



Agenda
City of Charlevoix Planning Commission Regular Meeting
Monday, August 8, 2022 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

- A. Call to Order/Pledge of Allegiance**
- B. Roll Call**
- C. Inquiry into Potential Conflicts of Interest**
- D. Approval of Agenda**
- E. Approval of the Minutes**
 - 1. July 11, 2022 Draft Minutes
- F. Call for Public Comment Not Related to Agenda Items**
- G. New Business**
 - 1. Site Plan Review - 202 Ferry Avenue
 - 2. Lake Charlevoix Visioning 2022
 - 3. Revised ADU Architectural Standards
 - 4. Building Height Review and Discussion
 - 5. Sign Ordinance Review and Discussion
 - 6. Building Unit Size and Lot Size
- H. Old Business**
 - 1. Donations
- I. Staff Updates**
 - 1. Zoning Administrator's Report
- J. Requests For Next Months Agenda or Research Items**
- K. Adjournment by 8:00 p.m. unless extended by a motion**

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Clerk's Office at 231-547-3250 or by email clerk@charlevoixmi.gov. A 24-hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodations requests.

City of Charlevoix
Planning Commission Regular Meeting minutes
Monday, July 11, 2022 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

A. Call to Order/Pledge of Allegiance

The meeting was called to order at 6:00 p.m. by Chair Waddell.

B. Roll Call

Chair: RJ Waddell
Members Present: Sherm Chamberlain, Annemarie Conway, Toni Felter, Mary Millington, Jennifer Muladore, Maureen Radke
Members Absent: None
Staff Present: Jennifer Neal, Community Planner, Networks Northwest; Janet Koch, Zoning Administrator

C. Inquiry into Potential Conflicts of Interest

Chair Waddell stated that he ran into Diane Foss-Priest and she asked him questions about the agenda item regarding the proposed donation.

D. Approval of Agenda

Motion by Member Conway, seconded by Member Millington to approve the agenda as presented.

Motion carried by unanimous voice vote.

E. Approval of the Minutes

1. June 13 Meeting Minutes

Motion by Member Radke, seconded by Member Chamberlain to approve the minutes of June 13, 2022 as presented.

Motion carried by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Proposed Donation: Miniature Painted Sailboat Honoring Dale and Marilyn Boss

Linda Boss
Pam Beatty

This agenda item was based on a request from a group of individuals who wanted to offer a donation of a miniature painted sailboat to memorialize the life and work of Dale and Marilyn Boss. The sails would feature scenes from Charlevoix reminiscent of activities Mr. and Mrs.

Boss enjoyed and contributed to over their long lives in Charlevoix.

The Planning Commission will need "to affirmatively find the donation in keeping with the City's Master Plan and Parks and Recreation Master Plan where applicable." A copy of the City's Donation Policy was included in the Commission's packet and the Members referred to the document throughout their discussion.

Diane Foss-Priest, representing the Boss family, stated that they were told by the City Council that they do not allow any artwork in the greenspace of East Park. She said that they didn't know if the Planning Commission would give suggestions for placement or if the Commission wanted to hear from the family. Linda Boss stated suggested locations included: near where the bike rack is located in East Park, near the trout pond nestled under the trees out of the greenspace, along the channel near Hoffman Park, or down by the parking lot where the hammocks are located.

Chair Waddell stated that he did attend the City Council meeting where the group presented their plan for the donation and it was mentioned that the 2022 Parks and Recreation Master Plan does not include a provision for art or memorials. He stated the Council expressed concern about setting a precedent by allowing someone to place artwork/memorial in a public park.

Discussion followed regarding the City's Donation Policy and the Parks Master Plan, the parking lot on the channel as a potential location, the overwhelming contributions of the Boss family in the past, and the potential at Mt. McSauba in conjunction with future improvement projects.

Lisa Cur stated that she has known the Boss family most of her life and did not want to make any kind of disparaging remarks against the memory of Dale and Marilyn Boss, but this is a memorial that they are proposing and she believed memorials already had a place in the community, Brookside & St. Mary's, and she did not feel that a memorial in a public park/property was appropriate and it would set a precedent if allowed.

Motion by Member Chamberlain, seconded by Member Conway to recommend that the Council accept the donation of the sailboat to be placed in the "Palmer Parking lot" area behind the fish hatchery.

Motion carried by unanimous voice vote.

2. Site Plan Review of DTE Energy Gate Valve Enclosure

Zoning Administrator Koch stated that DTE Energy is requesting a gate valve enclosure be installed on property id number 052-250-018-10. The property is located on the northside of Mason Street, east of the Charlevoix Public Library near the Marina parking lot. She stated that the fence height maximum is 6' high, DTE's preferred height is 7.5', but that would require a variance through the ZBA.

Chris Hackbarth, Regional Manager for DTE Northern Michigan, and Greg Smith, Burns McDonald (engineering company for DTE), explained the project as part of improving the reliability of their natural gas system. Mr. Hackbarth responded to questions from the Commission Members. Chair Waddell and Commission Members expressed concern about

the aesthetics of the project. There were no public comments. Chair Waddell reviewed each Findings of Fact (153.235, *Standards for Site Plan Approval*). There were no changes.

Motion by Member Chamberlain, seconded by Member Felter to approve the site plan for the gate valve easement under three (3) conditions: that the walls be 6' in height, slats will be placed upon the entranceway, and the block/brick coloring will be compatible with the library exterior.

Motion carried by unanimous voice vote.

3. Revised ADU Architectural Standards

Community Planner Neal stated that per the direction she received from the City Attorney, revisions to the ADU Standards draft ordinance amendment were provided for review. She reviewed in detail the legal comments pertaining to architectural standards and the revised ordinance.

Discussion followed ensuring that ADUs are not being held to a higher aesthetic standard than other accessory buildings, design standards, garage door sizes, and setting a threshold for an accessory building as opposed to an ADU for architectural standards. Community Planner Neal stated Section 153.117 (7) was still under legal review by the City Attorney.

Motion by Member Conway, seconded by Member Millington to table (postpone) the accessory dwelling standards draft ordinance until the Planner receives more information from the City Attorney.

Motion carried by unanimous voice vote.

4. Building Height Review and Discussion

Chair Waddell stated that the Zoning Board of Appeals (ZBA) had a problem with inconsistency in the ordinance language regarding building height. Zoning Administrator Koch stated that there had been enough changes to the Zoning Ordinance that they have ended up with a complicated distribution of height requirements throughout the Zoning Ordinance.

She stated that there was two (2) letters that had been included in the agenda packet: 1.) Letter from Mr. Rodman describing his situation specifically regarding 205 Bridge Street; and 2.) Letter from Richard Hodgson, ZBA Chair, with one recommendation to take care of the issue which leads to a broader question of what was the real intent of the Planning Commission.

Discussion followed regarding allowing 6' beyond the 40' height in the Central Business District for rooftop equipment; and the needed height for an elevator to a rooftop deck.

Rodney Rodman stated he purchased the Gull building at 207-209 Bridge Street, which is currently a two-story building. It was their hope to add a third floor and create two condos in the basement, retain the retail on the first floor, a single residential unit on the second floor, and a fourth residential unit on the third floor with a rooftop patio that would be split between the second and third floor units. He stated that they wanted to make the complete building ADA compliant and to meet the Fire Code standards which requires two stairwells to access each floor, including the rooftop patio for a fire escape. Mr. Rodman stated they designed their building to be 37', but they would need up to 10' for the stairwell above the floor level and for the elevator, which is typically serviced above the top floor level, and would

need 13' to 13.5' above the floor level. His letter suggested allowing a nominal 10' above the floor level for a stairwell and 15' above the floor level for an elevator. He stated that the ZBA limited them to 6' above the 40' maximum for the building height.

Chair Waddell stated it was the ZBA's determination that this was a self-created issue because the owners could keep the building at two stories with the mechanical and elevator equipment above the second story, which would keep the overall height below the 40' maximum. Member Chamberlain felt it would be beneficial to review what was done for the Hotel Earl project, which is a three-story building, and Chair Waddell stated the language for rooftop decks was changed after the Hotel Earl Project.

Chair Waddell stated they needed clarity on the Zoning Ordinance regarding any overlapping language on building heights. Discussion followed regarding height restriction language from other northern cities. Zoning Administrator Koch stated that she could work on draft language to revise the height restrictions for consideration at the next meeting. The Commission concurred to postpone this item to the August meeting.

5. Sign Ordinance Review and Discussion

Motion by Member Felter, seconded by Member Chamberlain to extend the meeting until 8:10 p.m.

Motion carried by unanimous voice vote.

Zoning Administrator Koch asked the Planning Commission to consider visibility concerns for tenants located on Bridge Park Drive. She stated there was a new business going in next to the BIBCO office, JBird Provisions, and the owners had provided three (3) possible sign designs for their business which would most likely cause a need for an amendment to the Zoning Ordinance. After discussion, no action was taken. Zoning Administrator Koch will bring back suggested language to change the ordinance for the Commission's consideration.

H. Old Business

I. Staff Updates

1. Zoning Administrators Report

Zoning Administrator Koch referenced the summary of her efforts for the month of June.

J. Requests For Next Months Agenda or Research Items

Chair Waddell stated that next month's agenda would include: building height, signs, and ADUs again. Community Planner Neal stated that there would also be an update on the Watershed Plan.

K. Adjournment by 8:00 p.m. unless extended by a motion

The meeting adjourned at 8:11 p.m.

Charlevoix Planning Commission

New Business

Title: Site Plan Review - 202 Ferry Avenue

Date: August 8, 2022

Presented By: Janet Koch, Zoning Administrator

Background:

The applicant, Northwest Marine Yacht Club, is proposing the replacement of an existing swimming pool and deck adjacent to the Foster Boat Works condominiums. The property has Lake Charlevoix waterfront.

Recommendation:

Attachments:

1. 0-Site Plan Review - 202 Ferry Pool
2. 1-Application - 202 Ferry
3. 2-Application Drawings - 202 Ferry



PLANNING COMMISSION AGENDA ITEM

AGENDA TITLE: Level B Site Plan Review – 202 Ferry

PUBLIC MEETING DATE: August 8, 2022 at 6:00 PM

EXHIBITS:	1. Application from Northwest Marine Yacht Club 2. Site Plan provided by Performance Engineers 3. City of Charlevoix Zoning Ordinance
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I. GENERAL INFORMATION

Applicant: Northwest Marine Yacht Club

Property Owner: Northwest Marine Yacht Club
202 Ferry Ave.
Charlevoix, MI 49720

Requested Action: Level B Site Plan Approval for Regulator Station

Zoning: Marine Commercial (MC)

Project Location: 202 Ferry Ave., tax ID 052-410-000-00

Project Site Size: 123' x 130'

Existing Land Use: Common area; swimming pool and bath house

Adjacent Land Uses: Green space, condominium; also adjacent to Lake Charlevoix

Adjacent Zoning: Scenic Reserve, Marine Commercial

II. PROJECT DESCRIPTION/LOCATION

The applicant is proposing the replacement of an existing swimming pool and deck adjacent to the Foster Boat Works condominiums. The property has Lake Charlevoix waterfront.

III. SITE PLAN REQUIREMENTS

The first paragraph of § 153.231 of the Zoning Ordinance states: "Site plan review shall be required, as applicable, under the following conditions, or under other circumstances required by the City of Charlevoix Zoning Ordinance or other applicable law, unless exempted by §153.232."

§ 153.231(B) and § 153.231(B)(4) state that the Planning Commission shall review any site plan on a waterfront parcel.

V. SITE PLAN REVIEW

§ 153.085 of the Zoning Ordinance states that the Marine Commercial District was “established at locations in the community with water frontage to protect and promote the historic and unique heritage of the city. The historic marine use of the waterfront is a keystone to the ambiance of the “fishing village” feeling of the city. This district is intended to accommodate a mix of land uses including single-family, condominiums, marine related commercial and professional offices.”

On May 9, 1983, the Planning Commission appears to have approved the Northwest Marine project—phase 1 and phase 2 of the condominium project, including the existing swimming pool, deck, and bath house.

From § 153.115 Specific Use Requirements of the zoning ordinance:

(B) Additional requirements for swimming pools and hot tubs.

- (1) Any pool over 24 inches deep with a surface area of more than 250 square feet shall comply with the requirements of this division (B) and shall not be constructed, installed, enlarged or altered until a building permit has been obtained.
- (2) The outside edge of the pool wall and/or the deck and any other appurtenances shall not be located closer than ten feet from any rear or side property line, nor less than ten feet from the principal building. Swimming pools shall not be located in the front yard.
- (3)
 - (a) Each pool shall be enclosed by a minimum four-foot high fence, wall, or other structure or device, sufficient to make the pool inaccessible to small children. This enclosure, including gates, shall not be less than four feet above the underlying ground; all gates must be self-latching with latches placed at least four feet above the underlying ground or otherwise made reasonably inaccessible from the outside to small children. The fence may be located around the perimeter of a deck surrounding an above ground pool; provided that, the total height of the deck and the fence does not exceed ten feet. Above ground pools may have gates, removable or swing-up steps or other means to limit entry in lieu of a fence.
 - (b) Except for hot tubs and spas, a swimming pool cover shall not be allowed in lieu of a fence.
- (4) All swimming pool and hot tub installations shall comply with the state’s Construction Code and all standard codes referred to therein. All electrical installations or wiring in connection with swimming pools shall conform to the provisions of the National Electrical Code. If service drop conductors or other utility wires cross under or over a proposed pool area, the applicant shall make satisfactory arrangements with the utility involved for the relocation thereof before a permit shall be issued for the construction of a swimming pool. A no-fault ground unit shall be provided to protect against electrical shock.

The following section is taken directly from the Site Plan Review Section of the Zoning Ordinance. The Planning Commission must make findings of fact to determine if the proposal meets each of the following standards. The Planning Commission must find that this proposal meets all the following standards based on findings of fact before considering a motion to approve or deny. Staff has written the following recommended findings of fact as a starting point. The Planning Commission may add, modify, or delete any of the following draft findings at the meeting. The draft findings are in ***bold italics***.

§ 153.235 Standards for Site Plan Approval: A site plan shall be approved only upon a finding of compliance with the following standards:

- A. The site plan must comply with all standards of this Article and all applicable requirements of this ordinance, as well as with all other applicable city, county, state and federal laws and regulations.

The Planning Commission finds that the site plan proposal complies with the Zoning Ordinance.

- B. The site must be designed in a manner that is harmonious, to the greatest extent possible, with the character of the surrounding area.

The Planning Commission finds that the proposed project is harmonious with the character of the surrounding area.

- C. The site must be designed to minimize hazards to adjacent property and to reduce the negative effects of traffic, noise, smoke, fumes and glare to the greatest extent possible.

The Planning Commission finds that the proposal adds no hazards to adjacent properties.

- D. The site plan does not have a negative impact on the provisions of human services, housing, transportation needs, and access to food in the community.

The Planning Commission finds that the proposal does not have a negative impact on the provisions of human services to the community.

- E. The site plan protects the natural environment and conserves natural resources and energy to the extent possible in light of the proposed development.

The Planning Commission finds that the proposal protects the natural environment to the extent possible.

- F. Unless a more specific design standard is required by the city through a different ordinance or regulation, all uses and structures subject to site plan review shall comply with the following design standards:

- (1) Traffic circulation. ***Not applicable.***
- (2) Storm water. ***Not applicable.***
- (3) Snow storage. ***Not applicable.***
- (4) Landscaping: The landscape shall be preserved in its natural state, insofar as practical, by minimizing unnecessary tree and soil removal. Any grade changes shall be in keeping with the general appearance of neighboring developed areas. Provision or preservation of landscaping, buffers or greenbelts may be required to ensure the proposed uses will be adequately buffered from one another and from surrounding property. ***Proposal is a replacement of existing construction; not applicable.***
- (5) Screening: Where non-residential uses abut residential uses, appropriate screening shall be provided in accordance with § 153.171 to shield residential properties from noise, headlights and glare. ***Not applicable.***
- (6) Lighting. ***Not applicable.***

- (7) Utility service. All utility service shall be underground, unless impractical due to engineering difficulties.

The Planning Commission finds that the proposal meets the requirements.

- (8) Exterior uses. ***Not applicable.***
- (9) Emergency access. ***Not applicable.***
- (10) Water and sewer. ***Not applicable.***
- (11) Signs. ***Not applicable.***

VI. CONDITIONS OF APPROVAL

The following section is taken directly from the § 153.236 of the Zoning Ordinance. The PC may impose conditions of approval on the site plan based on the following criteria.

§ 153.238 Conditions of Site Plan Approval.

- (A) Conditions which are designed to ensure compliance with the intent of this subchapter and other regulations of the City of Charlevoix may be imposed on site plan approval.
- (B) Conditions imposed shall be based on the following criteria:
 - (1) Ensure that public services and facilities affected by the proposed land use and site plan will not be adversely affected.
 - (2) Ensure that the use is compatible with adjacent land uses and activities.
 - (3) Protect natural resources, the health, safety, welfare and social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
 - (4) Ensure compatibility between the proposed use or activity and the rights of the city to perform its governmental functions.
 - (5) Meet the intent and purpose of the City of Charlevoix Zoning Ordinance, be related to the regulations and standards established in the ordinance for the land use or activity under consideration and be necessary to ensure compliance with those standards.
 - (6) Ensure compliance with the intent of other city ordinances that are applicable to the site plan.
 - (7) Ensure compatibility with other uses of land in the vicinity.

Planning Commission Actions:

- A. Approve without conditions, based on specific findings of fact that prove the project does meet the review standards in Section 153.237
- B. Approve with conditions, based on specific findings of fact that prove the project does meet the review standards in Section 153.237
- C. Deny based on specific findings of fact that prove the project does not meet the review standards in Section 153.237
- D. Table. (Usually, this option is only used when additional information is needed to assist the Planning Commission in making the decision.)



CITY OF CHARLEVOIX

210 State Street Charlevoix, MI 49720
www.charlevoixmi.gov

Permit No.:	_____
Date Received:	_____
Decision Date:	_____

Office of Planning and Zoning (231) 547-3265
Planner@Charlevoixmi.gov

Planning Commission Application

☒ Site Plan Review	☐ Rezoning
☐ Special Land Use Permit	☐ Zoning Ordinance Amendment
☐ Planned Unit Development	☐ Other _____

Applicant Name: NORTHWEST MARINE YACHT CLUB
 Street Address: 202 FERRY AVE
 City: CHARLEVOIX State: MI Zip code: 49720
 Phone Number(s): (231) 547-5552 E-mail: HARBORMASTER@NWMYC.COM

I hereby attest that all information on this application is, to the best of my knowledge, true and accurate.

Signature: [Signature] Date: AUGUST 1, 2022

Applicant is the: ☐ Owner ☐ Lessee ☒ Agent ☐ Contractor/Architect

Property Owner's Name (if different from applicant): N/A

Street Address: _____

City: _____ State: _____ Zip code: _____

Phone Number(s): _____ E-mail: _____

Signature: _____ Date: _____

I hereby grant permission for members of the City of Charlevoix (Planning Commission) (Staff) to enter the property described below (or as described in the attached) for the purpose of gathering information related to this application. (Note to applicant: This is optional and will not affect any decision on your application)

Signature of Owner: _____ Date: _____

Project Location or Address: 202 FERRY AVE, CHARLEVOIX, MI 49720

Parcel Number: 15-052-410-000-00

Explanation of Request: Replacement of EXISTING POOL AND DECK

City of Charlevoix
Planning Commission Application
Page 2

Subject Parcel Information:

Project Location or Address: 202 FERRY AVE, CHARLEVOIX, MI 49720
Parcel Number: 15-052-410-000-00
Zoning District: MC - MARINE COMMERCIAL
Current Use of Property: Common AREA
Dimensions of Parcel: 123' x 130'
Parcel Size: 15,990 sq. Ft.
Please describe the type of construction proposed: POOL AND DECK
REPLACEMENT

Affidavit

I the undersigned, do hereby make application to the City of Charlevoix for approval of the attached Site Plan which has been drawn in accordance with the City of Charlevoix Zoning Ordinance.

I certify that the property owner has authorized the proposed work, and that I have been empowered by the owner to make this application as his/her agent.

I agree the statements made above application and associated documents are true, and if found not to be true, the approval of the site plan and/or any zoning permit that may be issued may be void.

Further, I agree to comply with the conditions and regulations provided with the approved site plan and any permit that may be issued.

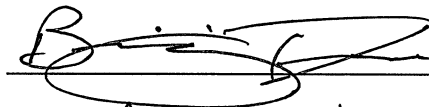
Further, I agree the permit that may be issued is with the understanding all applicable sections of the City of Charlevoix Zoning Ordinance will be complied with.

Further, I agree to notify the zoning administrator of City of Charlevoix for inspection before the start of construction and when locations of proposed uses are marked on the ground.

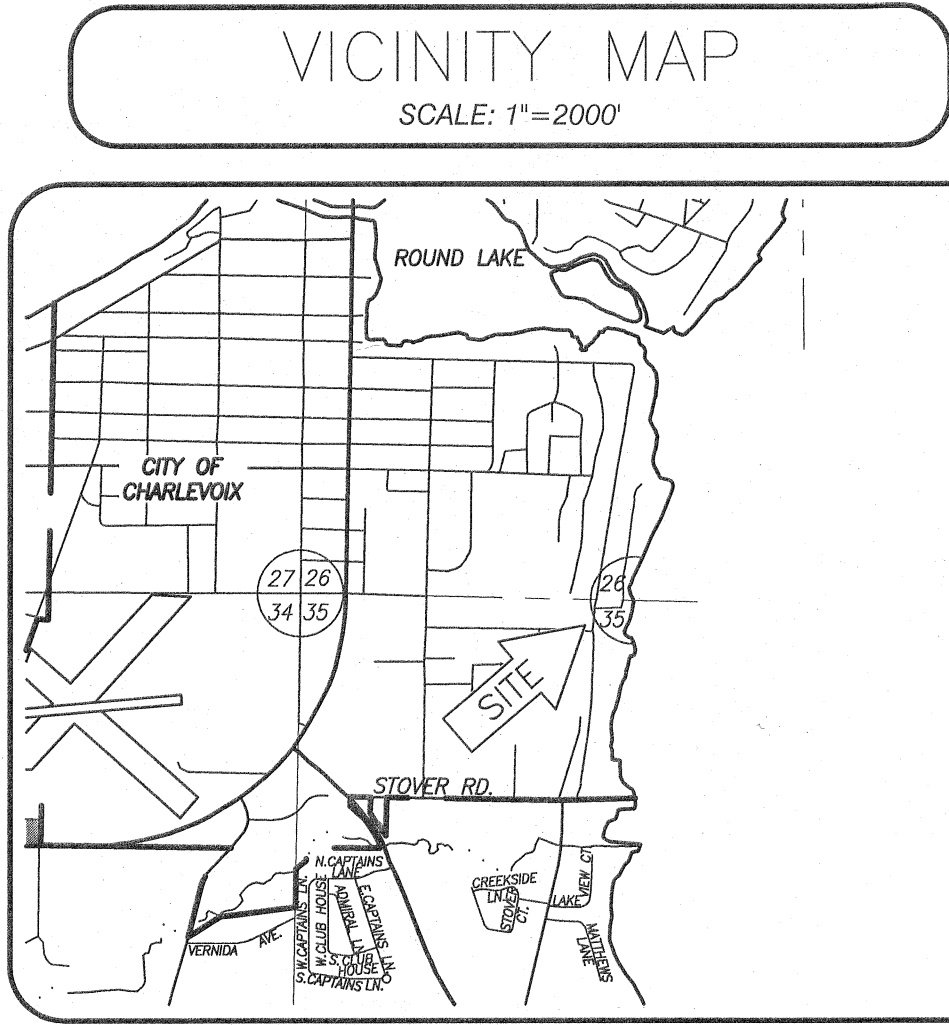
Further, I agree to give permission for officials of City of Charlevoix, the County and the State of Michigan to enter the property subject to this permit application for purposes of inspection.

Finally, I understand this is a zoning permit application (not a permit) and that a zoning permit, if issued, conveys only land use rights, and does not include any representation or conveyance of rights in any other statute, building code, deed restriction or other property rights.

Property Owner or Agent Signature:



Date: AUGUST 1st, 2022



LEGAL DESCRIPTION

DESCRIPTION (PER CHARLEVOIX COUNTY RECORDS)
TOWNSHIP OF CHARLEVOIX, COUNTY OF CHARLEVOIX, AND STATE OF MICHIGAN,
MORE FULLY DESCRIBED AS FOLLOWS:
COMMON AREA NORTHWEST MARINE YACHT BASIN RECORDED IN 1981

SITE INFORMATION

CURRENT ZONING: MC
ZONING SETBACKS:
MAXIMUM STRUCTURE HEIGHT: 35 FEET
MINIMUM FRONT YARD: 20 FEET
MINIMUM INTERIOR SIDE YARD: 0 FEET
MINIMUM STREET SIDE YARD: 0 FEET
MINIMUM REAR YARD: 0 FEET
PROPERTY AREA (ID 052-410-000-00): 1.8 ACRES

BATHHOUSE

FIXTURES:
MENS SHOWER: 9
MENS LAVATORY: 9
WOMENS SHOWER: 9
WOMENS LAVATORY: 9

GENERAL NOTES

- EXISTING UTILITIES HAVE BEEN LOCATED TO THE BEST OF THE OWNER'S KNOWLEDGE. CONTRACTOR TO FIELD VERIFY THE LOCATION AND TOPOGRAPHY IN THE AREA OF WORK PRIOR TO EXCAVATION AND TO REPORT ANY DISCREPANCIES IN THE PLANS TO THE OWNER AND ENGINEER. CONTRACTOR IS TO CALL MISS DIG PRIOR TO ANY EXCAVATION.
- ALL WORK IS EXPECTED TO REMAIN WITHIN THE POOL AND SURROUNDING DECK FOOTPRINT.
- EXISTING BUILDING CONTAINS ONLY BATHROOMS, SHOWERS, AND LAUNDRY FACILITIES. ALL RESIDENTIAL UNITS ARE LOCATED WITHIN ADJACENT PARCEL.
- THE MECHANICAL STORAGE WITHIN THE BUILDING IS UTILIZED BY THE RESIDENTIAL BUILDING ADJACENT.
- MINIMAL EARTHWORK IS EXPECTED DURING THE REPLACEMENT OF THE EXISTING POOL AND DECK. CONTRACTOR SHALL CONTACT THE CITY OF CHARLEVOIX FOR ANY ADDITIONAL EARTHWORK REQUIRED, AND OBTAIN THE NECESSARY PERMITS.
- AN EXISTING WATER SERVICE LINE IS LOCATED UNDERNEATH THE POOL FOOTPRINT. THE CITY OF CHARLEVOIX SHALL BE CONTACTED DURING ANY ACTIVITY NEAR THIS WATER LINE.
- ALL EQUIPMENT ASSOCIATED WITH THE POOL WILL BE REPLACED WITH NEW AND WILL MAINTAIN THE EXISTING FOOTPRINT SHOWN IN THESE DRAWINGS. REFER TO B&B POOLS & SPAS' DRAWINGS DATED JULY 13, 2022 FOR POOL AND EQUIPMENT DETAILS.

LEGEND

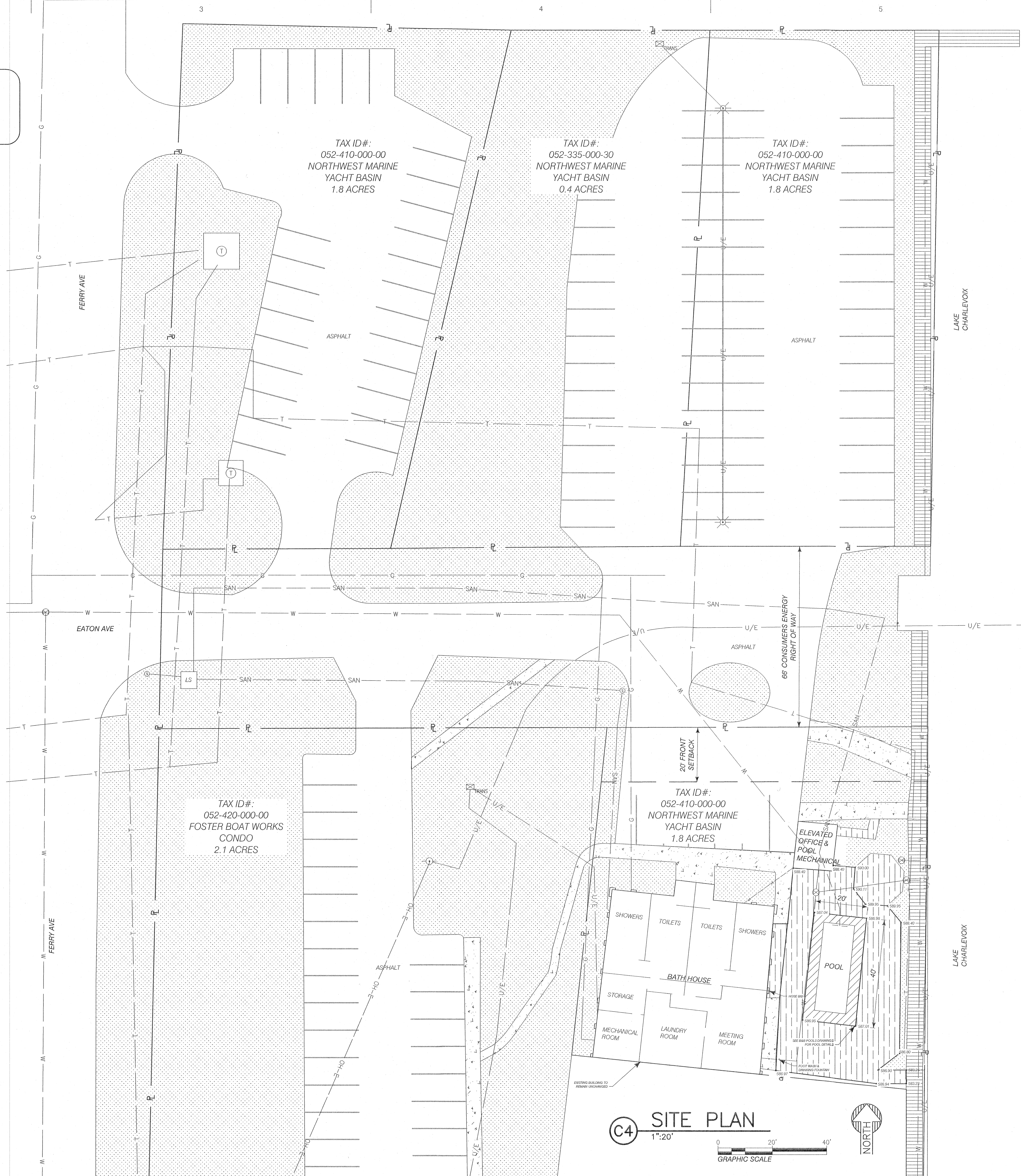
DESCRIPTION	PROPOSED	EXISTING
BUILDING		
STORM SEWER	ST	ST
SANITARY SEWER	SAN	SAN
WATER	W	W
NATURAL GAS	G	G
UNDRGRND ELEC.	U/E	U/E
OVERHEAD ELEC.	E	E
UNDRGRND TEL.	U/T	U/T
WELL		
MANHOLE		
CATCH BASIN		
FIRE HYDRANT		
UTILITY POLE		
LIGHT POLE		
CLEANOUT		
WATER VALVE		
DECIDUOUS TREE		
CONIFEROUS TREE		
BUSH		
TREELINE		
DITCH OR SWALE		
ELEVATION	000.00	000.00
CONTOUR	000	000
PROPERTY LINE		
UNIT LINE		
FENCE	X	X

ABBREVIATIONS

ASPH	- ASPHALT	IE	- INVERT ELEVATION
BF	- BARRIER FREE	LFT	- LINEAR FEET
BC	- BACK OF CURB	MH	- MANHOLE
BLDG	- BUILDING	PVC	- POLYVINYLCHLORIDE
B.M.	- BENCH MARK	PIPE	- PIPE
CFT	- CUBIC FEET	R	- RADIUS
C/C	- CENTER TO CENTER	RCP	- REINFORCED CONCRETE PIPE
CMP	- CORRUGATED METAL	ROAD	- RAILROAD
CONC	- CONCRETE	SAN	- SANITARY
DIP	- DUCTILE IRON PIPE	STL	- STEEL
FDN	- FOUNDATION	STM	- STORM
FFE	- FINISH FLOOR	T/C	- TOP OF CURB
F.G.	- FINISH GRADE	T/W	- TOP OF WALK
HDPE	- HIGH DENSITY POLYETHYLENE	T/WALL	- TOP OF WALL
		TE	- TOP/IRIM ELEVATION
		TYP	- TYPICAL



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Performance Engineers, Inc.

Civil / Structural Engineering
406 Petoskey Avenue
Charlevoix, Michigan 49720
Phone: (231) 547-2121
Fax: (231) 547-0084
www.performanceeng.com

CONSULTANTS

NORTHWEST MARINE YACHT CLUB
POOL & DECK REPLACEMENT

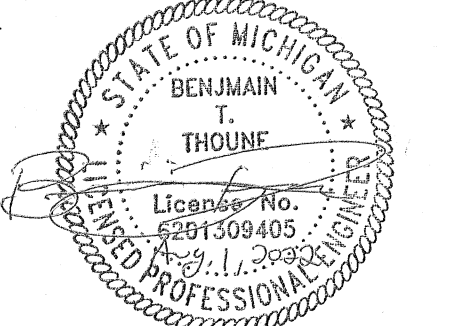
202 FERRY AVE
CHARLEVOIX, MI 49720

OWNER

MARK	DATE	DESCRIPTION
0	7-22-2022	OWNER REVIEW
1	7-26-2022	SITE PLAN REVIEW
2	8-1-2022	UTILITY ANNOTATIONS

PROJECT NO: 22-5860
CAD DWG FILE: 5860 SITE.DWG
DRAWN BY: PEI
DESIGNED BY: PEI
CHECKED BY: BIT

SEAL

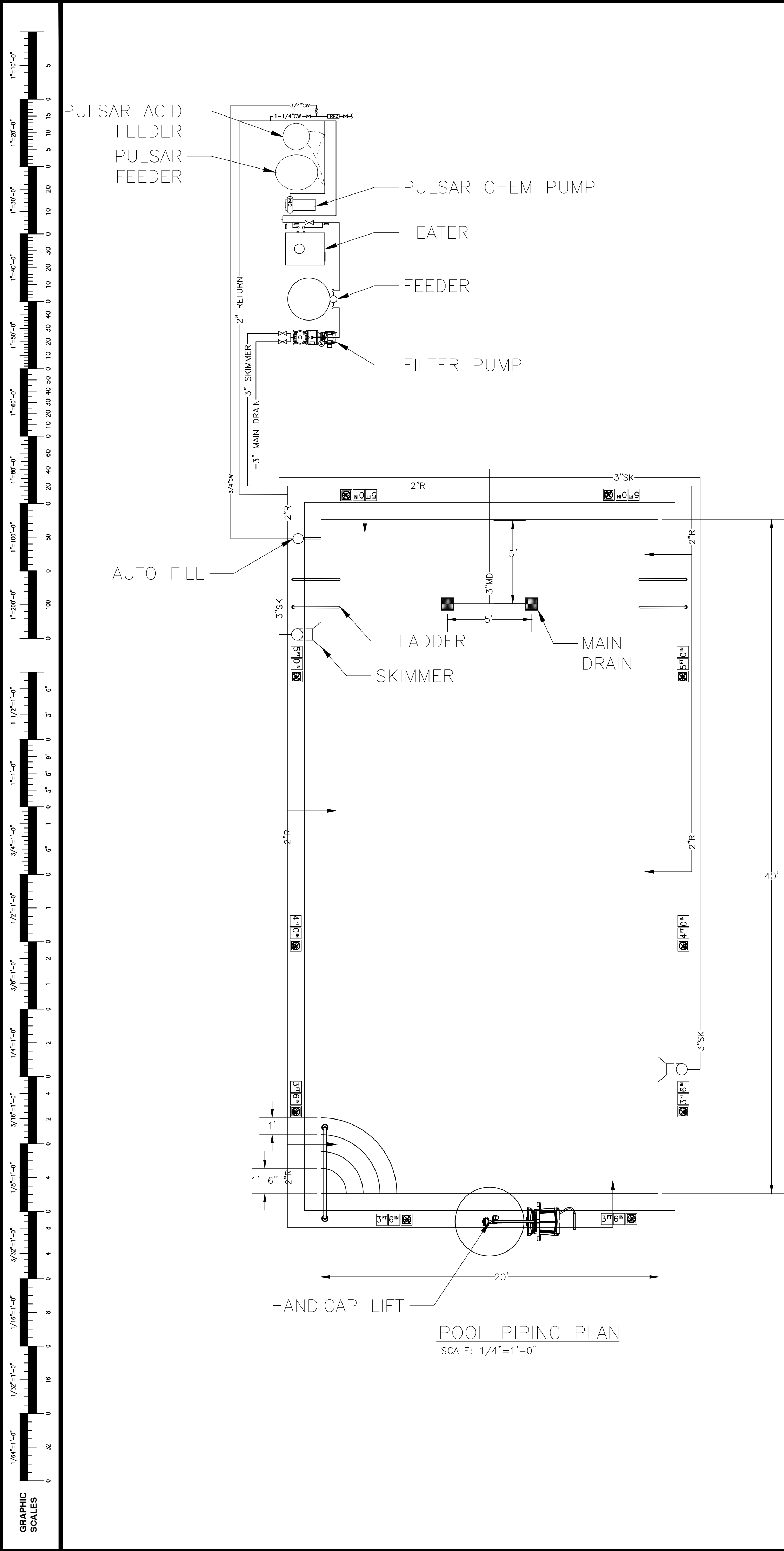


SHEET TITLE

SITE PLAN

C1

SHEET 1 OF 1



POOL DATA:

AREA: 800 SQ. FT.
PERIMETER: 120 FT
VOLUME: 27,526 GAL.
FILTER AREA: 5.0 SQ. FT.
FLOW RATE: 100 GPM
TURNOVER RATE: 5.57 HRS.
FILTER RATE: 20 GPM/SQ. FT.

POOL EQUIPMENT NOTES:

FILTER PUMP IS ONE (1) HAYWARD "TRISTAR" MODEL SP3230EE, SINGLE SPEED FULL RATED, SINGLE-PHASE, 208- 230 VOLT, 3 HP, RATED FOR 92 GPM @ 70' TDH. MOTOR DRAWS 15.4 AMPS @ 230 V. PUMP IS NSF LISTED. SUPPLY WITH ONE (1) SPARE BASKET. NOTE: VERIFY SITE VOLTAGE PRIOR TO ORDERING THE PUMP.

PUMP GUAGE IS ONE (1) 0 - 60 PSI GUAGE TO BE INSTALLED ON THE DISCHARGE SIDE OF THE PUMP. ONE (1) 0 - 30 VAG TO BE INSTALLED ON THE SUCTION SIDE OF THE PUMP.

FILTER IS ONE (1) HAYWARD HCF230, 5 SQ. FT. 31.49" DIAMETER FILTER, WITH 2" MULTI-PORT FILTER CONTROL VALVE.

SANITIZATION FEEDER SHALL BE ONE (1) PULSAR PRECISION HIGH-CAPACITY TABLET EROSION TYPE CHEMICAL FEEDER.

ACID FEEDER SHALL BE ONE (1) PULSAR PH CONTROL SYSTEM.

CHEMICAL CONTROLLER SHALL BE ONE (1) VIVO AQUATICS EDGE SERIES 200 WATER CHEMISTRY CONTROLLER.

HEATER IS ONE (1) HAYWARD H SERIES ASME 300,000 BTU SEALED COMBUSTION POOL HEATER WITH VENT CONNECTION KIT.

FLOW METER IS ONE (1) 2" FLOW-VIS FLOW METER MODEL FV-C-S, AS MANUFACTURED BY H2FLOW.

INLET FITTINGS ARE SIX (6) HAYWARD (OR EQUAL) SP-1022 WALL FITTINGS WITH SP-1419 DIRECTIONS JETS.

SKIMMERS ARE TWO (2) AMERICAN PRODUCTS (OR EQUAL), MODEL S-20, WITH 2" SUCTION PORT, EQUALIZER VALVE, & CIRCULAR BASKET WITH FLOATING WEIR. SKIMMERS ARE NSF LISTED FOR COMMERCIAL INSTALLATION.

POOL STEP RAIL ARE ONE (1) 1.90 O.D. TYPE 304 STAINLESS STEEL WITH BRONZE ANCHORS AND STAINLESS-STEEL ESCUTCHEON PLATES. FIELD VERIFY RAIL PRIOR TO ORDERING.

TWO (2) THREE TREAD STAINLESS STEEL POOL LADDER FOR EGRESS AT DEEP END

MAIN DRAINS ARE TWO (2) LAWSON AQUATICS MLD-FG-0909-WT, WITH 42.12 SQUARE INCHES OF OPEN AREA.

AUTO FILL SHALL BE ONE (1) PENTAIR WATER FILLER.

POOL INTERIOR FINISH IS TO BE WET EDGE BLUE ALTIMA.

WATER LINE TILE IS TO BE 6" x 6" (COLOR IS TO BE VERIFIED BY OWNER).

STEP DEMARCATION TILE IS TO BE 2" X 2" (COLOR IS TO BE VERIFIED BY OWNER).

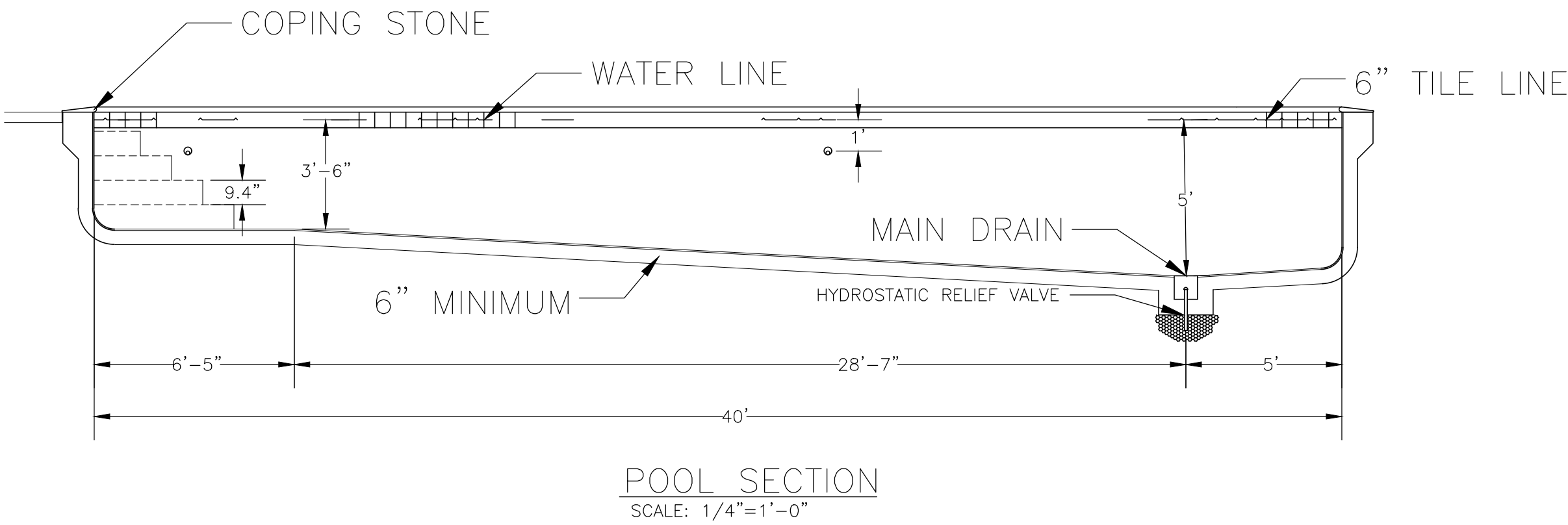
COPING IS TO BE WHITE PRECAST COPING.

DEPTH MARKING TILES: TILES ARE TO BE GLAZED TILES. **FLOOR TILE - IS SUPPLY ONLY.** FLOOR TILES ARE TO BE NON-SKID. NOTE: **ALL TILES ARE TO BE IN INTERNATIONAL (NO DIVING), ENGLISH 6"X6" WITH 4" HIGH LETTERING.**

ONE (1) SPRECTRUM MOTION TREK 350 HANDICAP LIFT WITH ANCHOR FOR POOL

POOL SAFETY EQUIPMENT:

- 25 UNIT "MICHIGAN" FIRST AID KIT
- 12' STRAIGHT POLE (RESCUE) W/ RESCUE HOOK
- ONE (1) - U.S.C.G. APPROVED LIFE RING W/ 60' THROW ROPE
- WATER RESCUE SPINE BOARD WITH STRAPS, RUNNERS & HEAD IMMOBILIZER
- EMERGENCY TELEPHONE (BY OTHERS)
- NO LIFEGUARD, EMERGENCY PHONE, AND POOL RULES AND CAPACITY SIGNS.
- BLOOD SPILL KIT



CLEANING EQUIPMENT:

- 14" FLEXIBLE VACUUM HEAD
- 50' VACUUM HOSE, 1 1/2"
- 15' TELESCOPIC VACUUM POLE
- 18" CURVED WALL BRUSH
- STANDARD SKIM NET
- TAYLOR K-2005, DPD TEST KIT, CHLORINE, BROMINE & PH, RANGES ARE 0.5-5.0 CL, 1.0-10.0 BR, 7.0-8.0 PH

MISCELLANEOUS NOTES:

A. SEE ARCHITECT'S DRAWING FOR SITE, BUILDING, DECK, AND DECK DRAIN PLANS.

B. 1-1/4" WATER SERVICE, VALVED, AND PRZ PROTECTED IN THE POOL EQUIPMENT ROOM **BY OTHERS.**

C. ALL VALVES OVER 2" TO BE BRAY SERIES 30 BUTTERFLY VALVES WITH EPOXY COATED BODY, STAINLESS STEEL SHAFT, EPDM SEAT AND NYLON COATED DUCTILE IRON DISC. SUPPLY WITH 10 POSITION LOCKING LEVER HANDLES.

D. ALL VALVES 2" AND UNDER WILL BE SCH. 80 PVC TRUE-UNION BALL VALVES.

E. PIPING SHALL BE PRESSURE RATED SCHEDULE 40 PVC, NSF APPROVED FOR POTABLE WATER AND COMPLYING WITH THE FOLLOWING SPECIFICATIONS: PIPE: ASTM CS 256 PVC, FITTINGS: ASTM D2466 PVC, INSTALLATION: ASTM D2351.

F. EXPOSED PIPING FOR POOL SHALL BE MARKED WITH ARROWS INDICATING DIRECTION OF NORMAL FLOW.

G. ALL CONCRETE TO COMPLY WITH A.C.I. "STANDARD RECOMMENDED PRACTICE FOR APPLICATION OF MORTAR BY PNEUMATIC PRESSURE". SHOTCRETE TO BE 3500 PSI. INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS OF BROCHURE G-84, GUNITE CONTRACTORS ASSOCIATION AND GUIDES FOR SHOTCRETE & GUNITE REPORTED BY ACI COMMITTEE 506

H. ALL ELECTRICAL WORK TO COMPLY WITH CURRENT N.E.C. REQUIREMENTS. POOL CONTRACTOR WILL PROVIDE STANDARD POOL ELECTRICAL FOR THE POOL.

I. WASTE LINES DISCHARGING INTO THE WASTE WATER SUMP SHALL MAINTAIN A MINIMUM 2" PIPE DIAMETER AIR GAP FROM PIPE EFFLUENT TO OVERFLOW ELEVATION OF THE SUMP. AND MUST ACCEPT 135 GPM FOR 3 - 5 MIN AND NOT OVERFLOW ON TO THE EQUIPMENT ROOM AREA.

STEEL REINFORCING SCHEDULE:

WALLS: #4 BARS, INTERMEDIATE GRADE 12" O.C. HORIZONTAL & VERTICAL

FLOOR: #4 BARS, INTERMEDIATE GRADE 12" O.C. BOTH WAYS

GENERAL NOTES

PROFESSIONAL SEAL

B&B POOLS AND SPAS
31071 INDUSTRIAL
LIVONIA, MI 48150

SHEET TITLE:
NORTHWEST MARINE YACHT
BASIN
202 FERRY AVE
CHARLEJOIX, MI 49720

DATE: 07-14-2022

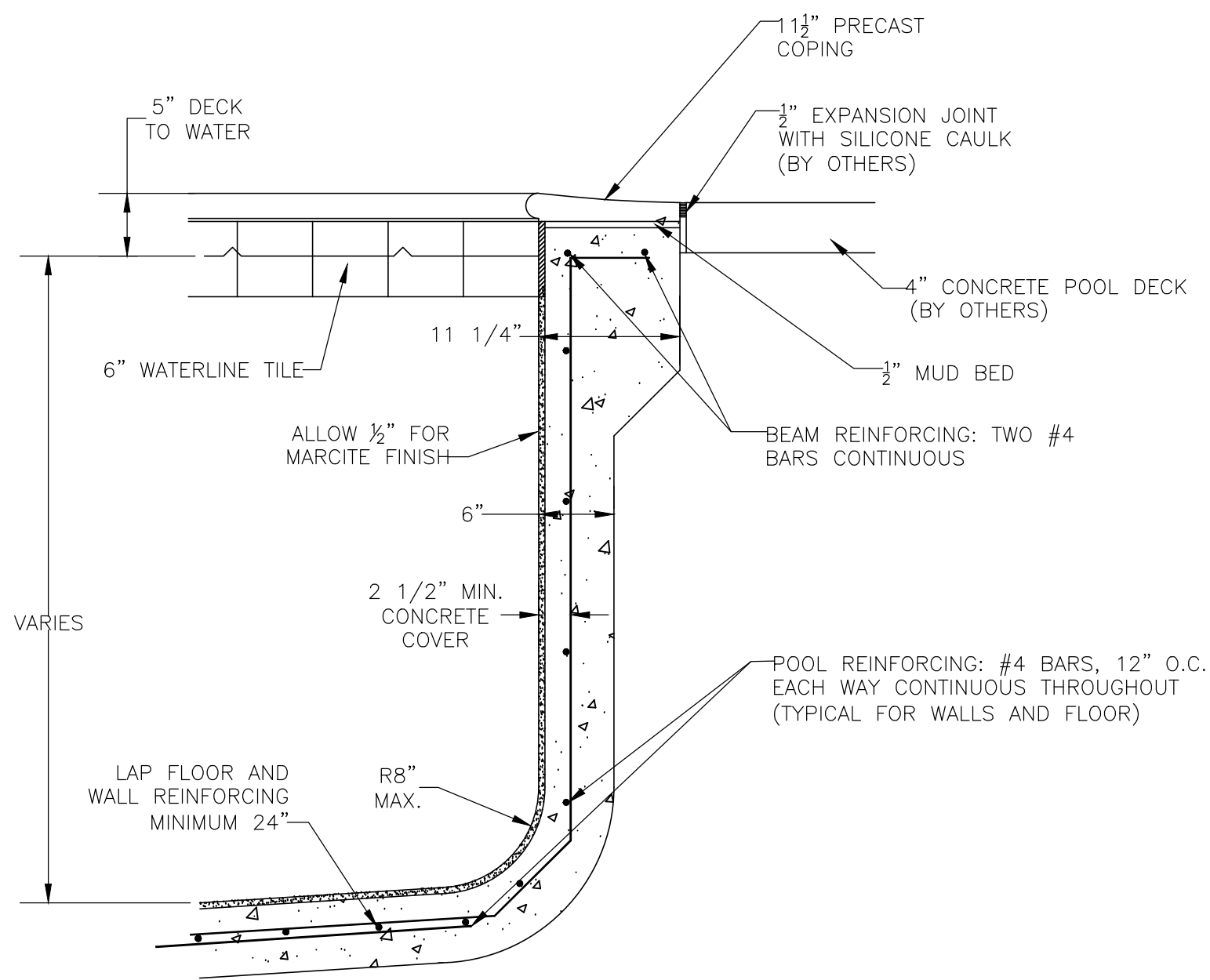
DRAWN BY: J.M.M

CHECKED BY: D.R.F

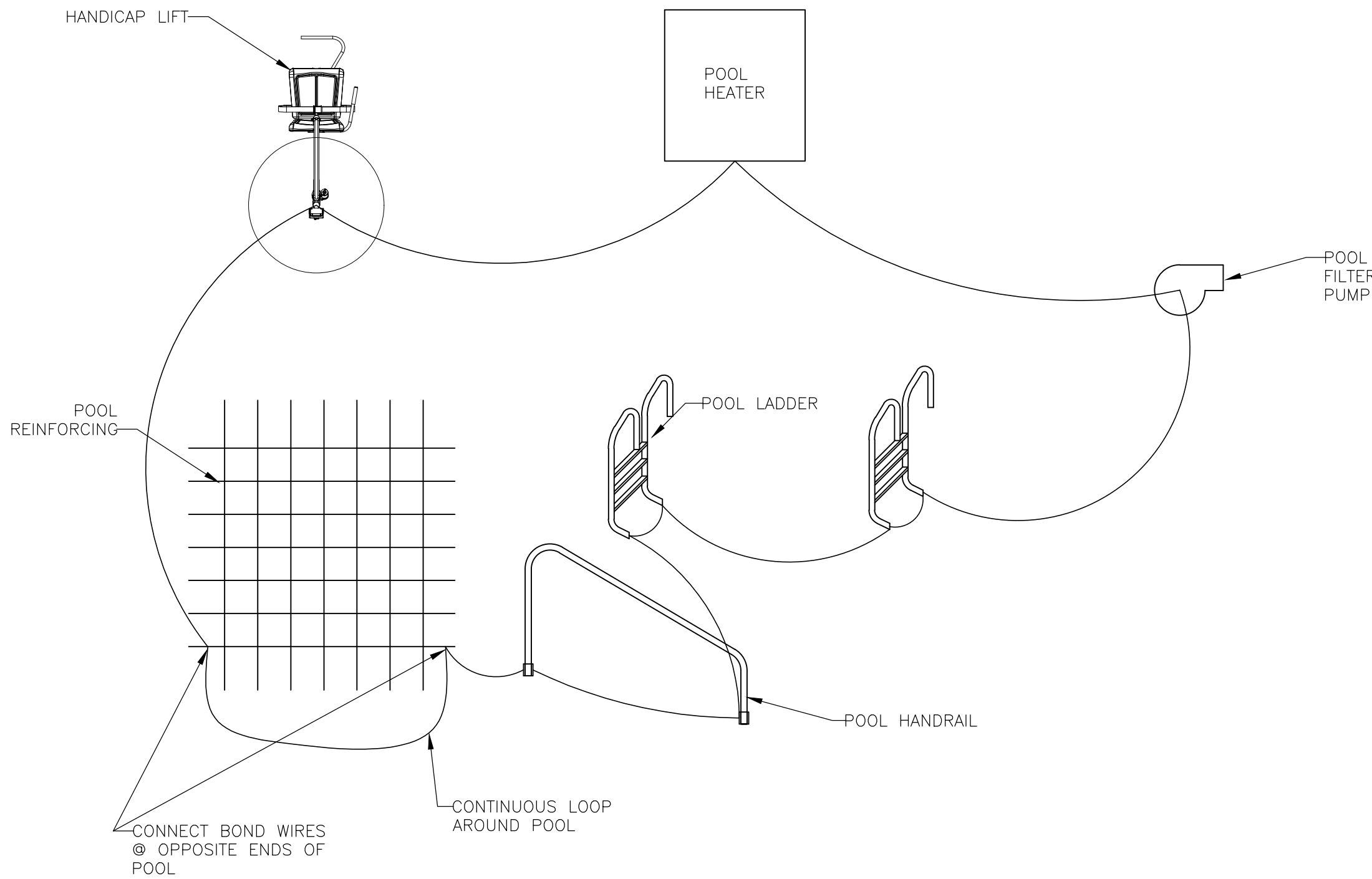
JOB No.:

SHEET No.:

1 of 2

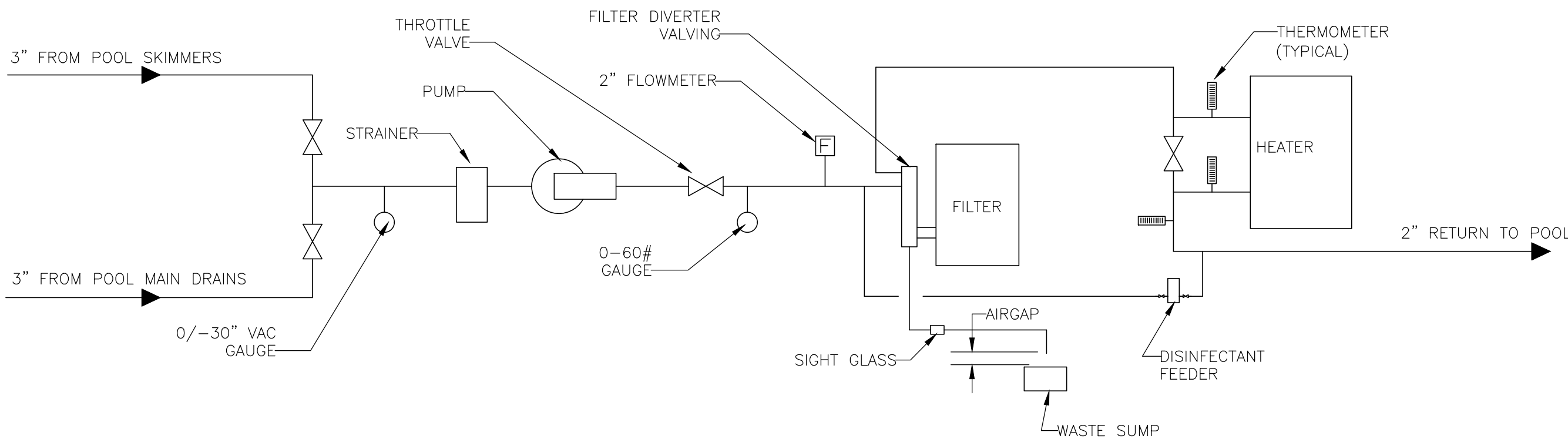


SCALE: 1"=1'-0"



BOND EQUIPMENT AND APPURTENANCES WITH UNSPLICED
#8 SOLID COPPER CONDUCTOR.

SCALE: NONE



SCALE: NONE

2 of 2

Charlevoix Planning Commission

New Business

Title: Lake Charlevoix Visioning 2022

Date: August 8, 2022

Presented By: Jennifer Neal, Community Planner

Background:

Jennifer McKay of the Tip of the Mitt Watershed Council and Barry Hicks of the Land Information Access Association are presenting the 2022 Lake Charlevoix Shoreline Protection project which aims to connect past efforts with a vision for the future. Tip of the Mitt, LIAA, and the Lake Charlevoix Association are facilitating discussions with all communities on Lake Charlevoix. They want to hear from the Commission and begin to answer "What are the current challenges and concerns?" and "How can we potentially address them collaboratively?"

Recommendation:

Discussion item only

Attachments:

1. 3-Lake Charlevoix One-Pager Outline
2. 4-2016 Lake Charlevoix Watershed Recommendations
3. 5-City of Charlevoix-Visioning Sheet-FINAL
4. 6-Lake Charlevoix Shoreline Protection - Community Sessions

2022 Lake Charlevoix Shoreline Protection Local Jurisdiction Community Engagement Meeting Series



Lake Charlevoix Association (LCA) – Promotes understanding of shared use of Lake Charlevoix and advocates for sensible and sustainable lakefront development practices.



Tip of the Mitt Watershed Council (TOMWC) – Dedicated to protecting northern Michigan lakes, streams, wetlands, and groundwater.



Land Information Access Association (LIAA) – Using planning and technology to foster and support sustainable, resilient communities across Michigan through civic engagement and grounded solutions.

Project Background:

In 2016, TOMWC contracted the Land Information Access Association (LIAA) to facilitate “Enacting Shoreline Zoning Protections Around Lake Charlevoix.” It was a project aimed at protecting the water quality of Lake Charlevoix through the adoption of shoreline protection zoning standards in the 10 separate jurisdictions surrounding the lake. The project resulted in the institutionalization of accepted shoreline protection zoning recommendations for the jurisdictions surrounding Lake Charlevoix.

The entire 2016 report as well as additional information about lakeshore protection and updates throughout this process can be found online here:

www.lakecharlevoixprotection.org

Today, LCA has contracted with TOMWC and LIAA to accomplish two main objectives:

- 1) Revisit the 2016 efforts and discuss the status of lakeshore protection standards with each community.
- 2) Develop a shared vision of Lake Charlevoix with common goals and objectives shared by all of the communities around the lake.

Community Engagement Series Timeline:



Discussion Topics:

- Recap previous and ongoing efforts
- Shoreline dynamics
- Types of shorelines: hardened and natural/living shorelines
- Vision – what do we want Lake Charlevoix to look like and how do we implement that vision?

Comment Form

Please record any general notes/comments that you would like to share regarding the Lake Charlevoix shoreline. You may submit this form to any LIAA/TOMWC staff person in attendance at any in-person local jurisdiction meeting.

Name of Jurisdiction in which you are providing comments: _____

Comments:This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

LAKE CHARLEVOIX

Visioning and Shoreline Protection Project



Local elected and appointed officials around Lake Charlevoix believe that maintaining the water quality of the lake is important for future economic development and quality of life in the region. It is well understood that shoreline development impacts the water quality of lakes and streams as well as the surrounding terrestrial ecosystems, and local governments have a special role to play in ensuring that inland lakes and streams are protected. Water quality protection provides a wide range of community benefits, including preservation of quality of life, wildlife habitat, recreational opportunities, human health, aesthetics, economic vitality and increased property values.

There have been a number of past shoreline studies focused on tools for local governments to protect water quality in the Lake Charlevoix community. In 2014, *Enacting Shoreline Zoning Protections Around Lake Charlevoix* began a three-year project aimed at protecting the water quality of Lake Charlevoix through the adoption of shoreline protection zoning standards in the 10 jurisdictions surrounding the lake.

Led by the Land Information Access Association (LIAA), a non-profit community services organization based in Traverse City, the project team worked with local planning and zoning officials to develop and implement new zoning standards for waterfront properties around the lake. Using an inventory of existing protections as well as past recommendations from previous planning efforts, the project team identified a series of broad recommendations. The steering committee was integral to the process of refining the recommendations to ensure each one was realistic, implementable, and enforceable.

The overall goal of the *Enacting Shoreline Zoning Protections around Lake Charlevoix* project was to work with local officials to understand, accept, and adopt common shoreline protection zoning standards around Lake Charlevoix with the intent of keeping the Lake clean.

Below are the 2016 Lake Charlevoix Watershed Zoning Recommendations for the local units of government around the lake.

2016 RECOMMENDATIONS

Defined High Water Elevation OHWM	Zoning ordinances will define a High Water Elevation for Lake Charlevoix as 582.35' I.G.L.D.
Setback from OHWM	In single family residential areas, zoning ordinances will require shoreline setbacks of at least 50 feet from the High Water Elevation for all principle and accessory structures except for docks, shoreline protection structures, allowed viewing platforms, and stairs to the lake. Shoreline setbacks of 100' will be required when, within 500' feet of the lake, average slopes of the waterfront parcel are greater than 12%, impervious surface coverage is greater than 15%, and/or poor drainage conditions exist.
Maximum Impervious Surface Lot Coverage	In single family residential areas, zoning ordinances will establish a 15% maximum for impervious surface coverage on single family residential lots within 500 feet of the High Water Elevation along the shore of Lake Charlevoix.
Conditions for Issuance of Zoning Permits	Zoning ordinances will require that all necessary state, federal, and county permits (including Health Department septic permits) be obtained prior to a zoning permit being issued.

Formal Planning Commission Site Plan Review	Zoning Ordinances will require formal Planning Commission site plan review for all waterfront property development projects. Site plans should include all information already required for site plan review and the following. • Location of the High Water Elevation • Location of all setbacks, including the shoreline setback • Existing and proposed site topography, shown at a minimum of 2-foot contour intervals • Locations of existing and proposed structures and other impervious surfaces • Calculations of existing and proposed impervious surface coverage • Existing and proposed greenbelt/vegetated buffer strip, including a planting plan
Engineered Stormwater Control Systems	In commercial, mixed-use, and multiple-family residential waterfront areas, zoning ordinances will require an engineered stormwater control system that accommodates all stormwater from on-site impervious surfaces and allows it to percolate prior to flowing into the Lake.
Number and Use of Docks	Zoning ordinances will limit the number of docks allowed and number of boats allowed for each waterfront parcel.
Keyhole or Funneling Standards Shoreline Protection Structures	Zoning ordinances will specifically prohibit or limit keyhole or funneling practices. Zoning ordinances will prohibit the construction of seawalls in favor of revetments and engineered natural shorelines, except when there is no other practical alternative.
Greenbelt/Vegetated Buffer Strips	In single family residential areas, zoning ordinances will require a greenbelt, or vegetated buffer strip, with a minimum depth of 50' for new development or redevelopment on single-family residential lots along the shore of Lake Charlevoix.
Specific prohibition of lawn in greenbelt	Zoning ordinances will specifically prohibit the planting of lawns within the greenbelt.
Prohibition of pesticides, herbicides, and fertilizers in greenbelt	Zoning ordinances will prohibit the use of pesticides, herbicides, and fertilizers in the greenbelt.
Requirement of trees and woody plants in greenbelt	Zoning ordinances will require that trees and woody plants be planted in the greenbelt
Viewing platforms in greenbelt	Zoning ordinances will limit the size of waterfront viewing platforms in the greenbelt to 200 square feet or smaller or prohibit the construction of waterfront viewing platforms.
Paths through greenbelt to water	Zoning ordinances will allow a single path with a 6' maximum width to the water through the greenbelt, or prohibit the construction of paths in the greenbelt.
Maintenance of existing natural shoreline buffers	Zoning ordinances will allow for the maintenance of existing natural shoreline buffers, where they exist.
Prohibition of beach sanding	Zoning ordinances will specifically prohibit beach sanding in the greenbelt.
Prohibition of alternation of area between water's edge and high water elevation	Zoning ordinances will prohibit the alternation, including replenishment of beach sand, of the area between the water's edge and high water elevation.

Funding for this project generously provided by the
Charlevoix County Community Foundation and the Lake Charlevoix Association.

LAKE CHARLEVOIX

Visioning and Shoreline Protection Project



CITY OF CHARLEVOIX

2016 Recommendations for Shoreline Protection	Met or Exceeded Recommendations in 2016	Meets or Exceeds Recommendation as of 2022
Defined High Water Elevation/OHWM	No (581.5' IGLD)	No (581.5' IGLD)
Setback from OHWM	Yes (50')	Yes (50')
Maximum Impervious Surface Lot Coverage	No (40% R-1 and 30% R-2)	No (30%)
Shoreline Buffer/Greenbelt Requirement	No	No
Native vegetation requirement in greenbelt	No	No
Prohibition of pesticides, herbicides, and fertilizers in greenbelt	No	No
Specific prohibition of lawn in greenbelt	No	No
Requirement of trees and woody plants in greenbelt	No	No
Cutting/pruning of greenbelt vegetation limited	No	No
Prohibition of beach sanding	No	No
Prohibition of alternation of area between water's edge and high water elevation	No	No
Requires that new low-growing plantings be spaced for complete ground coverage in two years	No	No
Allows a single, small (200 s.f.) waterfront viewing platform in the greenbelt	No	No
Allows a single path (6' maximum width) through the greenbelt to the water	No	No
Allows for the maintenance of existing natural shoreline buffers, where they exist	No	No
Requirement of all county, state, federal permits be obtained prior to zoning being issued	No	Partially*
Formal Planning Commission Site Plan Review for all waterfront uses	No	Yes
Number and Use of Docks	No	No
Specific Keyhole or Funneling Standards	No	No
Prohibition of Seawalls	No	No**
Engineered Stormwater Control Systems Requirement	Yes***	Yes****

* The Planning Commission may approve an application conditioned on obtaining agency permits, or may, if the permit is critical to the site plan, require the permit or approval prior to issuance of their approval.

** Seawalls may not be extended lakeward, nor shall any filling take place for the purposes of increasing lot size or relocating the rear lot line.

*** All site plans submitted for approval must show the location and type of all proposed surface water drainage facilities.

**** All projects must meet the City of Charlevoix Storm Water Ordinance.



Based upon the *Enacting Shoreline Zoning Protections around Lake Charlevoix* Lake Charlevoix Watershed Recommendations, the following amendments to the Zoning Ordinance were recommended in 2016.

Redefine Ordinary High Water Mark

It is recommended that the Zoning Ordinance be amended to define the Ordinary High Water Mark of Lake Charlevoix as 582.35' I.G.L.D. This elevation is the highest water level recorded on the lake and historical lake levels have frequently been higher than the defined Ordinary High Water Mark (OHWM). Standardizing a High Water Elevation of 582.35' helps ensure the effectiveness of shoreline buffers around the lake.

Conditions for Issuance of Zoning Permits

By requiring that all necessary permits be obtained prior to the issuance of a zoning permit, jurisdictions can be sure that the requirements of all other agencies are being met by the proposed development. This recommendation has been partially implemented in that the Planning Commission may approve an application conditioned on obtaining agency permits, or may, if the permit is critical to the site plan, require the permit or approval prior to issuance of their approval.

Require formal Planning Commission site plan review for all waterfront uses

Requiring formal site plan review for any waterfront use gives local units of government detailed information and more precise documentation on proposed projects adjacent to the Lake. The site plan review process ensures that each of these projects is meeting the required standards of the ordinance and allows zoning staff to simply verify that development is occurring according to the approved plans. This recommendation has been implemented.

Shoreline Protection Structures

Seawalls can cause degradation of shoreline areas on the waterside of the wall and additional erosion of adjacent shorelines on either side of the wall. It is recommended that the construction of seawalls be prohibited within the Zoning Ordinance in favor of revetments and engineered natural shorelines, except where there is no other practical alternative. While seawalls are not prohibited, seawalls may not be extended lakeward, nor shall any filling take place for the purposes of increasing lot size or relocating the rear lot line.

Specifically regulate number of docks allowed

It is recommended that the Zoning Ordinance specifically regulate the number of docks allowed for each waterfront parcel to help protect water quality by limiting the opportunity for erosion and fuel and chemical pollution from increased boat dockage on the Lake.

Specifically regulate or prohibit keyhole/funnel development

It is recommended that the Zoning Ordinance specifically regulate or prohibit keyhole, or funnel, development where multiple property owners or parcels are allowed lake access on a single waterfront parcel. Keyhole practices can greatly increase the number of docks and motorized watercraft on the lake, increase runoff and pollution, and increase shoreline erosion. By limiting the number of motorized boats that are able to be docked on individual waterfront parcels, water quality can be protected by reducing the potential for fuel and chemical spills. Additionally, congestion and aesthetic issues are reduced when keyholing/funneling is prevented.

Funding for this project generously provided by the
Charlevoix County Community Foundation and the Lake Charlevoix Association.



Giving Back. Moving Forward.

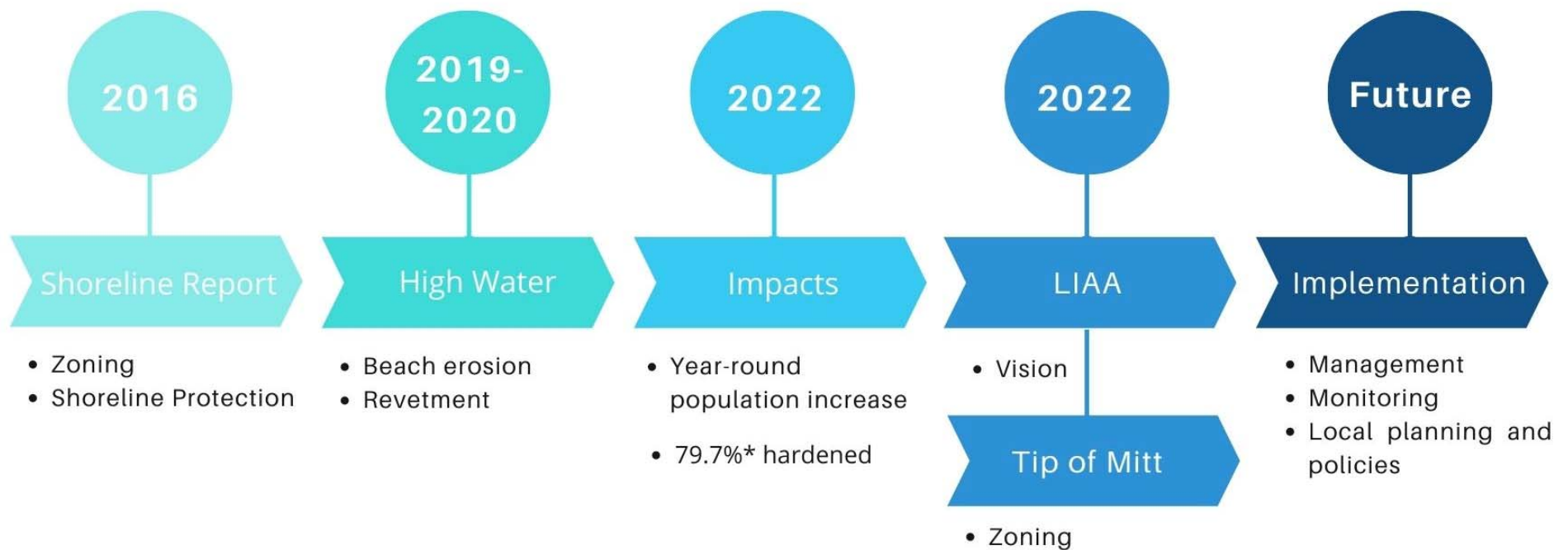


426 Bay Street Petoskey, MI 49770
231-347-1181
www.watershedcouncil.org

LAKE CHARLEVOIX SHORELINE PROTECTION

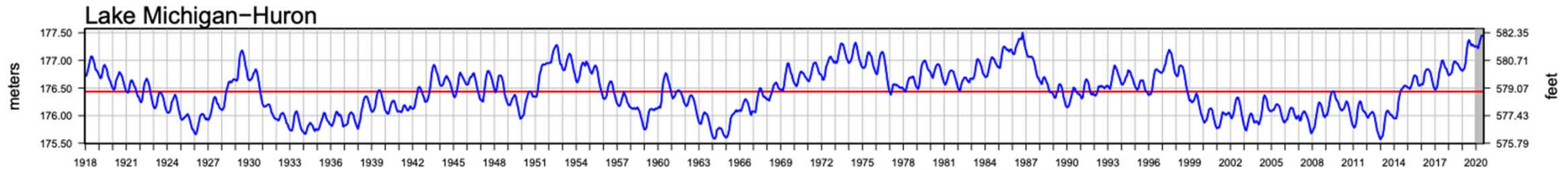


PLANNING



*2018 Lake Charlevoix Shoreline Survey

DYNAMICS



Whiting Park, Eveline Twp June 2020



Boyne City, June 2020

SHORELINES



DISCUSSION

Changes past 15 years?

Changes going forward?

Who leads?

Education/training?

Who is responsible?



www.lakecharlevoixprotection.org

Charlevoix Planning Commission

New Business

Title: Revised ADU Architectural Standards

Date: August 8, 2022

Presented By: Jennifer Neal, Community Planner

Background:

In a continuation of the on-going discussion, the draft ordinance language has been revised. The draft is attached for your review. Changes have been made based on Commissioner's comments and legal review. The Commission is asked to determine the suitability and appropriateness of the highlighted sections. Further changes may be made per the direction of the Commission.

Recommendation:

Item for discussion only

Attachments:

1. Draft ADU architectural standards w changes

**Draft Zoning Ordinance Amendment
For Planning Commission Review
August 8, 2022**

**ADU Building Type Standards Draft
Proposed Language Marked in Red
Language in Red Removed**

Section 153.005 *Definitions*

Accessory dwelling unit (ADU). See Dwelling Unit: Dwelling, Accessory (ADU).

Accessory Structure. See Structure, Accessory. An attached or detached structure on the same lot with and of a customarily incidental nature that is subordinate to the principal use or building/structure. (See § 153.116 of this chapter.)

Structure. Anything constructed or erected requiring a permanent location in or on the ground, or that must be attached to something having such a permanent location. Structures include, but are not limited to, houses, buildings, accessory structures or buildings, fences, signs, decks, parking lots, access drives and swimming pools.

Structure, Accessory. An attached or detached structure on the same lot with and of a customarily incidental nature that is subordinate to the principal use or building/structure. (See § 153.116 of this chapter.)



(d) Dwelling, Accessory (ADU). An accessory building that incorporates one dwelling unit A second unit on an owner-occupied single-family parcel that is a minimum of three hundred (300) and less than six hundred-fifty (650) square feet and is either attached to the principal dwelling or in a separate structure on the same parcel.

Add figure for detached ADU Building

Section 153.072(C) Dimensional requirements: square footage for accessory dwelling units and home conversion units. Square footage for accessory dwelling units and home conversion units shall conform to the requirements of Table 153.072(c).

Table 153.072(c): Dimensional Requirement: Square footage for Accessory Dwelling Units and Home Conversion Units		
Zoning District	Minimum	Maximum
R2	300	900 650

Section 153.116 Accessory Buildings and Uses.

(A) Accessory buildings and structures.

(1) Authorized accessory buildings and structures may be erected as part of the principal building, may be connected to the principal building by a roofed breezeway or similar structure or may be completely detached from the principal building.

(2) Where an accessory building is attached to the principal building, it shall be considered part of the principal building for purposes of determining setback dimensions and building height. If, however, the attached accessory building is connected to the principal building by a roofed porch, breezeway or similar covered structure, it shall not exceed 16 feet in height, shall not be closer than 20 feet to the rear lot line and shall meet the front and side yard setback requirements of that zone district.

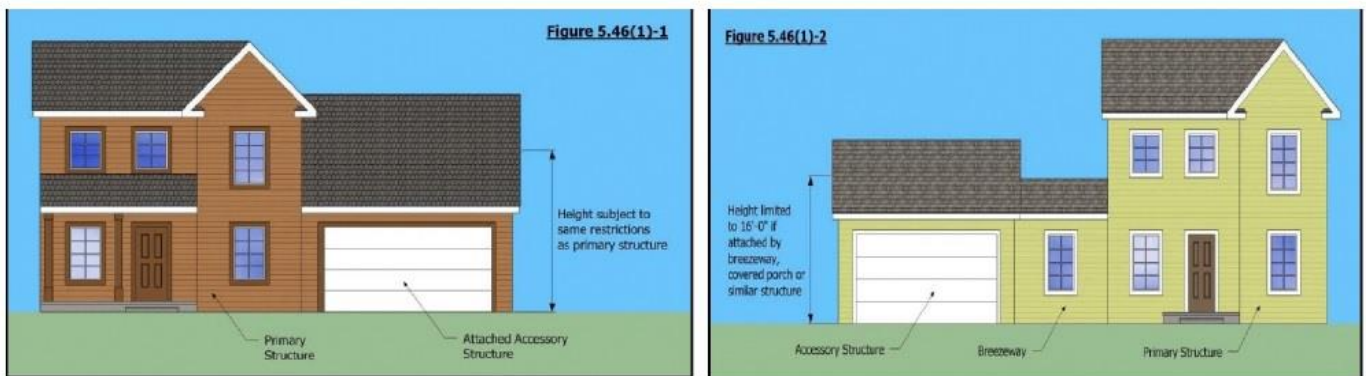


Figure moved to Section 153.005 Definitions – see above

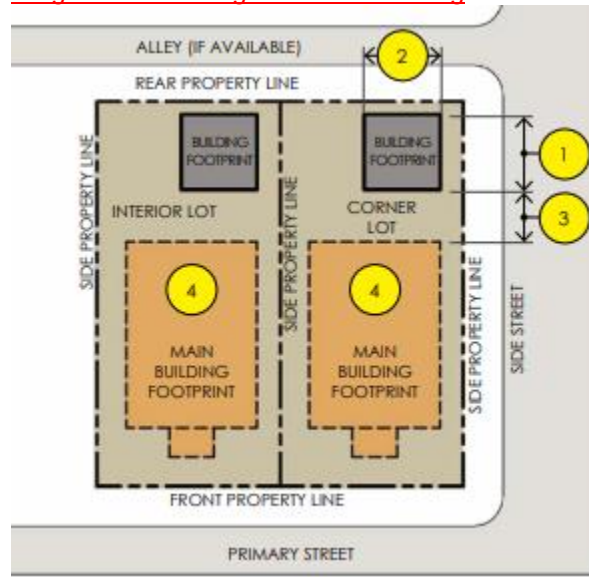
(3) In the R1 and R2 Single-Family Residential Districts, if the principal building has an attached accessory building, only one detached accessory building shall be permitted.

(4) Lots in the R1 and R2 Zone shall be permitted to have a secondary detached accessory building, such as a storage shed. Secondary accessory buildings shall meet all the requirements of this section and not exceed 200 square feet in area.

(5) Building Size and Massing. Accessory buildings and structures shall meet the following requirements and Diagram A

- (a) No ~~detached~~ accessory building shall have a building footprint ~~greater than (30' (length- x 30' width) (Diagram A: 1,2)~~ greater than 9002,000 square feet ~~with no side to exceed 30 feet. An accessory building shall not be larger than the main structure (Diagram A: 4).~~
- ~~(b) (6)~~—The minimum distance between a principal building and detached accessory buildings shall be ten feet ~~(Diagram A: 3)~~, and a minimum of ten feet shall be provided between the sides of adjacent single-family buildings and/or accessory structures.

Diagram A: Building Size and Massing



- ~~(67)~~ Detached accessory buildings and structures shall meet the following minimum setbacks.

(a) Rear yard: six feet from a rear lot line. Detached accessory structures that store vehicles adjacent to alleys or sidewalks shall not be closer than 15 feet from the edge of the alley or sidewalk surface.

(b) Side yards: an accessory building shall conform to the side yard setback requirements of the principal building, unless it is located in a street side yard, the minimum setback shall be 15 feet from the street side lot line.

- (c) Front yard: an accessory structure shall not be located within any front yard.

Add figure for detached accessory building

7. Design Standards

(a) Garage doors over 10 feet wide are not allowed.

(a) Detached garages on corner lots should face side streets. Detached garages on the corner side with driveways extending from the front street are prohibited. When an alley is available, access will come from the alley.

(b) The structure shall be designed so that the appearance maintains that of a single-family dwelling. In determining whether a structure is so designed, the structure shall meet the following requirements and Diagram C:

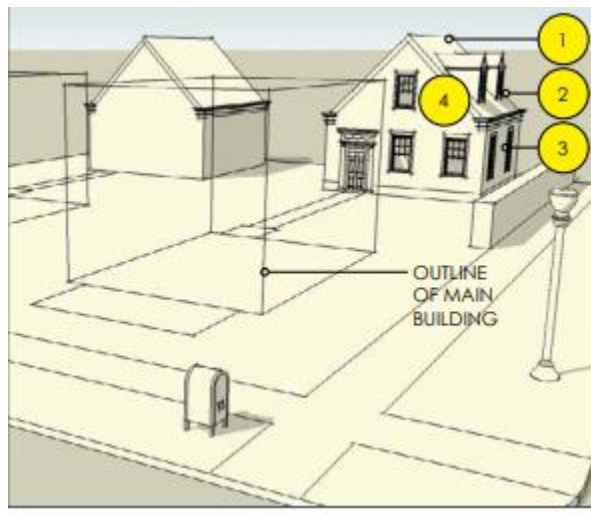
- i. Building with a flat roof, shall have a cornice expression line. ~~or~~ A pitched (sloped) roof that is shall be compatible with the architecture of the main building (1).

- ii. Transparency Upper Floor: Building facades facing streets shall have minimum 10% of the façade be glass between the finish floor line of the second story and bottom of the cornice expression line or bottom eave (2).
 - iii. Transparency Ground Floor: Building facades facing streets shall have minimum 10% of the façade be glass between the adjacent grade and the finish floor line of the second story (3).
 - iv. Window color and finish should complement the color and architectural style of the principal building (4).
 - v. Exterior finish should be constructed of similar materials as the principal building or traditional materials such as wood, wood lookalike, brick, or stone.
3. Façade Composition Requirements: ADU building type façade composition

Building Type facade composition shall meet the following requirements and Diagram C

- (c) Garage doors over 10 feet wide are not allowed.
- (d) Window color and finish should complement color and architectural style of the principal building (4).
- (e) Accessory building's exterior finishes will be constructed of similar materials as the principal building or traditional materials such as wood, wood lookalike, brick, or stone.
- (f) For additional design criteria refer to Section 153.117.D

Diagram C Façade Composition Requirements



- (c) Driveways are required to be constructed of concrete or masonry to the back of the sidewalk. Stamped and colored concrete, interlocking pavers (impervious), concrete with brick borders, and exposed aggregate concrete paving is encouraged. Color, pattern, and design should complement that of the proposed new home or renovated home. Asphalt, shell, mulch, grass and gravel driveways are prohibited.

- (8) Detached accessory structures shall not exceed ~~17'6"~~16 feet in height.
- (9) Prohibited uses within detached accessory structures or accessory structures connected by a breezeway or similar structure in all districts except the R2 Zone:
 - (a) May not contain features that form a habitable dwelling unit or create a second dwelling unit;

(b) These structures may contain utility sinks, one bathroom, and refrigeration units. Full kitchen facilities that include a range or stove are prohibited; and

(c) Rooms within accessory structures may be used for additional sleeping quarters for the owner, or resident, and their immediate family provided that these rooms may not be rented out as short or long term rentals for any length of time.

(10) Stand-alone carports are prohibited in all zones. Carports attached to existing structures shall meet the requirements of this chapter. Tents, wall tents, garages in a box and similar enclosures are prohibited.

(11) Permanent greenhouses shall be considered an accessory structure and meet the requirements of this section.

(B) Accessory Dwelling Units (ADUs)

(a) Accessory dwelling unit building type description

~~The accessory dwelling unit building type is a small- to medium-sized detached accessory structure that incorporates one dwelling unit. The unit may be located above a first floor garage. This specific type of ADU is known as a Carriage House. ADUs are typically located at the rear of the lot within a primarily single-family neighborhood in a walkable urban setting. The accessory dwelling unit building type enables well-designed higher densities. It is an essential building type for providing a broad choice of housing types.~~

~~(1) 1Precedent of the accessory dwelling unit building type All of the requirements of Section 153.116(A) apply in addition to the ADU-specific requirements of this section.~~

~~(2) ADUs shall be permitted as a single use or combined with another accessory use.~~

~~(3) ADUs shall be permitted as a second-story use above a first-floor accessory use.~~

~~(4) Examples of ADUs. The following images are intended as examples only and should be used for inspiration in the creation of ADU projects.~~

~~The following images represent precedent examples of the accessory dwelling unit building type. They are intended as examples only and should be used for inspiration in the creation of ADU projects within the City of Charlevoix Form-Based Code area.~~





Figure removed

(c) Building size and massing

Building type and massing shall meet the following requirement of Diagram A

Diagram A Building Size and Mass

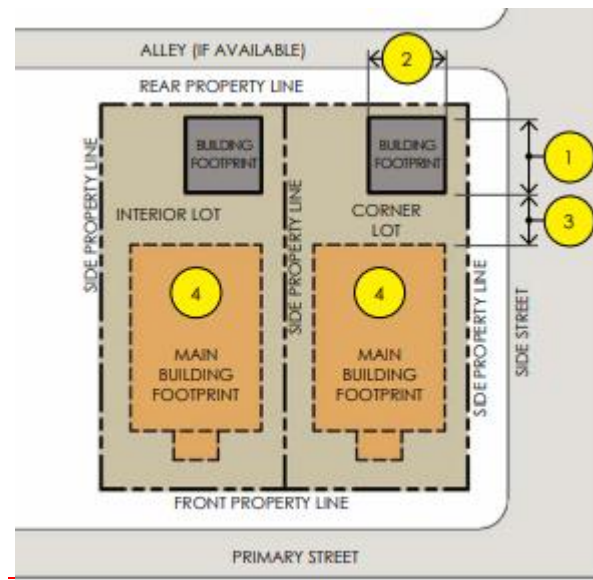


Figure moved to Section 153.116(A.5.)

1. Building width (side facing street): 30 feet maximum.

2. Building depth: 30 feet maximum.

3. Separation from main building: 10 feet minimum. The accessory dwelling unit building type may be connected to the main building with an uninhabitable space such as a breezeway.

4. The accessory dwelling unit building type is only allowed on lots where the parcel has an allowed residential use and is one of the following building types:

- a. Small Multi-plex Building Type
- b. Live / Work Building Type
- c. Rowhouse Building Type
- d. Duplex Building Type
- e. Detached House Building Type

5. Lot coverage: See Section 153.152

6. Building footprint shall not exceed the footprint of the main building on the lot.

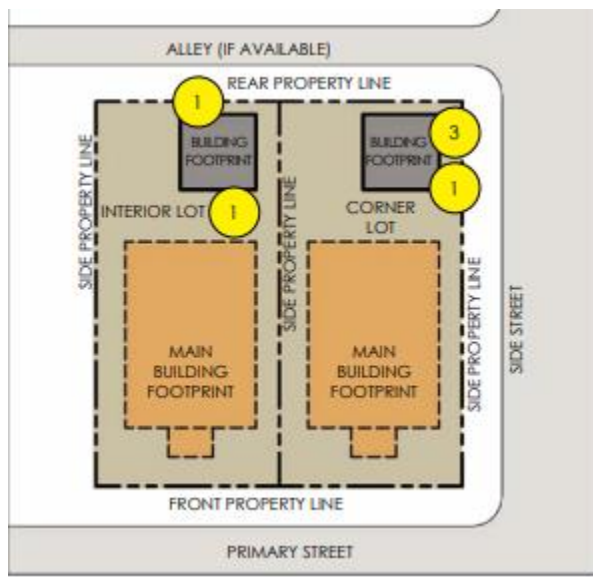
7. Detached garages on corner lots should face side streets. Detached garages on the corner side with driveways extending from the front street are prohibited. When an alley is available, access will come from the alley.

8. Front loaded attached garages protruding from the front elevation of a residence are the least desirable. A three foot (3') minimum offset of such a garage allows for variation of facade, the front of the garage shall be setback a minimum of Ten (10') from the projection of the front porch or building line.

(2) Ground floor pedestrian access and activation. Accessory dwelling unit building type ground floor entrances shall meet the following requirement of Diagram B

- (a) Entrance for upper unit is required to be accessed from the alley, side street, or internal to the lot.
- (b) Entrance for upper unit shall not be through a garage.
- (c) Parking may be accessed from the alley, side street, or primary street per the requirements for off-street parking access in the zoning district.
- (d) Parking may be accessed from the front street only when there is no adjacent alley or side street.

Diagram B Ground Floor Access



(c) Number of Units

~~1. Total of 1 unit per building~~

~~(c)~~

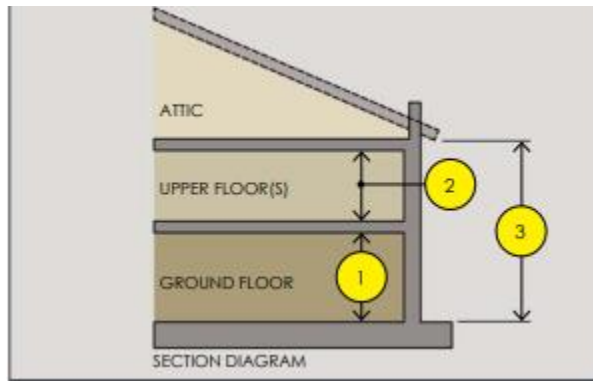
~~3.4. Building Type Floor Height Requirements. Building Type floor heights shall meet the following requirements and Diagram D.~~

~~1. Ground floor: Floor to ceiling height shall be 8 feet minimum.~~

~~2. Upper floors: floor to ceiling height shall as required by Building Code.~~

~~1-3. Overall height of Building Type is regulated by Zoning District, refer to Section 153.072~~

Diagram D Building Height Story Height



~~B.(C)~~ Additional requirements for swimming pools and hot tubs

~~C.(D)~~ Bed and Breakfast establishments

~~D.(E)~~ Boathouses and upland dredging

Continued

Section 153.117 *Residential Uses.*

(A) *Dwellings, single-family attached or detached (outside manufactured home communities).* All dwelling units located outside a licensed manufactured home community shall comply with the following.

(1) A dwelling unit shall conform to the minimum floor area requirements of the district in which it is located.

~~—(2) A dwelling unit shall have a minimum floor to ceiling height of seven feet, six inches; or, if a manufactured home, it shall meet the requirements of the United States Department of Housing and Urban Development Regulations, entitled *Mobile Home Construction and Safety Standards*, effective 6-15-1976, as amended.~~

(23) The minimum width of a single-family dwelling unit shall be 22 feet for at least 67% of its length, measured between the longest exterior walls.

(34) All dwelling units shall comply with the state's Construction Code as promulgated by the state's Construction Code Commission under provisions of Public Act 30 of 1972, as amended, being M.C.L.A. §§ 125.1501 et seq. or the *Mobile Home Construction and Safety Standards*", as promulgated by the United States Department of Housing and Urban Development, being 24 C.F.R. part 3280, and as from time to time such standards may be amended.

(45) A dwelling unit shall be attached to a permanent foundation constructed in accordance with the State Construction Code and shall have the same perimeter dimensions as the dwelling. In the case of a manufactured home, it shall be installed per the manufacturer's set-up instructions and shall be secured to a foundation by an anchoring system or device complying with the rules and regulations of the state's Manufactured Housing Commission or the state's Construction Code, whichever is stricter.

(56) If provided, the wheels of a manufactured home shall be removed and the towing mechanism, undercarriage and chassis shall not be exposed.

(67) All dwellings shall be connected to city sanitary sewer and water utilities.

(78) Any addition to a dwelling shall meet all the requirements of this chapter.

(89) A dwelling may have either a roof overhang of not less than six inches on all sides or, alternatively, a roof drainage system that concentrates water at collection points and discharges it away from the dwelling.

(D) *Accessory dwelling unit (ADU).*

(1) ADUs are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this section. ADUs are considered an accessory building and shall fit within the standards of § 153.116(A) which covers both attached and detached ADUs. All ADUs are required to obtain a zoning permit prior to construction.

(2) In districts that allow ADUs, they may be allowed on any legal parcel of record as of January 1, 2019, and there shall be an existing principal residential use on the parcel.

(3) At least one of the units on the parcel shall be occupied by a long term renter or an owner with at least 50% interest in the subject property. The owner or renter shall occupy either the principal dwelling unit or the ADU as their permanent residence ~~via Michigan homestead exemption~~. An ADU shall not be sold independently of the primary dwelling on the parcel. Short-term rentals of ADUs shall only be allowed in compliance with the standards and requirements of this Zoning Ordinance and the City of Charlevoix Code of Ordinances.

~~—(4)—The minimum square footage of an ADU is 300 square feet. The maximum square footage of an ADU is 650 square feet.~~

(54) A permanent foundation is required.

(56) The maximum lot coverage for parcels with an ADU may be increased to a maximum of 50% when stormwater runoff equivalent to 20% of the lot coverage area is collected in rain barrels, rain gardens, or is mitigated via porous concrete or other materials on the parcel. See Section 153.152

~~—(7)—The ADU shall be designed so that the appearance of the structure maintains that of a single family dwelling.~~

(78) Any exterior staircases that provide access to a second floor ADU shall not be on the front of either the principal dwelling or the ADU.

(89) *Dimensional requirement modifications.* Under some circumstances certain dimensional requirements modifications may be granted by a Special Land Use Permit after a site plan review by the Planning Commission. Application for modifications may be applied for new construction or pre-existing structures built prior to 2019 that are located within the required setbacks of the district. In order to grant a Special Land Use permit for any modifications all of the following must be met:

(a) That any walls within the setback areas comply with applicable building and fire codes.

(b) That a setback requirement of a minimum of 5 feet from the side and rear property lines shall be required.

(c) The location and design of the ADU maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, or parking of adjacent properties.

(d) Windows on the ADU that impact the privacy of the neighboring side or rear yards have been minimized or screened.

(G) *Single-family attached and single multiple-family buildings.*

(8) Porches and stoops may project into the yards [in accordance with Section 153.149.](#)

(9) Façade elements above the ground floor may project into the yards [in accordance with Section 153.149.](#)

Section 153.152 Lot Coverage Requirements.

(A) Lot coverage requirements in all zones shall be calculated by dividing the total area of the lot by the total square footage of all impervious surfaces.

(B) Use of materials such as gravel or stone, pavers and similar permeable surfaces shall not count be calculated in lot coverage, however; the use permeable surfaces shall not exceed 60% of the lot area.



[\(C\) Accessory buildings and structures refer to Section 153.117.D](#)

Charlevoix Planning Commission

New Business

Title: Building Height Review and Discussion

Date: August 8, 2022

Presented By: Janet Koch, Zoning Administrator

Background:

In a continuation of the on-going discussion, the building height information has been revised. The information is attached for your review. Changes have been made based on the Commissioner's comments and are intended to inform the discussion. Per Commission feedback, staff may prepare additional materials in order to aid future discussion.

Recommendation:

Item for discussion only

Attachments:

1. Building Height Report
2. Building Height Report 2

From § 153.072 AREA, HEIGHT AND PLACEMENT REQUIREMENTS

Maximum Building Height

R1	26'
R2	26'
R2A	26'
PC	26"
R4	35'
R4 Clustered Housing	30'
PO Professional Office	26'
GC General Commercial	26'
<u>CBD Central Business District</u>	<u>40'</u>
CH Commercial Hospitality	30'
MC Marine Commercial	35'
MC Marine Commercial - Residential Structures	26'
SR Scenic Reserve	§ 153.088(A)

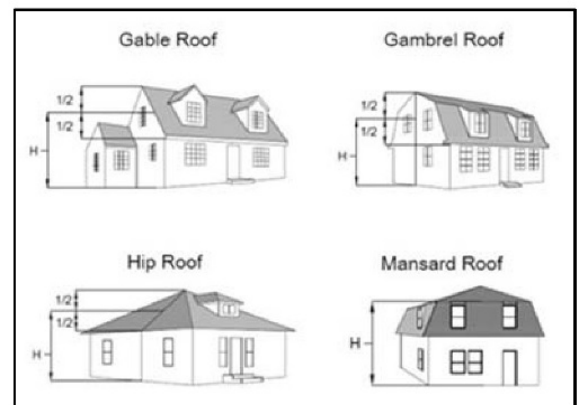
“No building shall exceed 25 feet in height to the peak of the roof.”

I Industrial	30'
P Public Facilities	35'
<u>CM Commercial Mixed</u>	<u>35'</u>
West Garfield Ave. General Commercial Overlay	26'
West Carpenter/State St. Industrial Overlay	26'

§ 153.005 DEFINITIONS

BUILDING HEIGHT. The vertical distance measured from the average finished grade around the building to the highest point of a flat roof; to the deck line of a mansard roof; when there is a dormer built into the roof, the height is measured to the midpoint of the dormer roof if the dormer(s) exceeds 50% or more of the width of any side of the building; to the average height between the eaves and ridge for a gable, hip and gambrel roof; or to an equivalent point on any other roof, excluding structural elements not intended for habitation and not exceeding six feet above the maximum building height including antenna arrays, smoke and ventilation stacks, flag poles, mechanical and elevator equipment, and parapet walls designed solely to screen mechanical and elevator equipment (See § 153.146 of this chapter.)

BUILDING ROOF. A structure that covers or forms the top of a building. Roof styles include, but are not limited to, gable, gambrel, hip, mansard and flat.



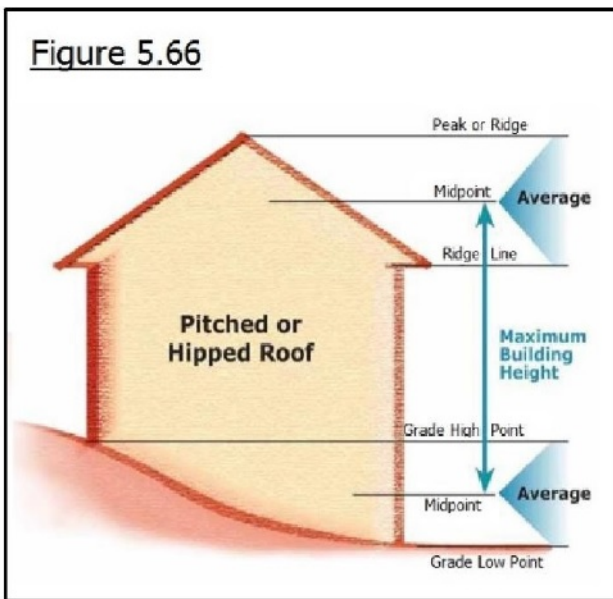
§ 153.146 STRUCTURE HEIGHT CALCULATIONS AND HEIGHT LIMITS.

Structure height calculations:

- (A) The vertical distance measured to the highest point of the building's roof for flat roofs; to the deck line for mansard roofs; and to the mean height level between eaves and peak for gable, hip and gambrel roofs, from the existing grade.
- (B) On lots with less than 1% change in grade, building height shall be measured from the existing grade surrounding the building site.
- (C) On lots having an average sloping grade of between 1% and 5%, building height shall be measured from the front of the building line of the proposed structure.
- (D) On lots having an average sloping grade of more than 5%, building height shall be measured from the average elevation between front and rear building lines or between side building lines, whichever dimension reflects the greater degree of slope.
- (E) Height limits specified elsewhere in this chapter shall not apply to:
 - (1) Churches, schools, hospitals and public buildings including, but not limited to, libraries, museums, art galleries, fire stations or public buildings owned or used by a public entity; or
 - (2) Barns, silos or other buildings or structures on farms; church spires, belfries, cupolas and domes; monuments; transmission towers; windmills; chimneys; smokestacks; flagpoles; and radio towers, masts and aerials. These structures shall be limited to 100 feet in height in any case, unless otherwise permitted in this chapter.



R2 District - Alice Street

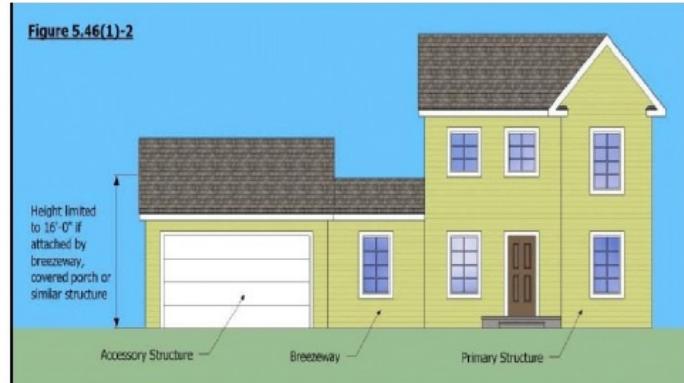


CM District – Edgewater Inn

§ 153.116 ACCESSORY BUILDINGS AND USES.

(A) Accessory buildings and structures.

- (2) Where an accessory building is attached to the principal building, it shall be considered part of the principal building for purposes of determining setback dimensions and building height. If, however, the attached accessory building is connected to the principal building by a roofed porch, breezeway or similar covered structure, it shall not exceed 16 feet in height, shall not be closer than 20 feet to the rear lot line and shall meet the front and side yard setback requirements of that zone district.



R2 District – Mason Street

STORY. The part of a building, except a mezzanine level, that is between the surface of one floor and the surface of the next floor. If there is no floor above, then a STORY is the space between the floor and the above ceiling. See also BASEMENT.

STORY, HALF. The uppermost habitable story under a sloped roof with a usable floor area that does not exceed 75% of the floor area of the story immediately below.



CBD District – Bridge Street

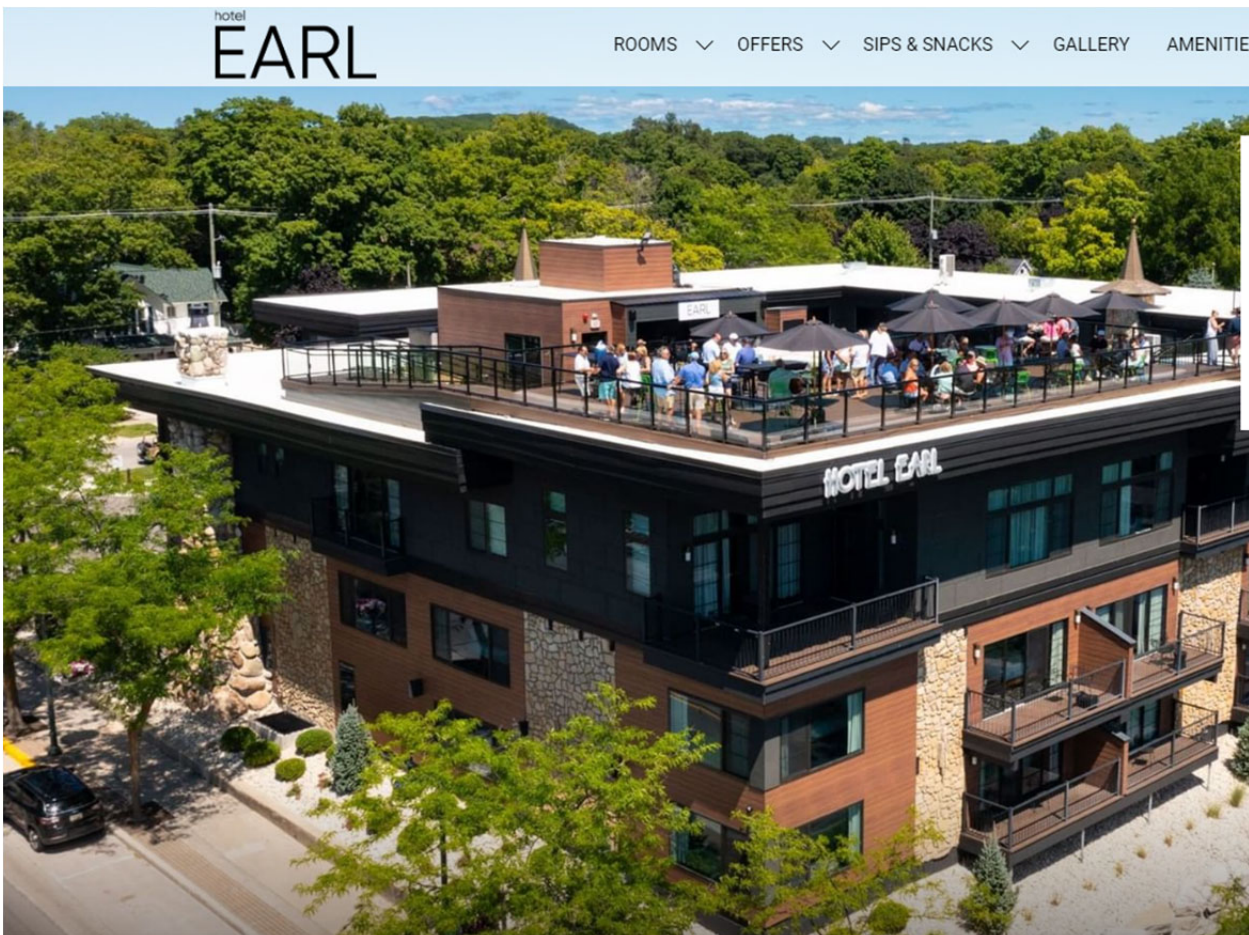


CBD District – Bridge Street

§ 153.118 LODGING, DINING AND ENTERTAINMENT USES

(D) Roof top decks. The following provisions are intended to regulate roof top deck use, permanent or temporary, in all districts to reduce safety concerns, noise and other nuisances, and visual impact on neighboring properties and on the community generally. The use of roof top decks is subject to the following restrictions:

- (1) A zoning and building permit for any roof top deck must be first obtained from the City Zoning Administrator and Charlevoix County Building Department and is subject to construction of and maintenance of guardrails and other protective features as required by the Charlevoix County Building Code.
- (2) Any request for a City of Charlevoix zoning permit that includes a roof top deck must undergo site plan review and receive approval by the Planning Commission prior to issuance of a zoning permit.
- (3) Parapet walls and perimeter guardrails shall extend around the perimeter of the roof top deck and incorporate exterior building materials consistent with the architectural style of the underlying structure subject to § 153.170.
- (4) Any structure on a deck or patio must be permitted under the Zoning Code. Portable appurtenances are prohibited. Temporary appurtenances and structures are subject to site plan review to assure public safety.
- (5) Except within the CBD, Central Business District, amplified musical instruments or sounds are prohibited. Any other music or sound that would violate the city's noise ordinances and restrictions is prohibited.
- (6) All commercial food preparation shall take place inside the establishment.
- (7) No open flames are allowed.
- (8) Lighting shall be shielded and pointed downward and shall not be a nuisance to adjacent properties subject to § 153.172.
- (9) Roof top deck space is subject to the requirements of §§ 153.185 et seq., Off-Street Parking, Loading, Access and Circulation.



CM District – Hotel Earl

ARTICLE XX. SCHEDULE OF REGULATIONS

Maximum Height of Structure:

CBD	45'
All other commercial zoning districts	35'
Residential Districts (except multi-family)	30'
Residential District - Multi-family	35'

Sec. 21.04. - Exceptions to height limitations.

A roof structure for the housing of elevators, stairways, tanks, ventilation fans or similar equipment required to operate and maintain the building, fire or parapet walls, skylights, individual domestic radio and television aerials, wireless communication facilities, and wireless masts, electrical transmission and communication poles and towers, theater screens, steeples, flagpoles, chimneys, smokestacks, wireless masts, water tanks, grain elevators, silos, gas containers, industrial installation requiring a vertical production procedure such as flour mills, steel mills and refineries, or similar structures may be erected above the height limits herein prescribed, but no such structures shall be allowed for the purpose of providing additional floor space for residential, business or industrial use.

No such structure may be erected to more than twice applicable the height limits of the district in which it is located. No such structure shall have a total area greater than 25 percent of the roof area of the building. Such structures shall be screened by a solid wall, landscaping, and/or architectural features that are compatible in appearance with the principal building. No such structure shall be used for any residential purpose or commercial purpose, other than a use incidental to the main use of the building.

Section 10.20 – CBD Principal permitted uses

Q. Outdoor cafes, outdoor eating areas, carry-out, and open front restaurants, subject to the following site design standards:

1. Outdoor cafes may be permitted within the boundaries of a parcel or lot, on a building roof top, or as part of a patio or deck.
2. The outdoor cafe must be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor waste receptacles may be required.
3. Tables, chairs, planters, waste receptacles, and other elements of street furniture shall be compatible with the architectural character of the adjacent buildings. If table umbrellas will be used, they shall complement building colors.
4. Other additional signs are not permitted beyond those permitted for the existing restaurant.

Harbor Springs Zoning Ordinance

Section 50.202 Definitions

Building, Height Of. [The vertical distance from the average elevation of the natural, undisturbed terrain paralleling the front of a building, or if on a street corner, the average elevation of the natural undisturbed terrain paralleling the front and side of a building, measured at the building line to the highest point of the structure, but not including chimneys, spires, life-safety features, mechanical equipment and similar projections.] 139

Deck, Roof Top. A deck constructed above any top plate of a structure and which is designed to function as a usable outdoor area.

Section 50.304 Deck or Patio Usage.

The following provisions are intended to regulate deck or patio usage to reduce safety concerns, noise and other nuisances, and visual impact on neighboring properties and on the community generally. (1) Residential Usage. Use of decks or patios for residential uses such as sunning, lounging, and small social gatherings is permitted in all residential districts and in the CBD, WF, B and TR Districts. Use of decks (including roof top decks) or patios for residential purposes in these districts is subject to the following restrictions:

(a) A zoning and building permit for any deck must be first obtained from the City and Emmet County Building Department and is subject to construction of and maintenance of guardrails and other protective features as required by the Emmet County Building Code.

(b) Amplified musical instruments are prohibited. Any other music or sound that would violate the City's noise ordinances and restrictions, or would exceed seventy (70) decibels measured at the property line of the property where the deck or patio is located, is prohibited.

(c) Lighting shall be shielded and pointed downward and shall not be a nuisance to adjacent properties.

(d) Any structure on a deck or patio must be permitted under the Zoning Code.

(2) Roof Top Deck Commercial Usage. Use of a roof top deck for commercial purposes may be permitted in the CBD, B, WF and TR Districts but only as a special land use and only as accessory to the principal use permitted for the building, and subject to the following restrictions:

(a) Planning Commission approval of the roof top deck usage as a special land use must be first obtained.

(b) Any structure on a roof top deck must be permitted under the Zoning Code.

(c) The Planning Commission may limit the number of persons using such roof top deck as determined necessary or advisable by the Planning Commission to prevent the City's noise ordinances from being violated.

(d) A building permit for any roof top deck activity must be obtained from the Emmet County Building Department and such usage is subject to construction of and maintenance of guardrails and other protective features as required by the Emmet County Building Code.

(e) Such usage must be screened from view of adjacent properties and the area proposed for such usage shall not exceed fifty (50%) percent of the total square footage of the roof area.

(f) Structures for such usage shall be set back at least five (5) feet from the edge of any roof not fronting on a public street or right of way, and at least fifteen (15) feet from the edge of any roof that fronts on a public street or right of way. Mechanical, heating, or cooling equipment or structures that are required by the Building Code as a health or life-safety feature shall not be subject to this set back requirement.

(g) The dimensional area of all structures (other than a mechanical, heating, or cooling element or one that is required by the Building Code as a health or life-safety feature) shall not exceed fifteen (15%) percent of the square footage of the total top roof area.

(h) Amplified musical instruments are prohibited. Any other music or sound that would violate the City's noise ordinances and restrictions, or would exceed seventy (70) decibels measured at the property line of the property where the deck or patio is located, is prohibited.

(i) Roof top deck usage is permitted only between the hours of 7:00 a.m. and 11 :00 p.m., except for special events approved by the City Council.

(j) Lighting shall be shielded and pointed downward and shall not be a nuisance to adjacent properties.] 136

Multiple Sections: Building Height, Area and Yard Requirements

Maximum Height of Structure

AR, Agricultural-Residential District	
R-1-A, Single Family District.....	2.5 stories35'
R-1-B, Single Family District.....	2 stories35'
R-1-C, Single Family District.....	2 stories35'
R-1-E, Single Family Residential Estate District.....	2.5 stories35'
R-2, Two Family District.....	2 stories35'
Accessory building height maximum	
in residential districts.....	2 stories25'
MHP, Mobile Home Park District	
Accessory carport height maximum	15'
RM, Multiple Residential District.....	2 stories35'
C, Community District.....	3 stories40'
O-1, General Office	2 stories30'
TR, Transitional Residential District	2 stories35'
CBD, Central Business District	2 stories30'
B-1, Convenience Business District.....	2 stories35'
B-2, General Business District.....	2 stories30'
WF, Waterfront District	1 story16'
WF-1, Waterfront-Resort District.....	1 story16'
M-1, Manufacturing District.....	2 stories35'
Planned Development	35'
CBD	39'
CBD PD Overlay	39'; 49' max. for any structure

Petoskey Zoning Ordinance

ARTICLE XVI. SCHEDULE OF REGULATIONS

Maximum Height of Structure

Residential Zoning Districts (most)	2.5 stories	25'
Residential Zoning RM-2 Multi-Family	3 stories	33'
B-2 Central Business.....	3 stories	45'
B-2A Transitional Business	3 stories	37'
B-2B Mixed Use Corridor	3 stories	37'
B-3 General Business.....	2 stories	30'
B-3a Resort Commercial	2 stories	25'
B-3B Business Industrial	2 stories	25'
O-S Office Service	2 stories	25'
I-1 Light Industrial	2 stories	25'
I-2 General Industrial	3 stories	35'

ARTICLE XVIII. - GENERAL EXCEPTIONS

Sec. 1800. - Area, height and use exceptions.

3. Height limit. The height limitations of this ordinance shall not apply to chimneys, church spires, flag poles, public monuments or wireless transmission towers; provided however, that the board of appeals may specify a height limit for any such structure when such structure requires authorization as a conditional use.



PF – Public Facilities, Charlevoix County





Charlevoix Planning Commission

New Business

Title: Sign Ordinance Review and Discussion

Date: August 8, 2022

Presented By: Janet Koch, Zoning Administrator

Background:

Zoning Administrator Koch is presenting draft language to amend provisions for signs within the CBD District. The draft language is attached for your review. The language has been reviewed and approved by the City Manager. Per the direction of the Commission, staff may prepare a formal draft ordinance amendment.

Recommendation:

Item for discussion only

Attachments:

1. Draft Amendment Signs 153.215 and 153

**Draft Zoning Ordinance Amendment
For Planning Commission Review
August 8, 2022**

**CBD Sign Ordinance
Proposed Language Marked in Red**

§ 153.215 CBD ZONING DISTRICT.

The following signs are authorized in the CBD Zoning Districts. See § 153.219 of this chapter for all dimensional requirements.

- (A) Signs not requiring a sign permit. Subject to any other applicable requirements and permits, the following signs are authorized without a sign permit:
 - (1) Signs authorized by § 153.206(B) of this chapter;
 - (2) Temporary signs less than or equal to 16 square feet in sign face area and less than eight feet in height. Such signs shall be removed within seven days after the activity referenced has concluded;
 - (3) External neon signs no larger than two square feet in sign face area;
 - (4) One commercial flag per business. See § 153.208(G) of this chapter; and
 - (5) Portable signs. See § 153.208(H) of this chapter.
- (B) Signs requiring a sign permit. Subject to any other applicable requirements and permits, the following signs are authorized after issuance of a sign permit:
 - (1) Temporary signs greater than 16 square feet in sign face area but not to exceed 36 square feet and less than eight feet in height. Such signs shall be removed within seven days after activity referenced has concluded;
 - (2) On-premises awning, canopy, marquee sign;
 - (3) On-premises ground sign;
 - (4) On-premises projecting sign; and
 - (5) On-premises wall sign.
- (C) Commercial properties on Bridge Park Dr. that are located beneath Bridge Park are allowed to attach a sign less than or equal to two square feet in sign face area on the Bridge Park railing above the location of their business. A sign permit must be obtained, which must also be approved by the City Manager. The method of sign attachment must be included in the sign permit application. A sign permit approved under § 153.215(C) is valid only for the permit applicant and cannot be transferred to another entity.

Table 153.219: Schedule of (Sign) Regulations by Zoning District

Zoning District	Max. Sign Face Area	Max Height	Max Number	Location	Permit Required?
CBD (Central Business District) ¹					
Temporary	Max. 36 sf	Max 8 ft	1/public frontage	Min. setback 4 ft from ROW	No-if sign face area less than/equal to 16 sf
Wall	Max 30 sf	Max 8 ft	1/parcel	First floor of Building	Yes
Portable	Max 6 sf	Max 4 ft	1/business		No
External neon	Max 2 sf	Max 8 ft	1/business	n/a	No
Commercial flag	Max 15 sf	n/a	1/business	Shall not interfere With pedestrians	No
Awning, canopy, marquee	Max 16 sf	Max 8 ft	1/awning, canopy, or marquee	Shall not be located in ROW	Yes
Ground	Max 20 sf	Max 16 ft	1/public frontage	Min. setback 4 ft from ROW	Yes
Projecting	Max 16 sf	Min 8 ft Max 12 ft	1/parcel	Shall not be located in ROW	Yes

¹ See § 153.215(C) regarding commercial properties on Bridge Park Dr. located beneath Bridge Park.

Zoning District	Max. Sign Face Area	Max Height	Max Number	Location	Permit Required?
I (Industrial)					
Temporary	Max. 36 sf	Max 8 ft	1/public frontage	Min. setback 4 ft from ROW	No-if sign face area less than/equal to 16 sf
Temporary banner	Max. 30 sf	Max 16 ft	n/a	Adjacent to City Golf Course. Shall not be located in ROW	Yes No-Zoning Administrator approval is required
Wall	Max 30 sf	Max 8 ft	1/parcel	First floor of Building	Yes
Awning, canopy, marquee	Max 16 sf	Max 8 ft	1/awning, canopy, or marquee	Shall not be located in ROW	Yes
Ground	Max 16 sf	Max 16 ft	1/public frontage	Min. setback 4 ft from ROW	Yes
Projecting	Max 16 sf	Min 8 ft Max 12 ft	1/parcel	Shall not be located in ROW	Yes

NOTES TO THE PLANNING COMMISSION: in the current zoning ordinance, the above table for the Industrial Zoning District does not actually include the “Industrial” heading. That could likely be changed administratively, but the change to the Temporary Banner permit language above makes the table consistent with the language in § 153.208 (F) which states “Temporary banners require a sign permit,” and that change requires an amendment.

Charlevoix Planning Commission

New Business

Title: Building Unit Size and Lot Size

Date: August 8, 2022

Presented By: Jennifer Neal, Community Planner

Background:

Minimum building unit sizes and minimum lot sizes were previously discussed at the June meeting. Staff prepared a study of the minimum unit sizes permitted in each zoning district. Residential unit size is not regulated in most commercial districts. The study of residential districts indicated efficiency or tiny homes would not be permitted in most residential districts under current regulations. Based on this assessment, staff request direction from the Commission to identify additional information they would like to gather. Staff recommend looking into the following:

- Staff request that a study of vacant and underutilized parcels be undertaken. Staff may begin by studying parcels previously identified for "missing middle" housing types. With this information, staff can consider if current regulations are limiting potential development on existing city lots.
- Staff may also consider the provisions for PUD projects and identify whether this is a reasonable development alternative to current district regulations.

Recommendation:

Item for discussion only

Attachments:

None

Charlevoix Planning Commission

Old Business

Title: Donations

Date: August 8, 2022

Presented By: Jennifer Neal, Community Planner

Background:

Comments from Chairman Waddell

Recommendation:

Item for discussion only

Attachments:

None



To: The City of Charlevoix Planning Commission
From: Janet Koch, Zoning Administrator
Subject: Zoning Administrator's Report for July 2022

Planning Commissioners:

Following is a summary of the Zoning Administrator's activities for the month of July. If you would like to see different and/or additional information in future reports, please let me know and I'll do my absolute best to accommodate.

Permits Issued

Eleven permits were issued in July, down from the 18 issued in June. Two were for Sidewalk Café permits and two were for Sidewalk Use permits in the Central Business District, four were for temporary banners. Three zoning permits were processed; one through the Planning Commission's approval (with conditions) of the DTE regulator station; the other two were in residential districts: 1 shed and 1 fence.

Provided to the Planning Commission

- Site Plan Review – Level B: Staff report for the DTE Regulator Station adjacent to the library parking lot was prepared for the July 11 meeting.
- Building Height Memo for the July 11 meeting.

Customer Contacts

80 customer contacts were logged in July.

- Contact method and count: 13 by email, 15 in person, 52 by phone.
- Reason for contact: 56 questions were related to zoning, and 19 questions were related to short term rentals. There were two general planning questions and three code enforcement questions (questions forwarded to the Code Enforcement Officer are not included in that number).

For Zoning Board of Appeals meeting of August 17

- For application 2022-08 ZBA at 218 Belvedere, prepared and sent the 300' public notices (81 total) and published a public notice in the *Charlevoix Courier*, thus complying with the time sensitive noticing requirements of the Zoning Enabling Act.

Short Term Rentals (STR)

- Created a form specific to applying for the STR wait list
- Added three properties to the STR wait list.
- Obtained training on the software the City uses to provide STR administration and compliance services. Am working with the Code Enforcement Officer to bring properties into compliance.

Federal Emergency Management Agency (FEMA) Compliance

Reached out to numerous contacts at EGLE and locally to obtain information regarding September 15, 2022 compliance with the recently issued flood plain maps.