CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720
PLANNING COMMISSION PUBLIC MEETING AGENDA

MONDAY, DECEMBER 10, 2018 AT 6:00 PM in the City 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. November 12, 2018 minutes

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. 2019 Meeting Schedule

H. Old Business

1. Draft ADU Standards
2. Draft RV Storage Language

I. Staff Updates

J. Requests For Next Months Agenda or Research Items

1. Annual Review of Bylaws
2. Novus Training

K. Adjournment by 8:00 PM unless extended by a motion

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one weeks' notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250.

CITY OF CHARLEVOIX

Approval of the Minutes

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: November 12, 2018 minutes

DATE: December 10, 2018

ATTACHMENTS:

- November 12, 2018 Draft Minutes

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, November 12, 2018 - 6:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order
The meeting was called to order at 6:00 p.m. by Chair Chamberlain.

B. Roll Call

Chair:	Sherm Chamberlain
Members Present:	Ben Edwards, Toni Felter, Brian Gelb, Rick Golding, Jennifer Muladore, Phillip Parr, RJ Waddell
Members Absent:	Dennis Halverson
Staff Present:	Kathy Egan, Community Planner; Jonathan Scheel, Zoning Administrator

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda
Commission members approved the agenda as presented.

E. Approval of the October 8, 2018 Minutes
Motion by Member Waddell, second by Member Gelb to approve the minutes of October 8, 2018 as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business
1. Review of October Walking Tour
Chair Chamberlain stated that Networks Northwest had a great seminar on workforce housing that he and Member Waddell attended. Member Waddell summarized information obtained through the seminar.

Planning Commission members shared their thoughts and observations of the October walking tour including the need for year-round workforce housing, ways to change the zoning to allow for small structures or breaking up existing structures into smaller units, number of vacant City-owned properties, and the condemned building at 210 Mason Street. Discussion followed regarding granny flats, summer rentals, workforce housing, and conversions of single-family homes.

Administrator Scheel stated that he was not familiar with the issues at 210 Mason Street, but would investigate the situation. He stated that three houses had enforcement actions that could result in demolition; two of the houses were on W. Upright and one on W. Lincoln, as well as the old gas station on Petoskey Avenue.

2. Housing Options Discussion
Planner Egan stated that in her exploration of the City the entire R-2 district is not the same, as it was all developed in different eras. She felt the idea of allowing home conversions, quadplexes, and accessory dwellings does not apply equally across the district, and she suggested they go block by block and decide what fits where. She displayed a colored-coded map to assist in the discussion with three labeled areas: Downtown, Midtown and Traditional.

Discussion followed regarding each of the Use/Standard Categories:

- Accessory Dwelling Units: General consensus to allow such units in each of the three areas.
- Home Conversion: A dwelling unit with eating, sleeping and living quarters. This category would allow taking an existing single-family home and converting it into a multi-dwelling. Consensus that home conversion would be allowed in each of the three areas.
- New Multi-Family: A new building with three or four units. Discussion followed regarding the appropriateness of this type of use on a case-by-case basis in any of the three areas.
- Single-Room Occupancy: Would allow property owners to rent single bedrooms. Discussion followed regarding this use including consequences and benefits of such uses, property owner required to be living in the home and two-unit properties with one being a short-term rental.
- Parking: Code requires two parking spaces per residential dwelling and 1.5 spaces per unit for multi-family dwellings. She stated that parking standards were decreasing and some cities were allowing on-street parking to

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count toward the required number of parking spaces. Member Waddell noted that Charlevoix requires no parking on City streets during snow removal time. Discussion followed regarding parking restrictions in other cities, assigned spaces in City parking lots, likelihood of making changes to the current parking requirements, and cities that alternate parking by day on either side of the street during the winter.

Planner Egan stated that she would provide the Commission sample standards with option A and B language for different kinds of approaches to lot coverage or the use of existing buildings for accessory dwelling units. Chair Chamberlain suggested including trends for amount of living space.

3. RV Storage Contradiction

Administrator Scheel stated that there was a contradiction between the Zoning Ordinance and the Nuisance Ordinance regarding storing a recreational vehicle. He stated the owner of a recreational vehicle is allowed to store it on their property for an undetermined amount of time, and if the property owner did not own the vehicle it could be stored for no more than 24 hours. The Nuisance Ordinance allows one to store a recreational vehicle in need of repair or that is currently for sale up to 15 days, otherwise it could not be stored on the owner's property. Administrator Scheel was seeking input from the Planning Commission on this matter. He stated that there were no restrictions in the Zoning Code as to where the recreational vehicle could be parked. Discussion followed regarding issues related to recreational vehicles and where the vehicles could be stored. Chair Chamberlain asked Administrator Scheel to research how other cities address storage of recreational vehicles.

H. Old Business

I. Staff Updates

Administrator Scheel stated the height of buildings was changed in a recent ordinance update to half way up to a pitched roof from grade and to the top of a flat roof. In the obsolete ordinance there was language regarding "turrets, cupolas, widow's walks, and similar architectural features, not including mechanical equipment, chimneys, plumbing vents and similar appurtenances shall be considered building roof for height calculation purposes". He stated that a flat roof building under construction and a future project had roof top mechanical equipment, air handling equipment and elevator components. The new ordinance does not address mechanical equipment. He questioned if building height was representative of the mechanical equipment or was it specifically removed from the ordinance. Chair Chamberlain felt that they were looking at common sense for a pergola or mechanical devices. Member Gelb questioned if it was problematic to leave the language open other than to say standard mechanical equipment is not part of the building height calculation. Administrator Scheel stated that the request involved access to the roof by a staircase. Discussion followed regarding the current language for above the roof height, issues with other components on a roof, and screening requirements.

Planner Egan stated that there was someone who wanted to donate a shuffleboard court to the City. She explained that the request would come to the Planning Commission first because it was a donation with a lot of steps involved in selecting a location, going through the Design Committee and DDA, in addition to going before City Council. Chair Chamberlain stated that the Commission discussed a shuffleboard court earlier in the year for East Park/Bridge Park and their recommendation had been "thank you, but no thank you".

Planner Egan questioned when the Commission elected its officers and approved the annual meeting schedule for the year. Chair Chamberlain responded that it happened at the first meeting of the year.

J. Request for Next Month's Agenda or Research Items

K. Adjournment by 8:00 p.m. Unless Extended by Motion

Motion by Member Felter, second by Member Gelb to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 7:53 p.m.

Joyce M. Golding/fgm City Clerk

Sherm Chamberlain Chair

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CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: 2019 Meeting Schedule

DATE: December 10, 2018

BACKGROUND

Attached is a schedule of the meeting dates for 2019. The Planning Commission needs to adopt a meeting schedule and it must be adopted by a Resolution (according to the Michigan Planning Enabling Act).

ATTACHMENTS:

- 2019 Meeting Schedule

Notice to the Public

City of Charlevoix Planning Commission
2019 Schedule of Regular Meetings

The regular meetings of the City of Charlevoix Planning Commission will be held in the City Council Chambers of Charlevoix City Hall at 210 State Street, Charlevoix, Michigan usually on the second Monday of each month as follows, unless rescheduled:

Day	Meeting Date	Time	Agenda Packet Distribution Date
Monday	January 14, 2019	6:00 PM	01/07/19
Monday	February 11, 2019	6:00 PM	02/04/19
Monday	March 11, 2019	6:00 PM	03/04/19
Monday	April 8, 2019	6:00 PM	04/01/19
Monday	May 13, 2019	6:00 PM	05/06/19
Monday	June 10, 2019	6:00 PM	06/03/19
Monday	July 8, 2019	6:00 PM	07/01/19
Monday	August 12, 2019	6:00 PM	08/05/19
Monday	September 9, 2019	6:00 PM	09/02/19
Monday	October 14, 2019	6:00 PM	10/07/19
Monday	November 11, 2019	6:00 PM	11/04/19
Monday	December 9, 2019	6:00 PM	12/02/19

General items for the meetings need to be submitted three days prior to the agenda packet distribution date (listed above in the right column).

Information submitted for site plan (inclusive of preliminary site plan information, site plan review materials, site plan amendment information) need to be submitted two weeks prior to the agenda packet mail date.

CITY OF CHARLEVOIX

Old Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Draft ADU Standards

DATE: December 10, 2018

BACKGROUND

Attached is the first draft of potential standards for allowing ADUs in the R-2 District. This is for discussion purposes and is not in the final format for the Zoning Ordinance.

ATTACHMENTS:

- Draft ADU Standards for Discussion

City of Charlevoix Planning Commission
December 10, 2018 Meeting
Accessory Dwelling Units
Draft Standards – For Discussion

Accessory Dwelling Unit (ADU) Definition:
A dwelling unit in an owner-occupied single family home that is either attached to the principal dwelling or in a separate structure on the same parcel.

Where allowed:

- ADUs are allowed only on parcels occupied by an existing principal residential use.
- On parcels where ADUs are allowed, only one ADU per parcel is permitted.
- ADUs may be located entirely within the existing residence, attached to the existing residence, or in a separate, detached structure.

Minimum parcel area:

- Same (6,000 square feet) as required for single family detached dwelling or on any legal parcel of record as of 1-1-19
  OR
- Reduce minimum parcel requirement to 3,000 square feet.

Minimum parcel width:

- Same (50 feet) as required for single family detached dwelling or on any legal parcel of record of record as of 1-1-19.
  OR
- Reduce minimum parcel width to 25 feet (would allow for more parcel splits)

Minimum parcel depth:

- Parcel depth is not listed in Zoning Ordinance

Maximum parcel coverage:

- Same as allowed in the district – 40%
  OR
- Increase to allow for more density – 50%

Exterior Appearance:

- The ADU shall be designed so that the appearance of the structure maintains that of a one-family dwelling.
- ADU entrances shall be less visible from the street view of the principal dwelling than the main entrance of the principal dwelling unit.
- Exterior staircases that provide access to a second-floor ADU shall not be on the front of either the principal dwelling or the ADU.

Setbacks:

Front:

- Shall be in the rear yard. or
- A minimum of 15 feet behind the front of the principal dwelling if located in the side yard

Side:

- For 1 story ADU units
    - Minimum of 5 feet on interior side yards
    - Minimum of 15 feet on street side yards
- For 1 ½ or 2 story ADU units
    - Minimum of 8 feet on interior side yards
    - Minimum of 15 feet on street side yards

Rear:

- Minimum of 25 feet

Setback Modifications

- **New construction**. A property owner may be granted modifications to the required setbacks by a Special Land Use permit after a site plan review by the Planning Commission.
- **Pre-existing structures** built prior to 2018 that are located within the required setbacks may be approved for use as an ADU subject to a Special Land Use permit after a site plan review by the Planning Commission, provided:
    - That any walls within the setback areas comply with applicable building and fire codes
    - That a setback requirement of 5 feet from the side and rear properties shall be required.
    - 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.
    - Windows that impact the privacy of the neighboring side or rear yard have been minimized.

Separation from other buildings:

- If the ADU is not located within the principal dwelling, there shall be a minimum of 10 feet between the ADU unit and any other structure.

Maximum building height:

- For ADUS that are incorporated into the principal dwelling, see Section 5.46 Accessory Buildings and Uses.
- For ADUS that are not incorporated into the principal dwelling, maximum height shall be 16 feet or height of principal dwelling, whichever is less.

Floor area:

- Minimum of 300 square feet
- Maximum of 650 square feet

Parking:

- Any parking provided is subject to the same regulations that apply to the principal dwelling unit.

- Same as residential uses in R2 District
  OR
- No additional parking is required.
  OR
- No parking is required
  - when the ADU is a studio (no bedrooms)
  - when the ADU is entirely within the principal residence and adds no habitable floor space to the property.

Additional standards:

- ADUs are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this ordinance.
- An ADU shall not be sold independently of the primary dwelling on the parcel.
- Only one ADU per parcel.

- A permanent foundation is required.
  OR
- May receive a one year permit for ADU units without a permanent foundation (on wheels).

Occupancy:

- At least one of the units on a parcel with an ADU shall be occupied by an owner with at least a 50% interest in the subject property. The owner shall occupy either the principal dwelling unit or the ADU as their permanent residence via Michigan homestead exemption.

- ADUs may not be rented for less than a 30 day period.
  OR
- Only one unit per parcel may be rented out for periods of less than 30 days

CITY OF CHARLEVOIX

Old Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Draft RV Storage Language

DATE: December 10, 2018

BACKGROUND

Staff has discussed this topic and has researched language from other ordinances. There is no attached draft language at this time. Jonathan is reviewing the research and may have some draft language for review by the time of the meeting.

CITY OF CHARLEVOIX

Requests For Next Months Agenda or Research Items

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Annual Review of Bylaws

DATE: December 10, 2018

BACKGROUND

It is good practice to annually review the Bylaws and consider if they need any amendments. In the past months a few items have come to my attention that could be considered for an update. They include:
-- Include an educational requirement for planning commissioners
-- Updating the conflict of interest language
-- Update who makes certain decisions (this needs to be adjusted due to the Zoning Ordinance amendment that moved the final site plan review decisions from the City Council to the Planning Commission)
-- Other?

CITY OF CHARLEVOIX

Requests For Next Months Agenda or Research Items

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Novus Training

DATE: December 10, 2018

BACKGROUND

Do we want to schedule some time at a future meeting to be trained/retrained on how to use all the features of the Novus agenda packet software?