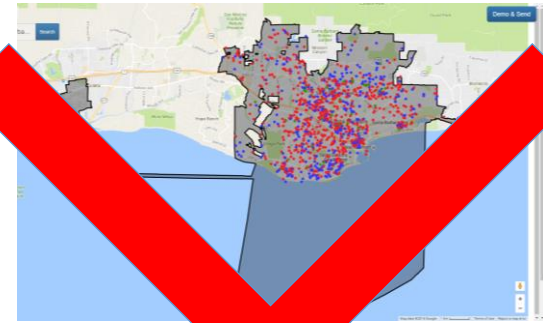
Simply banning short-term rentals is not the solution

There is a growing movements to ban or severely restrict short-term rentals across the globe

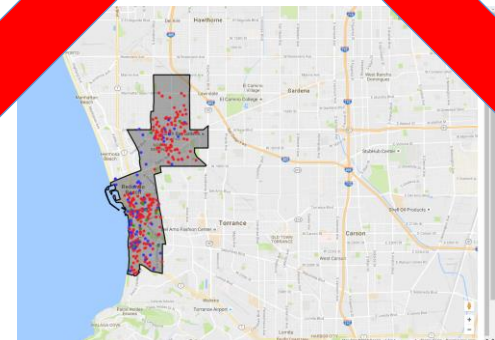


Bans seldom work in practice and deprive citizens of economic opportunity

Santa Barbara -> 1478 Short-term Rentals



Redondo Beach -> 25 Short-term Rentals



...and enforcing bans cost a ton of money



According to the local news, Santa Monica has “only” generated \$31,000 of citation revenue to offset the +\$400,000 annual enforcement costs

Likewise, laissez-faire approaches to short-term rentals generally results in “wild-west” behavior and draconian backlashes



Airbnb San Francisco backlash: thousands petition for more oversight

More than
offer vis
ones mo

SANTA MONICA

Santa Monica Just Banned Airbnb's Biggest Moneymakers

By Bianca Barragan | May 13, 2015, 12:04pm PDT

f t SHARE



Waiting for lax1-ib.adnxs.com...

In Austin, A Boom In Short-Term Rentals Brings A Backlash

February 9, 2017 · 5:50 PM ET

Heard on All Things



Short-Term Rental Controversy Flares Again in Anaheim

By THY VO January 4, 2017

Kristen Hotop
has lived for th
two-story hom

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SHARES

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✉ Email

"There are two
smaller and a h
buying up a lot

The ongoing controversy over short-term rentals in Anaheim has flared again as residents are angry over recent tweaks the City Council made to a ban on the businesses it passed last June.

Like many fast
market for sho

In recent years, aided by online hosting services like Airbnb and HomeAway, many owners of homes and apartments in the neighborhoods that ring Disneyland cashed in on the year-round influx of visitors to the mega resort.



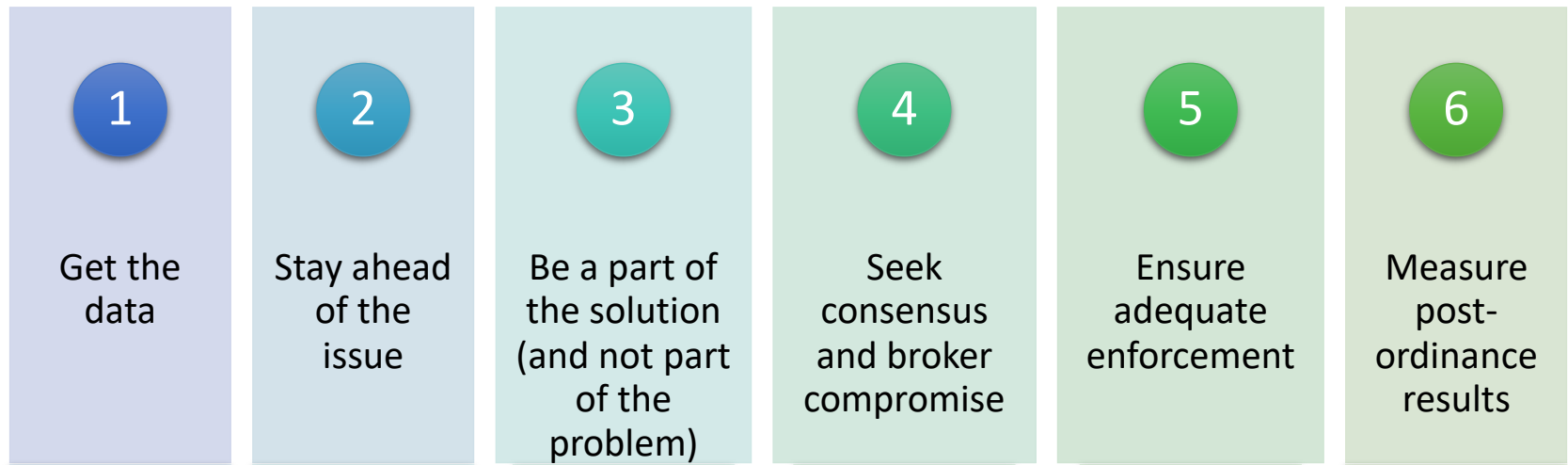
Thoughtful city's and counties are adopting common sense rules that balance property rights with the interests of the broader community

Common Short-term Rental Policy Objectives

- Housing Availability
 - Only allow permanent residents to operate Short-term Rentals
 - Disallow rentals in subsidized housing
- Neighborhood Preservation
 - Set neighborhood quotas
 - Ban signs
- Protect Quality of Life
 - Require adequate parking and garbage disposal
 - Require hosts to post noise ordinance
 - Require a local contact person
- Economic Development
 - Encourage hosting in certain areas and time frames
- Safety
 - Require physical safety and habitability inspections



Putting in place fair and sensible short-term rental regulations is NOT rocket-science



Agenda

- Introduction
- Michigan Short-term Rental Market Overview
- So What is the Big Deal?
- How to implement Fair and Effective Short-term Rental Regulations
- **How to make the Rules Work on the Ground**
- Q&A

Context: Manual compliance monitoring and enforcement is ineffective and prohibitively expensive

- ✓ Rental property listings are spread across 100s of different websites
- ✓ Manually monitoring 1000s of properties is practically impossible as listings are constantly added, changed or removed
- ✓ Address data is hidden from listings making it time-consuming or impossible to locate the exact properties and identify owners
- ✓ It is practically impossible to collect taxes as there is no easy way to manually find out how often the properties are rented and for how much
- ✓ The vacation rental platforms refuse to provide the detailed data necessary for enforcing local ordinances
- ✓ Manual compliance monitoring and complaint-based enforcement often leads to claims of selective enforcement

Modern technology can be a big help



Mobile Enabled Online Short-term Rental Registration: Mobile/web forms and back-end systems for streamlining registration processes and capturing signatures, payments and required documentation



Address Identification: Online dashboard with complete address information and screenshots of all identifiable Short-term Rentals



Compliance Monitoring: Ongoing monitoring of Short-term Rentals for compliance coupled with systematic outreach to un-registered short-term rental operators



Rental Activity Monitoring : Ongoing monitoring of Short-term Rental listings for signs of rental activity. Makes it easy to identify high-grossing short-term rental properties and other high value tax audit candidates



Tax Audit Automation: Systematic outreach to property owners suspected of under-reporting taxes



Dedicated Hotline: 24/7 staffed telephone hotline for neighbors to report non-emergency STR problems



Contact info

Please feel free to contact us anytime if you have any questions about short-term rental regulation and how to best address the associated monitoring and enforcement challenges.

Ulrik Binzer

binzer@hostcompliance.com

857.928.0955

www.hostcompliance.com



**ACME TOWNSHIP REGULAR BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, June 5, 2018, 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 p.m.

ROLL CALL: Members present: C. Dye, D. Nelson, J. Zollinger, D. White, J. Aukerman, A. Jenema

Members excused: P. Scott

Staff present: S. Winter, Planning & Zoning Administrator, V. Donn, Recording Secretary

A. LIMITED PUBLIC COMMENT: None

B. APPROVAL OF AGENDA:

Zollinger requested to add under E. REPORTS, h. Supervisor, to give some updates.

Motion by Nelson to approve the agenda with the addition of adding under E. REPORTS, h. Supervisor, supported by White. Motion carried unanimously.

C. APPROVAL OF BOARD MINUTES:

The meeting minutes of 05/01/18 are approved unless there are any changes.

D. INQUIRY AS TO CONFLICTS OF INTEREST: None

E. REPORTS

- a. Clerk:** Dye reported at the May board meeting there was an inquiry on the number of gravesites that are currently available for purchase. Acme Cemetery has 1 and Yuba Cemetery has 520. There are also an additional 166 gravesites that are not available due to roadway, cistern and tree/bush overgrowth. In 2017/2018, 5 gravesites were sold to residents of Acme and 2 to non-residents, the previous year 3 to residents and 4 to non-residents. Dye informed on Tuesday, June 12 from 4:00 – 6:00 p.m. at the Acme Township Hall there is an open house to see a demonstration of the new voting equipment. Election ballot applications will be mailed out this week. Dye received an email informing the check for the Bayside Park grant reimbursement should arrive soon.
- b. Parks:** No report
- c. Legal Counsel - J. Jocks:** No report
- d. Sheriff:** Nate Lentz reported they received 237 service calls an increase from the 172 received the previous month. There has been a rash of car break-ins and he would like to have the names of community association's contacts, to send an email alerting them of any reoccurring incidents in their area.
- e. County:** No report
- f. Roads:** No report
- g. Farmland Preservation:** No report
- h. Supervisor:** Zollinger reported there had been a sewer leak on Five Mile Road that was caused from a crack in the pipe on the old force main. The gravity flow was switched to bypass the break and Elmer's fixed the pipe. Other sections of this pipe should be inspected for any potential future problems. He also informed there has been some concerns on Metro funding and how many representatives from each township are on the board. There is a meeting this week to define and document the townships involvement on these

matters.

F. SPECIAL PRESENTATIONS: None

G. CONSENT CALENDAR:

1. RECEIVE AND FILE:

- a. Treasurer's Report
- b. Clerk's Revenue/Expenditure Report and Balance Sheet
- c. North Flight April report
- d. Draft Unapproved meeting minutes
 1. Planning Commission 05/14/18
 2. Parks & Trails 05/18/18

2. APPROVAL:

1. Accounts Payable Prepaid of \$298,900.08 and Current to be approved of \$18,458.73. (Recommend approval: Clerk, C. Dye)

Jenema requested to remove under 2. APPROVAL, 1. Accounts Payable Prepaid of \$298,900.08 and Current to be approved of \$18,458.73

Motion by Nelson to approve Consent Calendar with removal of 2. APPROVAL, 1. Accounts Payable Prepaid and Current to be approved, supported by White. Roll Call motion carried unanimously.

H. ITEMS REMOVED FROM THE CONSENT CALENDAR:

1. 2. APPROVAL: 1. Accounts Payable Prepaid of \$298,900.08 and Current to be approved of 18,458.73

Jenema requested to add in tax bill postage amount of \$1,279.53 increasing the current to be approved to \$19,738.26.

Motion by Dye to approve the current amount of \$19,738.26 based on the tax bill being added, supported by White. Roll Call motion carried unanimously.

I. CORRESPONDENCE: None

J. PUBLIC HEARING:

Public Comment opened at 7:45 pm and closed at 7:46 pm with no public comments. Acme Township General Appropriations Act Fiscal year 2018 -19

Zollinger informed there were two changes made to the budget of \$2,400 for interest septage received, \$11,700 for interest on bonds and \$500 for county to process.

1. Resolution #R-2018-08 Township Supervisor Salary

Motion by Aukerman to approve \$40,000 Supervisor salary, supported by Jenema. Roll Call motion carried by 5 (Dye, Nelson, White, Aukerman, Jenema), recused by 1 (Zollinger)

2. Resolution #R -2018-09 Extra Duties – Supervisor

Motion by Nelson to approve \$3,000 per year to Supervisor for the budget year, supported by White. Roll Call motion carried by 5 (Dye, Nelson, White, Aukerman, Jenema), recused by 1 (Zollinger)

3. Resolution #R-2018-10 Township Clerk Salary

Motion by Jenema to approve \$40,008 Township Clerk salary, supported by Aukerman. Roll Call motion carried by 5 (Zollinger, Nelson, White, Aukerman, Jenema), recused by 1 (Dye)

4. Resolution #R-2018-11 Township Treasurer Salary

Motion by White to approve \$25,159 Township Treasurer salary, supported by Dye. Roll Call motion carried by 5 (Zollinger, Nelson, White, Aukerman, Dye), recused by 1 (Jenema)

5. Resolution #R-2018-12 Township Trustees Salary

Motion by Jenema to approve \$6,000 salary and \$50/meeting per diem for additional meetings for Township Trustees, supported by Nelson. Roll Call motion carried unanimously.

6. Acme Township General Appropriations Act 2018-19 Resolution #R-2018-13

Motion by Nelson to approve the Appropriations Act 2018-19 Resolution #R-2018-13, supported by Aukerman. Roll Call motion carried unanimously

K. NEW BUSINESS:

1. Resolution #R-2018-14 on Audit procedures for Granting or removal of Real Property Exemptions

Jenema explained this is a documented policy to provide a fair and equitable basis for taxation detailing the audit procedures.

Motion by Nelson to approve the Acme Township Board of Trustees Resolution #R-2018-14, Audit Procedures for Granting or Removal of Real Property Exemptions, supported by White. Motion carried unanimously

2. Zoning Amendment Number 49 Map Change – Winter

Winter informed the parcels in this amendment are located on the west side of Lautner Rd are currently zoned R-3: Urban Residential, the properties on the east side of Lautner Rd. are primarily B-3: Planned Shopping Center. One portion of a parcel fronting Lautner Rd. is zoned A-1: Agricultural. The map amendment would change these parcels CF: Corridor Flex.

Motion by Jenema to approve Zoning Ordinance Amendment 049-Map Amendment to the zoning classification of the subject parcels outlined in the attached public hearing notice to CF: Corridor Flex, consistent with the Acme Township Community Master Plan, supported by Aukerman. Motion carried unanimously.

3. PILOT program information – Winter

Winter has been approached by an organization called HomeStretch along with representatives from Samaritas and Shoreline Fruit to explore affordable housing options in the township. PILOT programs help to reduce the cost of housing. The board determined it would be worthwhile for Winter to research these programs to discuss further.

4. Yuba Maintenance shop Overhead door replacement

DRAFT UNAPPROVED

Zollinger presented two bids from Overhead Doors and Mack Doors, to repair the Yuba maintenance shop overhead door. He will proceed with following up on the lower bid from Mack Doors to repair the door.

- 5. Acme Sewer Pump Station 3, Pumps replacement new style to prevent clog problems**
Zollinger explained the outdated pumps at Acme 3 lift station get plugged from debris and need to be replaced. The replacement combined quote by Kennedy Industries and Top Line Electric LLS comes to \$28,118 and he would like to have the board's approval to move forward on the project.

Motion by Nelson to approve the expenditure of \$28,118 for Acme pump station #3, supported by Aukerman. Roll Call motion carried unanimously.

- 6. Contract Renewal Farmland with GTRLC-four year**
Questions of the conservancy's benefits and services were discussed, and it was determined to resume the conversation at the next board meeting. Board agreed to table the contract renewal.

- 7. Resolution #R-2018-15 for Budget adjustment 811 account, bond payment**

Motion by Jenema to approve Resolution #R-2018-15 to make the budget amendment to balance out 811 which is a special assessment of Holiday Hills, supported by Aukerman. Motion carried unanimously.

- 8. Resolution #R-2018-16 of support for MTA Scholarship/Kasey Mahony – Acme Citizen**

Motion by Nelson to approve Resolution #R-2018-16 of support for MTA Scholarship for Kasey Mahony, supported by Jenema. Motion carried unanimously.

L. OLD BUSINESS:

- 1. Update on Acme Proposed Office rearrangements**

Jenema gave an update on the process of the office layout and renovation. Bids will not go out until early fall with expectations of construction beginning after the November elections.

- 2. Bayside park construction Update along with additional cost to pave existing path and removal of an existing concrete structure exposed under sand.**

Zollinger received a proposal from Elmer's of \$7,590 to provide all labor, equipment and materials to perform the removal of concrete seawall, a hazardous post in beach area and repave asphalt path by bath house because of the over growth of roots making the path uneven. This expense will be charged to general fund maintenance.

Motion by Jenema to approve proposal to remove existing concrete seawall, removal of post from beach and to repave asphalt path by the bath house, to be paid before next board meeting, supported by Nelson. Roll Call carried unanimously.

PUBLIC COMMENT & OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Dan O'Neil introduced himself and thanked the board on their work for the township. He is a Traverse City attorney and a running candidate for State Representative.

Jenema reported at the Parks and Trails Meeting it was recommended to utilize the block building at Bayside Park for Kayak/SUP and non-motorized rentals. It would help bring in additional revenue to help cover the cost of maintaining the park.

DRAFT UNAPPROVED

Motion by Nelson to supported exploring options to develop a leasing program of non-motorized watercraft at Bayside Park for the purpose of providing maintenance funds for the park, supported by Aukerman. Motion carried unanimously.

Jenema added to the discussion that a draft of the CIP spreadsheet will be presented at the June Planning Commission Meeting and then moved on to the Board for approval.

ADJOURN: Motion to adjourn by Jenema, supported by White. Meeting adjourned at 8:56

**ACME TOWNSHIP PARKS & TRAILS MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
May 18th, 2018 8:30 a.m.**

Called to order at 8:32

ROLL CALL:

Committee:	x	Feringa	x	Heflin	x	Heffner	x	Jenema
	x	Smith	x	Timmins	x	Wentzloff		
Advisory:	-	Heinert	-	Kushman				
Staff:	x	Winter						

- A. **PUBLIC COMMENT:** none
- B. **APPROVAL OF AGENDA:** Motion by Feringa, 2nd. By Heflin, to approve the agenda with addition of F)4. grant updates. Motion carries
- C. **INQUIRY AS TO CONFLICTS OF INTEREST:** none
- D. **CORRESPONDENCE:**
- E. **ACTION:**
 - 1. Approve Draft Parks & Trails Minutes 03/16/18- **Motion by Wentzloff,, seconded by Timmins to approve the minutes from 3/16/18. Motion carries**
 - 2. Approve Draft Parks & Trails Minutes 04/20/18- **Motion Wentzloff,seconded by Heflin to approve the minutes from 4/20/18. Motion carries**
- F. **OLD BUSINESS:**
 - 1. **Bayside Park Updates**
 - a. **Construction Schedule** - construction starts after memorial day, the finish date is still scheduled for mid-July.
Do to the way the bike racks have to be installed a quote was obtained to have Elmers Subcontractor install them. The price was only \$100 over what was quoted. Discussed an old retaining wall on the south end of the north beach pod after all the sand washed out over the winter. Elmers will bring in their equipment and break the wall down and remove the debris as well as a pipe sticking out of the ground. It will cost \$3700 and will come out of the current maintenance budget. Construction contracts are signed and signs are up to inform park users.
 - b. **Landscape Bids-** Traverse outdoor (who will already be onsite doing the irrigation work) came in as the lower bid. Only 2 bids came in. The bid from Traverse outdoor came in at \$29,000. Bids still need board approval.
 - 2. **Trail Updates**
 - a. **Acme Connector Trail-** Timmins Elk Rapids update. The scope of the design is from Deepwater pt to Williams Rd. in Elk Rapids. The subcommittee reviewed all the bids that came in and will recommend Prine and Newhof to the full committee at their next meeting on Monday, May 21st. The process will start in July and wrap up in December.
 - b. Winter gave an update, the township has the money from the 2%. Jenema has talked to the board. The board will be going out for RFP's to get it done. One missing piece is

where the trail will land on Dan Kelly's property. Kushman and Winter are meeting with him Tuesday. Still work to be done with Feast of Victory. The tribe will then alter their trail plan to make it work with wherever it comes out of Dan's property. Holiday Inn wants more of a license than an easement incase they want future development. Discussed the difference of the easement vs. license and the problems that could arise.

- c. **TVC2CHX Trail**
- d. **Yuba Creek Natural Area-** The committee wants the professionals to identify the best alignment for a trail, if that is through Yuba natural area then the committee will go to the board to ask about changing the management plan. It was found out that the management plan was not based off from the grants used to purchase the property.
 - i. **Management Plan Provisions-**
- 3. **Park System Signage - Feringa -** Had some rough draft designs and concepts. Discussion followed. Amor signs a local company is who Feringa went to. They are providing the township with some free design services, the township is not locked in to any one company at this time. The signs are able to be able to be modified easily in the future. Discussion of materials used followed. The committee discussed matching the signs posts to the other materials used in the park. Steve will bring color boards at a later date for the sign colors.
- 4. **Grant updates-** 2% grant. Jean is requesting committee support for what the township goes after. Kevin gave updated prices. A contingency of 10% was added to the price incase of unforeseen cost. So the new total for the 2% grant is \$21,076 for the UA shower, drinking fountain and shade structure.

Motion by Feringa, seconded by Wentzloff, that we use Jean's figures plus a 10% contingency to apply for the 2% grant. Motion carried unanimously

G. **NEW BUSINESS:**

- 1. **2018 Parks & Trails Project Goals-** Jenema gave the update of what our goals were in 2015 and where the township stands today. Wants the committee to start looking around the parks for new projects.
- 2. **Sweet Water Evening Garden Club –** Winter- Sweet water garden club came in and purchased a bench. The sweet water garden club would like to install a Sundial in their garden. Discussion followed. Committee has no objections but would like to know placement and style.
- 3. **North Bayside Park Kayak/SUP Vendor Space-** Discussed the pro's and con's about having kayak rental at the south end of bayside. Discussion on phasing in a rental business as well as how to deal with the sensitive beach area. Will need to look at what the building needs to be functional and the rules and regulations that will need to be put in place. Jenema will take the idea to the board.

Motion by Wenzloff seconded by Timmins with a friendly amendment by Winter; to recommend approval to the board to begin developing a leasing program of non motorized water crafts at Bayside park for the purpose of providing maintenance funds for the park. Motion carries unanimously.

- 4. **Park Rentals –** Special Events- discussed weddings in the park. The committee unanimously believed that Bayside park should not be rented out for weddings. Rentals should be only at Saylor park. Heffner asked about americorps progress at Yuba. Heflin is going to check in with Jake at the conservancy about it. Smith asked about putting art in our parks- Smith and Winter will look into this and bring back information to the committee. Feringa gave the tribal biologist update of Acme creek, do to the silt it will be a hard restoration project.

H. **PUBLIC COMMENT**

**ADJOURN: Motion by Timmins, seconded by Heffner to adjourn.
Motion carries 10:04**



DRAFT UNAPPROVED

**ACME TOWNSHIP PLANNING COMMISSION MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
May 14th, 2018 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 p.m.

ROLL CALL: Members present: K. Wentzloff (Chair), S. Feringa (Vice Chair), B. Balentine, D. Rosa, M. Timmins (Secretary), D. VanHouten, D. White

Members excused: none

Staff present: S. Winter, Planning & Zoning Administrator, J. Jocks (Counsel), V. Donn, Recording Secretary

A. LIMITED PUBLIC COMMENT: None

B. APPROVAL OF AGENDA:

Motion by Timmins to approve agenda as presented with the addition to G. CORRESPONDENCE, 1. Village of Elk Rapids letter, supported by Balentine. Motion carried unanimously.

C. INQUIRY AS TO CONFLICTS OF INTEREST:

Feringa recuse himself from J. OLD BUSINESS, 1. Zoning Ordinance Amendment 049-Map Amendment, as possible conflict of interest.

White recuse himself from J. OLD BUSINESS, 2. Zoning Ordinance Amendment 046- Solar Energy Farms, as possible conflict of interest.

D. SPECIAL PRESENTATIONS: None

E. CONSENT CALENDAR:

1. RECEIVE AND FILE

- a. Township Board Meeting Minutes 04/03/18
- b. Township Board Special Meeting Minutes 04/11/18
- c. Township Board Meeting Draft Minutes 05/01/18
- d. Parks and Trails Committee Meeting Draft Minutes 04/20/18
- e. Capital Improvements Plan Committee Meeting Draft Minutes 04/20/18

2. ACTION:

- a. Adopt Planning Commission Meeting Draft Minutes 04/09/18

Wentzloff requested to remove 2. a. Adopt Planning Commission Meeting Draft Minutes 04/09/18 from the Consent Calendar to item F. 1. ITEMS REMOVED FROM THE CONSENT CALENDAR.

Motion by Timmins to remove 2. a. Adopt Planning Commission Meeting Draft Minutes 04/09/18 from the Consent Calendar, supported by Balentine. Motion carried unanimously.

F. ITEMS REMOVED FROM THE CONSENT CALENDAR:

1. Under C. Inquiry As To Conflicts Of Interest in the 04/09/18 Adopt PC Draft Minutes, should have read White recused himself from J. Old Business: Zoning Ordinance Amendment 046- Solar Energy Farms, not Winter.

Motion by Timmins to approve the Planning Commission Meeting Draft Minutes 04/09/18 with the correction under C. Inquiry As To Conflicts of Interest from Winter to White, supported by Feringa. Motion carried unanimously.

G. CORRESPONDENCE:

1. Letter from the Village and Township of Elk Rapids regarding preparing to undertake a planning effort to review and potentially revise the Coordinated Master Plan.

H. PUBLIC HEARINGS:

1. Zoning Ordinance Amendment 049 – Map Amendment: None

I. NEW BUSINESS:

1. SUP 2018-01 Minor Amendment – Pro Fireworks

Bill Barnes, Chief Operation Officer for Pro Fireworks was in attendance for any questions.

Pro Fireworks owns the properties at 5700 and 5704 US-31 N. Pro Fireworks and has moved into the building at 5700 US-31 N, with Spirit of the West occupying the additional tenant space in the building. The former Four Seasons Sunroom building at 5400 US-31 N has been removed from its foundation and is awaiting transport to a new location. The owner is planning to have the foundation excavated this month and paved to connect the two parking lots.

The applicant is requesting to amend SUP 91-8P that governs the property where Pro Fireworks is currently located to include the property at 5704 US-31 N under the same development approval. This would allow the applicant to use the garage that remains on the 5704 US-31 N property as an accessory building for the Pro Fireworks business. No additional development is proposed at this time.

Motion by Timmins to approve the SUP 2018-01 Minor Amendment to SUP 91-8P, as amended to allow the combination of both parcels referenced in this staff report under one development approval, allowing the use of the existing garage as an accessory structure to the principle retail establishment, with the following conditions: 1. No signage shall be allowed on the exterior of the garage located on the former Four Seasons Sunroom property. 2. All trailers used in the movement and distribution of merchandise on and off the site shall be stored in the garage, or behind the principle or accessory buildings at all times. Parking of the trailers in a way that is visible from the right-of-way shall be prohibited. Supported by Balentine. Motion carried unanimously.

J. OLD BUSINESS:

1. Zoning Ordinance Amendment 049 – Map Amendment

Winter informed the parcels in this amendment are located on the east side of Lautner Rd are zoned B-3: Planned Shopping Center. The subcommittee has decided to eliminate this zoning classification in the draft ordinance and map. A CF zoning district can achieve the majority of uses allowed under the B-3 zoning district, while allowing greater flexibility in mixing of uses, better design standards, and more emphasis on creating connected developments.

The CF – Corridor Flex zoning district most closely reflects this future land use category. Amending the zoning map to change the zoning on the subject parcels to CF is consistent with the Acme Township Community Master Plan.

Motion by Balentine to recommend approval of Zoning Ordinance Amendment 049 – Map Amendment to the Township Board. The amendment will change the zoning classification of the subject parcels outlined in the Public Hearing Notice to CF – Corridor Flex, consistent with the Acme Township Community Master Plan, supported by Timmins. Motion carried by 5 (Balentine, Timmins, Wentzloff, Rosa, White), recused Feringa.

2. Zoning Ordinance Amendment 046 – Solar Energy Farms

White recused himself from this topic.

The ordinance was discussed, and it was decided to change the language in the items 9.28.2 Standards, c. Setbacks, h. Landscaping and deleting the last paragraph under 1. Township Review. Jeff Jocks will look at options for new wording to consider at the next Zoning Committee meeting for a final draft.

3. Capital Improvements Plan – Scoring

Feringa reported the CIP committee has been working on ranking and applying cost estimates to projects. The updated list needs to have determine which items should remain on the list to fit in the six-year plan and then ranked in priority.

The Zoning Committee narrowed down the list in ranking order to changing tracking number 5.3 Township Hall to remodeling Township Hall, 6.6 Acme Connector Trail (ACT) to Business Districts, 6.5 Sidewalks Connecting Businesses Districts along US 31, 4.2 Bayside Park Improvements (North Phase 3), 7.4 a SAD Request Springbrook 7.6, 7.4 b SAD Request Wild Juniper 7.5, 7.4 c SAD Request Scenic Hills 7.4 and 7.4 d Sad Request Deepwater Point Rd 0.0. A clean copy with estimated project construction costs, will be brought to the next PC meeting for a final review before sending to the Township Board.

K. PUBLIC COMMENT & OTHER PC BUSINESS

White commented on how economics is driving the change to look at new ways to run a business using your land.

- 1. Zoning Administrator Report - Shawn Winter:** Reported the medical marihuana licenses were mailed out to all the recipients and they are now waiting for submissions of site plans to review. He is looking at new licensing software to produce tracking reports and working on the Zoning Ordinance rewrites.
- 2. Planning Consultant Report - John Iacoangeli:** No Report
- 3. Township Board Report – Doug White:** Reported the board is working on the annual budget and a bid has gone out to remodel the township hall.
- 4. Parks & Trails Committee Report - Marcie Timmins:** Informed construction will be starting on Bayshore Park. One traffic lane will be closed while work is being done on the park's driveway. Elk Rapids has their money for the conceptual design and they will vote next week on who will be doing the work. The design trail will extend from Elk Rapids to Deepwater Point.

ADJOURN: Motion to adjourn by Balentine, supported by Timmins. Meeting adjourned at 9:05



Planning and Zoning

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Acme Township Zoning Ordinance Amendment 046 (V2 - 06.11.18)

SOLAR ENERGY FARMS

1. Add the following definition under §3.2 Definitions:

“Solar Energy Farms: A utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics, concentrating solar thermal devices or any other various experimental solar technologies for the primary purpose of wholesale or retail sales of generated electricity off-site. Solar Energy Farms do not include small scale solar panels or technologies installed at individual residential or commercial locations (e.g. roof or ground mounted solar panels) that are used exclusively for private purposes and not utilized for any commercial resale of any energy, except for the sale of surplus electrical energy back to the electric grid. These installations are permitted as “Accessory Use” defined under Section 3.2.”

2. The use “solar energy farms” shall be added at the following sections:

Article VI: Zoning Districts, Map and Schedule of Regulations,
Section 6.10 B-3 District: Planned Shopping Center,
Subsection 6.10.3 Uses Authorized By Special Use Permit:
x. “Solar Energy Farms”

Article VI: Zoning Districts, Map and Schedule of Regulations,
Section 6.11 B-4 District: Material Processing and Warehousing,
Subsection 6.11.3 Uses Authorized By Special Use Permit:
h. “Solar Energy Farms”

Article VI: Zoning Districts, Map and Schedule of Regulations,
Section 6.12 A-1: Agricultural District,
Subsection 6.12.3 Uses Authorized By Special Use Permit:
aa. “Solar Energy Farms”

3. Article IX shall be amended to add Section 9.28 in its entirety as presented below:

9.28 SOLAR ENERGY FARMS

9.28.1 INTENT AND PURPOSE:

To allow and promote the use of solar energy within the Township as a clean alternative energy source and to provide associated placement, land development, installation and construction regulations for solar energy farm facilities subject to reasonable conditions that will protect the public health, safety and welfare. These regulations establish the minimum requirements for solar energy farm facilities, while promoting a renewable energy source in a safe, effective and efficient manner.

9.28.2 **STANDARDS:**

- a. **Minimum Lot Size:** There is no minimum lot size. Each solar energy farm is permitted as a use authorized by special use permit which review will consider its compatibility with the surrounding area.
- b. **Height Restrictions:** All photovoltaic solar panels and support structures located in a solar energy farm shall be restricted to a maximum height of sixteen (16) feet when orientated at maximum tilt.
- c. **Setbacks:** All photovoltaic solar panels and support structures associated with such facilities (excluding perimeter fencing) shall be set back a minimum of fifty (50) feet from all property lines. If the right-of-way exists as an easement, the fifty (50) foot setback shall be measured from the edge of the easement. Solar panels shall be kept at least five hundred (500) feet from an existing residential structure, measured to the nearest point on the residential structure. Any additional setback requirements in this Ordinance that exceed this requirement shall be adhered to, including but not limited to setbacks from streams, lakes, and wetlands.
- d. **Maximum Lot Coverage:** maximum lot coverage restrictions shall not apply to the photovoltaic solar panels. Any other regulated structures on the parcel are subject to the maximum lot coverage restrictions of the underlying zoning district.
- e. **Safety/Access:** A security fence (height and material to be proposed and reviewed/approved through the special use permit approval process) shall be placed around the perimeter of the solar energy farm and electrical equipment. Knox boxes and keys shall be provided at locked entrances for security personnel access.
- f. **Noise:** No solar energy farm shall exceed sixty (60) dBA as measured at the property line.
- g. **Glare:** Solar energy farm facilities shall be located or placed so that concentrated solar glare shall not be directed toward or onto nearby properties or right-of-ways at any time of the day.
- h. **Landscaping:** The special use permit application for a solar energy farm shall include a proposed landscape plan prepared by a licensed landscape architect. This plan will be reviewed through the special use permit approval process to assure that the proposed facility is appropriately landscaped in relation to adjacent land uses and road right-of-ways. A landscape plan shall meet following standards:
 - 1. **Plans:** A plan view illustrating the landscape plan for the entire project and a rendered view illustrating the view from public rights-of-ways.
 - 2. **Species:** A list of plant species meeting the standards of Section 7.5.6(d) included on the drawings or as a separate narrative.

3. **Buffer:** A twenty five (25) foot wide landscape buffer is required within the setback along the entire perimeter of the development. The buffer shall consist of two (2) rows of staggered evergreen trees that at planting shall be minimum of four (4) feet in height. If a solar energy farm is adjacent to a residential use or district, then the minimum height shall be eight (8) feet at the time of planting. The evergreen trees shall be spaced no more than fifteen (15) feet apart on center, measured from the central trunk of one tree to the central trunk of the next tree. The buffer shall also consist of native grasses, wildflowers, or plants which will provide wildlife and pollinator habitat, soil erosion protection, and/or aid in strengthening the soil structure.
 4. **Credit for Existing Conditions:** Existing topographical features and existing wooded areas may be accepted in lieu of or in combination with the above by approval of the Planning Commission.
 5. **Planting Timeline:** The required trees shall be planted between April 1st and September 15th. If construction of the solar energy farm begins after August 15th, the required plantings shall be installed by May 1st the following calendar year.
 6. **Financial Guarantee:** A bond, letter of credit, or cash surety shall be provided in the amount equal to one and one-half (1.5) times the cost of the required plantings that the Township shall hold until the next planting season.
 7. **Maintenance:** The required plantings shall be continuously maintained in a healthy condition. Dead evergreen foliage shall be replaced.
- i. **Local, State, and Federal Permits:** Solar energy farms shall be required to obtain all necessary permits and licensing from Acme Township, Grand Traverse County, State of Michigan, and U.S. Government as applicable prior to construction and shall maintain any necessary approvals as required by the respective jurisdictions or agencies.
 - j. **Electrical Interconnections:** All electrical interconnections or distribution lines shall comply with all applicable codes and standard commercial large-scale utility requirements. Use of above ground transmission lines shall be prohibited within the site.

9.28.3 ADDITIONAL SPECIAL USE CRITERIA:

In addition to the site plan review criteria in Article VIII and special use permit criteria in Article IX, the applicant shall address the following topics in the application for a solar energy farm facility:

- a. **Project Description and Rationale:** Identify the typed, size, rated power output, performance, safety and noise characteristics of the system including the transmission line/grid connection for the project. Identify the project construction time frame, project life, development phases (and potential future expansions) and likely markets for the generated energy.

- b. **Analysis of On-Site Traffic:** Estimated construction jobs and estimated permanent job associated with the development.
- c. **Visual Impacts:** Graphically demonstrate the visual impact of the project using photos or renditions of the project with consideration given to setbacks and proposed landscaping.
- d. **Environmental Analysis:** Identify impacts on surface and ground water quality and any impacts to established natural or constructed drainage features in the area.
- e. **Waste:** Identify any solid or hazardous waste generated by the project.
- f. **Lighting:** Provide photometric plans showing all lighting within the facility. No light may adversely affect adjacent parcels. All lighting shall conform to the requirements of Section 7.8 and must be shielded from adjoining parcels. Light poles are restricted to a maximum height of eighteen (18) feet.
- g. **Transportation Plan:** Provide a proposed access plan during construction and operational phases. Show proposed project service road ingress and egress locations onto adjacent roadways and the layout of facility service road system. Due to infrequent access following construction, it is not required to pave or curb solar energy farm access drives. It shall be required to pave and curb any driveways and parking lots used for occupied offices that are located on site.
- h. **Public Safety:** Identify emergency and normal shutdown procedures. Identify potential hazards to adjacent properties, public right-of-ways and to the general public that may be created.
- i. **Sound Limitations:** Identify noise levels at the property lines of the project when completed and operational.
- j. **Telecommunications Interference:** Identify any electromagnetic fields and communications interference that may be generated.
- k. **Life of the Project and Final Reclamation:** Describe the decommissioning and final reclamation plan after the anticipated useful life or abandonment/termination of the project. This includes supplying evidence of an agreement with the underlying property owner that ensures proper removal of all equipment and restoration of the site within six (6) months of decommissioning or abandonment of the project. To ensure proper removal of the project upon abandonment/termination, a bond, letter of credit or cash surety shall be:
 - 1. In an amount approved by the Township Board to be no less than the estimated cost of removal and may include a provision for inflationary cost adjustments;
 - 2. Based on an estimate prepared by the engineer for the applicant, subject to approval

of the Township Board;

3. Provided to the Township prior to the issuance of a land use permit;
4. Used in the event the owner of the project or the underlying property owner fails to remove or repair any defective, abandoned or terminated project. The Township, in addition to any other remedy under this Ordinance, may pursue legal action to abate the violation by seeking to remove the project and recover any and all costs, including attorney fees.

DRAFT

Acme Summary of CIP Projects -- March 15, 2018 DRAFT						
PC Score	Tracking Number (MP)	Master Plan Description (2014-2019)	Project Description	Estimate	Actual Score	Ranking
5	5.3	Remodeled / Refurbished Township Hall 5.3	EST for land, landscaping, design/engineering/construction, and furnishings for 6,000 sq. ft. township hall building with community room. (In current market place, this is a ceiling estimate.)	\$ 3,400,000.00	136	1
8	6.6	Acme Connector Trail (ACT) to Business Districts	Implementaion of the Plan ACT to MT Hope Rd, Implementation from Mt Hope to GTTC	\$ 28,000.00	141	2
7	6.5	Sidewalks Connecting Business Districts along US 31	Sidewalks 8' Wide (Just south of Old Pro-Firework to Bayview Inn) Potentially in Sections	\$ 263,000.00	149	3
12	4.2	Bayside Park Improvements (North Phase 3)	Pavilion, Parking, South End Structure Improvements, Current Bath House up-grades	\$ 300,000.00	120	4
11	7.4 a	SAD Request Springbrook 7.6	Cost in 2018 dollars to re-construct (crash and shape) and drainage work, as required, for neighborhood's roads with 65 parcels.	\$ 629,442.00	121	5
13	7.4 b	SAD Request Wild Juniper 7.5	Cost in 2018 dollars to re-construct (crash and shape) and drainage work, as required, for neighborhood's roads with 29 parcels.	\$ 327,728.00	118	6
15	7.4 c	SAD Request Scenic Hills 7.4	Cost in 2018 dollars to re-construct (crash and shape) and drainage work, as required, for neighborhood's roads with 95 parcels.	\$ 700,100.00	113	7
19	7.4 d	SAD Request Deepwater Point Rd 0.0	Cost in 2018 dollars to re-construct (crash and shape) and drainage work, as required. Could be done in sections: school to Dock Road .5 miles first (road+ bonding = \$280,260) and Dock to Woodland .7 miles (road+bonding = \$392,100).	\$ 672,360.00		8
Total Dollars				\$ 6,320,630.00		