

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

MONDAY, MARCH 8, 2021 AT 6:00 PM in the Virtually via Zoom (Instructions Included)

- A. Call to Order/Pledge of Allegiance
 - 1. Zoom Log-in Information
- B. Roll Call
- C. Inquiry into Potential Conflicts of Interest
- D. Approval of Agenda
- E. Approval of the Minutes
 - 1. February 8, 2021 Minutes
- F. Call for Public Comment Not Related to Agenda Items
- G. New Business
 - 1. Election of Vice Chair
 - 2. Proposed mixed use building located at 1108 Bridge Street
 - 3. Annual Review of Bylaws
- H. Old Business
 - 1. ADU Architectural Standards
 - 2. Master Plan Update: Draft Introduction Chapter
 - 3. Master Plan Update: Public Engagement
- I. Staff Updates
- J. Requests For Next Months Agenda or Research Items
- K. Adjournment by 8:00 p.m. 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

Call to Order/Pledge of Allegiance

TO: Planning Commission

FROM: Jennifer Neal

SUBJECT: Zoom Log-in Information

DATE: March 8, 2021

BACKGROUND

Due to pandemic restriction imposed by the Michigan Department of Health and Human Services, the Planning Commission meeting will be held via Zoom in compliance with the Open Meetings Act.

Topic: March Planning Commission Meeting

Time: Mar 8, 2021 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/98262752416>

Meeting ID: 982 6275 2416

One tap mobile

+16465588656,,98262752416# US (New York)

+13017158592,,98262752416# US (Washington DC)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 982 6275 2416

Find your local number: <https://zoom.us/u/ac57GSdISi>

CITY OF CHARLEVOIX

Approval of the Minutes

TO: Planning Commission

FROM: Jennifer Neal

SUBJECT: February 8, 2021 Minutes

DATE: March 8, 2021

BACKGROUND

February 8, 2021 Draft Minutes

ATTACHMENTS:

- ▣ February 8, 2021 Draft Minutes

**CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS, CITY HALL, 210 STATE STREET
Monday, February 8, 2021 - 6:00 p.m.**

A. Call to Order

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

B. Roll Call

Chair	RJ Waddell (from Charlevoix)
Members Present:	Reid Beegen, Sherm Chamberlain, Toni Felter, Dennis Halverson, Mary Millington, Jennifer Muladore (all members participating from Charlevoix)
Members Absent:	David Gray
Staff Present:	Jennifer Neal, Planner; Johnathan Scheel, Zoning Administrator; Dean Martin, Community Development Fellow

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

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

E. Approval of the Minutes

1. January 11, 2021 Meeting Minutes

Motion by Member Felter, second by Member Beegen to approve the minutes of January 11, 2021 as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Proposed Deck Located at 101 Bridge Street

Zoning Administrator Scheel stated that the applicants and owners, David Levy and Chuck Schilling, were seeking permission to occupy a portion of the vacant space located just north of 101 Bridge Street, adjacent to the Pine River Channel. The applicants wanted to build a raised deck to be used for outdoor dining, and the property is owned by the Michigan Department of Transportation (MDOT). Zoning Administrator Scheel advised that MDOT reviewed the proposal and they were willing to approve it under the proposed conditions of the project. The request will go before City Council next month.

Member Chamberlain felt that City Council should get a letter of authorization from MDOT that they approve of the site plan, that a title search for easements should be done for this area, utilities should be contacted to make sure nothing is placed over utility lines and confirm that the renters of the deck are associated with an adjoining building nearby. He questioned whether this would be a long-term or a yearly lease and will the lease of the deck belong to the adjoining property owner who owns the liquor license. Zoning Administrator Scheel stated that some of those questions had been vetted already and the remaining questions should be addressed at the Council level. He noted that the usage of the deck would be tied to the adjoining building as a restaurant.

2. Master Plan Chapter 5 Implementation Report

Community Development Fellow Martin explained that reviewing the Master Plan Implementation table prior to the 5-year updating process could help the members understand what was planned to be accomplished, what was accomplished, and what remains an opportunity. Fellow Martin provided a summary of the current Master Plan, last updated in 2016, that detailed goals, visions, and implementation projects to be considered for the advancement of the public services and economic development. He stated that of the 45 action items in the Plan, 40.5 of the items were complete.

3. Accessory Dwelling Unit (ADU) Architectural Standards

Chair Waddell recalled that City Council asked them to look into expanding the accessory dwelling unit standards that were applicable to R-2 zoning into the R-1 zoning district. Zoning Administrator Scheel stated that they found some unintended consequences of allowing accessory dwelling structures in R-2 zoning such as a couple of buildings that seem out of scale to the neighborhood and height issues. He reviewed his memo including the goals of the ADU language, site placement, exterior appearance of buildings, doors, windows, roof form, and height of buildings. He also reviewed proposed new ordinance language which included some form-based code language. Steve Schnell, Housing North, explained the basics of form-based code. Discussion followed regarding the proposed language changes and the look of accessory dwellings.

Shirley Gibson, 209 E. Upright, stated that there were some mistakes made in the beginning because there were not enough standards in place and there was one property in her neighborhood in particular that she was not happy about, but she felt the Commission was moving in the right direction. She questioned if there was any language regarding the use of an ADU. Zoning Administrator Scheel stated that there was the standard zone language for residential use; an ADU can be used as a short-term rental but the main house and the ADU cannot both be used as short-term rentals at the same time, and the ADU would also need to fit under the short-term rental language.

4. City Manager's Housing Memo

Chair Waddell stated that the City Manager provided the Commission with a memo that summarized the actions of various entities in the community who have taken or are taking on the topic of housing and sets a vision for continued collaboration in the future. Member Chamberlain recalled at the last Commission meeting he had brought up the possibility of converting a large existing house into two separate residences through the Condominium Act. Discussion followed about additional housing opportunities.

5. Master Plan Update

Chair Waddell stated that they were required to go through their Master Plan every five years. Planner Neal noted that Fellow Martin's presentation was a good start for the review. She stated that staff will prepare an audit of the existing plan which identifies areas of deficiency and a timeline to complete the Master Plan update process. She stated that she would like to see a new Housing Chapter in the Plan with new data and new design ideas.

H. Old Business

I. Staff Updates

Planner Neal stated that seven people signed up for the MAP Planning & Zoning Essentials training and there were additional spaces available as well as the Shoreline training.

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

Chair Waddell stated that they wanted the Zoning Administrator to bring back more information on form-based codes. He felt that they should review the By-Laws and then start the Master Plan review next month.

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

Motion by Member Chamberlain, second by Member Beegen to adjourn the meeting. Meeting adjourned at 7:35 p.m.

Joyce M. Golding/fgm

City Clerk

R.J. Waddell

Chair

CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Jennifer Neal

SUBJECT: Election of Vice Chair

DATE: March 8, 2021

BACKGROUND

Due to a recent resignation, the Vice Chair needs to be re-elected for the remainder of the term.

CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Jonathan Scheel, Zoning Administrator

SUBJECT: Proposed mixed use building located at 1108 Bridge Street

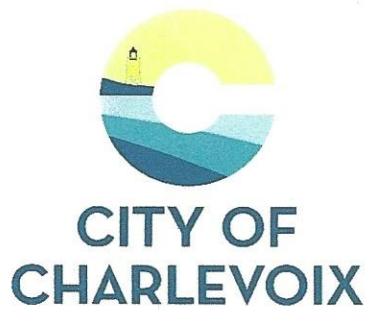
DATE: March 8, 2021

BACKGROUND

The following application is for presentation and discussion only. Formal site plan review will take place at a later meeting. The applicant, Ron Way of Way Building, has submitted an application and plans for Planning Commission consideration. The proposed new construction is located at 1108 Bridge St. The project will include a two-story building with first floor office space and second floor residential units.

ATTACHMENTS:

- ▣ Project Application and Plans



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

SITE PLAN 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 site plan review at that time.
2. Applicant completes the Site Plan Application, provides the review fee (\$275) and all supporting documentation required. (See Article 12)
3. Applicant stakes property corners and the locations of proposed buildings.
4. The Zoning Administrator will consult with City Staff and other sources (City Engineer, Public Works Department, Fire Department, etc.) regarding the submitted Level A Site Plan, and as a result may determine it is necessary for the Planning Commission to review the Site Plan, where the project will be reviewed based on the requirements of a Level B Site Plan review. In that case, 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.
5. If Level B review is not necessary, the Zoning Administrator shall review the site plan as submitted against Section 5.120 and any additional applicable requirements, as well as consider any comments received, and approve, approve with conditions or deny approval of the site plan, based on whether applicable requirements and standards have been met.
6. The Zoning Administrator will provide to the applicant, in writing, the decision that they have made, along with any conditions that they may have deemed necessary for approval.
7. If conditions are attached to the site plan review approval, revised plans reflecting those conditions must be re-submitted to the Zoning Administrator prior to issuance of permits.



CITY OF CHARLEVOIX

LEVEL B SITE PLAN APPLICATION

WAY BUILDING 1108 BRIDGE ST
Applicant Address of subject property

05768 BARNARD Rd Charlevoix, Mi. 49720
Address (City/State/Zip)

Peter & MADISON BELTZ
Property Owner Name (If different than applicant)

705 Sweetbriar Milford, MI. 48381
Property Owner Address (City/State/Zip) (If different than address of subject property)

Property Owner Phone (231) 675-0652 Email madisonbetz@gmail.com

Agent Phone (231) 675-7764 Email WayStoneycroft@MSN.COM

Zoning of subject property: commercial/mixed use Tax ID: 15-052-369-059-00

Current use of property (example: single family, apartments, commercial, industrial, etc.):
VACANT PARCEL

Proposed use: OFFICE/RESIDENTIAL APARTMENTS

Dimensions of parcel: 66 x 120 Parcel size: 7920 .35
Square feet Acres

Please describe the type of construction (example: 20' x 20' addition to the rear of the building for storage.):

NEW 2 STORY 30'x60' Building - OFFICE/RESIDENTIAL
main - 2 APARTMENTS UPSTAIRS

Dimensions of proposed construction, excluding eaves: 30'x60'
Total square footage of proposed construction: 1800 main, 1560 second
Height of proposed construction to the top of the roof: 25.25
Height of proposed construction to the midpoint of the roof, for gabled roof: 12.75
Roof type (example: gable, hip, flat, etc.): Flat
Square footage of all impervious surfaces (please show all on site plan: paved driveways, sidewalks, patios, etc.): 3600 SQ. FT
Requested date to begin construction if known: APRIL 1st 2021

AFFIDAVIT

I the undersigned, do hereby make application to the City of Charlevoix for approval of the attached Site Plan which has been drawn in accordance with the City of Charlevoix Zoning Ordinance. I certify that the property owner has authorized the proposed work, and that I have been empowered by the owner to make this application as his/her 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 site plan may be void. I also agree to comply with the conditions and regulations required by the approved development plan. Further, I agree that if the site plan is approved, it is approved with the understanding that the individual(s) or organization(s) applying for that site plan (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 and proposed structures 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 Decision and Order. Finally, I understand that this is a site plan application, and if approved, cannot be implemented until applicant has applied for and the City has issued a zoning permit.

Property Owner Signature or Authorized Agent: 

Date: 2-27-21

THIS SECTION FOR OFFICE USE ONLY

Zoning District: _____

Tax ID: 052-_____-_____-_____-_____

Receipt Number: _____

Date Inspected: _____

Approved: ☐

Denied: ☐

If variance was required: Project # _____

Lot Coverage Calculations:

Existing: _____

Proposed: _____

Total: _____

Lot Size: _____ Percentage: _____

Staff findings or notes: _____

Zoning Administrator Signature: _____

Date: _____

BRIDGE STREET



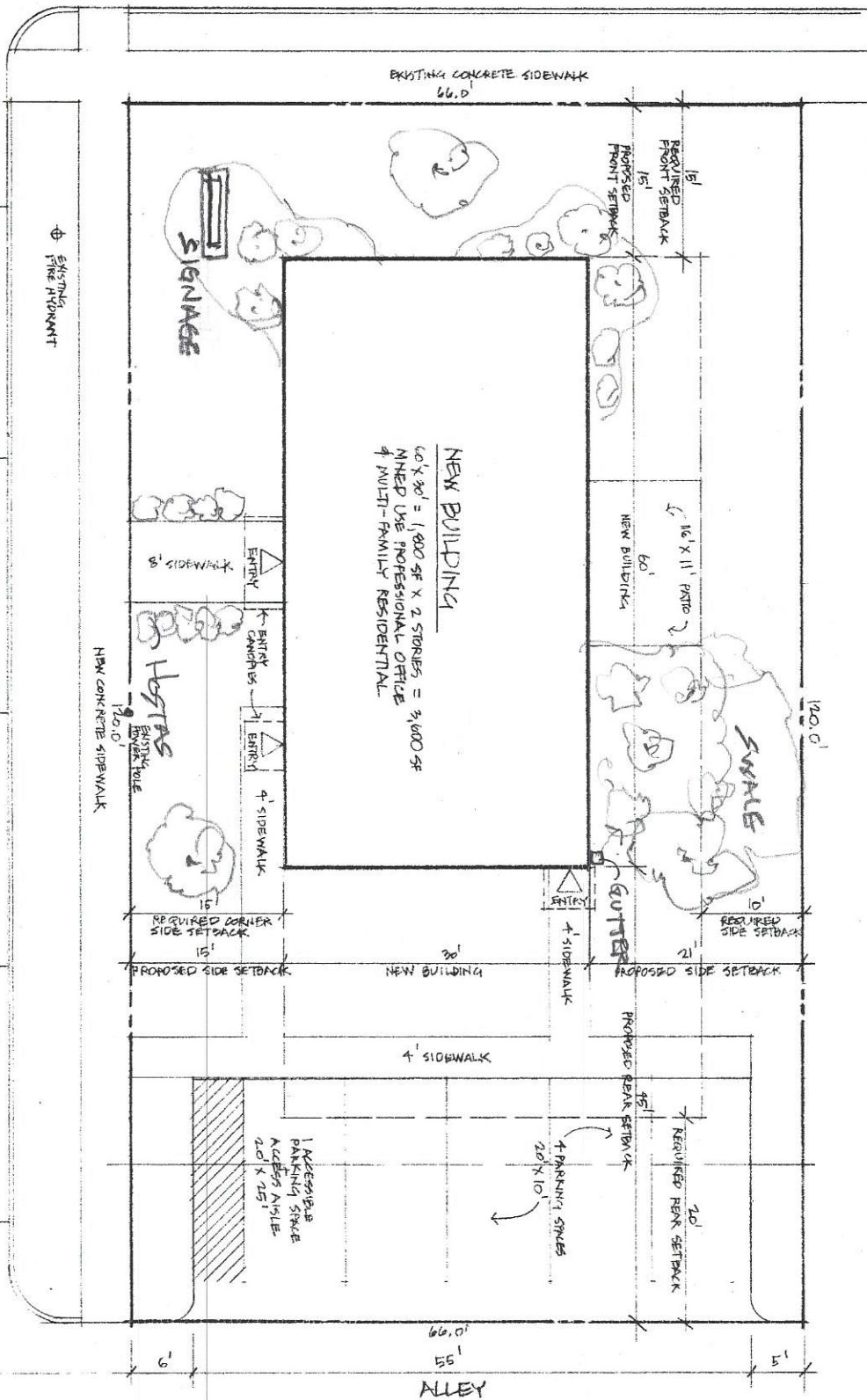
SITE PLAN

1" = 10'

RICHARD NEUMANN ARCHITECT
3.4.2024

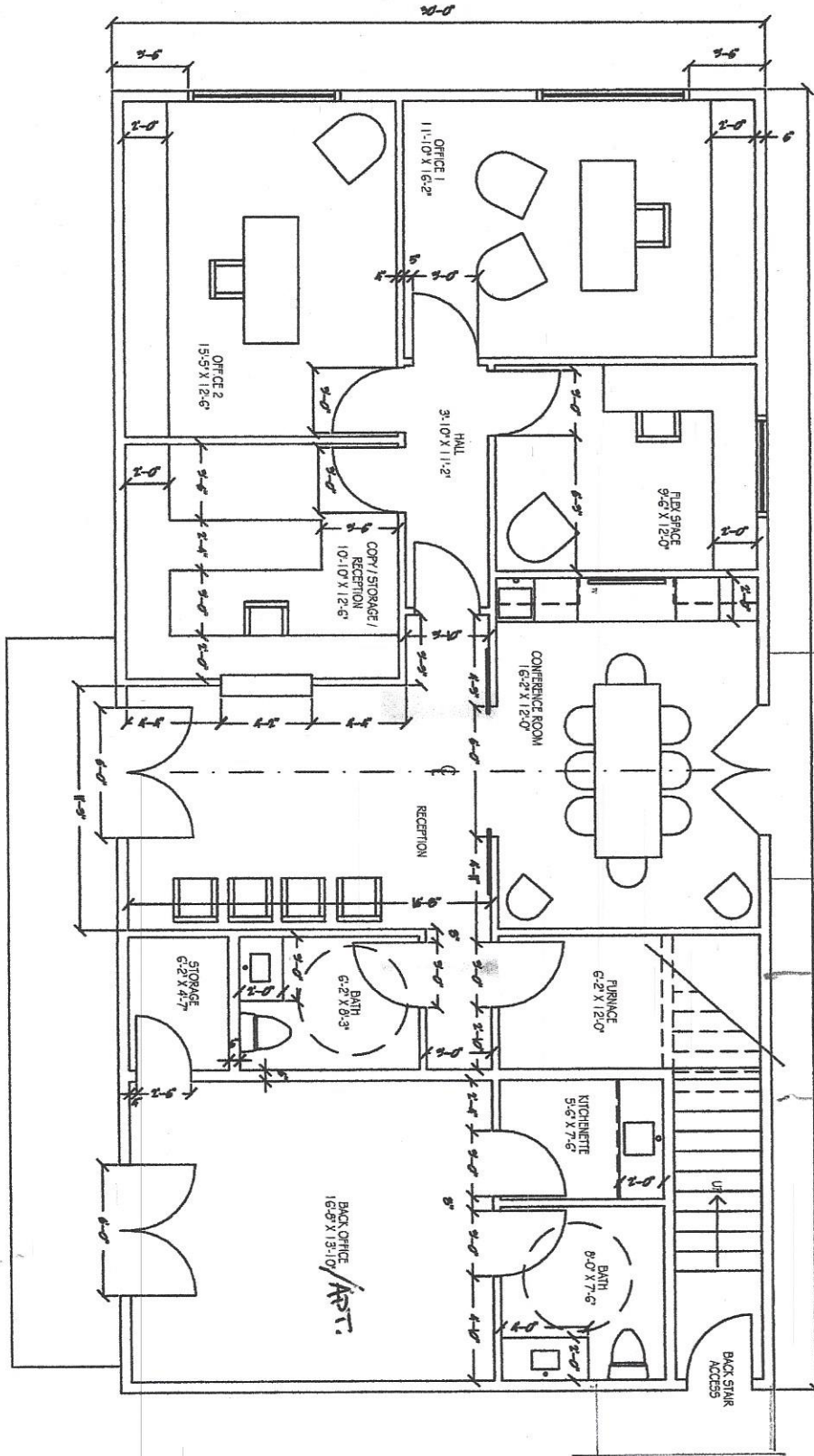
E. WOOD AVENUE

WAY BUILDING
1108 BRIDGE STREET
CHARLEVOIX, MICHIGAN



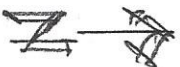
SEWER

WATER

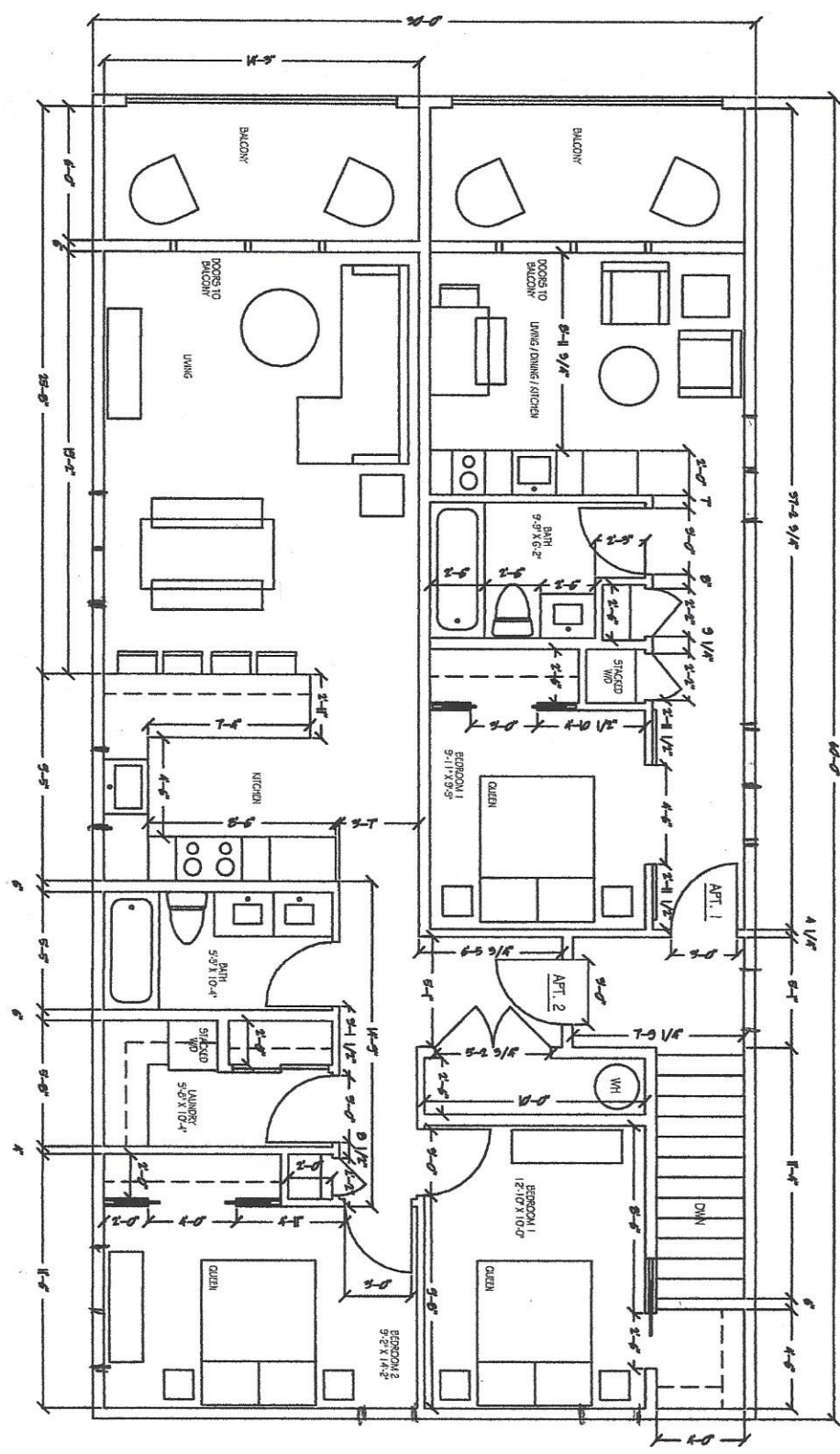


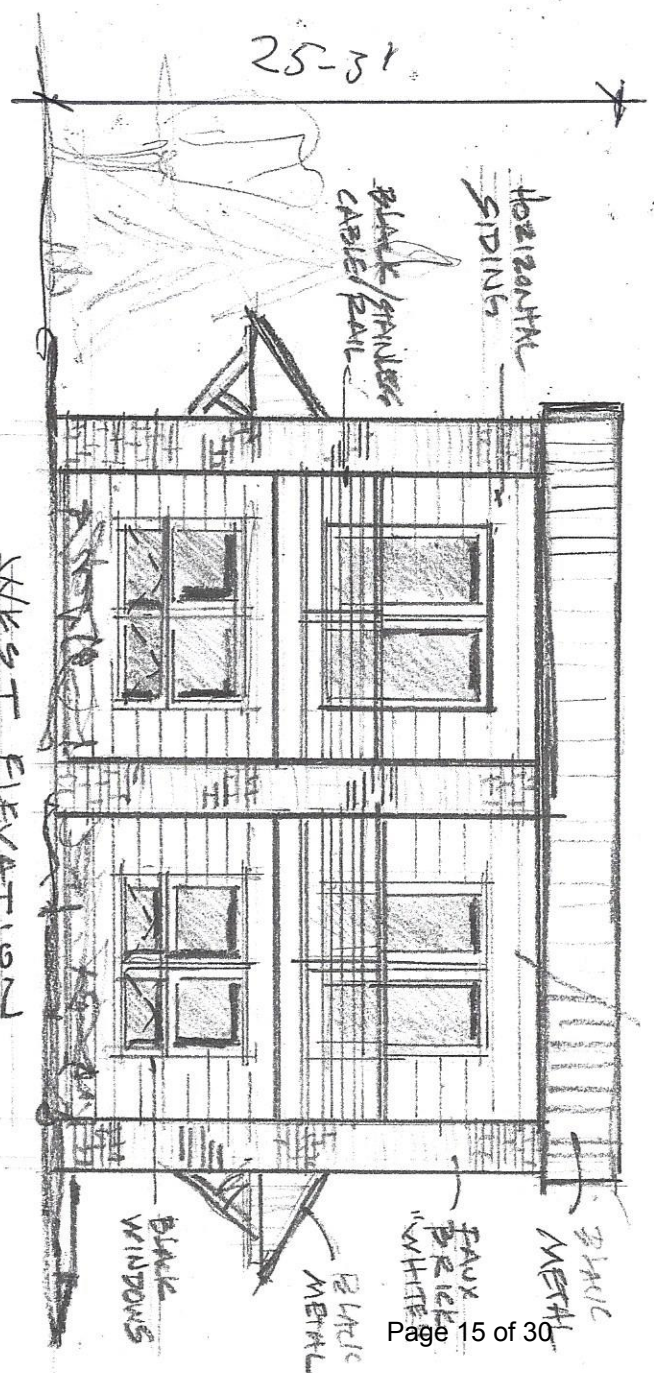
MAIN FLOOR PLAN 1/8" = 1'-0"

3/3/21

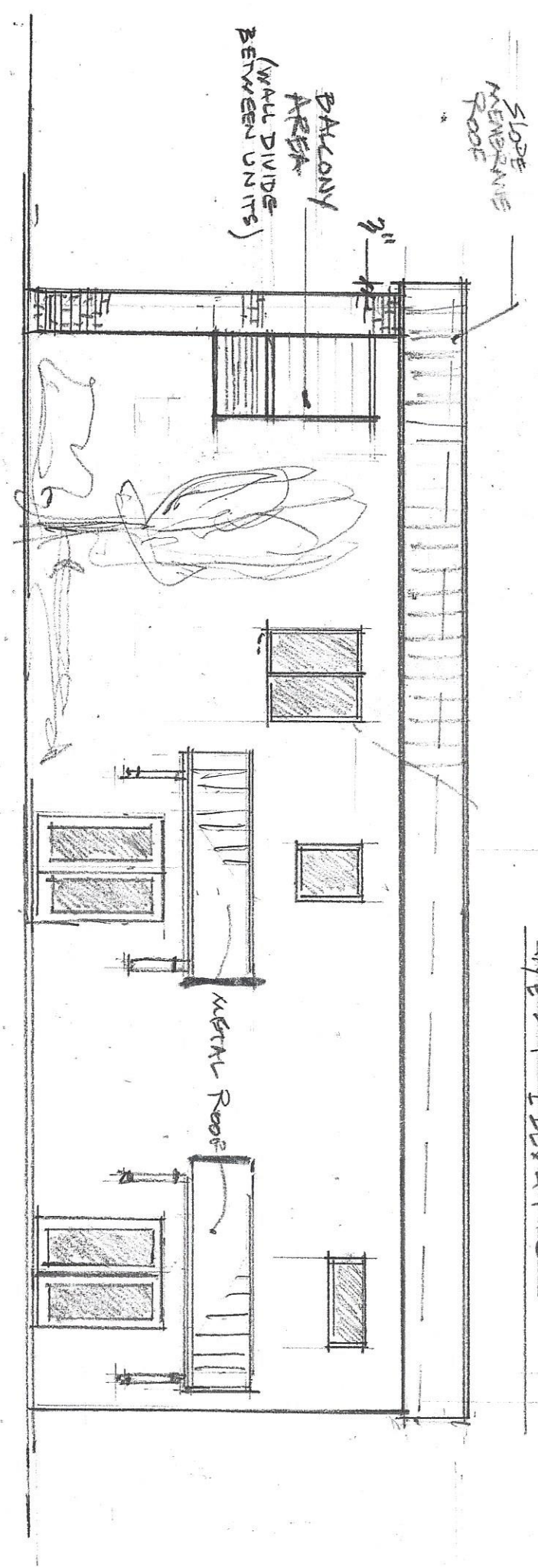


SECOND FLOOR PLAN 1/8" = 1'-0"





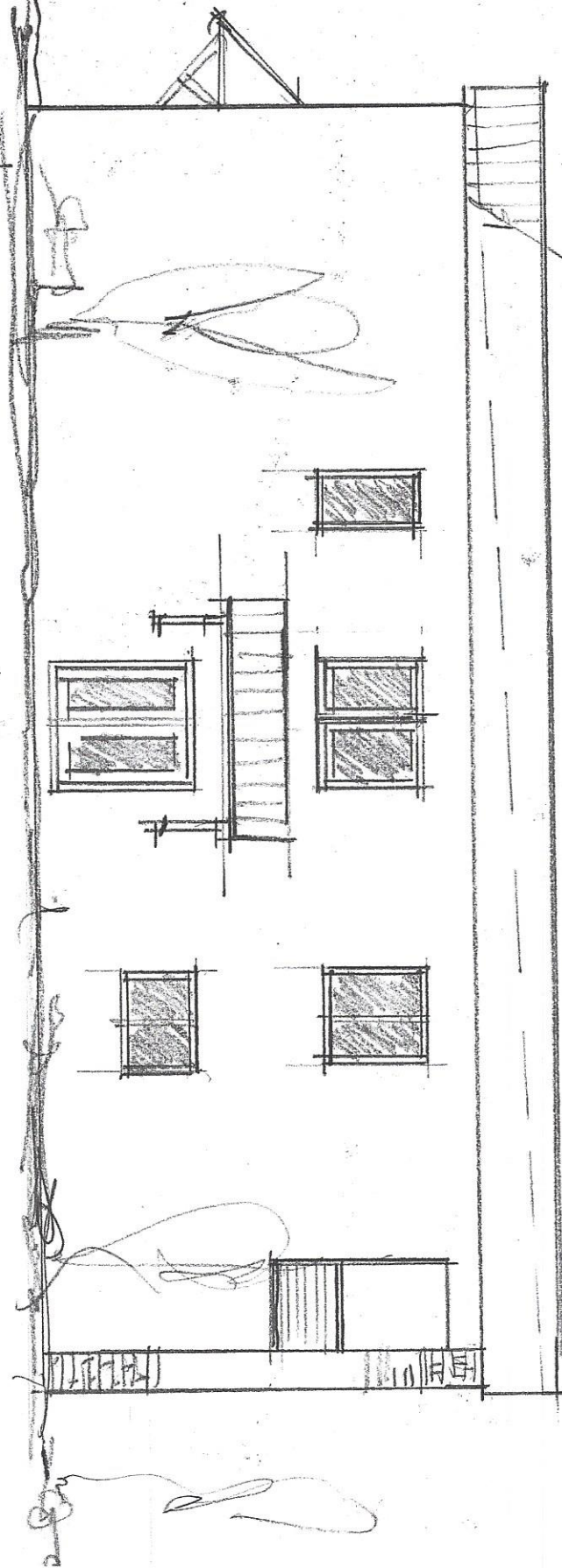
WEST ELEVATION



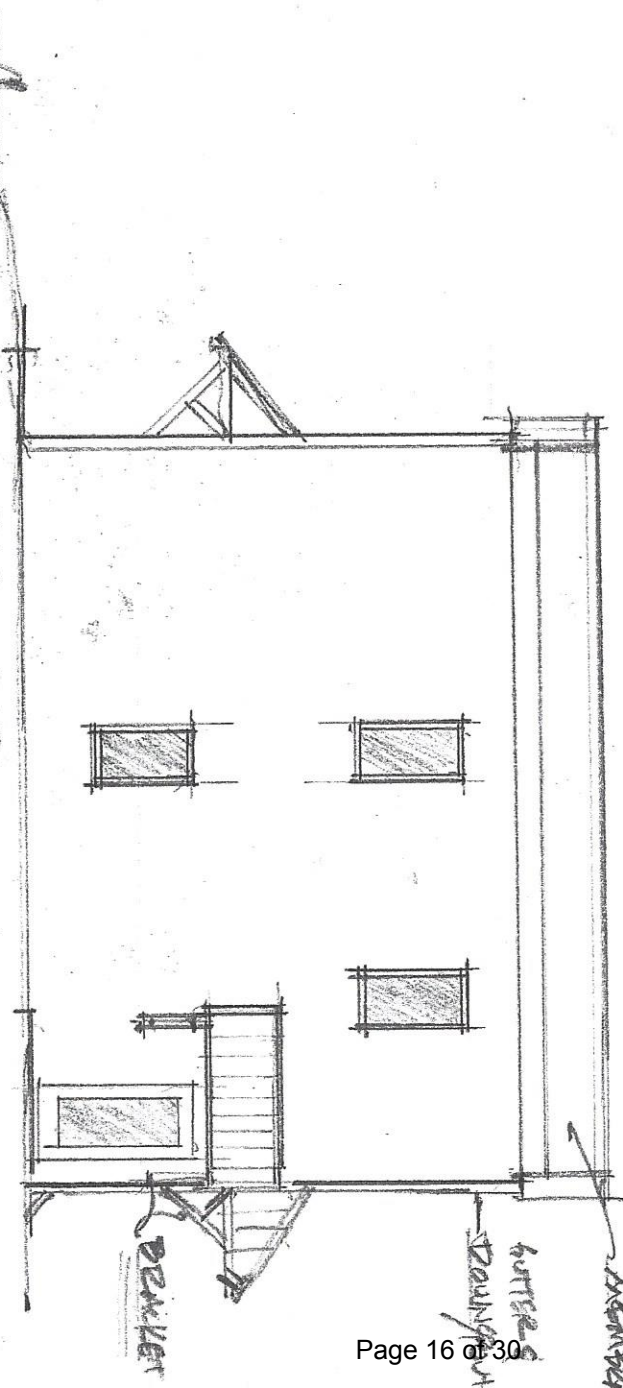
SOUTH ELEVATION 1/8"=1'-0"

PAGE

NORTH ELEVATION



EAST ELEVATION



CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Jennifer Neal

SUBJECT: Annual Review of Bylaws

DATE: March 8, 2021

BACKGROUND

An annual review of the Planning Commission Bylaws, last amended in January 2019, allows for a refresher of our knowledge and also another look to ensure the bylaws are appropriate and up to date. The Bylaws have been included for your review.

ATTACHMENTS:

- ▣ Planning Commission Bylaws



CITY OF CHARLEVOIX

210 STATE ST. CHARLEVOIX, MICH. 49720 www.CityofCharlevoix.org

Planning Commission Bylaws

Adopted May 12, 2014

Amended April 9, 2018

Amended June 11, 2018

Amended January 14, 2019

1.0 Purpose.

- 1.1 The name shall be the City of Charlevoix Planning Commission, hereafter known as the "Commission". The City of Charlevoix hereafter shall be known as the "City."
- 1.2 These Bylaws are adopted by the Commission to facilitate the performance of its duties as outlined in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, (M.C.L. 125.3801 *et seq.*), hereinafter "the Planning Act."
- 1.3 These Bylaws are also adopted to facilitate the duties of the Commission for administration of a zoning ordinance as outlined in P.A. 110 of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 *et seq.*), hereinafter "the Zoning Act."

2.0 Membership. Members of the Commission are appointed pursuant to Title I, Chapter 7, Article V of the City Code, entitled Planning Commission. (Ord. 751)

- 2.1 Each member shall represent and advocate what is best for the City as a whole, putting aside personal or special interests.
- 2.2 In an effort to establish a diverse Commission, the City shall make every effort to appoint members who represent important sectors of the community and economy consistent with the requirements of Title I, Chapter 7, Article V of the City Code.
- 2.3 Liaisons. The purpose of liaisons is to provide technical assistance and advice, participate in discussions with the Commission, and answer questions from the general public or the Commission. Liaisons may include Planning Department staff, City department heads, planning consultants, the City Attorney, surveyors, engineers, or other qualified consultants.

- 2.4 Attendance. A Commission member's absence from three consecutive regularly scheduled meetings shall be considered nonfeasance in office. Nonfeasance in office shall be grounds for the City Council to remove a member from the Commission for nonperformance of duty, or misconduct, after holding a public hearing on the matter. The Commission secretary, or acting secretary in the absence of the elected secretary, shall keep attendance records and shall notify the City Council whenever any member of the Commission is absent from three consecutive regularly scheduled meetings, so the City Council can consider further action allowed under law or excuse the absences.
- 2.5 Each member shall have completed, at a minimum, basic planning commissioner training such as that offered by Michigan Association of Planning, Michigan Municipal League, or Michigan State University Extension during the member's first full term of office. The "Citizen Planner" program, offered as continuing education through Michigan State University and MSU Extension is recommended but not required. Members shall then be encouraged to attend training in planning and zoning related topics as authorized by the City Council in the adopted budget.
- 2.6 Conflict of Interest
- (a) Each member of the Commission shall avoid conflicts of interest and/or incompatibility of office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
- (1) Issuing, deliberating on, voting on, or reviewing a case concerning the member, on land owned by the member, or if the case involves land adjacent to the members property.
 - (2) Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
 - (4) Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to the commissioner, or a friend or family member of the commissioner.
 - (5) Issuing, deliberating on, voting on, or reviewing a case concerning his or her spouse, children, stepchildren, grandchildren, parents, brothers, sisters, grandparents, parents in-law, grandparents in-law, or members of his or her household.
 - (6) Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is an applicant or agent for an applicant, or has a direct interest in the outcome.

- b.) If a question exists whether the circumstances actually present a conflict of interest, the Planning Commission member or zoning staff shall make a reasonable attempt to contact the city attorney prior to the Planning Commission meeting at which the matter that may give rise to the conflict of interest will be considered to obtain a legal opinion concerning whether a conflict of interest legally exists. If the Planning Commission member or zoning staff is not able to obtain a legal opinion from the city attorney then the Planning Commission may, by majority vote of the members present, adjourn the case to a specific time, date, and place in order to obtain a written opinion from the city attorney.
 - c.) When a conflict of interest exists, the member of the Commission, or committee, shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists:
 - (1) declare a conflict exists at the next meeting of the Commission or committee:
 - (2) cease to participate at the Commission or committee meetings, or in any other manner, or represent one's self before the Commission, its staff, or others, and
 - (3) during deliberation of the agenda item before the Commission or committee, remove one's self from the front table where members of the Commission sit, until that agenda item is concluded.
- 2.7 Incompatibility of Office. If a member of the Commission is appointed to another office, which is an incompatible office with his or her membership on the Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Commission. If a member of another office is appointed to the Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Commission, that shall result in an automatic resignation from the other office.

3.0 Duties of all members.

3.1 *Ex Parte* contact

- a.) Members shall avoid *Ex Parte* contact about cases where an administrative decision is before the commission whenever possible.
- b.) Despite one's best efforts it is sometimes not possible to avoid *Ex Parte* contact. When that happens, the member should take detailed notes on what was said and report to the Commission at a public meeting or hearing what was said, so that every member and other interested parties are made aware of what was said.

3.2 Site Inspections

- (a) Planning Commissioners are encouraged to do a site inspection prior to any public meetings or hearings where a decision may be made on a particular lot or parcel. Planning Commissions should

visit the site by themselves and avoid contact with the applicants, property owners, and neighbors. If requested, members may visit the site with the Zoning Administrator or liaison.

3.3 Code of Conduct/Accepting gifts.

- a.) Each Planning Commissioner shall abide by the City of Charlevoix Code of Ethics and Conflict of Interest Policy. Gifts shall not be accepted by a member of the Commission or liaisons.

4.0 Officers

4.1 Selection: At the first regular meeting of each calendar year, the Commission shall select from its membership a Chair, and Vice-Chair. All officers are eligible for reelection. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term.

4.2 Tenure. The Chair and Vice-Chair shall take office at the first regular meeting of the calendar year following their selection and shall hold office for a term of one year or until their successors are selected and assume office.

4.3 Chair's Duties. The Chair retains his or her ability to discuss, make motions and vote on issues before the Commission. The Chair shall:

- a.) Preside at all meetings with all powers under parliamentary procedure;
- b.) Shall rule out of order any irrelevant remarks; remarks which are personal; remarks about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics; profanity; or other remarks which are not about the topic before the Commission;
- c.) Call special meetings if deemed necessary;
- d.) Review with the staff, prior to a Commission meeting, the items to be on the agenda if he or she so chooses;
- e.) Periodically meet with the Planning Director and/or other Planning Department staff to review Planning Department operation, procedures, and to monitor progress on various projects.
- f.) Chair or perform a major role in the interview and selection process for a Planning Director;
- g.) Act as the Commission's and Planning Department's chief spokesman and lobbyist to represent the Commission at local, regional, and state government levels.
- h.) Represent the Commission before the City of Charlevoix; and
- i.) Perform such other duties as may be ordered by the Commission.

4.4 Vice-Chair's Duties. The Vice-Chair shall:

- a.) Act in the capacity of Chair, with all the powers and duties found in Section 4.3 of these Rules, in the Chair's absence;
- b.) Perform such other duties as may be ordered by the Commission.

- 4.5 Recording Secretary's Duties. The Recording Secretary shall be the City staff designated by the Planning Commission to properly notice meetings, record the audio, and compose draft minutes.

5.0 Meetings

- 5.1 Regular meetings. Meetings of the Commission will generally be held the second Monday of every month at 6 p.m. at 210 State Street. When the regular meeting day falls on a legal holiday, the Commission shall select a suitable alternate day in the same month. An annual notice or regularly scheduled Commission meetings shall comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meeting Act M.C.L. 15.261 *et seq.*)
- 5.2 Special Meetings. Special meetings shall be called by the Chair, by any two members of the Commission, or by the Chair at the request of any non-member of the commission. Special meetings shall be properly notice in accordance with the Open Meetings Act.
- 5.3 Quorum. More than half the total number of seats for members of the Commission, regardless if vacancies exist or not, shall constitute a quorum for the transaction of business and the taking of official action for all matters before the Commission. Commissioners connected to a meeting remotely shall not be considered attendance for the purpose of establishing a quorum (City Council Resolution 2018-05-01). Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day.
- 5.4 Motions.
- a.) Motions shall be restated by the Chair before a vote is taken.
 - b.) Findings of Fact. All actions taken in an administrative capacity (including but not limited to, special use permits, subdivisions, zoning, site plan review, planned unit developments, review and submission on another municipality's proposed plan, review and submission on a capital improvement, review of township zoning) shall include each of the following parts.
 - (1) A finding of fact, listing what the Commission determines to be relevant facts in the case in order to eliminate misleading statements, hearsay, irrelevant, and untrue statements.
 - (2) Conclusions to list reasons based on the facts for the Commission's action, often directly related, or not, to a finding of compliance, or noncompliance, to standards.
 - (3) The Commission's action; recommendation or position, approval, approval with conditions, or disapproval.
- 5.5 Voting. Voting shall be by voice and shall be recorded as passing or failing. Roll call votes will be recorded only upon request by a member of the Commission and shall be recorded by "yes" or "no". Commissioners connected to a meeting remotely may vote and take any action as part of the meeting as if the remote participant were attending the meeting in

person (City Council Resolution 2018-05-01). Voting by proxy shall not occur. Except as provided herein, the affirmative vote of a majority of those present shall be necessary for the adoption of motions. The affirmative vote of a majority of the total number of seats for members of the Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any plan or amendment to a plan.

- 5.6 Parliamentary Procedure. Parliamentary procedure in Commission meetings shall be informal. However, if required to keep order, Commission meetings shall then be governed by *Roberts Rules of Order Newly Revised*, (10th Edition, Perseus Publishing, New York, 2000 (ISBN 0-7382-037-6)) for issues not specifically covered by these Bylaws. Where these Bylaws conflict, or are different than *Robert's Rules of Order*, then these Bylaws control.
- 5.7 Public Participation. All regular and special meetings, hearings, records, and accounts shall be open to the public.
 - a.) All public comments not specifically related to agenda items shall be provided at the beginning of the meeting in accordance with the agenda. Public comments on specific agenda items shall be called for at the appropriate time by the Chair.
 - b.) The Chair may limit the amount of time allowed for each person wishing to make public comment at a Commission meeting. The Chair may ask members of the audience to caucus with others sharing similar positions so they may select a single spokesperson. If a single spokesperson is selected, that individual shall be able to make public comment at the Commission meeting without time limit or an extended time limit.
- 5.8 Order of Business. Agenda. The Recording Secretary, or designee, shall prepare an Agenda for each meeting and the order of business shall be as follows:
 - a.) Call to order and Pledge of Allegiance.
 - b.) Roll call.
 - c.) Inquiry into potential conflicts of interest.
 - d.) Approval of agenda.
 - e.) Approval of the minutes.
 - f.) Call for public comment not related to agenda items.
 - g.) New business
 - h.) Old business
 - i.) Staff updates/Planning Commission general comments/Request for research items.
 - j.) Requests for future agenda items, research, or miscellaneous business.
 - k.) Adjournment.
- 5.9 Placement of Items on the Agenda.
 - a.) The City Planning Director/Zoning Administrator or City Manager may place items on the agenda with approval from the Chair.

- b.) The Chair, Vice-Chair, any member of the Commission may request specific items be placed on the agenda.
 - c.) Any member of the public may request items be placed on the agenda, with prior approval from the Planning Commission Chair.
- 5.10 Minutes and Record. The Commission Secretary shall keep, or cause to be kept, a record of Commission meetings, which shall at a minimum include an indication of the following:
 - a.) Copy of the meeting posting pursuant to P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act, M.C.L. 15.261 *et seq.*)
 - b.) Copy of the minutes, and all its attachments which shall include a summary of the meeting, in chronological sequence of occurrence.
- 5.11 Retention. Commission records shall be preserved and kept on file in accordance with the State of Michigan

6.0 Committees

- 6.1 The Planning Commission may establish executive, ad-hoc, or citizen committees to assist the Commission in research, creation of neighborhood plans, to increase public involvement, or other specific purposes. Any committee established by the Commission may include not more than three Planning Commissioners. All committees are considered advisory and shall be required to follow the State of Michigan Open Meetings act.

7.0 Mileage and Per Diem

- 7.1 If requested, mileage shall be paid to members of the Commission at rates established by the City of Charlevoix for attending Commission meetings and other authorized meetings and trips to represent the City of Charlevoix. City Council may establish a per diem rate for Commissioners. Commissioners may be reimbursed for travel expenses to attend training sessions or conferences with prior authorization from the City Planner/Zoning Administrator.

8.0 Hearings

- 8.1 Plan Hearings. Before the adoption of any part of a plan, as defined in the Planning Act, or any amendment to a plan, or recommending approval of an amendment to the City Council, the Commission shall hold at least one public hearing on the matter. Notice of the time and place of the hearing shall be given, not less than 15 days prior to such hearing, by at least one publication in a newspaper of general circulation within the city.
- 8.2 Any other hearings required by the Zoning Ordinance or special hearings requested by the Planning Commission shall be properly noticed in accordance with the City Zoning Ordinance, the Zoning Enabling Act, or Open Meetings Act.

9.0 Planning Commission Responsibilities

- 9.1 Planning Commission responsibilities and duties shall include all those delegated to the Commission by the Planning Enabling Act, the Zoning Enabling Act, the Land Division Act, Condominium Act and the City of Charlevoix Zoning Ordinance. Examples include but are not limited to:

- a) Adoption and amendment to the City Master Plan and Parks and Recreation Master Plan.
 - b) Review of adjacent, or contiguous, local government plans from surrounding townships or Charlevoix County.
 - c) Review of the annual Capital Improvement Plan (CIP) and subsequent recommendation to City Council.
 - d) Review of new capital improvement projects not included in the annual CIP as defined by the adopted Capital Improvement Review Policy. (Resolution 2013-10-02 adopted on October, 21 2013)
 - e) Recommendations to City Council on zoning map and text amendments.
 - f) Review and decision on Level B Site Plan Reviews, PUDs, Site Condominiums and Special Use Permit applications.
- 9.2 The Planning Commission may make other decisions or recommendations pertaining to land use if requested by City Council or the general public.
- 9.3 All powers of the zoning commission have been transferred to this Commission, pursuant to M.C.L. 125.3301 of the Zoning Act.

10.0 Adoption, Repeal, Amendments

- 10.1 Upon adoption of these Bylaws of May 12, 2014, they shall become effective and all previous Bylaws, shall be repealed.
- 10.2 The Commission may suspend any one of these Bylaws, for a duration of not more than one agenda item or meeting.
- 10.3 These Bylaws may be added to, amended or repealed in whole or in part. Proposed changes to these Bylaws must be submitted in writing to the members of the Planning Commission at least one (1) month in advance of the meeting at which the proposed changes will be considered. A majority vote of the entire Planning Commission members, regardless of any vacancies, shall be required to amend these Bylaws. OR A vote of two-thirds (2/3) of the Planning Commission members present shall be required to amend these Bylaws.

CITY OF CHARLEVOIX

Old Business

TO: Planning Commission

FROM: Jonathan Scheel, Zoning Administrator

SUBJECT: ADU Architectural Standards

DATE: March 8, 2021

BACKGROUND

To continue our discussion on architectural standards for accessory dwelling units, staff will be referencing the following web links:

https://link.edgepilot.com/s/51e436ad/W5HHRJzF-USbhyJof_YeJA?u=https://formbasedcodes.org/definition/

https://link.edgepilot.com/s/ea5135bc/91jgzmzYVES5d_R5FVuASA?u=https://cityofsunprairie.com/DocumentCenter/View/6480/Sl-Zoning-Design-Standard-Brochure-12182017

<https://link.edgepilot.com/s/f74cab94/lKkQ2Gf2S0elv7t7p5A9eA?u=https://www.useful-community-development.org/neighborhood-character.html>

CITY OF CHARLEVOIX

Old Business

TO: Planning Commission

FROM: Jennifer Neal

SUBJECT: Master Plan Update: Draft Introduction Chapter

DATE: March 8, 2021

BACKGROUND

The Planning Commission will receive regular updates on the progress of the update of the City's Master Plan. The first draft of Chapter 1: Introduction is included for your review.

ATTACHMENTS:

- ▣ Chapter 1: Introduction Draft

Chapter 1: Introduction

Purpose

Every community has a responsibility to look beyond day-to-day issues and focus on the long-range consequences of their land use and zoning decisions. Similarly, the community must have a document that provides guidance for land use and development by considering a wide range of possible futures. For the City of Charlevoix, this long-range view is provided through the Master Plan.

The City of Charlevoix Master Plan is the official policy guide for Charlevoix's future development and growth. The Master Plan summarizes the community's vision for the City, highlights goals and objectives based on an analysis of strengths and weakness, and provides the framework and basis for sound community development and land use decision making. Overall, the City of Charlevoix Master Plan establishes clear directions and expectations for the City and meets the requirements established by the Michigan Planning Enabling Act of 2008.

How to Use this Plan

The Master Plan is a long-range statement of general goals and policies aimed to coordinate development, and it is to be used in the following ways:

1. This Master Plan is a general statement of the City's goals and policies. It provides a single, comprehensive view of the community's desire for the future.
2. It serves as an aid in daily decision-making with regard to development. The goals and policies outlined in this Plan guide Planning Commissioners and City Council members in their deliberations on zoning, subdivisions, capital improvements, and other land use and development matters.
3. State law requires that communities have a Master Plan as the foundation for the zoning ordinance and other regulations that shape the physical and social development of the community. However, the Master Plan Land Use Plan and the zoning ordinance and map are two separate documents. The Zoning Ordinance is one of many legal tools used to implement the Master Land Use Plan.
4. It guides property owners, developers, neighboring jurisdictions, and county and state entities with expectations and standards for public investment and future development.
5. The Master Plan supports the allocation and spending of funds.
6. Finally, this Master Plan serves as an educational tool and gives residents, property owners, developers, and adjacent communities a clear indication of the City's direction for the future.

The Master Plan is a flexible document that guides development within the City, but provides capacity to adapt to changing conditions and innovation. The Master Plan describes where new development should be directed and also identifies existing conditions, goals, and best management practices for a number of focus areas including the local economy, neighborhoods, urban design standards, transportation networks, natural and cultural resources, recreation amenities, health and social services, and local food.

The City of Charlevoix Master Plan was developed with engaging and comprehensive public input. This engagement process, along with conversations with City staff and Planning Commission members, resulted in several guiding principles for the future of Charlevoix.

The Planning Process

In the spring of 2021, the City of Charlevoix began a community-wide planning process that called upon citizens and local leaders of the Charlevoix community to address shared issues and identify ways to manage changes and challenges of all kinds. The Master Plan is based on the input received during the community engagement efforts held by the City and relevant recommendations from past planning efforts within the community. The City of Charlevoix Planning Commission and City staff oversaw the planning

process, considered recommendations created during the process, and guided the creation of the Master Plan.

Description of 2021 Public Participation events

In addition to the 2021 efforts, City staff reviewed and referenced past engagement efforts including the Community Survey distributed by the City Planning Department in 2009. Roughly 200 surveys were collected from residents, property and business owners, renters, as well as churches, clubs, and other community organizations. The survey results collected in 2009 were used to influence the 2011 Master Plan.

Throughout the planning process, updates of the draft plan were presented at monthly Planning Commission meetings and the input from City officials and the members of the Planning Commission were considered. All meetings of the Planning Commission were open to the public and provided an opportunity to give public comment. This Master Plan also followed the requirements of the Michigan Planning Enabling Act and included a 63-day public review period and a public hearing as required by State law.

CITY OF CHARLEVOIX

Old Business

TO: Planning Commission

FROM: Jennifer Neal

SUBJECT: Master Plan Update: Public Engagement

DATE: March 8, 2021

BACKGROUND

In the coming months, planning staff will be engaging with residents, business owners, local leaders, and other stakeholders to inform the Master Plan update process. Staff will encourage public participation to collect feedback related to the community challenges and opportunities. We have proposed the following methods to collect input:

- Community-wide survey
- Informational housing webinar with polling option
- Informational housing panel webinar with local leaders
- Small focus group discussions
- Walk through open house with presentation boards

Staff would like your feedback on these proposed activities as well as any other opportunities that might support our public engagement effort.