



Planning Commission  
97 North Broad Street  
Hillsdale, Michigan 49242-1695  
(517) 437-6440 Fax: (517) 437-6450

## NOTICE OF ELECTRONIC PUBLIC MEETING

Pursuant to the provisions of Executive Order No. 2020-75 issued by Governor Gretchen Whitmer on May 6, 2020, notice is hereby given that the Hillsdale City Planning Commission will hold an electronic public meeting on May 19, 2020 beginning at 5:30 p.m.

The reasons for holding an electronic public meeting are to limit the spread of COVID-19 (novel coronavirus) and to remain in compliance with Governor Whitmer's Executive Order 2020-75, which prohibits any public gathering through June 30, 2020.

The public may view and listen to the meeting via Livestream at <https://livestream.com/accounts/9325819/council> located on the City's website.

The public may participate in the meeting via the GoToMeeting app by clicking this link <https://global.gotomeeting.com/install/820948581> or by calling 1-646-749-3122 and entering the conference code number 820-948-581 when prompted. The public will be able to listen to all discussion by Commission members and will be permitted to speak for up to 3 minutes during the public comment section of the agenda.

Members of the public, whether or not they are joining the electronic public meeting, may submit written comments and questions regarding any matter, including items of business that will come before the Planning Commission. Written comments and questions may be submitted at any time. Those submitted prior to 12:00 noon on Thursday, May 14, 2020 will be copied and included in the agenda packet for the meeting. Those submitted subsequent to 12:00 noon on Monday, May 18, 2020 but prior to the citizen comments portion of the agenda will be read aloud during the public comment portion of the agenda. The City reserves the right to summarize long written comments and questions rather than reading them aloud but will provide Commission members the full text of these comments subsequent to the meeting.

To be considered for inclusion in the agenda packet or to be read aloud during the meeting, public comments and questions must include the name and home address of the person submitting them and must not include language that would be considered vulgar or be interpreted as hate speech or fighting words. The comments and questions should also indicate the date of the electronic public meeting for which they are being submitted. Written comments and questions should be submitted to [planning@cityofhillsdale.org](mailto:planning@cityofhillsdale.org).

Persons with disabilities who require assistance in order to participate in the electronic public meeting should contact the City at the earliest opportunity by emailing [kprice@cityofhillsdale.org](mailto:kprice@cityofhillsdale.org) or by calling 517-437-6441.



Planning Commission  
97 North Broad Street  
Hillsdale, Michigan 49242-1695  
(517) 437-6440 Fax: (517) 437-6450

**Planning Commission Agenda**  
**May 19, 2020**

- I. Call to Order 5:30**
  - A. Pledge of Allegiance
  - B. Roll Call
  
- II. Public Comment**
  - Any Commission related item – 3 min. limit
  
- III. Consent Items/Communications**
  - A. Approval of agenda – **Action**
  - B. Approval of Planning Commission 02-18-2020 minutes – **Action**
  
- IV. Old Business**
  - Short Term Rental Resolution – **Action**
  
- V. New Business**
  - 58/60 N. West St. Development – **Discussion**
  
- VI. Master Plan Review**
  - Goals and Objectives
  
- VII. Zoning Ordinance Review**
  
- VIII. Zoning Administrator Report**
  
- IX. Commissioner’s Comments**
  
- X. Adjournment**

Next meeting June 16, 2020 at 5:30 pm



Planning Commission  
97 North Broad Street  
Hillsdale, Michigan 49242-1695  
(517) 437-6440 Fax: (517) 437-6450

## **PLANNING COMMISSION MINUTES**

**HILLSDALE CITY HALL,**

**97 N. Broad Street**

**February 18, 2020 at 5:30 PM**

### **I. Call to Order**

Vice Chairman Eric Moore opened the meeting at 5:01pm.

Members present: Commissioners Eric Moore, Secretary Penny Swan, Mayor Pro-tem Will Morrissey, Elias McConnell, Jacob Parker.

Members absent: Ron Scholl, Chair Sam Nutter

Others Present: Alan Beeker

Public Present: Mary Wolfram

### **II. Public Comment**

Mary Wolfram spoke as a representative of the Heritage Association, and as an individual resident of the City of Hillsdale, Mary spoke on some of the homes being built in Hillsdale, she was encouraging the planning commission to consider keeping homes being built in line with the historic architecture of Hillsdale. She was specifically talking about some of the pole barn type buildings being built in Hillsdale.

### **III. Consent Items and Agenda**

Commissioner Swan moved to approve minutes and agenda, Commissioner Morrissey seconded, motion carried.

### **IV. Public Hearing on Capital Improvement**

Opened at 5:42pm by Commissioner Moore.

Alan Beeker spoke how Jack McClain had spoken at a City Council meeting about an issue in the TIFA budget about roadwork at Manning and West that was not in the TIFA district. Alan also discussed the road diet and information from MDOT.

Public Hearing Closed at 6:01pm

Motion made by Commissioner Morrissey to send the Capital Improvement Plan to City Council, Commissioner McConnell seconded, Motion carried.

### **V. Old Business**

Zoning Board of Appeals liaison.

Commissioner Swan volunteered to fill the position, motion to appoint Commissioner Swan as the planning commission liaison to the ZBA made by Commissioner Moore, seconded by Commissioner Parker, motion carried.

### **VI. New Business**

None

### **VII. Master Plan Review**

Alan Beeker spoke on the joint meeting on Jan 25th between the Hillsdale City Council, TIFA, Planning Commission, and the EDC, the visions that came up during that meeting for the City and the things he

has been working on since that meeting. He asked the planning commission to give him input on more ideas to work on making Hillsdale a more pleasant, walkable, and drivable city.

**VIII. Zoning Ordinance Review**

Alan Beeker discussed a few ordinances he would like to address this year if possible.

**IX. Zoning Administrator Report**

Alan Beeker spoke on the Region 2 Act and what it means for the planning commission and changes they are trying to make.

Motion to adjourn by Commissioner Swan, seconded by Commissioner Morrisey, Motion carried at 6:58pm.

**Next meeting: March 17, 2020 at 5:30 pm.**



**TO: Planning Commission**

**FROM: Zoning Administrator**

**DATE: May 19, 2020**

**RE: State Short Term Rental (STR) Bill Opposition Resolution**

**Background:** The State has recently proposed two bills to remove the ability of local municipalities to regulate and enforce home ordinances regarding short term rentals. During the February meeting, Commissioner Morrisey suggested that the Planning Commission pass a resolution opposing the State legislature's proposed House Bill 4046 which would amend the Michigan Zoning Enabling Act. Included in the packet is a proposed resolution for the Commission's discussion and action.

A RESOLUTION BY THE CITY OF HILLSDALE PLANNING COMMISSION  
OPPOSING HOUSE BILL 4046

WHEREAS, House Bill 4046, which would amend the Michigan Zoning Enabling Act 2006 PA 110, referred to here-after as the MZEA, was introduced in January of 2019 and referred to the Committee on Local Government and Municipal Finance; and,

WHEREAS, House Bill 4046 would add Section 206b to the MZEA, stating that the 'Short-Term Rental' of dwellings is a residential use of property and a permitted use in all residential zones; and,

WHEREAS, the City of Hillsdale Planning Commission have the following concerns with House Bill 4046:

- A 'Short-Term Rental' should be regulated by local governmental units; and,
- Treating a 'Short-Term Rental' as a residential use rather than as a commercial use would weaken a local governmental unit's ability to protect home values; and,
- Local governmental units would be prevented from regulating land uses under the MZEA; and,
- The broad manner in which the bill is composed may potentially draw far more objectionable 'Short-Term Rentals' in areas which the sponsor may not have intended as well as increase the quantity of non-conforming uses in single family residential districts; and,
- Permitting a 'Short-Term Rental' of twenty-eight (28) days or less suggests that any landlord simply has to adjust the terms of their lease agreements to exempt themselves from non-owner-occupied residential registration and inspection programs statewide; and,
- Local control would be undermined and local governmental units would be directly precluded from inspecting 'Short-Term Rental' properties to ensure compliance with basic building, zoning, electrical, mechanical, plumbing, and rehabilitation code standards; and,
- Established neighborhoods may be destabilized by 'Short-Term Rentals' in a time when housing markets, specifically in urban core communities, are struggling to regain strength; and,
- Owners using their properties as a 'Short-Term Rental' may continue to claim a 100% Principle Residence Exemption (PRE) which would exempt them from paying the tax levied by a local school district; and,
- A 'Short-Term Rental' would not be bound by any of the specific taxes levied against hotels and motels to support local tourism nor required to meet various public-safety laws, (e.g.,

current fire codes, building codes, zoning ordinances, etc.) because they would be considered equivalent to a single family, owner occupied use; and,

- Due to the nature of a 'Short-Term Rental', short-term tenants may be less familiar with the rules and regulations established by condominium and homeowner associations regarding common areas that are typically reserved for owners and long-term tenants, thereby increasing the short-term tenant's risk of unknowingly violating said rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, that the City of Hillsdale Planning Commission opposes House Bill 4046, which would amend the Michigan Zoning Enabling Act 2006 PA 110; and,

BE IT FURTHER RESOLVED that the Planning Commission of the City of Hillsdale does hereby direct the Planning Commission Chair to sign this Resolution signifying opposition to House Bill 4046.

Passed at a regular meeting of the Planning Commission of the City of Hillsdale held on the 17<sup>th</sup> day of March.

CITY OF HILLSDALE  
PLANNING COMMISSION

By \_\_\_\_\_  
Samuel Nutter – Chair



**TO: Planning Commission**

**FROM: Zoning Administrator**

**DATE: May 19, 2020**

**RE: 58 & 60 N. West Zoning**

**Background:** A Developer interested in renovating and reopening the structures located a 58 & 60 N. West has applied for possible rezoning of the properties from the current zoning of RM-1, Multiple Family Residential to B-1 Local Business. The intent would be to create mixed use properties of both structures which would mean the lower floors would be commercial and the upper floors would be residential. The Developer desired an audience to present his plans to the Planning Commission prior to moving forward with purchase of the property or pursuit of any grant monies.





|           |          |            |
|-----------|----------|------------|
| SK1       | JOB NO.  |            |
|           | DRAWN BY | LMF        |
|           | CHK BY   | RGC        |
|           | DATE     | 03.10.2020 |
| SHEET NO. |          |            |

Proposed Renovation for the  
 Wilson Building & Rowson House  
 58 & 60 N. West Street, Hillsdale, MI 49242

# Rowlson Home 60 N. West St.

## Hillsdale, MI

Mr. Harvey Rowlson, the original owner of the home built in 1849, was a prominent member of the Hillsdale community for 46 years. Mr. Rowlson was passionately political in the Whig Party (later becoming the Republican Party) and moved to Hillsdale to open the newspaper, *The Whig Standard* (which exists as The Hillsdale Daily News in 2020), with business partner, Stephen Clark. Within 5 years, Mr. Rowlson became the sole owner of the newspaper after buying out Mr. Clark. Harvey and his family of six (wife Margaret, two sons, one daughter and one adopted daughter) lived in the home until 1890. During his stay at the house, Mr. Rowlson served as Hillsdale County treasurer for 8 years, a representative in the Michigan State Legislature, a district IRA tax collector for over 7 years and in the Masonic fraternity.



## Wilson Home 58 N. West St. Hillsdale, MI

The original owner of the home was Judge Edward Wilson, the first circuit court judge of Hillsdale County as well as one of Hillsdale's first attorneys. The home was built in 1850 where Judge Wilson, his wife Helen and one daughter and one son lived until 1870 when Judge Wilson died.



# LOCAL GOVERNMENT LEADS THE WAY ON ELECTRIC VEHICLES

By Andrew Light



**T**he long-standing uncertainty around electric vehicles (EVs) has finally ended as EV uptake has escalated rapidly in the past few years. Now, we have to figure out the “how” rather than the “if”. How do we guarantee the appropriate infrastructure is available for EV use in Michigan? Michigan’s cities and villages have the ability and the responsibility to prepare for this demand through incentives, regulations, and leadership.

## The Need for Local Action

One of the primary reservations that consumers have about purchasing an electric vehicle is that they won’t be able to find a place to plug it in. This concern is not unfounded, as many reports identify the need for more charging stations around the state to account for the growing rate of EV purchases. One such report is the Michigan Energy Office’s study of how many charging stations are needed along Michigan’s highways by 2030 to provide for “worry-free” driving.

Local officials, too, think that there is a need for more EV charging infrastructure. In Fall 2019, the University of Michigan’s Center for Local, State, and Urban Policy (CLOSUP) administered a survey funded by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to local government leaders across the state. The survey found that more than 40 percent of city and village leaders felt that their jurisdiction had too few publicly accessible charging stations.

The survey also found that over 60 percent of cities and villages have not yet given any consideration to how their local government’s policies or practices can facilitate EV infrastructure. These two statistics show there is a lot of room for improvement at the local level, especially as EV use continues to grow in Michigan. Local governments can help encourage the development of EV infrastructure in three key ways:

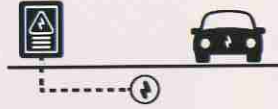
1. Incorporating EVs into their ordinances, especially their zoning ordinance
2. Conducting educational outreach programs
3. Leading by example by developing EV infrastructure at public facilities

### 1. EV-Capable

Install electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot.

[Aspen, CO: 3% of parking is EV-Capable \(IBC\)](#)

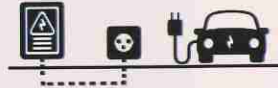
[Atlanta, GA: 20% is EV-Capable \(Ordinance\)](#)



### 2. EVSE-Ready Outlet

Install electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet (typical clothing dryer outlet).

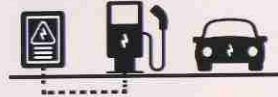
[Boulder, CO: 10% of parking is EV-Ready Outlet](#)



### 3. EVSE-Installed

Install a minimum number of Level 2 EV charging stations.

[Palo Alto, CA: 5-10% of parking is EV-Installed](#)



## Incorporating EVs into Ordinances

A local government can implement ordinances that incentivize or require businesses and homes to accommodate EV infrastructure. A handful of municipalities have already taken different actions to incorporate EV infrastructure into their zoning ordinance. Some of these ordinances use incentives to encourage EV infrastructure. For example, the City of Ypsilanti has an incentive that reduces a business' required number of off-street parking spaces if some of those spaces are equipped

with EV chargers. Other municipalities use regulations to require EV infrastructure. The City of Grand Rapids, for example, requires that all parking lots and structures provide space for one charging station for every 200 parking spots.

These both represent a positive step toward local consideration of EV infrastructure, but neither ensure a sufficient number of spaces to meet the rapidly growing demand. The parking garages being built today will likely last 25-50 years, but many ordinances in Michigan consider only near-term EV needs rather than longer-term needs.

## Education and Outreach

In communities that don't want to force the issue by requiring developers to include EV infrastructure, another role they can play is in educating people about the cost and benefits of EV infrastructure.

A recent study out of San Francisco finds that it costs 1.7-2.3 times as much to retrofit a parking space with an EV charger than to plan for it when the parking is originally being constructed. At the same time, installing a charger does add costs to new construction compared to traditional, non-charging parking spaces.

# ELECTRIC CAR CHARGING



## AVAILABLE HERE


**“...it demonstrates that the municipality is committed to sustainability, taking actions to begin a transition away from fossil fuels.”**

The addition of infrastructure does not need to occur all at once, though. For example, property owners can save money in the long-term by putting electrical conduit in place when the parking is constructed, but not the actual EV chargers until they are needed. Figure 2, drawn from a current proposal in the City of Ann Arbor to add EV charging requirements to the zoning ordinance, shows three different levels of EV-readiness. Even if a local government is hesitant to regulate EV infrastructure, providing this information about EVs to developers can be helpful.

Local governments can also play a role in helping to educate their communities about rebates and incentives aiming to encourage EV use. In Michigan, both Consumers Energy and DTE have programs to help reduce the costs to install an EV charger, and the federal government offers tax incentives on the purchase of EVs. This education, outreach, and communication can help to lower the perceived barriers for communities to take action.

### Leading by Example

Additionally, governments can show leadership on EVs through the choices they make with their own municipal infrastructure and vehicle purchases. An analysis of the municipality's fleet (police cars, service vehicles, etc.) and buildings (public parking, city hall, etc.) can help identify which vehicles can be replaced by electric vehicles and which locations can be fitted with charging stations. This analysis often includes looking at the types of vehicles available, and which municipal buildings have adequate power supplies to handle the additional load created by an EV charger.

There are many benefits to a city or village going through the process of installing an EV charger. First, it provides communities with a tangible example of how EV chargers can be incorporated into the existing built environment. Second, it provides municipal staff with real-world experience to draw from to answer questions and be in a better position to conduct education and outreach about EVs. Finally, it demonstrates that the municipality is committed to sustainability, taking actions to begin a transition away from fossil fuels. 

*Andrew Light is a research assistant at the University of Michigan's Graham Sustainability Institute. You may contact him at 734.764.3746 or [lightand@umich.edu](mailto:lightand@umich.edu).*




*The dramatic increase in electric vehicles sold shows that communities need to prepare for them.*



**Bridging the gap between  
our communities and the  
wireless industry.**

EDUCATION | LIASION | CONTRACT NEGOTIATION | ASSET MANAGEMENT | APPLICATION REVIEW



Phone: 248.914.3560  
Email: [info@urbanwireless.us](mailto:info@urbanwireless.us)  
Web: [urbanwireless.us](http://urbanwireless.us)



# ONE SIZE DOES NOT

## Local Governments Struggle with State-Wide Short-Term Rental Regulations

By Ulrik Binzer

The number of short-term vacation rental listings grew 100 percent across the United States and Canada between 2016 and 2019. In Michigan, listings grew 233 percent during the same period.

Today, Michigan has roughly 25,000 short-term vacation rentals. A short-term vacation rental (STR) is the rental of a residential dwelling unit usually for a period of less than a month. They are commonly booked through one of many online platforms, such as Airbnb and Vrbo. There are currently over 125 such providers of this service.

The STR market's growth has created controversy across the United States, from large tourist destinations to sleepy towns. Through my involvement in over 300 local government STR programs, I've learned that STRs can boost the local economy and provide additional income to homeowners. However, communities with STRs are often faced with parking problems, trash, noise, housing shortages, and safety issues. Hotels and traditional bed and breakfasts may also express concerns that hosts are not paying the same taxes or following the same rules. Legislators across North America are grappling with how to best regulate STRs, from banning them to deregulating them completely.

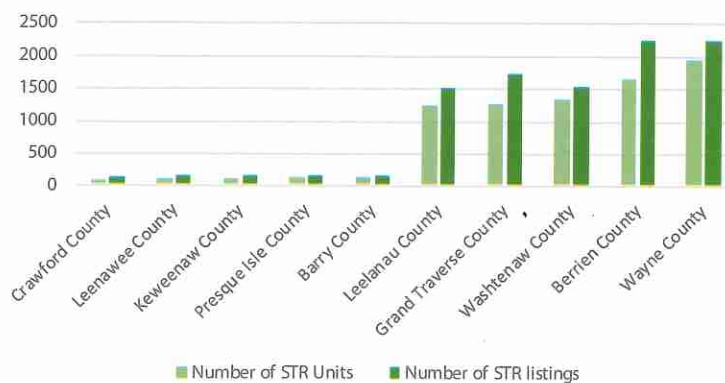
### A Local Issue

The best regulations for STRs are made by local governments, which have the most to gain or lose from those regulations. Common objectives of STR policies are to preserve affordable housing, maintain neighborhood character, provide safety for residents and visitors, and ensure a level playing field between local businesses and STRs. Without proper STR regulations

and enforcement, cities and counties may see an increase in code violations and citizen complaints that can easily progress into a crisis, as some municipalities have described. Other communities have lost out on revenue from hosts not paying permit fees or taxes.

Additionally, STRs may represent a large share of permanent households in one community while they are nonexistent in another. In Michigan, Wayne County will require vastly different regulations for its over 2,000 rental units than Crawford County may need for its roughly 75 units. The same policy for two counties with drastically different situations simply wouldn't work.

Number of STR Units and Listings





# FIT ALL

## The Case Against State Preemption

Perhaps the most obvious examples of one-size-fits-all policies are those currently proposed at the state level. House Bills 4046 and 4554 currently sit with legislators in Michigan. Both bills place varying limits on local governments to create regulations related to zoning of STRs. In recent years, these types of laws have interfered with local governments' ability to adopt and enforce STR regulations that work for their communities.

Recent history from other states provides a great example of how state preemption can easily go wrong. In 2016, the State of Arizona passed Senate Bill 1350, which preempted local control of STRs. The law prohibits cities and counties from regulating STRs. Local governments can't place limits on usage, including occupancy limits, which means rental homes can have high occupancy rates and large parties and act as event venues. The bill also defines STRs as "individual or collectively owned" and as a "single-family or one-to-four family house." This definition allows companies to own STRs and STRs could act as mini hotels.

The bill's outcome has been disastrous. STRs are so profitable in high-demand tourist areas that they are displacing residents. According to an article published in the Arizona Republic, 20 percent of the City of Sedona's housing is STRs. More than 150 Sedona residents expressed outrage when the city manager displayed a map of Sedona's STRs during a June 2019 meeting. At the same meeting, long-term renters expressed fears that their landlords may turn their homes into STRs when their lease ends. The majority sentiment was to seek local control of STR regulations. One resident is quoted as saying, "We have a

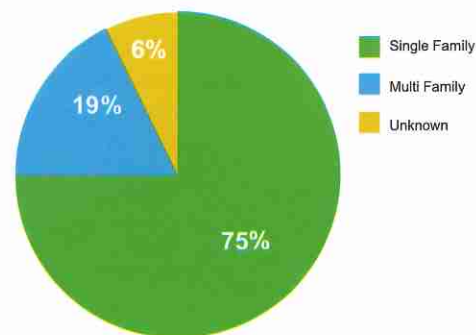
very good city council, and the state of Arizona has emasculated them in this area."

Arizona's governor, Doug Ducey, signed House Bill 2672 in May 2019. This bill attempted to correct the 2016 bill by prohibiting large parties at rentals and mandating that hosts provide contact information to cities as well as hold a transactional privilege tax license. But Sedona's meeting in June showed that there are still issues. Gov. Ducey stated in August that he was still hearing complaints and would revisit the state law. For three years, Arizona cities and counties have been pleading for the State to help with little resolution.

## State Laws Around the U.S.

Arizona is not the only state to have passed preemptive laws related to STRs in recent years. In 2011, the State of New York passed the Multiple Dwelling Law (MDL), which applies to all cities with a population over 325,000. The MDL prohibits class A dwellings for purposes other than permanent residency. This means that most units in the City of New York can't be used as STRs.

STR UNIT BY TYPE





“Municipalities have a chance now to demonstrate successful regulations before state lawmakers step in.”

However, not all state laws are negative. Other states, like Missouri and Michigan’s neighbors, Indiana and Wisconsin, take a more balanced approach to preemptive laws. Wisconsin’s law states that municipalities can require STRs to hold a permit, but municipalities can’t prohibit rentals of 7 to 29 consecutive days. Perhaps the most promising law for local governments is Rhode Island’s law, which states, “all short-term rental units must comply with municipal laws and regulations.”

### Protect and Prepare

State lawmakers should resist the urge to pass STR bills that preempt local regulations. Instead, they can seek ways to protect local government’s ability to adopt and enforce STR regulations that work for their communities.

In the meantime, the STR market will continue to grow and change. Municipalities have a chance now to demonstrate successful regulations before state lawmakers step in. Many cities and counties across North America have already created strategic solutions based on technology, data, and public input to avoid being left behind. How will you influence the fate of your community? 

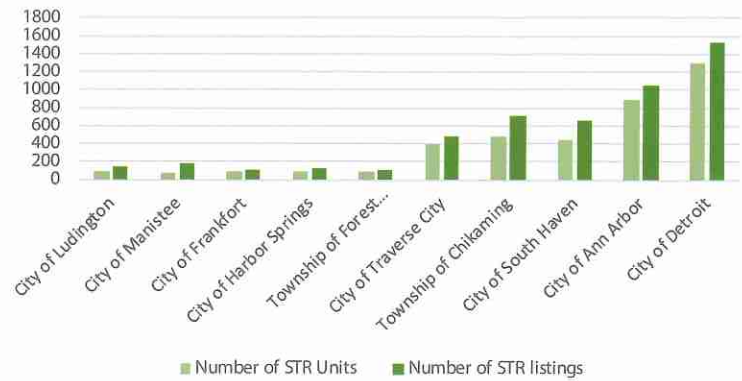
### SAMPLE ORDINANCES

Wisconsin: <http://bit.ly/2RvBGYP>

Rhode Island: <http://bit.ly/37w0Egr>

Ulrik Binzer is the founder and CEO of Host Compliance—now a part of Granicus—which helps local governments cost-effectively research, draft, and enforce short-term rental regulations. You may contact him at 415.715.9280 or [ulrik.binzer@hostcompliance.com](mailto:ulrik.binzer@hostcompliance.com).

Number of STR Units and Listings



**HOW MANY LAW FIRMS DO YOU NEED TO HIRE TO MEET YOUR COMMUNITY’S NEEDS?**

**ANSWER: ONE, IF THE FIRM IS ROSATI, SCHULTZ, JOPPICH & AMTSBUECHLER, PC**

*“You go to them with a problem or legal issue and they have an attorney there who’s been down that road before.”*  
– City Mayor



**ROSATI | SCHULTZ  
JOPPICH | AMTSBUECHLER**

**RSJALAW.COM | 248.489.4100**