

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

MONDAY, AUGUST 12, 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. July 8, 2019 meeting minutes
- F. Call for Public Comment Not Related to Agenda Items
- G. New Business
 - 1. Public Hearing: Rezoning Request, 226 West Carpenter LLC, 226 West Carpenter
 - 2. Public Hearing: Zoning Ordinance Amendment - Housing
 - 3. Public Hearing: Zoning Ordinance Amendment - Parking
 - 4. Public Hearing: Zoning Ordinance Amendment – Outdoor Storage
- H. Old Business
 - 1. Sidewalk usage discussion
 - 2. Rooftop usage discussion
- I. Staff 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: July 8, 2019 meeting minutes

DATE: August 12, 2019

ATTACHMENTS:

- ▣ Draft July 8, 2019 meeting minutes

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, July 8, 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, Dennis Halverson, Phillip Parr, RJ Waddell
Members Absent:	David Gray, Jennifer Muladore
Staff Present:	Kathy Egan, Community Planner; Jonathan Scheel, Zoning Administrator

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Member Halverson stated that he wanted to amend the agenda to include the process used to change the original Hotel Earl site plan. Chair Chamberlain stated that he was going to bring up a couple of items under Item J including making changes to type A reviews, rooftop zoning issues, elevators and mechanical devices.

Motion by Member Halverson, second by Member Waddell to address the Hotel Earl building permit under Old Business. Motion passed by unanimous voice vote.

Motion by Member Waddell, second by Member Edwards to approve the Agenda as amended. Motion passed by unanimous voice vote.

E. Approval of the Minutes

1. May 13, 2019 Draft Minutes

Motion by Member Waddell, second by Member Gelb to approve the minutes of May 13, 2019 as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

1. Submitted Public Comment

Chair Chamberlain stated that they received a letter from Rick Golding and response from Zoning Administrator Scheel included in the agenda packet.

G. New Business

1. Legal Review of Proposed R-2 Housing Amendment

Planner Egan reviewed each of the changes proposed by the City Attorney and responded to questions from the Commission. After discussion, the Commission agreed to eliminate the language regarding "all units shall be rented for more than 30 days at a time" in the sections under Sec. 153.117(F), Home conversions and Sec. 153.117 (G). Planner Egan stated that she would like to include a definition of "home conversion" when this goes to public hearing.

2. Sandwich Board Sign Standards Discussion

Discussion followed regarding the history of the sandwich board sign issue, sidewalk congestion, lack of enforcement, and number of sandwich boards allowed in front of each business. Planner Egan felt that businesses need a permit to have a sandwich board sign. She suggested language "one per building frontage, has to be perpendicular to the building and touching the building". Member Waddell wanted to add "one per street front business". Planner Egan stated that she would create a summary outlining concerns and comments. Chair Chamberlain suggested getting input from the Downtown Development Authority about the issue.

H. Old Business

1. Forward Housing Amendment to Public Hearing

Motion by Member Parr, second by Member Felter to set a public hearing for the proposed housing amendments as outlined on pages 8-12 of the agenda packet for August 12, 2019 at 6:00 p.m. Motion passed by unanimous voice vote.

2. Forward Parking Amendment to Public Hearing

Motion by Member Felter, second by Member Edwards to set a public hearing for the proposed parking amendments as outlined on pages 16-24 of the agenda packet for August 12, 2019 at 6:00 p.m. Motion passed by unanimous voice vote.

3. Recreational Vehicle Storage

Member Waddell referenced #9 regarding no parking on the street and questioned if that meant that no boats could be parked on the street. Planner Egan stated that all basic street parking requirements and rules would apply to recreational vehicles.

Motion by Member Felter, second by Member Gelb to set a public hearing for the proposed recreational vehicle storage amendments as outlined on pages 26-27 of the agenda packet for August 12, 2019 at 6:00 p.m. Motion passed by unanimous voice vote.

4. Review the Hotel Earl Site Plan Amendment Process

Members Parr and Gelb recused themselves. Zoning Administrator Scheel explained the Zoning Ordinance Site Plan A and B review processes. He looked at the plan that was submitted and the deck structure was less than 2,000 sq. ft. so he made the decision based on the Zoning Ordinance that he could review the site plan amendment. He also reviewed the height of the two staircases and elevator in accordance with the Ordinance standards and approved it.

Member Halverson stated that the Level B site plan that was submitted did not contain any sort of stairwells, elevator shaft to the roof, or venue on the rooftop. He noted that the Zoning Administrator does not have the authority to exceed 10' on a structure after a site plan approval or changes in floor plans which alter the character of the use. He stated he would argue that a rooftop venue would alter the character of that use and the structure size was over 10'. Member Halverson noted that the Planning Commission was not allowed to review the site plan revisions.

Zoning Administrator Scheel stated that Member Halverson should take his concerns to the City Manager rather than airing them in a public meeting. Member Halverson stated that this was going to create consternation with the neighbors because they did not get a chance to put this through the normal vetting had it been part of the original site plan review. Zoning Administrator Scheel stated that it met the Ordinance standards as he read them, and the City had noise and alcohol ordinances that Hotel Earl would have to abide by. He stated that they do not have additional standards in the Ordinance that deal with elevation in the City.

General discussion followed regarding roof top equipment/structure, elevation issues, elevator shafts, and the change of intended use on the Hotel Earl rooftop. Member Halverson stated that he put a high priority on transparency in government. Zoning Administrator Scheel stated that Site Plan A did not provide transparency because the decisions were done administratively. Chair Chamberlain stated that this discussion pointed out some weaknesses in the Zoning Ordinance. Members Parr and Gelb rejoined the meeting.

I. Staff Updates

1. Zoning Ordinance Updates

Planner Egan stated that they were doing a lot of changes to the Zoning Ordinance therefore they would not be printing new hard copies for the Members. The Ordinance on the City's website is up to date.

Member Waddell attended the Ferry Dock Optimization meeting and felt it was evident that the audience did not want the dock on Ferry Beach. Chair Chamberlain was disappointed with the moderator not knowing the City's Master Plan.

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

Planner Egan reviewed the list: three public hearings, discussion on Level A and B site plans, sandwich boards, rooftop uses and a rezoning request.

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

Motion by Member Parr, second by Member Edwards to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 7:49 p.m.

Joyce M. Golding/fgm

City Clerk

Sherm Chamberlain

Chair

CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Public Hearing: Rezoning Request, 226 West Carpenter LLC, 226 West Carpenter

DATE: August 12, 2019

BACKGROUND

There has been a rezoning request. All the information needed for the review may be found in the attachments.

ATTACHMENTS:

- ▣ Rezoning Request for 226 West Carpenter
- ▣ Rezoning Request Maps
- ▣ Staff Report
- ▣ Current Zoning Map
- ▣ Additional Information



**CITY OF
CHARLEVOIX**

Office of Planning and Zoning
210 State Street, Charlevoix, MI 49720
planner@charlevoixmi.gov
Phone: (231)547-3265
Cell: (231)631-0004
Fax: (231)237-0329

NOTICE OF PUBLIC MEETINGS
Charlevoix City Hall – Council Chambers 2nd Floor
210 State Street
Charlevoix, MI 49720

City Planning Commission

August 12, 2019 6:00PM

City Council

September 3, 2019 6:00 PM
Tentative upon PC approval

CASE NUMBER: RZ 2019-01
APPLICANT: 226 West Carpenter LLC
SUBJECT PROPERTY: 226 West Carpenter
PROPERTY TAX NO.: 15-052-234-013-20

Dear Property Owner/Tenant:

You are receiving this notice because you are located within 300 feet of the above identified property for which a Rezoning hearing will take place before the Planning Commission on the respective date indicated above. The specific request is to **Rezone a Single Family Residential parcel R-1 to R-4 Multi Family**. You are not required to respond to this notice.

The City of Charlevoix Planning Commission will hold a public meeting on **Monday August 12, 2019 at 6:00 p.m.** in the Charlevoix City Hall Council Chambers to evaluate Rezoning application submitted by Erick Halverson representing 226 West Carpenter LLC.. The Planning Commission may approve the Rezone, deny the Rezone or table action on the Rezone. The Planning Commission then recommends their action to the City Council.

Written and oral comments from the public are welcome. Oral comments may be presented at the hearing. Written comments may be mailed, emailed, faxed or hand delivered to the City Planning Department no later than 4:00 PM on the evening of the hearings at the above address. The case file and plans may be viewed at the City Planning Office at City Hall. Please call or email with any questions or concerns you may have.

Jonathan D. Scheel
Zoning Administrator



Date Rec'd: July 17 2019 Case #: RZ 2019-01
Fee Rec'd: July 19 2019 Receipt #: 1590726

REZONING APPLICATION

226 West Carpenter, LLC

Applicant

226 West Carpenter St.

Address of subject property

1437 N. Denver Ave. #272, Loveland, CO 80538

Address (City/State/Zip)

Property Owner Name (If different than applicant)

Property Owner Address (City/State/Zip) (If different than address of subject property)

Property Owner Phone

(970) 319-5836

Email

Erik@HalveyInc.com

Agent Phone

(231) 347-8701

Email

DSHalverson@gmail.com

Agent of owner:

Dennis Halverson

Current zoning of subject property: R-1

Tax ID: 15-052-234-013-20

Current use of property: Vacant land

Proposed zoning of property: R-4

Dimensions of parcel: max 91' x 214.5'

Parcel size: 19,558

Square feet

.449

Acres



Office of Planning and Zoning
210 State Street Charlevoix, MI. 49720
planner@charlevoixmi.gov
www.charlevoixmi.gov
(231) 547-3265

REZONING APPLICATION PROCEDURES

1. Applicants are encouraged to hold a pre-application meeting with the Zoning Administrator to discuss the project and the review process. The Zoning Administrator will identify the specific requirements for rezoning review at that time.
2. Applicant completes the Rezoning Application, provides the review fee (\$325) and all supporting documentation required. (See Article 18, Section 5.191(1)) Applications will not be forwarded to the Planning Commission until they are deemed complete by the Zoning Administrator.
3. Upon receipt of completed application, all required documentation and fee(s), the public meeting date will be set.
4. Applicant stakes property corners.
5. The City will send notices to all property owners, as listed on the current tax roll, within three hundred (300) feet of subject property no less than 15 days in advance of the public hearing.
6. The Planning Commission will hold a public meeting or hearing to take public comments and review the documentation to determine compliance with the Zoning Ordinance. The Planning Commission may approve, approve with conditions, or deny based on findings of fact. The Planning Commission may also choose to postpone the decision, which is typically done if more information is needed, such as a legal opinion, or they feel more time is necessary.
7. The rezoning and conditional zoning agreement shall expire one (1) year after adoption of the agreement, unless substantial construction on any approved development has begun and is proceeding diligently to completion. (See Section 5.194(8) *Expiration*)

The following questions are meant to address the standards that will be considered by the Planning Commission in their review of the proposed rezoning.

Will the proposed zoning designation be harmonious and appropriate in appearance with the character of the surrounding area; is it compatible with adjacent land uses and does not essentially alter the character of the area in which it is proposed?

Yes it will. With R-4 zoning this property will serve as a buffer between existing Industrial zoning and existing R-1 and R-2 Residential zoning districts.

Is the property, or will the property be, adequately served by public services and facilities relevant to the proposed zoning designation? (ex. Streets, police, fire protection, water and sewer, refuse disposal and schools.)

Yes, in accordance with code.

Will on-site activities, processes, materials, equipment or operating conditions typically associated with the proposed zoning designation create traffic, noise, smoke, fumes, glare, odors or any other products that would be detrimental to any people, property or the general welfare?

No, they will not.

Will the use be compatible with the natural environment and be designed to encourage conservation of natural resources and energy?

The R-4 use is compatible with near-by R-1, R-2 and R-4 zoning districts. Land scaping and current building codes will facilitate conservation of natural resources and energy.

Does the proposed zoning designation meet an apparent need that exists in the City that is not being met by the amount of land currently zoned as such?

Yes it does, by creating more diversity in available residential solutions for the year-round residents and work force for the area.

Is the proposed rezoning consistent with the intent and purpose of the Zoning Ordinance and the most recent updates to the Master Plan (2011)?

Yes, specifically as it relates to promoting orderly development, higher density in appropriate locations and enhancing neighborhood character.

Do existing conditions on the property (physical, geological, hydrological, etc.) allow for the land to accommodate typical uses associated with the proposed zoning designation?

Yes, the lot size along with proper planning will accommodate clustered housing, as supported in the R-4 zoning district guidelines.

Along with this application, the following information shall be required (from Section 5.191(1) of the Zoning Ordinance) in order for an application to be deemed complete and submitted to the Planning Commission for evaluation:

- A legal description and street address of the subject property.
- A map identifying the subject property in relation to surrounding properties.
- The name, signature and address of the owner of the subject property; a statement of the applicant's interest in the property if not the owner in fee simple title, and proof of consent from the property owner.
- A site analysis at a scale not less than 1"=100' or aerial photography illustrating existing conditions on the site and adjacent properties such as woodlands, wetlands, soil conditions, topography, drainage patterns, existing buildings, adjacent land uses, any sight distance limitations and access points on both sides of the streets within two

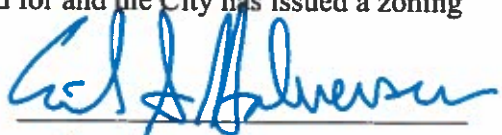
hundred (200) feet of the subject site.

- A written evaluation to support that the request addresses consistency with the City's master plan, demonstrates all uses in the requested zoning district will be compatible with the surrounding area and other similar factors.
- The Planning Commission and/or City Council may require a traffic impact analysis for a rezoning that results in potential uses that would be expected to have fifty (50) or more peak hour directional trips or five hundred (500) or more vehicle trips daily.

AFFIDAVIT

I, the undersigned, do hereby make application to the City of Charlevoix for approval of the proposed rezoning application which has been completed 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 selected agent. I agree the statements made in the above application and associated documents are true, and if found not to be true, the approval of the rezoning may be void. I also agree to comply with the conditions and regulations required by the approved rezoning amendment. Further, I agree that if the rezoning application is approved, it is approved with the understanding that the individual(s) or organization(s) applying for that rezoning amendment (or those individual(s) or organization(s) represented by the applicant) will comply with all applicable sections of the City of Charlevoix Zoning Ordinance. For purposes of site inspection, I also agree to notify the City of Charlevoix Zoning Administrator when locations of lot lines are located and staked on the ground. I also agree to give permission for officials of the City of Charlevoix, the County, and the State of Michigan to enter the property subject to this permit application for purposes of inspection. I understand that the City may impose conditions of approval and that the conditions must be met by the specific times as defined in the adopted rezoning amendment. Finally, if necessary, I understand that this is a rezoning application, and if approved, construction of any structures cannot be implemented until applicant has applied for and the City has issued a zoning permit or site plan review.

Property Owner Signature or Authorized Agent:



Date:

7/16/19

Viewing Parcel Number: 052-234-013-20

Parcel Details**Property Address:**

226 CARPENTER W
CHARLEVOIX, MI 49720

Owner Information:

226 WEST CARPENTER LLC
203 BRIDGE ST
CHARLEVOIX, MI 49720

Property Class:

401 - Residential - Improved

School District:

15050 - Charlevoix

P.R.E. Percentage:

0%

Current SEV:

\$15,700

Current Taxable Value:

\$15,700

Prior Year SEV:

\$16,800

Prior Year Taxable Value:

\$16,800

Sales Information

Date	Document Type	Liber/Page	Sales Price
04/02/2019	WD	1218/369	\$25,000
10/02/2015	QC	781/772	\$0
10/02/2015	MLC	1107/516	Confidential

10/02/2015	WD	1189/188	\$28,000
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Legal Description

COM AT NE COR SEC 34 T34 R8W TH AL N LI OF SD SEC & AL C/L CARPENTER ST N89DEG21'12"W 775.06FT (RECD AS 775.50FT) TH S00DEG22'47"W 33FT TO S LI OF SD ST RECD AS BEING 742.5FT W OF W LI STATE ST TH AL SD ST LI N89DEG21'12"W (RECD AS W) 80FT FOR POB TH S00DEG22'47"W 214.46FT TH N89DEG22'37"W (RECD AS W) 91.50FT TH PARA WI W LI OF SD SEC & AL LI WHICH IS 55 & 1/3 RODS W OF W LI OF STATE ST N00DEG30'36"E 214.50FT TO S LI OF CARPENTER ST TH AL SD ST LI S89DEG21'12"E (RECD AS E) 91.06FT TO POB BEING PT OF NE1/4 OF NE1/4 SEC 34-34-8 PARCEL B SPLIT ON 12/28/2006 FROM 052-234-013-00

received July 22
by email

July 15, 2019

Office of Planning and Zoning
Attn: Jonathan D. Scheel
210 State Street
Charlevoix, MI 49720

RE: Application for Rezone – 226 West Carpenter St.

Mr. Scheel,

The following information is being provided consistent with the conversations we have had over the last few months and in accordance with Section 5.191 of Article 18 of the City of Charlevoix Zoning Ordinance, requesting a rezone of the property located at 226 West Carpenter St. to R-4.

a. Legal Description:

Parcel "B" commencing at a Charlevoix County Marker at the Northeast corner of Section 34, Town 34 North, Range 8 West; thence along the North line of said section and along the centerline of Carpenter Street, North 89 degrees 21'12" West 775.06 feet (recorded as 775.50 feet); thence South 00 degrees 22'47" West 33.00 feet to a T-iron stake on the South line of said street recorded as being 742.5 feet West of the West line of State Street; thence along said street line North 89 degrees 21'12" West (recorded as West) 80.00 feet to a ½ inch rod, being the Point of Beginning of this description; thence South 00 degrees 22'47" West 214.46 feet to a ½ inch rod; thence North 89 degrees 22'37" West (recorded as West) 91.50 feet to a ½ inch rod; thence parallel with the West line of said section and along a line which is 55 and 1/3 rods West of the West line of State Street, North 00 degrees 30'36" East 214.50 feet to a ½ inch rod on the South line of Carpenter Street; thence along said street line, South 89 degrees 21'12" East (recorded as East) 91.06 feet to the Point of Beginning; being part of the Northeast ¼ of the Northeast ¼ of Section 34, Town 34, North, Range 8 West;

b. Map Identifying Subject Property in Relation to Surrounding Properties:



c. Name, Signature and Address of the Owner of the Subject Property:

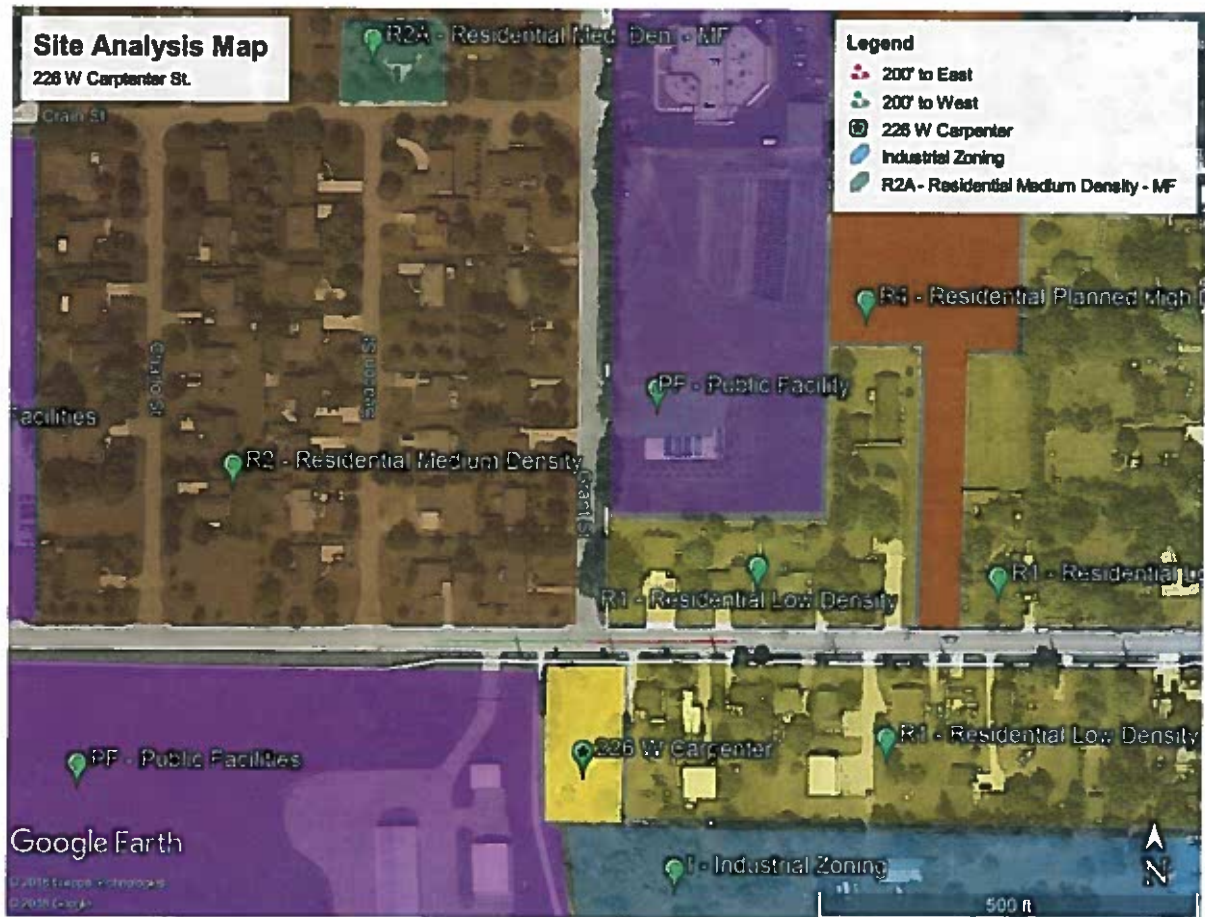
226 W Carpenter, LLC
1437 N Denver Ave., #272
Loveland, CO 80538

By Erik S. Halverson for Dane Capital, LLC, Manager

d. Existing Zoning District: R1 – Residential Low Density

Proposed Zoning District: R4 – Planned High Density Residential

e. Site Analysis Map and Existing Conditions:



The topography of the site is flat. The subject property is adjacent to PF – Public Facilities to the West, R2 – Residential Medium Density to the Northwest, R1 – Residential Low Density to the Northeast and East and I-Industrial Zoning to the South. It is also near existing R4 – Residential Planned High Density to the Northeast.

There are two (2) access points to the West of the property within 200 feet (identified with green line) and five (5) access points to the East within 200 feet (identified with red line).

f. Written Evaluation to Support the Rezone Request:

In addition to the technical information provided above, there are pragmatic motivations to approve the rezone of 226 West Carpenter St. (the "Property") to R-4, consistent with the guidance and objectives of the City's 2016 Land Use Master Plan.

R-4 zoning of this property will support a multifamily or clustered housing development and a long-term positive impact on the neighborhood by creating homes where there currently are none. While *R-4, Planned High Density Residential* does permit by right, such items as apartment buildings and site condominiums, however the size of the Property along with requirements outlined in the Zoning Ordinance (i.e. setbacks and building separation distances) will provide for controlled development and will ensure compatibility with the surrounding areas of residential and non-residential use.

Supplementing the limited size of the property, the location of the Property suites a high-density residential infill development that will provide a transition from single family residential on two sides of the Property, to the non-residential and industrial uses on the other two sides. The high-density nature of R-4 zoning will enable sensible development of additional residences, which has proven to be unattainable via single family construction, evidenced by the years of vacancy on the Property as it is currently zoned.

The 2019-2020 City Council Goals, and the Action Steps identified in Chapter 5 of the Master Plan, seek to enhance the density of residential neighborhoods and promote diverse housing options within the City. There appear to be several factors that were considered in creating those goals, including local and regional socioeconomics and demographics. Due to the proximity of the variety of residential and non-residential zoning Districts, this property is an ideal location for transitional zoning which will spur desired infill development and provide the increased density and diversity in residential options that the City needs, in order to achieve their stated goals.

Furthermore, as general market demands point toward smaller, lower maintenance homes, additional long-term rental properties will continue to be essential. This proposal is a first step on this property, to provide new residences within the City and to fortify the proactivity and programmatic approach by the City to facilitate attainable housing for year-round constituents and the area work force.

Thank you for your consideration of this proposal. We look forward to working further with the City on this project.

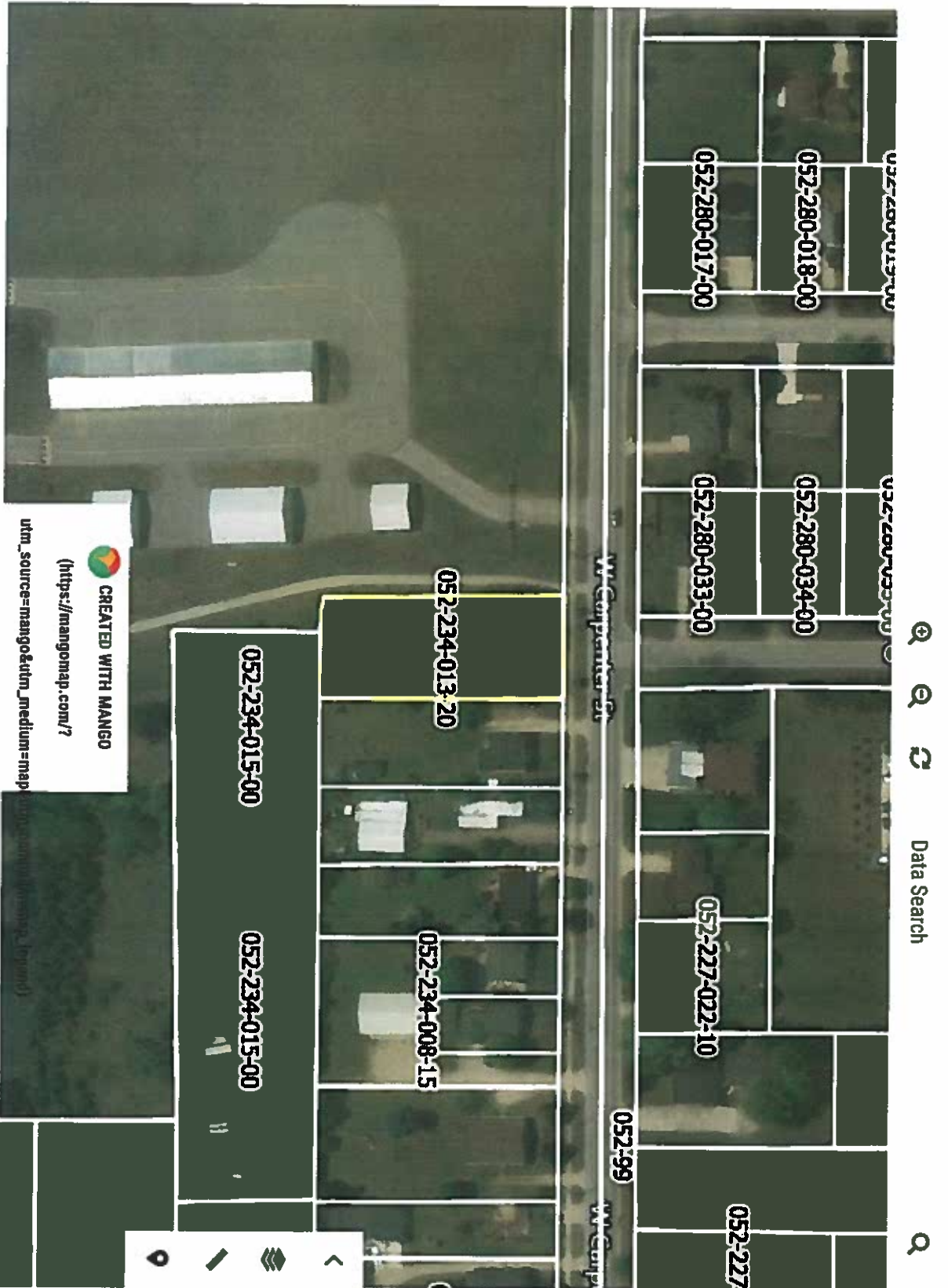
Sincerely,



Dennis Halverson, Member
226 West Carpenter, LLC



Erik S. Halverson, Manager
226 West Carpenter, LLC



© 2019 Charlevoix County

Goal : Encourage higher density infill development and/or redevelopment consistent with surrounding land uses and neighborhood character

6.1 Encourage higher density in appropriate locations

6.2 Promote Infill development



ADVANCED Tax Parcel Map

CITY OF CHARLEVOIX

Beacon

Grant St

Center St

W Carpenter St

W Carpenter St

PIN: 052-234-013-20
Owner: 226 WEST CARPENTER LLC
Owner Address: 203 BRIDGE ST
CHARLEVOIX, MI 49720
Property Address: 226 CARPENTER W
CHARLEVOIX, MI 49720
Property Class: 401
School District: 15050
PRE: 0%
2019 SEV: \$13,300
2019 Taxable: \$13,300
GIS Estimated Acreage: 0.4
Parcel Link: [052-234-013-20](#)

30 m
100 ft



Google Maps 226 W Carpenter



Imagery ©2019 Google, Map data ©2019 50 ft



OFFICE OF PLANNING AND ZONING
Jonathan D. Scheel, Zoning Administrator
210 State Street Charlevoix, MI. 49720
planner@charlevoixmi.gov
Phone: (231)547-3265 Fax: (231)547-3617

PLANNING COMMISSION AGENDA ITEM

AGENDA TITLE:	<u>RZ 19-01 Rezone Request 226 W. Carpenter</u>
PUBLIC MEETING DATE:	August 12, 2019 6:00 PM
PRESENTED BY:	Jonathan D. Scheel, Zoning Administrator.

EXHIBITS:	1. Rezone application form dated 7-19-2019 2. Zoning Map 3. Satellite imagery 4. City of Charlevoix Zoning Ordinance. Title V adopted 5-15-2017
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STAFF REPORT:

I. PROPOSAL:

The purpose of this Staff Report is to evaluate this proposal against the procedures and criteria outlined in 153.006 of the City of Charlevoix Zoning Ordinance adopted March 19, 2019.

SITE:

The subject property is located at 226 Carpenter Street on the west side of Bridge Street and adjacent to the city airport. The property description is "COM AT NE COR SEC 34 T34 R8W TH AL N LI OF SD SEC & AL C/L CARPENTER ST N89 DEG 21'12"W 775.06 FT TH S00 DEG 22'47"W 33 FT TO S LI OF SD ST TH AL SD ST LI N89 DEG 21'12"W 80 FT FOR POB TH S 00 DEG 22'47"W 214.46 FT TH N89 DEG 22'37"W 91.50 FT TH PARA WI W LI OF SD SEC & AL LI WHICH IS 55 & 1/3 RODS W OF W LI OF STATE ST N00 DEG 30' 36" E 214.50 FT TO S LI OF CARPENTER ST TH AL SD ST LI S89 DEG 21' 12"E 91.06 FT TO POB BEING PT OF NE ¼ OF NE ¼ SEC 34-34-8 PARCEL B SPLIT ON 12/128/2006 FROM 052-234-013-00

The property tax ID is # 052-234-013-20. The lot is roughly 91' x 214', totaling & approximately 19,500 square feet. This lot is zoned R-1 with no structures.

BACKGROUND:

The Rezone application was originally submitted on July 19, 2019. The notice of public hearing was published in the Petoskey News Review on July 21, 2019. The notice to property owners and tenants within 300 feet of this parcel was sent out on July 21, 2019.

The application package shows the location with a Google map satellite image, a Charlevoix County GIS satellite map and a City of Charlevoix Zoning Map. The property's south and west sides are adjacent to the city airport with single family homes to the north and east. An R-4 district is approximately 100 feet to the north across Carpenter Street behind a single row of R-1 homes. This R-4 parcel is currently used as senior housing with property being owned by the City of Charlevoix and the Charlevoix Housing Commission.

The Zoning Administrator reviewed this proposal. Other city staff were asked for input on this project including public works, electric department and public safety. There were no concerns shown from these departments.

STAFF ANALYSIS:

Staff opinion concerning this rezone request is that the PC will have to evaluate and send a recommendation to the city council that have final authority to approve or deny. (See findings of fact below.)

Staff does not have any recommendations for the application.

V. REVIEW STANDARDS - FINDINGS OF FACT - CONDITIONS OF APPROVAL:

The following section is taken directly from 153.006 (D) (1) (a-g) of the Zoning Ordinance. During the public hearing on the August 12, 2019 the PC must make findings of fact to determine if the rezone proposal meets each of the following standards. The ZBA must find that the rezone proposal meets all of the following standards based on findings of fact before considering a motion to approve. Staff has written the following recommended findings of fact as a starting point. The PC may add, modify, or delete any of the following findings on the hearing date.

General findings of fact:

(D) Criteria for amendment of the official zoning map (rezoning).

(1) In considering a rezoning application, the Planning Commission and the City Council shall consider the following criteria in making their findings, recommendations and decisions:

- (a) Consistency with the goals, policies and future land use map of the Charlevoix Master Plan, including all applicable subarea and corridor studies. If conditions have changed since the Master Plan was adopted, then consistency with recent development trends in the area shall be evaluated;

Page 35. 3.2 “Smart Growth” and the City of Charlevoix. Charlevoix is committed to the principles of Smart Growth, which is an initiative that began to evolve in the early 1990s. Its overall goal is to provide a framework for communities to grow in ways that support economic development and jobs; create strong neighborhoods with a wide range of housing, commercial, and transportation options; and achieve healthy communities that provide residents with a clean environment. The following principles are the foundation for achieving Smart Growth. Provide a mix of land uses. 2. Take advantage of compact building design. 3. Create a range of housing opportunities and choices. 4. Create walkable neighborhoods. 5. Foster distinctive, attractive communities with a strong sense of place. 6. Preserve open space, farmland, natural beauty, and critical environmental areas. 7. Strengthen and direct development to existing communities.

Page 36. Promote diverse and viable housing options by encouraging developers through affordable housing incentives and flexible Zoning Ordinance requirements.

Page 42. GOAL : Encourage higher density, infill development and/or redevelopment consistent with surrounding land uses and neighborhood character.

6.1 ENCOURAGE HIGHER DENSITY IN APPROPRIATE LOCATIONS. •Amend the zoning ordinance, and review Main Street Program recommendations to accommodate higher densities in appropriate neighborhoods and the downtown. •Provide incentives for higher density developments in the downtown area.

6.2 PROMOTE INFILL DEVELOPMENT •Review the Zoning Ordinance to allow for further subdividing and subsequent development of vacant land provided that it is consistent with the surrounding neighborhood.

Page 61. Implementation: Promote Charlevoix and the region as a viable place to live and work year-round. Promote diverse and viable housing options through incentives and flexible zoning requirements

- (b) Whether development under current zoning is impractical or less reasonable than the requested or desired zoning district given factors such as development trends;

A single family home on this lot may not be practical in today’s economic climate. The location adjacent to the airport and high cost of construction would limit the marketability of a home at this site.

- (c) Capability of the sites physical, geological, hydrological and other environmental features to accommodate the potential uses allowed in the proposed zoning district;

No known site limitations

- (d) Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, noise, density, nature of use, traffic impacts, aesthetics, infrastructure, impact on the ability to develop adjacent properties under existing zoning and potential influence on property values;

The lot is a flat well drained parcel well suited for standard constructed structures. There are no known environmental impacts with the exception of stormwater runoff with high density development which will be reviewed with any development application. Density could be quite high in comparison with the neighborhood. There is no difference in allowed uses. The site could produce a fair amount of traffic with allowed density. (See infrastructure comment below). Multiple dwellings in a single family neighborhood can be controversial aesthetically. It could be argued that one or more of the single family properties to the east may be negatively affected with their property values, noise and/or quality of life.

- (e) Capacity of city infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the city;

Existing infrastructure (water, sewer, electrical are sufficient to supply multiple units on this parcel. Carpenter Street is a major city street well equipped to handle additional vehicles.

- (f) The apparent need for the types of uses permitted in the requested zoning district in the city in relation to the amount of land in the city currently zoned to accommodate that need;

There is minimal undeveloped R-4 property on the west side of Bridge Street. The R-4 land that is undeveloped is city owned and planned for subsidized housing. There is a fair amount of underdeveloped R-4 property on the southeast side of the city.

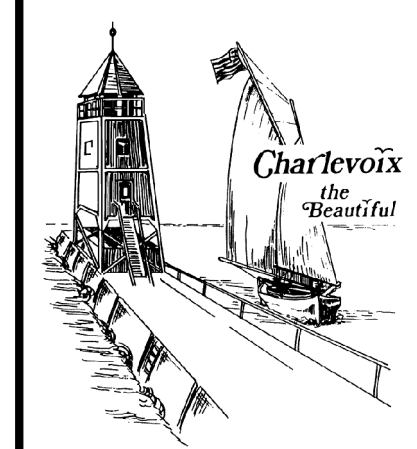
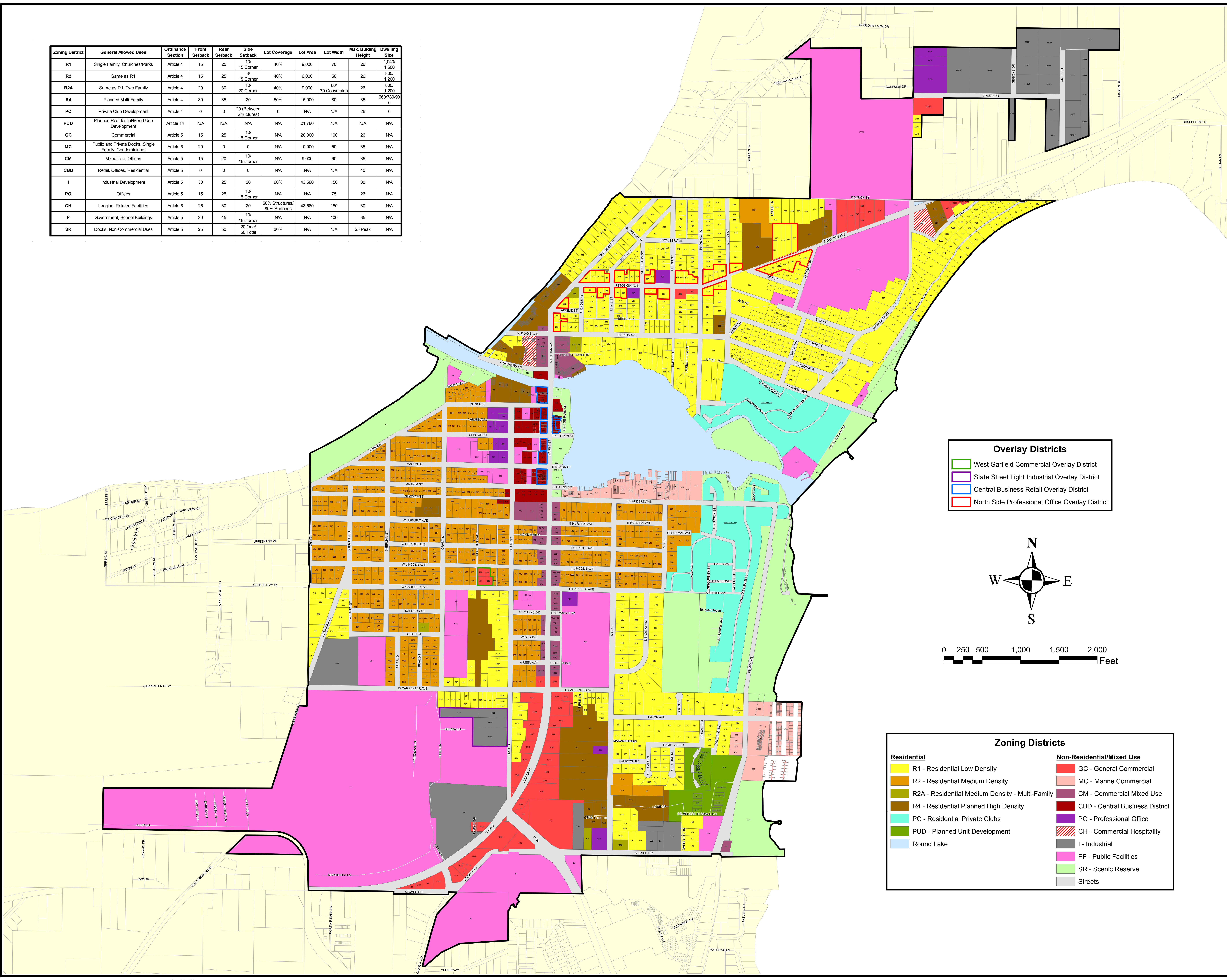
- (g) Other factors as determined by the Planning Commission and the City Council.

VI. PC ROLE AND OPTIONS:

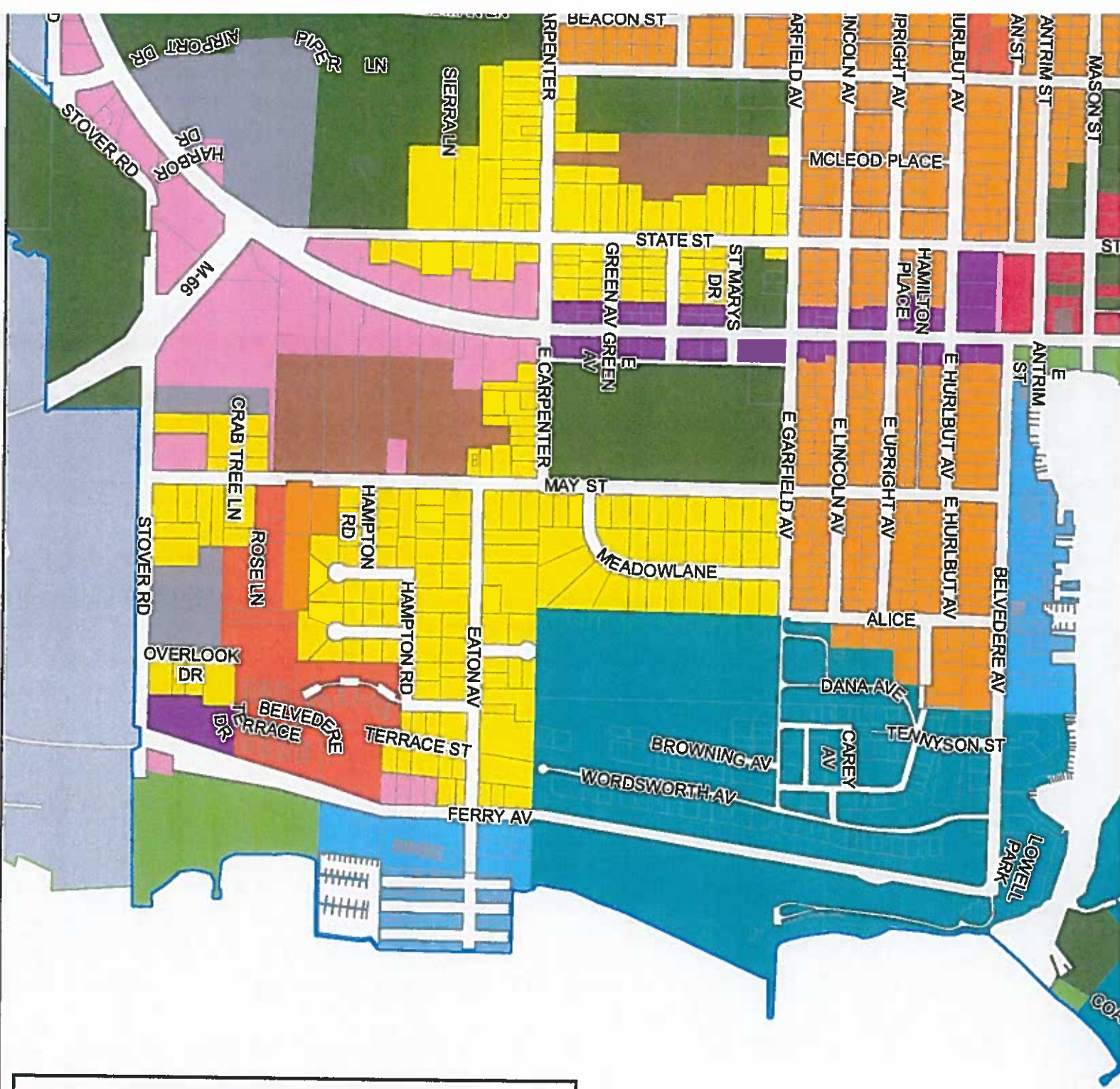
The City of Charlevoix Planning Commission has the following options for the rezone application; project number RZ 19-01:

1. Deny project RZ 19-01 Planning based on specific findings of fact that prove the project does not meet the review standards in 153.006 (D) (1)(a-g).
2. Approve project RZ 19-01 without conditions, based on specific findings of fact that prove the project does meet the review standards in 153.006 (D) (1)(a-g.)
3. Approve project RZ 19-01 with conditions, based on specific findings of fact that prove the project does meet the review standards in 153.006 (D) (1)(a-g).
4. Table the decision on project RZ 19-01.

Zoning District	General Allowed Uses	Ordinance Section	Front Setback	Rear Setback	Side Setback	Lot Coverage	Lot Area	Lot Width	Max. Building Height	Dwelling Size
R1	Single Family, Churches/Parks	Article 4	15	25	10'/15' Corner	40%	9,000	70	26	1,040/1,600
R2	Same as R1	Article 4	15	25	0'/15' Corner	40%	6,000	50	26	800/1,200
R2A	Same as R1, Two Family	Article 4	20	30	10'/20' Corner	40%	9,000	80'/70' Conversion	26	800/1,200
R4	Planned Multi-Family	Article 4	30	35	20	50%	15,000	80	35	660/780/900
PC	Private Club Development	Article 4	0	0	20 (Between Structures)	0	N/A	N/A	26	0
PUD	Planned Residential/Mixed Use Development	Article 14	N/A	N/A	N/A	N/A	21,780	N/A	N/A	N/A
GC	Commercial	Article 5	15	25	10'/15' Corner	N/A	20,000	100	26	N/A
MC	Public and Private Docks, Single Family, Condominiums	Article 5	20	0	0	N/A	10,000	50	35	N/A
CM	Mixed Use, Offices	Article 5	15	20	10'/15' Corner	N/A	9,000	60	35	N/A
CBD	Retail, Offices, Residential	Article 5	0	0	0	N/A	N/A	N/A	40	N/A
I	Industrial Development	Article 5	30	25	20	60%	43,560	150	30	N/A
PO	Offices	Article 5	15	25	10'/15' Corner	N/A	N/A	75	26	N/A
CH	Lodging, Related Facilities	Article 5	25	30	20	50% Structures/80% Surfaces	43,560	150	30	N/A
P	Government, School Buildings	Article 5	20	15	10'/15' Corner	N/A	N/A	100	35	N/A
SR	Docks, Non-Commercial Uses	Article 5	25	50	20 One/50 Total	30%	N/A	N/A	25 Peak	N/A



DATE: 9/30/2013



Lake Charlevoix

Future Land Uses

Future Uses

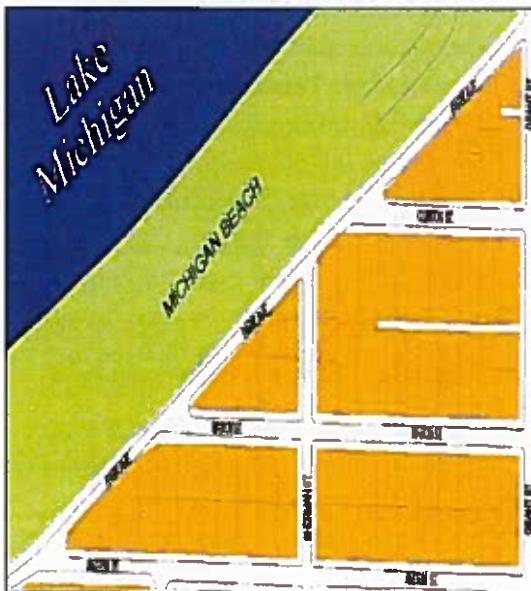
- Single Family - Low Density
- Single Family - Medium Density
- High Density Residential/Condominiums
- Multi-Family Residential
- Private Club
- Central Business District
- General Commercial
- Mixed Use - Commercial - Residential
- Hotel/Motel
- Marine Commercial
- Industrial
- Scenic Reserve
- Public Facilities
- Streets
- City Boundary
- Charlevoix Township

4.2 Current and Future Residential Land Uses.

CURRENT RESIDENTIAL LAND USE

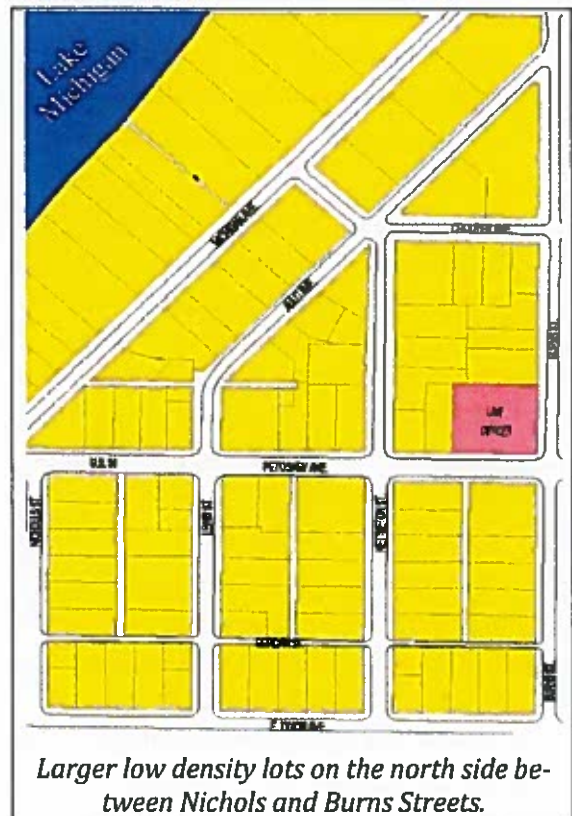
The City's residential areas are very diverse in terms of lot and home size, and density. The vast majority of neighborhoods were established prior to zoning and the parcel division ordinance. This has resulted in a variety of lot sizes and dimensions. In addition, most homes were constructed before zoning, so their location on their lots may vary and lack consistency. From a zoning standpoint, the resulting differences in setbacks create numerous nonconforming structures.

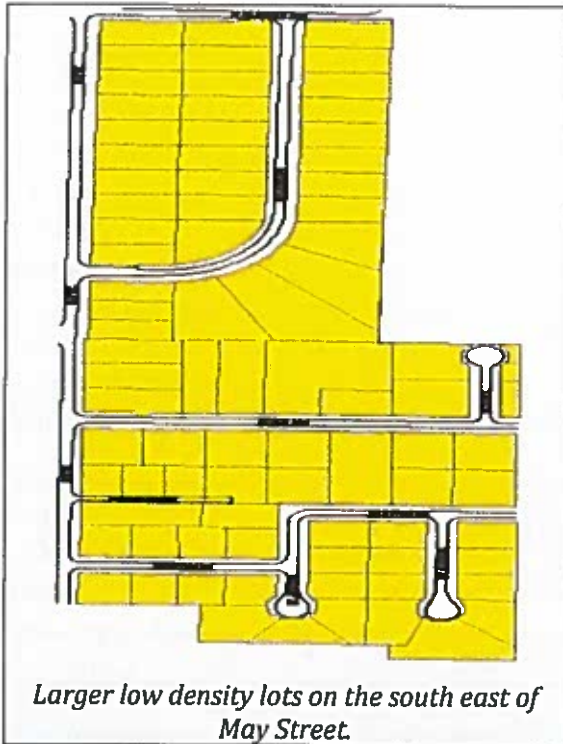
On average, smaller residential lots are located on the City's south side, between Park Avenue and West Garfield and Bridge Street extending west to Lake Street. The smallest are around 6,000 square feet and larger ones average about 11,000 square feet. These lots range in density from 4.5 to 6.5 units (single family homes) per acre.



Larger residential lots are located on the north side of the City and also on the south side, east of May Street. Examples of these lots and associated neighborhoods are shown on the diagrams below.

Larger parcels range from 10,000 to 40,000 square feet with even larger lots scattered throughout. These residential areas average 2.5 to 3.5 units (single family homes) per acre. Due to curved streets and varying intersection angles there are also numerous irregularly shaped lots. Some smaller lots, created prior to current development regulations, are inconsistent with these traditional neighborhoods.





High density residential areas include condominiums, apartments, and townhouses located throughout the City. Most condominiums are on the south side of Round Lake and along Ferry Avenue adjacent to Lake Charlevoix. To the north of the Memorial Bridge, multiple developments include condominiums, but there are also hotels, including the Edgewater, Weathervane Terrace, La Croft, and Points North. Apartment buildings are primarily in the 1000 block of May Street, with several others on the north side and Hillcrest Apartments on West Hurlbut.



FUTURE RESIDENTIAL LAND USE

LOW DENSITY RESIDENTIAL

Low-Density Residential areas primarily reflect the existing pattern of single family neighborhoods at the edges of the City, the north side and the previously described area east of May Street. While most residential development in Charlevoix is fairly mature, Low Density areas reflect more recent, large lot development trends. Densities are typically less than 5 units per acre and any new development should consider both the density and character of neighboring properties and the average density of the area.

Low Density areas should serve as transition districts between more dense residential development in the City and newer, large lot development in the township. A continuation of this pattern at Charlevoix's perimeter is appropriate, provided attention is paid to neighborhood connectivity and walkability.

Since lot sizes vary greatly in this category, maximum size requirements for structures may need to be considered so that any future development is consistent with the surrounding neighborhood. This will prevent homes and structures that are inconsistent with existing and expected traditional development patterns.

4.4 Zoning Analysis and the Zoning Map.

The following Zoning Analysis provides a description of existing zoning districts established by the Zoning Ordinance adopted in 2013 and their uses, and compares that with proposed future land uses. This allows property owners to see how their existing zoning district relates to future land uses. Following this zoning matrix, a scaled down copy of the current zoning map is provided to determine which zoning district your property is located in.

Future Land Use Plan Designation	Corresponding Zoning Districts
Low-Density Residential	R1 and some lots in R2. The intent of this district is to encourage the construction and continued use of land for low density single-family dwellings and to prohibit other uses that would substantially interfere with the development or continuation of single family dwellings. The City should consider implementing new regulations for certain neighborhoods that can better <u>protect and enhance existing and desired neighborhood character</u> .
Medium-Density Residential	R2 - Medium Density Residential. These properties include the most residential lots on the southwest side of the City. Typically these residential areas were the first developed as the City spread out from the downtown core. Flexible zoning regulations should allow for and encourage redevelopment and improvement of these older structures consistent with neighborhood character.
High-Density Residential	R4 - Residential Planned High Density; is designed primarily for apartment and condominium style buildings with more units per acre than single family lots.
Residential Multi-family	R2A - Residential Medium Density - Multi-family: These properties include duplexes and could include large Victorian style homes that have been converted into multiple rental units. Careful consideration should be given to ensure these developments do not adversely affect neighborhood character.
Private Club Residential	PC - Private Club Residential; This includes the Belvedere and Chicago Clubs who have historically been zoned R-1 which has been problematic when administering zoning. The clubs have other recreational and commercial functions within the club boundaries. The homes do not have lots lines surrounding the structures.
Mixed Use	CM - Commercial Mixed Use: This includes developments such as the Edgewater, and older homes on Bridge Street that have offices or retail on the first floor with living space above. Building size, architecture, landscaping and parking will be important factors in ensuring future developments are consistent with the surrounding area.

HATCH FAMILY PLANE CRASH ARCH

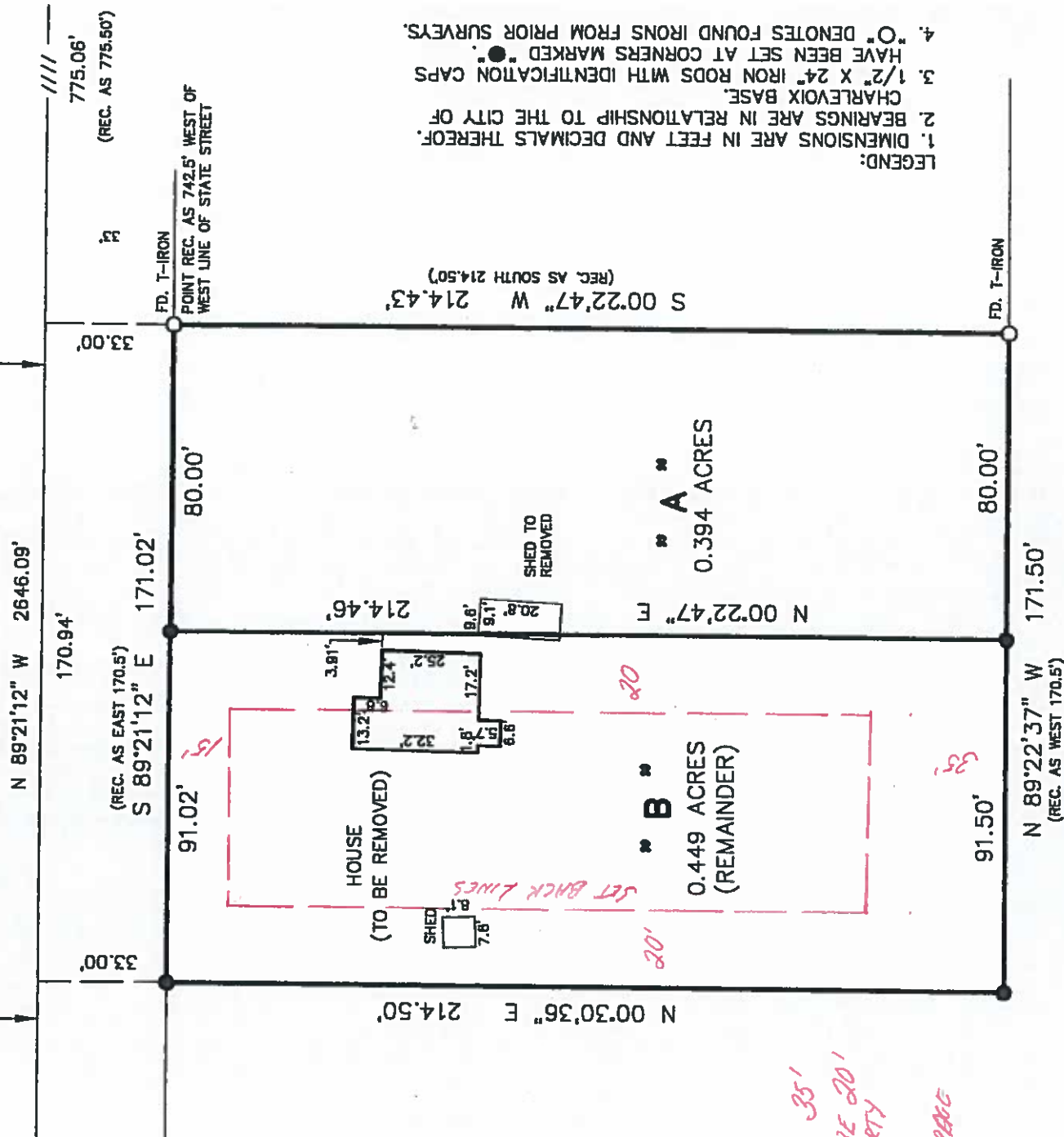
N. 1/4 COR., SEC. 34, T. 34 N., R. 8 W.
WITNESSES: (FD. CHX. CO. MON. IN BOX)
POWER POLE - S 58° W - 107.51'
24" MAPLE - N 55° W - 72.09'
CENTER OF FIRE HYDRANT - N 20° E - 54.97'
STEEL FENCE POST - S 11° E - 40.02'

SHEET NO. 1 OF 2

N.E. COR., SEC.
WITNESSES: (FD. CHX.
24" MAPLE - N 45°
28" MAPLE - S 45°
18" MAPLE - S 80°

CARPENTER STREET

NORTH LINE OF SEC. 34, T. 34 N., R. 8 W.



PART OF N.E. 1/4 OF N.E. 1/4, SEC. 34
T. 34 N., R. 8 W.
(CITY OF CHARLEVOIX, CHARLEVOIX COUNTY)

CERTIFICATE OF BOUNDARY SURVEY
GORDON & SHARON RUSSELL
206 W. CARPENTER
CHARLEVOIX, MICHIGAN 49720
DATE: DECEMBER 12, 2006



SCALE 1" = 40' 50% LOT COVERAGE (MAX)

R-4:
BUILDING HEIGHT 35'
PARKING HAS TO BE 20'
FROM THE PROPERTY LINE

CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Public Hearing: Zoning Ordinance Amendment - Housing

DATE: August 12, 2019

BACKGROUND

The proposed Zoning Ordinance amendment may be found in the attachment.

ATTACHMENTS:

- ▣ Zoning Ordinance Amendment - Housing

City of Charlevoix
Planning Commission
Zoning Ordinance Amendment - Public Hearing - Housing
August 12, 2019

Section '153.005 Definitions

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.

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

Portion of Table

Dwellings	Single family, detached	P	P	P	P	P	Section 5.47(1)
	Single family, attached	-	P	P	P	P	Section 5.47(1)
	Two family	-	P	P	P	P	
	Multiple family	-	-	-	P	P	
	Single Multiple Family building	-	P	-	-	-	Section 153.117(G)
	Accessory Dwelling Unit	-	P	-	-	-	Section 153.116(D)
	Home Conversion	-	P	-	-	-	Section 153.117(F)

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 "Developments 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"

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 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.
-

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

CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Public Hearing: Zoning Ordinance Amendment - Parking

DATE: August 12, 2019

BACKGROUND

The proposed Zoning Ordinance for parking may be found in the attachment.

ATTACHMENTS:

- ▣ Zoning Ordinance Amendment - Parking

City of Charlevoix
Planning Commission
Zoning Ordinance Amendment - Public Hearing - Parking
August 12, 2019

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.

<i>Table 153.187: Parking and Access Requirements by Use</i>	
<i>Use</i>	<i>Number of Parking Spaces</i>
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

Table 153.187: Parking and Access Requirements by Use	
Use	Number of Parking Spaces
RETAIL USES	
Retail stores, except as otherwise specified	1 per employee on the largest shift, plus 1 for every 500 sq. ft. of UFA
Multi-tenant shopping centers	
With 60,000 sq. ft. or less of retail	1 per employee on the largest shift, plus 1 for every 350 sq. ft. of retail UFA
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 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 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 the 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 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 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, plus 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, plus 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, plus 1 per employee. 3 stacking spaces for every washing stall or line
Restaurants, bars and clubs	

Table 153.187: Parking and Access Requirements by Use	
Use	Number of Parking Spaces
Standard sit-down restaurants with liquor license	<u>1 per employee on the largest shift</u> , plus 1 per 300 sq. ft. of UFA
Carry-out restaurant (with limited or no seating for eating on premises)	<u>1 per employee on the largest shift</u> , plus 4 per service or counter station, plus 1 per employee
Open front restaurant/ice cream stand	<u>1 per employee on the largest shift</u> , plus 5 spaces, plus 1 per employee and 1 per 6 seats
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)	<u>1 per employee on the largest shift</u> , plus 1 per 200 sq. ft. of UFA
Private clubs, lodge halls or banquet halls	<u>1 per employee on the largest shift</u> , 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	<u>1 per employee on the largest shift</u> , 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	<u>1 per employee on the largest shift</u> , 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	<u>1 per employee on the largest shift</u> , 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	<u>1 per employee on the largest shift</u> , 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	<u>1 per employee on the largest shift</u> , 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	<u>1 per employee on the largest shift</u> , 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 <u>on the largest shift</u>

(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]

<i>Table 153.189: Dimensional Requirements (Feet)</i>					
<i>Parking Pattern (Degree)</i>	<i>Parking Space</i>		<i>Maneuvering Lane Width</i>	<i>Total 1 Row of Parking and Maneuvering Lane</i>	<i>Total Bay (2 Rows of Parking and Maneuvering Lane)</i>
	<i>Width</i>	<i>Length</i>			
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

New Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Public Hearing: Zoning Ordinance Amendment – Outdoor Storage

DATE: August 12, 2019

BACKGROUND

The proposed Zoning Ordinance for outdoor storage may be found in the attachment.

ATTACHMENTS:

- ▣ Zoning Ordinance Amendment - Outdoor Storage

**City of Charlevoix
Planning Commission
Zoning Ordinance Amendment - Public Hearing –
Recreational Equipment and Vehicle Storage
August 12, 2019**

‘ ‘ 153.153(C) Outdoor Storage

~~A) Inoperable or unlicensed motor vehicles shall not be kept, parked or stored in any residential district, except within a completely enclosed building. The purpose of this provision is to prevent the accumulation of junk motor vehicles and, therefore, it shall not apply to any motor vehicle ordinarily used, but temporarily out of running condition. If the motor vehicle is being kept for actual use, but is temporarily unlicensed, the Zoning Administrator may grant the owner a reasonable time, not to exceed two months, to procure a license.~~

~~(B) Likewise, old, rusty and unsightly machinery, machines not suited for use upon the premises or quantities of used building materials not fit to be used to improve the premises shall not be kept or stored outside a building; provided, however, that, building materials fit to be used to improve the premises may be kept on site for one year if they are piled off the ground so as not to become a harbor for vermin.~~

~~(C) The open parking or storage of any recreational vehicle not owned by a resident or owner of the property on which it is located shall not be permitted for periods in excess of 24 hours, except on property specifically approved for that purpose. The Zoning Administrator, however, may permit the temporary parking or storage of a recreational vehicle in a rear yard on private property for a period not to exceed two weeks. In any case, no recreational vehicle located outside an approved campground shall be connected to sanitary facilities.~~

~~(Prior Code, ' 5.73) Penalty, see ' 153.999~~

153.153 (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)(8)~~
- ~~(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) Outdoor storage of not more than two recreational equipment or vehicles shall be permitted on any parcel of property.~~

- (5) 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.
- (6) 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.
- (7) 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.
- (8) 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

Old Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Sidewalk usage discussion

DATE: August 12, 2019

BACKGROUND

Attached is some additional information that may be useful for the continuation of the sidewalk signs and usage discussion.

ATTACHMENTS:

- ▣ Sidewalk Usage Memo

Memo To: Planning Commission
From: Planning and Zoning Staff
Re: Sandwich Board Signs Discussion
Date: August 12, 2019 Meeting

At the July 2019 Planning Commission meeting a discussion of sandwich board sign standards begun. It had recently come before the Zoning Administrator that the ordinance currently allows sandwich board signs 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. The Planning Commission began to discuss the topic and it quickly became evident that there was a wider concern about private use of the public walkways in the downtown district.

The following points were made during the July 2019 discussion:

- The Planning Commission was concerned with the overall cluttering of the public sidewalks and the safety of those trying to navigate the public walkways.
- There is concern with maintaining adequate walking space on the public sidewalks in the downtown commercial district.
- It has been observed that businesses that do have permits to have tables, chairs, merchandise, etc. on the sidewalk often have those items creep into the public space, further diminishing the area for the public to pass.
- Some sandwich board signage is not in front of the business it advertises; it may be around the corner or up form an alley.
- Sandwich board sign are sometimes placed away from the buildings and within the sidewalk or at the curb edge.
- The city should enforce what codes are on the books with regard to sidewalk use.
- Does the sidewalk permit allow for sandwich board signs?
- Consider allowing only one sandwich board sign per building frontage.
- Consider only allowing one-sided signs that lean against the building.
- The DDA should have input into this discussion.

Staff Research:

Section 151.04 of the City Code, NEWSRACKS, PLANTERS, TABLES AND CHAIRS does not call out or list sandwich board signs specifically. The code does provide for proper "Location and placement" of items in the public sidewalk. Those standards include the following language:

- Shall not impede the flow of pedestrian or vehicular traffic
- Shall not be within 3' of any crosswalk
- Shall not be within 8' of the back of the street curb unless approved under the city outdoor dining program
- Shall not be within 5' of any driveway
- Shall not be at any location whereby the clear space for the passage way of pedestrians is reduced to less than 6'

Provisions for Sandwich Board Signs are, however, specifically addressed in the Zoning Ordinance. The following is a draft, for discussion purposes only, that the Planning Commission may choose to review as part of this discussion.

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

' 153.208 SIGN STANDARDS FOR SPECIFIC SIGNS.

(H) *Sandwich board signs.* Shall be allowed only where there is adequate room and according to the following provisions:

- (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) Only one sandwich board sign per building façade is allowed.
- (3) ~~Shall be located on private property~~ Shall be placed perpendicular to the building edge, extending no more than thirty (30) inches from the building edge. Sandwich board signs in the public right-of-way shall require a Sidewalk Permit from the City.
- (3) ~~Shall not block pedestrian access.~~ Shall not be located whereby the clear space for the passage way of pedestrians is reduced to less than six feet;
- (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

CITY OF CHARLEVOIX

Old Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Rooftop usage discussion

DATE: August 12, 2019

BACKGROUND

Attached is a memo to help in the discussion of using rooftops for commercial activities.

ATTACHMENTS:

▣ Rooftop Usage Memo

Information Item: **City of Charlevoix Planning Commission**
Meeting: **August 12, 2019**
Topic: **Rooftop Use**

According to Steven Peck of the Toronto-based non-profit Green Roofs for Healthy Cities, “The roofscapes of our cities are the last urban frontier—from 15 percent to 35 percent of the total land area—and the green roof industry can turn these wasted spaces into a force for cleaner air, cleaner water, energy savings, cooling, beauty and recreation.” Rooftops comprise a lot of area and because of this the Planning Commission wants to stay ahead of this emerging land use issue by exploring the potential for using rooftops in Charlevoix for human activity.

Rooftop uses can include -

- Recreation such as basketball or tennis courts, soccer, track
- Additional housing
- Green roofs
- Landscaping including trees, farming, bee keeping, walking paths
- Solar panels
- Parking
- Outdoor movies, concert venue
- Pools, patios, bars, dining

Only the larger cities seem to have specific zoning code for rooftop uses, and those standards won't apply to Charlevoix, however, the research has raised some potential discussion points for zoning:

- Max of percentage (20%) of roof allowed to be devoted to outdoor, uncovered recreation space
- Permit only as a special use (requires a public hearing and allows for adding certain conditions)
- Exception for solar panels/wind turbines
- Structural engineer review to insure roof can carry the load
- Roof top uses will be added into the occupant load of entire building
- Stipulation that the rooftop area may not be enclosed in in the future (which would add a story to the building) unless the overall height is allowed in the district and the entire building is brought up to code
- Needs two independent means of egress
- Roof top decks allowed above the height maximum
- Consider prohibiting use of any open flames (grills, fireplaces, etc.)
- Barrier/railing heights not less than 30" (may be covered in building codes)
- Require a plan for wind - everything has to be secured

There are additional considerations that would be under the jurisdiction of the building code department. If this potential use is further explored it may warrant a conversation with that county department to get more input. Additional code considerations include:

- Rooftop covers, canopies, balconies, decks or other similar projects may trigger sprinkler system requirements
- ADA accessibility
- Need two independent means of egress
- Roof top uses will be added into the occupant load of entire building