

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

MONDAY, JULY 8, 2019 AT 6:00 PM in the 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. May 13, 2019 draft minutes
- F. Call for Public Comment Not Related to Agenda Items
 - 1. Submitted Public Comment
- G. New Business
 - 1. Legal review of proposed R2 housing amendment
 - 2. Sandwich board sign standards discussion
- H. Old Business
 - 1. Forward housing amendment to public hearing
 - 2. Forward parking amendment to public hearing
 - 3. Recreational Vehicle Storage
- I. Staff Updates
 - 1. Zoning Ordinance updates
- J. Requests For Next Months Agenda or Research Items
- 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: May 13, 2019 draft minutes

DATE: July 8, 2019

ATTACHMENTS:

▣ Draft May 13, 2019 Minutes

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, May 13, 2019 - 6:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order/Pledge of Allegiance

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, David Gray, Dennis Halverson, Jennifer Muladore, Philip Parr, RJ Waddell

Members Absent: None

Staff Present: Kathy Egan, Community Planner; Jonathan Scheel, Zoning Administrator

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Motion by Member Gray, second by Member Felter to approve the agenda as presented. Motion passed by unanimous voice vote.

E. Approval of the Minutes

1. April 8, 2019 Minutes

Motion by Member Gelb, second by Member Muladore to approve the minutes of April 8, 2019 as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Public Services Facility Presentation

Planner Egan explained that the City hired OHM as a consultant company to design the new public services facility. This is not a formal site plan review because the City doesn't have to go through the review process. The Planning Commission should, however, review the plans regarding "location, character, and extent" (according to the Michigan Planning Enabling Act) to see if the expenditure of public monies is in alignment with the Master Plan.

Amanda Porath, OHM Advisors, recalled that in January 2018 the City hired OHM to design a facility to house the Public Works, Electric and Water departments. The new facility would be located on West Carpenter Avenue where the Electrical Department is currently housed. She reviewed the locations and specifics of the new buildings/facilities, materials storage and building elevations and further described the design detail, security fencing, and storage areas. Discussion followed regarding perimeter landscaping proposed as buffers to the properties surrounding the site. OHM representatives responded to questions. Zoning Administrator Scheel stated that this facility is part of the overall Master Plan.

2. Annual Report

Planner Egan stated that she took the initiative to prepare a draft Annual Report. Motion by Member Waddell, second by Member Felter to forward the report as presented to the City Council. Motion passed by unanimous voice vote.

H. Old Business

1. Recreational Vehicle Storage

Planner Egan stated that when the City Council approved the Zoning Ordinance amendments, they removed the section on recreational vehicles for further review by the Planning Commission. She stated the language should not apply to all parcels such as commercial boat storage for example. Discussion followed regarding the rationale requiring covers over boats, how such a restriction would be enforced, boats being uncovered during the summer months, aesthetics and safety issues. Chair Chamberlain read #4 on page 26 of the packet: "A suitable cover shall be placed over boats whenever stored outside" and after discussion, the Commission agreed to eliminate the language.

Planner Egan stated that some City Council members were in favor of storing recreational vehicles in driveways and discussion followed regarding the pros and cons. She made a recommendation on #6 to add the wording "Off-season storage of recreational equipment shall be parked completely in an enclosed structure or in the side yard or rear yard." The

Commission concurred with the change and Planner Egan would submit clarified wording for the Commission to consider at their next meeting.

I. Staff Updates

Planner Egan announced that there was an opportunity for a basic training session on Planning being held in Leelanau County on June 6th. She asked that anyone interested in attending to let her know.

Chair Chamberlain questioned what the Planning Commission's role would be relative to the proposed housing adjacent to the golf course. Zoning Administrator Scheel stated that at a minimum it would include a review by the Planning Commission.

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

Planner Egan stated that hopefully they will have the legal review back from the housing changes that the Commission approved last month to consider before setting a public hearing,

Planner Egan stated that they may be ready to bring the site plan review article with staff recommendation for changes to the Commission at the next meeting. Discussion followed regarding the list of City-owned property and potential uses as prepared by the Zoning Administrator.

K. Adjournment by 8:00 PM Unless Extended by Motion

Motion by Member Felter, second by Member Parr to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 7:11 p.m.

Joyce M. Golding/fgm

City Clerk

Sherm Chamberlain

Chair

CITY OF CHARLEVOIX

Call for Public Comment Not Related to Agenda Items

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Submitted Public Comment

DATE: July 8, 2019

BACKGROUND

The attached letter and response were both submitted to the Planning Commission last month, but because the meeting was canceled they are in this July packet.

ATTACHMENTS:

- ▣ Letter to PC
- ▣ ZA Response to letter

Rick Golding
12 Chicago Club Dr.
Charlevoix, MI 49720

To: Mr. Sherm Chamberlain

June 5, 2019

City of Charlevoix Planning Commission, chair

Dear Sherm,

I am writing to express my concerns regarding the "Level A" site plan review of the Hotel Earl that was conducted by the city Zoning Administrator, Jonathon Scheel. This review was conducted after the planning commission had conducted a complete review of the hotel on April 9th, 2018. This review and all of the drawings and sketches presented did NOT show a depiction of an elevator.

At the January 14th, 2019 planning commission meeting, Mr. Scheel let it slip that an elevator was being discussed and it would exceed the current allowable height for roof top equipment. During that meeting, I personally discussed the fact that an elevator of 3 stories would be hydraulic and the equipment would be on the ground floor. At no time during that discussion did Mr. Scheel say that the intent of the excess height was to allow roof top access for an entertainment area. Shortly after this meeting, Mr. Scheel approved the "Level A" review.

Mr. Scheel has, in writing acknowledged that during his "Level A" review, he found the stairway to the 3rd floor to be in excess of allowable height standards and the elevator tower to be even more out of code, yet he allowed these variations without consultation of the planning commission, a decision that he says he is authorized to make. (Please see attached email dated May 17, 2019). In addition, the neighboring properties that will be most affected by nighttime noise and lights were not given the opportunity to voice their concerns.

I implore you and the planning commission to review the scope of the zoning administrator's role in "Level A" site plan reviews, especially when it relates to a comprehensive review previously conducted by the planning commission.

The actions of the zoning administrator are going to have lasting effects on the neighbors of this property that he will not have to answer to.

Thank you for your time,

Rick Golding

----- Forwarded Message -----

From: "City of Charlevoix Planner" <planner@charlevoixmi.gov>

To: "rgolding" <rgolding@chicagoclub.org>

Cc: "sherm" <sherm@fcasurveying.com>, "Mark Heydlauff" <markh@cityofcharlevoix.org>, "dshalverson" <dshalverson@gmail.com>

Sent: Friday, May 17, 2019 9:46:07 AM

Subject: Re: Hotel Earl Elevator Shaft

Rick, I did receive a verbal inquiry on the elevator before the January meeting. That is the exact reason it was brought before the PC for discussion. The vast majority of any ordinance changes are brought to the PC for the same reason. A request to the zoning administrator for information on what a developer or owner can do with their property or a complaint leading to an enforcement action. A recent example is the changes for recreational vehicle storage. I do not feel it is my right to bring up individual properties in my presentation on ordinance changes. When I review the ordinance and see potential problems, any changes need to be discussed as how it may affect the entire city, not one property. If changes in an ordinance centers on one property, zoning will not be embraced by the community and eventually be rejected. I did not attempt to mislead the planning commission in any way. I brought to the PC my concerns and the PC agreed there were changes needed. I do not believe I took any "authority" away from the PC in regards to the Earl project. The ordinance is clear on the requirements on site plan reviews and I believe I followed them. Also I determined the ordinance at time allowed the structures I approved. Again, if you would like to meet for further discussion, I am available.

Jonathan D. Scheel
Zoning Administrator

210 State Street
Charlevoix, MI 49720
(231) 547-3265
CharlevoixMi.gov

CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Legal review of proposed R2 housing amendment

DATE: July 8, 2019

BACKGROUND

Attached is the legal review of the proposed housing amendment. The proposed changes to the Ordinance are in red and the attorney's comments are both in red and underlined.

ATTACHMENTS:

- ▣ Legal Review of Housing Amendment

Memo To: Scott Howard, Olsen, Bzdok Howard & Associates
From: Kathy Egan, Networks Northwest: Planner – City of Charlevoix
Date: April 9, 2019
Re: Draft Language Review for City of Charlevoix Planning Commission
Rooming/Boarding Houses
Home Conversions
Attached single-family and Multiple-family

The intent of these revisions is to allow for an expansion of residential uses in the R2 Zoning District by allowing each parcel one of the following: Rooming/Boarding House, Home Conversion, Attached Single-Family, or a single Multiple-Family building.

If needed, please call me directly for further explanation of the goals of this amendment. 231-929-5057.
Thank you.

Section '153.005 Definitions

Current Definition:

Boarding/Rooming House. A building, structure, or portion thereof, where individual rooms are rented to separate parties, such as transitional homes, hostels, or similar uses.

Amended:

Boarding/Rooming House. A building, structure, or portion thereof, where individual rooms are rented to separate parties **for more than thirty (30) consecutive days**, such as **seasonal worker housing**, transitional homes, ~~hostels~~, or similar uses.

Note: The goal of the amendment is to also allow for duplex, tri-plex and quad-plex buildings in the R2 District. To this end, the Planning Commission feels that the following current definitions can be used without amendment or needing to add new definitions.

Current Definitions:

Attached Dwelling: a dwelling designed for occupancy by one family in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another, and each unit is separated from any other unit by one or more vertical common fire-resistant walls. (Also known as a Townhouse or Rowhouse.)

Multiple-Family Dwelling: A building containing three or more dwelling units where each unit may have access to a common hallway, stairs or elevator, or where each unit may have individual access to a street or common courtyard.

Two-Family Dwelling: A single-family dwelling unit attached to one other single-family dwelling by a common wall or floor. (Also known as a duplex.)

Amend Section '153.070 (B)

R2, Medium Density ~~Single-Family Residential District~~. The R2 District *is intended to provide for residential neighborhoods where a mix of single-family residential, accessory dwelling units, single multiple-family dwellings, and attached dwellings are located.*

Amend Section '153.071 Schedule of Uses (chart)

To allow these building types in R2

- Single-family Attached
- Two-family
- ~~Single~~ Multiple-family building

Amend Section '153.086 Schedule of Uses

Change "Notes to Table" that references "Multiple-family dwellings shall be developed to the requirements of the R4 District" . To "~~Development of a single multiple family dwelling may be developed to the requirements of the R2 District, while Developments of more than one~~ Multiple-family dwellings shall be developed to the requirements of the R4 District"

Note: This is so that the setbacks and other standards of the R2 District apply to situations of a *single* multiple-family dwelling in R2 and that standards for the R4 District apply to developments of *more than one* multiple-family dwellings buildings.

New section 153.117 (E)

Boarding/Rooming House

There shall be not more than four (4) rooms occupied by tenants, subject to the following:

- (1) Parking meets the requirements of '153.187.
- (2) Occupancy by tenants shall ~~generally~~ be for expected durations longer than thirty (30) days.

- (3) Individual rooms shall not contain independent cooking facilities. This requirement shall not prohibit the serving of meals to tenants or the use of a single kitchen by tenants.
- (4) Rooming and boarding houses shall be owner occupied and serve as the principal residence of the owner.

New Section 153.117 (F)

Home Conversions

An existing detached single-family dwelling built prior to 2019 that is located within the required setbacks of the district may be converted to multiple permanent dwelling units subject to the following:

- (1) Lot area meets the minimum requirements for the district.
- (2) The exterior appearance of the structure is not altered from its single-family character.
- (3) Parking meets the requirements of '153.187.
- (4) Access to any second floor dwelling unit is provided from the interior of the structure.
- (5) The minimum square footage required for a studio or one bedroom unit shall be 300 square feet.
- (6) The minimum square footage required for a 2 bedroom unit shall be 650 square feet.
- (7) No unit may have more than 2 bedrooms.

(8) All units have construction code-approved egress.

~~(8)~~(9) Units shall be rented for more than 30 days at a time.

Comment [SH1]: Note this is not legally required but I understand the intent here is not to create new short term rentals. If the Planning Commission is not concerned about that issue it can be removed in both new sections.

New Section 153.117 (G)

Single-family attached and single Multiple-family buildings

- (1) Single-family attached buildings and single multiple-family buildings are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this ordinance.
- (2) The main entrance is located in the building façade of the principal frontage.
- (3) A maximum of two entrances per building façade.
- (4) Parking is located in the rear or on the side of the building.
- (5) Parking access is from the alley where available, otherwise access may be from the side or front lot line.
- (6) The principal building façade shall have a minimum of 20% glazing (windows).
- (7) There shall be a minimum of two windows per non-street facing building façade.
- (8) Porches and stoops may project into the yards.

(9) Façade elements above the ground floor may project into the yards.

(10) Units shall be rented for more than 30 days at a time.

~~(9)~~(11) _____

CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Sandwich board sign standards discussion

DATE: July 8, 2019

BACKGROUND

This topic has been brought forward to the Planning Commission by the Zoning Administrator. It has been brought to his attention that while some business owners have room on private property for these signs, others do not. The discussion for the meeting will be whether to allow sandwich board signs on public property, with conditions (sample language attached).

ATTACHMENTS:

- ▢ Sandwich Board Signs Draft Language

Memo To: Planning Commission
From: Planning and Zoning Staff
Re: Sandwich Board Signs
Date: July 8, 2019 Meeting

The topic of sandwich board signs has recently come before the Zoning Administrator. The ordinance currently allows them only on private property and not on the public sidewalk. Not all the commercial buildings have a setback which would allow for the placement of a sandwich board sign on their private property. In the order of allowing each business to have such signage, we are bringing the following amendment forward to the Planning Commission for their consideration and discussion.

The current language is in black; the amendment appears in red.

' 153.208 SIGN STANDARDS FOR SPECIFIC SIGNS.

(H) Sandwich board signs.

- (1) Shall be not more than 48 inches in height and 30 inches in width, and cannot exceed six square feet in sign face area;
 - (2) Shall be located on private property **if space is available; sandwich board signs not able to be placed on private property may be placed in the public right-of-way, on the sidewalk, but must be perpendicular to the building edge, extending no more than thirty (30) inches. Sandwich board signs in the public right-of-way shall require a liability waiver/indemnification to be kept on file with the City.**
 - (3) Shall not block pedestrian access;
 - (4) Shall be constructed of durable materials and be clearly portable in terms of size, weight and placement;
 - (5) Shall only be displayed between the hours of 7:00 a.m. and 12:00 a.m.;
 - (6) Shall use chalkboards or whiteboards for their signage area; and
 - (7) Shall not utilize changeable lettering for their messaging
- (Prior Code, ' 5.103) (Ord. 789, passed 3-19-2018) Penalty, see ' 153.999

CITY OF CHARLEVOIX

Old Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Forward housing amendment to public hearing

DATE: July 8, 2019

BACKGROUND

If the Planning Commission is supportive of the draft housing amendment reviewed under New Business, you may vote to forward the proposed amendment on to a public hearing.

CITY OF CHARLEVOIX

Old Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Forward parking amendment to public hearing

DATE: July 8, 2019

BACKGROUND

If the Planning Commission is supportive of the draft parking amendment last reviewed in April (and attached here), you may vote to forward the proposed amendment on to a public hearing.

ATTACHMENTS:

- ▣ Parking Amendment

OFF-STREET PARKING, LOADING, ACCESS AND CIRCULATION

' 153.185 DESCRIPTION AND PURPOSE.

(A) The purpose of this subchapter is to prescribe regulations for off-street parking of motor vehicles in residential and non-residential zoning districts, to ensure that adequate parking and access are provided in a safe and convenient manner and to afford reasonable protection for adjacent land uses from light, glare, noise, air pollution and other effects of parking concentrations.

(B) It is the further intent of these regulations to:

(1) Implement the goals and policies of the city's Master Plan;

(2) Reduce the impacts associated with parking lots through minimum and maximum parking requirements;
and

(3) Accommodate shared parking to limit the extent of paved and impervious surfaces.

(Prior Code, ' 5.90)

' 153.186 APPLICABILITY.

(A) For all buildings and uses established after the effective date of this chapter, off-street parking shall be provided as required by this section, except in the CBD Central Business District ~~where all or part of the parking requirement may be fulfilled through the payment in lieu of parking fee option, pursuant to ' 153.188(F) of this chapter.~~ Parking spaces provided in this manner shall be unreserved and generally available to the public. ~~Payments into the parking fund shall be made prior to the issuance of a zoning permit.~~

(B) If the intensity of the use of any building or site is increased by adding floor area, increasing seating capacity or employees, or by any other means, additional off-street parking shall be provided to the extent required by this subchapter.

(C) For off-street parking facilities that exist on the effective date of this chapter, their capacity shall not be reduced below the requirements of this subchapter, nor shall the capacity of non-conforming parking facilities be further reduced or made more non-conforming.

(D) Required off-street parking shall not be changed to another use unless equal facilities are provided elsewhere, in accordance with the provisions of this subchapter.

(E) Changes in use or new uses of existing buildings or floor area shall require parking in accordance with this subchapter, except in the CBD Central Business District the requirement for additional parking due to a legal commercial use change shall be waived.

(Prior Code, ' 5.91)

' 153.187 PARKING REQUIREMENTS AND LIMITATIONS.

(A) Off-street parking shall only be used for temporary vehicle parking related to the activities on the premise. The storage of merchandise, motor vehicles for sale, recreational vehicles, limousines, trucks and trailers is prohibited, except under the conditions of ' 153.153 of this chapter. Use of off-street parking to store or park wrecked or junked cars, or to repair vehicles is prohibited.

(B) When calculations for required parking spaces result in a fraction over one-half, one full parking space shall be required.

(C) For a use not specifically included in Table 153.187, off-street parking requirements shall be in accordance with a use determined by the Zoning Administrator to have comparable parking characteristics. For any use determined as not having a comparable parking requirement, it shall be determined by the Planning Commission based on recent and published parking research, or by accepting the findings of a parking study provided by the applicant in accordance with

' 153.188(B)(6) of this chapter.

(D) For benches, pews or similar seating, each 24 inches shall be counted as one seat unless plans filed with the city specify a maximum seating capacity, which shall then be used to determine parking requirements.

(E) Unless otherwise indicated, floor area shall refer to usable floor area (UFA).

(F) Where parking requirements are established by maximum building seating or occupancy, capacity shall be based on the building and/or fire code, whichever is more restrictive.

(G) Minimum parking space requirements shall not be exceeded unless approved by the Planning Commission based on documented evidence that additional spaces are required to accommodate parking demand on a typical day. The Planning Commission may require any additional spaces to be constructed using alternate paving materials, such as pervious pavers or concrete. A required or requested use of alternative paving materials shall include a maintenance plan and agreement from the property owner deemed satisfactory to the Planning Commission.

(H) The minimum required number of off-street parking spaces shall be determined based on the requirements listed in Table 153.187.

Table 153.187: Parking and Access Requirements by Use	
Use	Number of Parking Spaces
RESIDENTIAL USES	
Bed and breakfast	See ' 153.116(C)
Boarding or rooming house	Minimum of 2 off-street parking spaces required
Dwellings above first floor businesses	1 space per dwelling unit
Multiple-family residential dwellings	Minimum of 2 off-street parking spaces required
Senior apartments and senior independent living	0.5 space per unit, and 1 space per employee. Should units revert to general occupancy, the requirements for multiple-family residential dwellings shall apply
Single-family and two-family dwellings	Minimum of 2 off-street parking spaces required
INSTITUTIONAL USES	
Auditoriums, assembly halls, meeting rooms, theaters and similar places of assembly	1 space per 4 seats, based on maximum seating capacity in the main place of assembly, as established by the city's Fire and Building Codes
Day care facility, nursery school, child care center, family day care home, group day care home	1 per 700 sq. ft. of UFA, plus 1 per employee. Sufficient area shall be designated for drop-off of children or adults in a safe manner that will not result in traffic disruptions
Elementary and middle schools	1 per teacher, employee or administrator
Convalescent or nursing home	1 per <u>6.3</u> beds or occupants and 1 space per staff member or employee on the largest shift
Hospitals and similar facilities for human care	1 per <u>5.3</u> beds, plus 1 per employee on the largest shift
Churches and customary related uses	1 for every <u>5.4</u> seats in the main place of assembly
High schools; colleges and universities; business, trade, technical, vocational or industrial schools; performing and fine arts schools	1 per teacher, employee or administrator, and 1 for every 10 students
RETAIL USES	
Retail stores, except as otherwise specified	<u>1 per employee on the largest shift</u> , plus 1 for every 500 sq. ft. of UFA
Multi-tenant shopping centers	
With 60,000 sq. ft. or less of retail	<u>1 per employee on the largest shift</u> , plus 1 for every 350 sq. ft. of retail UFA

Table 153.187: Parking and Access Requirements by Use	
Use	Number of Parking Spaces
With over 60,000 sq. ft. of retail	1 per employee on the largest shift, plus 1 for every 300 sq. ft. of retail UFA
With restaurants	If more than 20% of the shopping center's floor area is occupied by restaurants or entertainment uses, parking requirements for these uses shall be calculated separately. Where the amount of restaurant space is unknown, it shall be calculated at 20%
Agricultural sales, greenhouses and nurseries or roadside stands	1 per employee on the largest shift, plus 1 per 350 300 sq. ft. of permanent or temporary area devoted primarily to sales
Animal grooming, training, day care and boarding	1 per employee on the largest shift, plus 1 for every 1,000 600 sq. ft. of UFA
Furniture and appliance, household equipment, show-room of a plumber, decorator, electrician, hardware, wholesale and repair shop or other similar uses	1 per employee on the largest shift, plus 1 for every 1,000 sq. ft. of net UFA, plus 1 additional space per employee
Grocery store/supermarket	1 per employee on largest shift, plus 1 for every 500 sq. ft. of UFA
Home improvement centers	1 per employee on the largest shift, plus 1 for every 1,000 600 sq. ft. of UFA
Open air businesses, except as otherwise specified	1 per employee on the largest shift, plus 1 for every 500 sq. ft. of lot area for retail sales, uses and services
Vehicle dealerships, including automobiles, RVs, motorcycles, snowmobiles, ATVs and boats	1 per employee on the largest shift, plus 1 for every 1,000 500 sq. ft. of floor space of sales room, plus 1 per employee
SERVICE USES	
Banks and other financial institutions	1 per employee on the largest shift, plus 1 per 500 sq. ft. of UFA for the public. Drive-up windows/drive-up ATMs shall be provided with 2 stacking spaces per window or drive-up ATM
Beauty parlor or barber shop	1 per employee on the largest shift, plus 1 parking space per chair/station
Dry cleaners	1 per employee on the largest shift, plus 1 per 500 sq. ft. of UFA
Laundromats	1 per employee on the largest shift, plus 1 per 4 combinations of washer-dryer machines, plus 1 space per employee
Mortuary, funeral home	1 per employee on the largest shift, plus 1 per 3 patron seats at largest capacity, 1 for every 200 sq. ft. of assembly room or parlor floor space
Motel, hotel or other commercial lodging establishment	1 per employee on the largest shift, plus 0.5 space per unit, plus 1 per employee during largest shift. In addition, spaces required for ancillary uses such as lounges, restaurants or places of assembly shall be provided and determined on the basis of the individual requirements for that use
Motor vehicle service stations (gas stations and truck stops)	1 per employee on the largest shift, 1 per employee, plus additional parking required for other uses within an automobile service station, such as the retail floor area, restaurants or vehicle repair stalls
Vehicle repair establishment, major or minor	1 per employee on the largest shift, plus 1 per service stall, plus 1 per employee
Vehicle wash	
Self-service (coin operated)	4 spaces, plus 2 stacking spaces for every washing stall
Full-service	1 per employee on the largest shift, plus 4 spaces, and plus 1 per employee. 3 stacking spaces for every washing stall or line
Restaurants, bars and clubs	
Standard sit-down restaurants with liquor license	1 per employee on the largest shift, plus 1 per 300 sq. ft. of UFA
Carry-out restaurant (with limited or no seating for eating on premises)	1 per employee on the largest shift, plus 4 per service or counter station, plus 1 per employee
Open front restaurant/ice cream stand	1 per employee on the largest shift, plus 5 spaces, plus 1 per employee and 1 per 6 seats

Table 153.187: Parking and Access Requirements by Use	
Use	Number of Parking Spaces
Drive-through restaurant	1 for every 2 employees, plus 1 for every 6 seats intended for patrons within the building, plus 4 stacking spaces per food pickup window
Bars, lounges, taverns, nightclubs (majority of sales consist of alcoholic beverages)	1 per employee on the largest shift, plus 1 per 200 sq. ft. of UFA
Private clubs, lodge halls or banquet halls	1 per employee on the largest shift, plus 1 for every 6 persons allowed within the maximum occupancy load as established by the city's Fire and Building Codes
RECREATION	
Athletic clubs, exercise establishments, health studios, sauna baths, martial art schools and other similar uses	1 per employee on the largest shift, plus 1 per 4 persons allowed within the maximum occupancy load as established by city's Fire and Building Codes, plus 1 per employee
Billiard parlors	1 per 3 persons allowed within the maximum occupancy load as established by city's Building and Fire Codes, or 1 per 500 sq. ft. of gross floor area, whichever is greater
Bowling alleys	4 per bowling lane plus additional for accessory uses such as bars
Indoor recreation establishments including gymnasiums, tennis courts and handball, roller or ice-skating rinks, exhibition halls, dance halls and banquet halls	1 space for every 6 persons allowed within the maximum occupancy load as established by the city's Fire and Building Codes
Miniature or Apar-3@ courses	1 per employee on the largest shift, plus 1 per 2 holes, plus 1 per employee
Commercial marinas	0.25 space for every boat slip based on the permitted slips by the state's Department of Natural Resources
OFFICES	
Business offices, post offices or professional offices of lawyers, architects or similar professionals	1 per employee on the largest shift, plus 1 for every 300 sq. ft. of UFA, but no less than 5 parking spaces
Medical offices of doctors, dentists, veterinarians or similar professions	1 per employee on the largest shift, plus 1 for every 300 sq. ft. of UFA
INDUSTRIAL USES	
Industrial establishments, including manufacturing, research and testing laboratories, creameries, bottling works, printing, plumbing or electrical workshops	1 for every 2 employees or 700 sq. ft. of UFA, whichever is greater
Warehouses and storage buildings	1 per employee on the largest shift, 1 per employee computed on the basis of the greatest number of persons employed at any one time during the day or night
Mini warehouses/self-storage	Unobstructed parking area equal to 1 for every 10 door openings, plus parking for other uses on site such as truck rental
Truck terminal	1 per employee on the largest shift 4 per employee, plus 2 truck spaces of 10 x 70 ft. per truck berth or docking space
Air freight forwarders/distribution facilities	1 per employee on the largest shift

(Prior Code, ' 5.92)

' 153.188 PARKING ALTERNATIVES.

(A) Shared/common parking.

Shared parking, or an arrangement in which two or more nonresidential uses with different peak parking demands (hours of operation) uses the same off-street parking spaces to meet their off-street parking requirements, may be allowed.

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1. The Zoning Administrator may approve an adjustment to the parking requirements allowing shared parking arrangements for nonresidential uses with different hours of operation.
2. Applicant must provide that there is no substantial conflict in the principle operating hours of the uses for which the shared parking is proposed.
3. Shared parking must be within fifty (50) feet walking distance, measured from the entrance of the use to the nearest parking space in the shared lot.
4. An agreement providing for the shared use of the parking, executed by the parties involved, must be filed with the Zoning Administrator, in a form approved by the Zoning Administrator upon consultation with the township attorney.

~~(1) Two or more buildings or uses may share a common parking facility provided the total number of parking spaces is equal to the required number of spaces for all the uses computed separately.~~

~~(2) Cumulative parking requirements for mixed use developments or shared facilities may be reduced by the Planning Commission subject to one or more of the factors listed in division (B) below.~~

~~(3) Shared parking shall only be permitted if there is a shared parking agreement which provides for parking as required by this chapter and which constitutes a written contract binding on the affected lots or parcels until such time as the parking requirements of this chapter can be met without the shared parking agreement. The shared parking agreement shall be reviewed by the Zoning Administrator, who shall approve the agreement if it complies with the requirements of this chapter.~~

(B) *Modification of parking requirements.* The Planning Commission may reduce the parking space requirements of this section for any use, based upon one or more of the following.

(1) Shared parking by multiple uses is expected due to the likelihood of numerous multipurpose visits, or if uses have peak parking demands during different times of the day or days of the week; subject to the following.

(a) Sidewalks shall be maintained or established between the uses.

(b) Pedestrian connections, both within and to the site, shall provide safe and convenient access to building entrances.

(c) For separate properties, shared parking lots shall be within 300 feet adjacent to one another with vehicular and pedestrian access.

(d) Unless the multiple uses are all under single ownership and within a unified business or shopping center, office park or industrial park, shared parking agreements shall be filed with the City Clerk after approval by the Zoning Administrator.

(2) Convenient municipal off-street parking facilities or on-street spaces are located no further than 600 feet from the subject properties.

(3) An expectation of walk-in trade is reasonable due to the proximity of residential neighborhoods, downtown or employment areas that are interconnected with sidewalks.

(4) Other forms of travel such as bicycle or transit are available and are reasonable alternatives.

(5) The Planning Commission may require a parking study to document that the above divisions (B)(1)(a) through (B)(1)(d) have been addressed.

(6) Where the applicant has provided a parking study, it shall demonstrate that a standard other than that required by this subchapter would be more appropriate based on the number of employees, expected level of customer traffic, or actual counts at a similar establishment. Parking studies shall be prepared by a qualified expert, such as a

professional transportation engineer or professional transportation planner, based upon standards, manuals and research published by professional organizations, such as the Institute of Transportation Engineers, the Transportation Research Board or Urban Land Institute. The Planning Commission may require parking studies of comparable uses in the general area as part of the study.

(C) *Deferred parking.*

(1) Where a reduction in parking spaces is not warranted, but an applicant can demonstrate the parking requirements for a proposed use may be excessive given the particular circumstances of the use and property, the Planning Commission may defer some of the required parking. The site plan shall designate an area to accommodate its future construction, if and when it is needed, meeting the design standards and dimensional requirements of this subchapter. In the interim, the deferred parking area shall be landscaped and maintained and shall not occupy required setbacks, buffers or landscaped areas or be used for any other purpose.

(2) Construction of the deferred parking spaces may be initiated by the owner or required by the city based on conditions affecting on-site parking needs or observations, and shall require administrative approval of an amended site plan.

(D) *Downtown parking.* The minimum number of off-street parking spaces ~~and payment in lieu of parking (division (F) below)~~ required by this section shall be waived for all buildings fronting Bridge Street between the Pine River Channel and Antrim Street.

(E) *Proposed developments.* The Planning Commission may require parking in the side or rear of a building where possible, if a proposed development fronts a public street. In these instances the Planning Commission may waive or reduce landscaping or screening requirements in ' 153.171 of this chapter.

~~(F) *Payment in lieu of parking.* The creation of commercial or accessory residential floor space or uses in the Central Business District, unless exempt under division (D) above, shall require the provision for parking in accordance with this chapter; provided that the Planning Commission may approve a site plan as required by ' 153.233, as amended, if the property owner pays on a one time basis to the City Central Business District Parking Improvement Fund the sum of \$3,000 adjusted on an annual basis in accord with the consumer price index, based on the year 1991 for each parking space which cannot be provided on site. Such funds shall be used to benefit the provision of public parking in the Central Business District. Parking spaces thus provided shall be unreserved and generally available to the public. Payments into the parking fund shall be made prior to the issuance of a land use permit for the proposed project by the Zoning Administrator. (Prior Code, ' 5.93) (Ord. 794, passed 9-17-2018)~~

' 153.189 OFF-STREET PARKING FACILITY DESIGN.

(A) *Off-street parking location and setbacks.*

(1) *Side and rear yard limitation.* Off-street parking lots shall meet the side setback requirements as specified in the zoning district and shall not be closer than 15 feet from the rear property line.

(2) *Front yard limitation.* In the CBD, GC, PO and CM Districts, the required front yard setback shall not be used for off-street parking, loading or unloading and shall remain open, unoccupied and unobstructed, except for landscaping or vehicle access drives.

(3) *Proximity.* Required off-street parking facilities for all uses, other than ~~residential single and two family~~ dwellings, shall be located on the same lot as the use, or within 300 feet of the building(s) or use they are intended to serve. Distance shall be measured from the nearest point of the building to the nearest point of the off-street parking lot.

(a) Required off-street parking facilities for ~~residential single and two family~~ dwellings shall be located on the same property as the premises they are intended to serve and shall consist of a driveway, a parking apron and/or a garage.

(b) In the CBD District, parking facilities shall be located within 600 feet of the building or use to be served. Distance shall be measured from the nearest point of the building to the nearest point of the off-street parking lot.

(B) *Parking construction and development.* The construction of a parking lot shall require an approved site plan, in

accordance with ' ' 153.230 through 153.239 of this chapter. Construction shall be completed and approved by the Zoning Administrator.

(C) *Pavement.* Unless alternative materials are specifically permitted as provided in this division (C), all parking lots and vehicle and equipment storage areas shall be hard-surfaced using asphalt, concrete or concrete or brick pavers and shall be appropriately graded and drained. The Planning Commission may approve permeable paving for all or part of a parking lot. For storage areas, a substitute for hard surface paving may be allowed if the Planning Commission finds adjoining properties will not be adversely affected.

(D) *Curbs.* A parking lot shall be surrounded by a six-inch concrete curb, except for driveway openings, sidewalk dub-downs and approved drainage systems, to protect landscaped or pedestrian areas, buildings or adjacent property from potential vehicle encroachment. The Planning Commission may approve an alternative to a fully curbed parking facility as long as the intent of this division (D) is achieved. To avoid conflicts with swinging car doors and overhanging bumpers, in such circumstances all plants shall be set back at least two feet from the edge of pavement.

(E) *Dimensions.* Table 153.189 specifies applicable parking space and aisle dimension requirements.

(1) Angled parking between the specified ranges shall be to the nearest degree.

(2) The length of a parking stall may be reduced by up to two feet if the parked vehicle can overhang an unobstructed landscaped area or sidewalk by not less than two feet. In such instances a sidewalk shall be at least seven feet wide.

(3) At least seven feet shall be maintained between a parking lot and building.

(4) All parking lots shall be striped and maintained showing individual parking bays in accordance with the following dimensions:

[TABLE FOLLOWS ON NEXT PAGE]

Table 153.189: Dimensional Requirements (Feet)					
Parking Pattern (Degree)	Parking Space		Maneuvering Lane Width	Total 1 Row of Parking and Maneuvering Lane	Total Bay (2 Rows of Parking and Maneuvering Lane)
	Width	Length			
0 degree (parallel)	8	23	12	20	28
30 to 53	9	20	12	32	52
54 to 74	9	20	15	36.5	58
75 to 90	9	18	24	42	60

(F) *Stacking spaces.* Waiting/stacking spaces for a drive-through use (such as a bank, restaurant, car wash, pharmacy, dry cleaner or oil change establishment) shall be at least 24 feet long and ten feet wide and shall not block off-street parking spaces. Where the waiting/stacking lane is a single lane accommodating five or more vehicles, an escape lane shall be provided for vehicles wishing to by-pass the drive-up window.

(G) *Ingress and egress.* Clearly defined and limited driveways shall provide adequate vehicular access to a parking lot. Interior access and circulation aisles for all parking spaces shall be provided. A public street shall not be used as a maneuvering space for a vehicle to get into or out of an off-street parking space. Access drives serving a parking lot in a non-residential zoning district shall not cross a residential district, except when access is provided by means of an alley that forms a boundary between a residential and non-residential district.

(H) *Landscaping.* Off-street parking areas shall be landscaped in accordance with the requirements of ' 153.171(H) of this chapter.

(I) *Fire lanes.* All fire lanes shall be designated on a site and posted with signs prior to occupancy.

(J) *Barrier free parking.* Signed and marked barrier free parking spaces shall be provided at convenient locations in a parking lot in accordance with the state barrier free parking requirements. Barrier free spaces shall be located as close as

possible to building entrances.

(K) *Maintenance.* All parking lots and structures shall be maintained free of trash and debris and all surfaces, curbs, light fixtures and signs shall be maintained in good condition.
(Prior Code, ' 5.94) Penalty, see ' 153.999

' 153.190 OFF-STREET LOADING REQUIREMENTS.

(A) *Uses requiring loading area.* To avoid interference with the use of public streets, alleys and parking spaces, adequate space for standing, loading and unloading shall be provided and maintained on the same lot as the premises.

(B) *Loading area requirements.* A loading and unloading space shall be paved, and unless otherwise provided, shall be ten feet by 40 feet, with a 15-foot height clearance, according to Table 153.190:

<i>Table 153.190: Minimum Off-Street Loading Requirements</i>	
<i>Building Net GFA</i>	<i>Minimum Truck Loading Spaces</i>
0 - 1,400 sq. ft.	None
1,401 - 20,000 sq. ft.	1 space
20,001 - 100,000 sq. ft.	1 space, plus 1 space for each 40,000 sq. ft. in excess of 20,000 sq. ft.
100,001 - 500,000 sq. ft.	5 spaces, plus 1 space for each 40,000 sq. ft. in excess of 100,000 sq. ft.

(C) *Orientation of overhead doors.* Overhead doors for a truck loading area shall not face a public right-of-way and shall be screened so they are not visible from a public street or an adjacent residential district.
(Prior Code, ' 5.95) Penalty, see ' 153.999

CITY OF CHARLEVOIX

Old Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Recreational Vehicle Storage

DATE: July 8, 2019

BACKGROUND

After the City Council did not take action on the RV storage language you forwarded on to them you discussed some more potential language changes at the May meeting. You wanted to see those changes incorporated before sending it along to a public hearing. Attached are the proposed changes, as discussed at the May meeting.

ATTACHMENTS:

- ▢ Recreational Vehicle Storage - Draft

Recreational Vehicle. A travel, camping or tent trailer, motor home or pickup camper intended for mounting on a truck or similar vehicle designed primarily as temporary living quarters for recreational, camping or travel use, not including a manufactured home; or a boat, snowmobile, all-terrain vehicle or similar vehicle designed for recreational use, including any trailer and equipment used to transport the vehicle.

‘ ‘ 153.153(C) Outdoor Storage

(C) Recreational Equipment and Vehicle Storage

The standards of this section apply to all Residential Districts.

- (1) All recreational equipment and vehicles that are stored outside of a structure shall be maintained in good condition, shall be operable and shall have a current license and/or registration.
- (2) Recreational equipment and vehicles parked or stored outside shall not be connected to electricity, water, gas or sanitary facilities for living or lodging purposes other than allowed for in ‘ ‘ 153.153.(C)(9)
- (3) The parking and/or storage of buses and converted buses in excess of 18 feet in length, and boats in excess of 30 feet in length, is prohibited.
- ~~(4) A suitable covering shall be placed over all boats whenever stored outside.~~
- (5) Outdoor storage of not more than two recreational equipment or vehicles shall be permitted on any parcel of property.
- (6) **Off-season storage of** recreational equipment and vehicles shall be parked completely in an enclosed structure or within the side or rear yards, except that they may not be parked in required setbacks, and such recreational equipment and vehicles shall not be closer than five feet from any lot line, unless otherwise provided by this section.
- (7) Such recreational equipment and vehicles shall be placed or parked on a lot with a principal building, structure or use unless it is a lot which is attached to an occupied lot under the same ownership.
- (8) **Seasonal parking of recreational equipment and vehicles may be within any front yard, or front or side setback provided that public streets and sidewalks are not blocked to vehicular or pedestrian traffic.**
- ~~(9) Recreational equipment or vehicles may be parked or placed within any front yard or within a public right of way where on street parking is permitted for a period not to exceed 48 hours for loading and unloading or in the process of normal maintenance and cleaning.~~

- (10) Recreational equipment and vehicles may be used for living or lodging purposes on a parcel with a principal building for no more than seven days within any 60-day period.

CITY OF CHARLEVOIX

Staff Updates

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Zoning Ordinance updates

DATE: July 8, 2019

BACKGROUND

We had many many changes to the Zoning Ordinance already this year. When I inquired about printing new hard copies for everyone I was told to "highly encourage them to use the online version". It has been the directive of the City Council to be environmentally conscious and therefore steer away from being so "paper-driven". The online version is updated with each amendment and at the most, hard copies will only be printed annually.