

CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720

PLANNING COMMISSION PUBLIC MEETING AGENDA

Created: March 8, 2017 Posted March 8, 2017 at 12:00 PM

MONDAY, March 13, 2017 at 7:00 P.M. in the City Council Chambers.

- 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 February 13, 2017 MINUTES
- F) CALL FOR PUBLIC COMMENT NOT RELATED TO AGENDA ITEMS
- G) NEW BUSINESS
- H) OLD BUSINESS
 - 1. Consideration of Donation from Charlevoix Conservation Easement Committee
 - a. Staff presentation.
 - b. Applicant presentation.
 - c. Call for public comment.
 - d. Planning Commission discussion.
 - e. Motion
 - 2. Zoning Code Review.
 - a. Staff presentation.
 - b. Planning Commission discussion.
 - 3. Food Truck Discussion.
 - a. Staff presentation.
 - b. Planning Commission discussion.
 - 4. Charlevoix Tomorrow and Capital Budget
 - a. Planning Commission discussion.
 - 5. Update on Short Term Rental Subcommittee
 - a. Summary of March 13th meeting.
 - b. Planning Commission discussion.
- I) STAFF UPDATES
- J) REQUESTS FOR NEXT MONTHS AGENDA OR RESEARCH ITEMS.
- K) ADJOURNMENT

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CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, February 13, 2017 - 7:00 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 7:00 p.m. by Chair Chamberlain who also led the Pledge of Allegiance.

B. Roll Call

Chair: Sherm Chamberlain

Members Present: Judy Clock, John Elzinga, Mary Eveleigh, Toni Felter, Nelson Fletcher, Rick Golding, Julee Roth, RJ Waddell

Member Absent: None

City Staff: Sarah Lucas, Planner Networks Northwest; Interim City Planner Zach Panoff

C. Inquiry Into Potential Conflicts of Interest

None.

D. Approval of Agenda

Motion by Member Eveleigh, second by Member Fletcher to approve the meeting agenda as presented. Motion passed by unanimous voice vote.

E. Approval of January 9, 2017 Minutes

Motion by Member Waddell, second by Member Fletcher to approve the January 9, 2017 minutes as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment not Related to Agenda Items

None.

G. New Business

1. Consideration of Donation from Charlevoix Conservation Easement Committee

a. Staff Presentation

Interim Planner Panoff stated that John Campbell of the Charlevoix Conservation Easement Committee approached the City with an offer to donate 400' of fence materials to be placed across the street from the 300 block of Park Avenue, in the upper portion of Lake Michigan Beach Park. Area residents reported problems with people parking in the grass where they do damage to the edge of the road, as well as the park itself. The City would need to provide installation of the fence.

b. Applicant Presentation (if requested)

None.

c. Call for Public Comments

None.

d. Planning Commission Discussion

Discussion followed regarding parking in the right-of-way, the number of driveways along Park Avenue and, the location of 'No Parking' signs. Chair Chamberlain stated that the right-of-way was 33' wide. Member Waddell stated that the right-of-way was close to the street and he felt that parking was not a problem except for Apple Fest and Venetian Festival. He noted that this proposal would eliminate parking in the park and he went through a list of questions regarding the proposal. Member Waddell felt he could not recommend this to the Commission without the City's labor cost to install the fence. He also expressed concerns about the disrepair of the existing fence in the park. Member Fletcher agreed with Member Waddell and felt that 'No Parking' signs would be enforceable and have the same effect as a fence. Member Roth suggested that there was a compromise in that the existing fence needing repair could be fixed and that less than 400' of new fence could be installed as one length or staggered. Discussion followed regarding traffic congestion when visitors are trying to view the Earl Young homes, and whether or not 'No Parking' signs would be a better option than fencing.

e. Motion

Motion by Member Waddell, second by Member Etzinga to move this item to the next Planning Commission meeting until they have more information regarding the survey, Street Superintendent's opinion on placement of a fence that

close to the edge of the road, future plans for the area, and the labor costs for installing a fence. Motion passed by unanimous voice vote.

2. Zoning Code Review

a. Staff Presentation

Planner Lucas stated that she conducted a review of the City's Zoning Code for potential changes that may align with the City of Charlevoix Master Plan goals and priorities; 2017-2018 City Council goals; MEDC's Redevelopment Ready Communities program objectives; the 2011 Tip of the Mitt Watershed Local Gaps Analysis; and the 2016 Enacting Shoreline Zoning Protections.

Planner Lucas stated that she created a large list of potential changes that the Commission may want to think about. She did not recommend making any changes now but, as needed. She stated that next month she would provide the Commission with a report dealing with "housekeeping changes" that address administrative or dimensional components of the Zoning Ordinance. Planner Lucas reviewed in detail the Zoning Code Review: Aligning City Goals & Zoning Regulations and she responded to questions from the Commission.

b. Planning Commission Discussion

Planner Lucas questioned if the Commission wanted to identify their next steps or wait until next month to discuss them further. Chair Chamberlain responded that they needed to "wrap up the rental issue" first.

H. Old Business

1. Update on Short Term Rental Subcommittee

a. Summary of December 12th Meeting

Member Waddell stated that the Subcommittee would present draft documents to the Commission next month comprised of a cover letter to send to landlords with a required short-term rental form requesting landlord contact information, number of bedrooms, occupancy numbers, how often they rent their home in a year, and 24/7 contact information. He stated that they were also drafting a Good Visitor Guide. Member Waddell stated that they were trying to make the process as friendly as possible for the landlords. He indicated that they were not setting standards yet. Member Golding stated part of the benefit of doing this was that they would be able to identify how extensive the short-term rental market is, a complete unknown at this time.

b. Planning Commission Discussion

None.

I. Staff Updates

Planner Lucas announced the Form-Based Zoning Workshop scheduled for February 23rd and the Local Government Summit scheduled for Friday, April 7th in Traverse City.

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

Member Roth stated that there is a conflict in the Code and Charter about rubbish collection and she felt that it would be helpful to have everything well defined. She also supported requiring all solid waste collection be on one day of the week only. Interim Planner Panoff stated that would not be something for the Planning Commission to address but, City Council. Member Roth noted that the City Manager advised her to bring this to the Planning Commission.

Member Roth felt that redevelopment property owners who removed parking spaces should be required to add these spaces somewhere else. Interim Planner Panoff responded that the Code required adequate parking spaces for the intended use of the property.

K. Adjournment

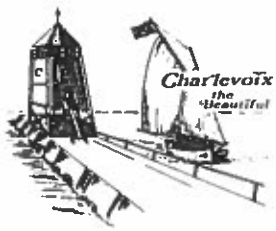
Motion by Member Eveleigh, second by Member Waddell to adjourn. Motion passed by unanimous voice vote. Meeting adjourned at 8:31 p.m.

Joyce M. Golding/fgm

City Clerk

Sherm Chamberlain

Chair



CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720

OFFICE OF PLANNING AND ZONING
Zach Panoff, Interim City Planner/Zoning Administrator
210 State Street Charlevoix, MI. 49720
planner@cityofcharlevoix.org
(231)547-3265

MEMORANDUM

TO: Planning Commission Members

DATE: March 8th, 2017

SUBJECT: March 13th Meeting

Planning Commission Members,

- After your discussion regarding the proposed donation of fencing materials to be placed along Park Ave., I have forwarded your questions to the DPW Superintendent, Pat Elliott. His answers to your questions are contained in your packet, as is a survey of the section of the park that borders Park Ave. If you would like to see a larger version of that survey, please stop by my office. John Campbell will also be in attendance on Monday on behalf of the Charlevoix Conservation Easement Committee to answer any questions you may have for him.
- The short term rental subcommittee will meet on Monday, March 13th at 10AM. Those packets will be distributed separately by of the day Friday before the meeting. A summary and further discussion will take place at the general Planning Commission meeting for those that are unable to make it.

Regards,

Zach Panoff

Planner

From: Pat Elliott
Sent: Wednesday, March 08, 2017 10:32 AM
To: Planner
Subject: RE: Fence Donation Questions from PC

Zach,

When that road is upgraded it would not include any utilities underground because they have either already been upgraded or they are not there and don't need to be. What we would do is widen the road, define with curbs/gutters where parking would go etc. along with some landscape improvements. I don't know all of the details at this point, but due to all of the foot and vehicular traffic that area gets we would want to make it look very nice for years to come.

Pat Elliott
Public Works Superintendent
Office: (231)547-3276
Fax: (231)547-3601
pate@cityofcharlevoix.org
www.cityofcharlevoix.org

From: Planner
Sent: Wednesday, March 08, 2017 8:34 AM
To: Pat Elliott
Subject: RE: Fence Donation Questions from PC

Thanks Pat,

For the future upgrade to Park Ave., what work would you anticipate being done along there? Talking in terms of curbs, widening, water lines, etc.

Zach Panoff
Interim Planning and Zoning Administrator

City of Charlevoix
210 State Street
Charlevoix, MI. 49720

planner@cityofcharlevoix.org
www.cityofcharlevoix.org
Phone: 231-547-3265
Fax: 231-547-3617

From: Pat Elliott
Sent: Wednesday, March 08, 2017 8:21 AM
To: Planner <planner@cityofcharlevoix.org>
Subject: RE: Fence Donation Questions from PC

Good morning Zach,

Below are answers to your questions.

1. I do think 5' is very close to the edge of the existing road. When John Campbell asked me this question I suggested that it would be best to figure out where the new edge of road will be once the road gets widened and put the fence at least 6' off of the future edge of asphalt.
2. We do have plans to upgrade Park Ave. between Grant and Lake, but at this point I am not sure when that will happen. If the fence is installed 5' off of the current edge of asphalt then yes the fence would need to be removed and reinstalled when that work is completed.
3. A rough estimate for the installation of the fence would be approximately \$3,500.00 for labor and equipment. If you need any additional information don't hesitate to contact me.

Thanks,

Pat Elliott

Public Works Superintendent

Office: (231)547-3276

Fax: (231)547-3601

pate@cityofcharlevoix.org

www.cityofcharlevoix.org

From: Planner

Sent: Monday, March 06, 2017 2:21 PM

To: Pat Elliott

Subject: Fence Donation Questions from PC

Pat,

The planning commission had three main questions for you regarding the donation of a fence along Park Ave.:

1. Do you have any concerns related to plowing, etc. for a fence placed 5' off the edge of the road along Park Ave., especially given that the road itself is rather narrow at that point?
2. Are there currently any plans to redo the section of Park Ave. between Grant and Lake? If there are plans for the streetscape along there, would potential curbs, street widening, etc. conflict with the proposed fence and require that it be moved or removed to make way for improvements?
3. What would you estimate the labor/material costs for your department to be for the installation of the fence and any additional materials that may be required beyond what is provided by the proposed donation?

Thanks for your help,

Zach Panoff

Interim Planning and Zoning Administrator

City of Charlevoix

210 State Street

Charlevoix, MI. 49720

planner@cityofcharlevoix.org

www.cityofcharlevoix.org

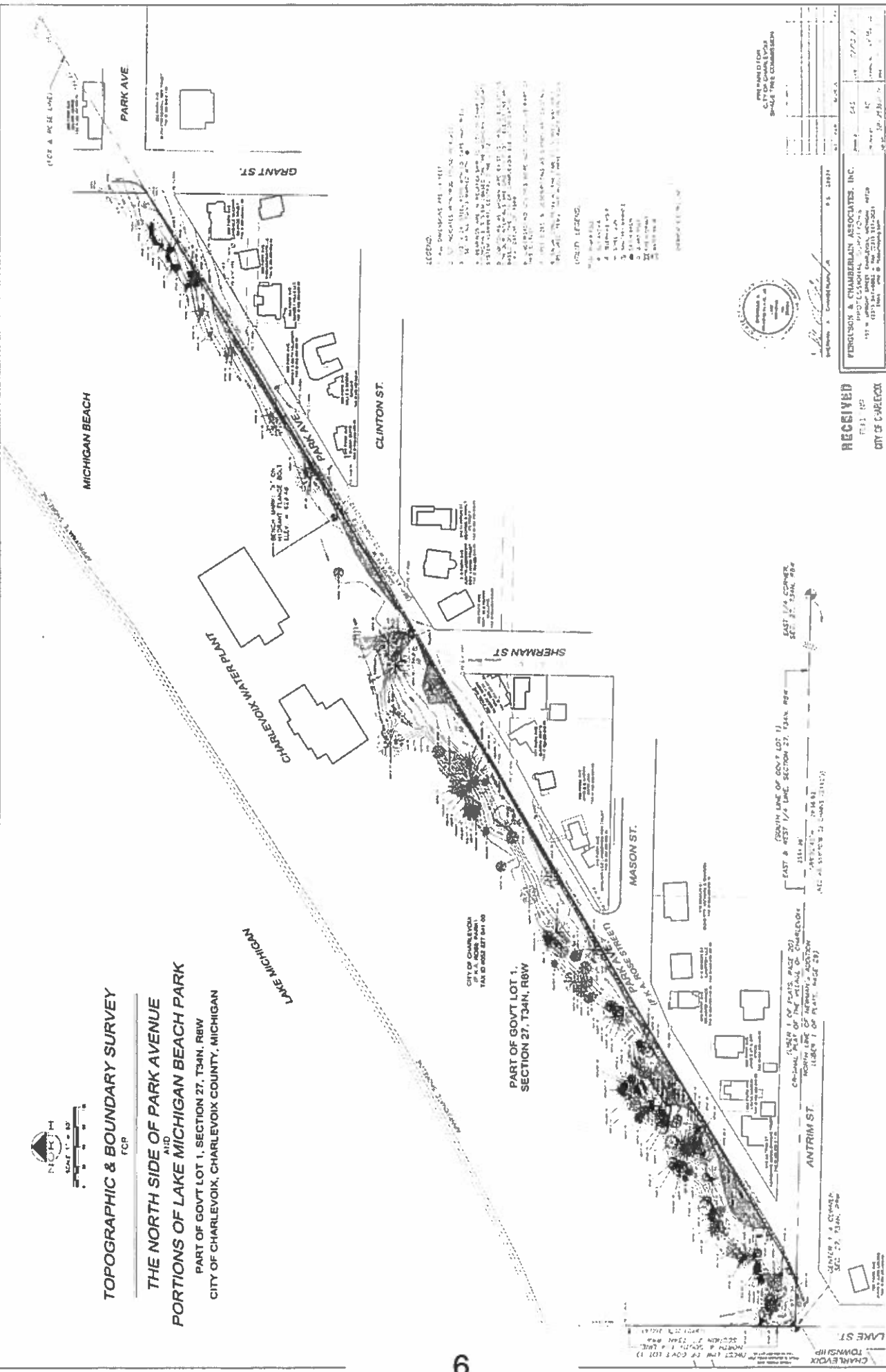
Phone: 231-547-3265

Fax: 231-547-3617



TOPOGRAPHIC & BOUNDARY SURVEY
FOR

THE NORTH SIDE OF PARK AVENUE
AND
PORTIONS OF LAKE MICHIGAN BEACH PARK
PART OF GOVT LOT 1, SECTION 27, T34N, R8W
CITY OF CHARLEVOIX, CHARLEVOIX COUNTY, MICHIGAN



- LEGEND
- 1. ALL DIMENSIONS ARE IN FEET
 - 2. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE
 - 3. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT
 - 4. ALL DIMENSIONS ARE TO THE CENTER OF THE TRACT
 - 5. ALL DIMENSIONS ARE TO THE CENTER OF THE SECTION
 - 6. ALL DIMENSIONS ARE TO THE CENTER OF THE TOWNSHIP
 - 7. ALL DIMENSIONS ARE TO THE CENTER OF THE RANGE
 - 8. ALL DIMENSIONS ARE TO THE CENTER OF THE MERIDIAN
 - 9. ALL DIMENSIONS ARE TO THE CENTER OF THE EQUATOR
 - 10. ALL DIMENSIONS ARE TO THE CENTER OF THE EARTH
- NOTES
- 1. ALL DIMENSIONS ARE IN FEET
 - 2. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE
 - 3. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT
 - 4. ALL DIMENSIONS ARE TO THE CENTER OF THE TRACT
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 - 9. ALL DIMENSIONS ARE TO THE CENTER OF THE EQUATOR
 - 10. ALL DIMENSIONS ARE TO THE CENTER OF THE EARTH



RECEIVED
FEB 11 1975
CITY OF CHARLEVOIX

PETERSON & CHAMBERLAIN ASSOCIATES, INC.
151 W. BROADWAY, SUITE 100
ANN ARBOR, MI 48106
TEL: 734-769-1111

LAKE MICHIGAN BEACH PARK

RE: General Parks Improvement Fund

The Charlevoix Conservation Easement Committee wishes to provide 454 Lineal feet of fencing material to the noted fund. A color photo of the actual materials is attached to this request as well as a site plan which has been presented and approved by the Charlevoix Shade Tree Commission, City Manager and Street Department Superintendent and its staff (snow removal).

Guidelines:

Aesthetics:

The fence is in character of the park

Maintenance & Repair:

The materials are readily available. Life of the material is 30-40 yrs.

Use of the Fence:

Is to protect the park and direct parking to specific areas

Unique:

The fence is a standard element and consistent within the park.

Relocation of existing City Structure:

NO relocation is required.

Impact on Safety, Health, and Welfare:

The proposed fence is specifically designed to promote safety, health and welfare of the community and park.

Associated City Costs:

Installation of posts and rails

Memorials:

None

The park improvement is an initial step to provide designated parking and relieve random parking that is occurring adjacent to Park Avenue.

SITE PLANNING DEVELOPMENT, INC.

12608 Taylor Rd.
P.O. Box 528
CHARLEVOIX, MICHIGAN 49720
(231) 547-4429

JOB LAKE MICHIGAN BEACH PARK

SHEET NO. ONE OF ONE

CALCULATED BY JWX DATE 1/10/2017

CHECKED BY _____ DATE _____

SCALE SKETCH 1"=80'

NOTE: 454 FEET DOUBLE DAIL FENCE

10 PARKING SPACES

MATERIALS SUPPLIED BY DONOR

INSTALLATION BY CITY OF CHARLEVOIX

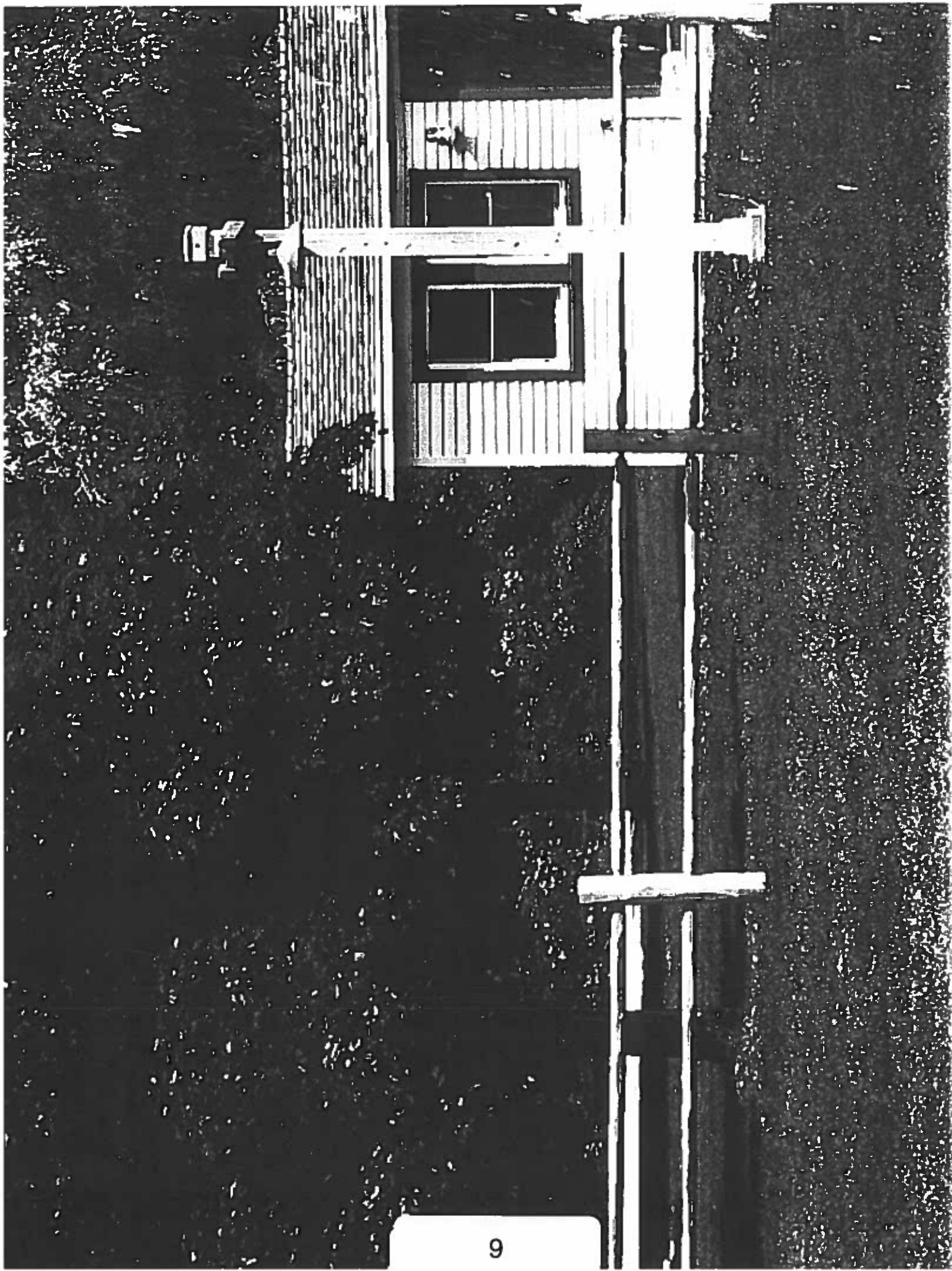
GRANT



PARK AVENUE

CLINTON

.. BRICK PILLARS
--- EDGE OF ASPHALT
-o- HYDRANT
---x--- PROPOSED FENCE





MEMO

March 3, 2017

To: City of Charlevoix Planning Commission

From: Sarah Lucas, Networks Northwest/City of Charlevoix Staff Planner

Re: Zoning Code review

As part of its review of the City of Charlevoix Zoning Code, Networks Northwest engaged planner Denise Cline to conduct a detailed review of zoning ordinance functionality. Ms. Cline's findings and recommendations are attached.

As you know, other zoning changes have been discussed over the last several months, to address issues including short-term rentals, single room rentals, and various administrative issues. In view of these multiple zoning discussions, staff suggests the following approach for moving forward:

- The Planning Commission identifies "easy fixes" that may include:
 - Minor housekeeping amendments that would enable the public to better understand the ordinance, make provisions easier to find, sharpen the intent of language, reword phrases or definitions to clarify any ambiguities, bring the ordinance into line with other relevant regulations and State law, and remove internal inconsistencies and obsolete provisions.
 - Changes previously identified by the Planning Commission and staff, including:
 - Clarification of definitions related to short-term rentals and single room rentals
 - Other?
- Staff develops language changes as necessary, as part of a zoning change "package" for Planning Commission and City Council consideration and action.
- Following adoption, the City engages a qualified consultant to recodify/reformat the zoning ordinance.
- The recodification and reformatting of the zoning ordinance would not include substantive changes to policy or procedures. As the recodification progresses, the Planning Commission can consider simultaneously working to identify top priorities for more substantive changes, and begin research and other activities to implement those changes.

This item is included on your March 13 meeting agenda for further discussion. If you have any questions in the meantime, please don't hesitate to contact me at 231-929-5034.

MEMORANDUM

TO: Sarah Lucas, Networks Northwest
FROM: Denise Cline
DATE: 3-3-17
RE: City of Charlevoix Zoning Ordinance

This review is intended to provide a general review of the City of Charlevoix Zoning Ordinance and to provide some specific feedback on ordinance provisions which appear to be problematic or which could be improved.

1. **General.** This is a very detailed, regulatory and comprehensive ordinance as is expected and appropriate in a small urban environment. It is written well and contains up-to-date regulations which respond appropriately to recent zoning issues. There are also instances where flexibility is provided in certain situations.
2. **Format.** The ordinance could be made more user-friendly with the use of better graphic design elements that more effectively provide a visual “break” to each article and section. Text tends to visually “run” together and it is sometimes difficult to pick out the specific sections you are looking for. In addition, under each Article heading, tables should be added which list all of the sections contained within that Article (containing page numbers). A good example of an Article that needs some new formatting is Article 7 – Use Requirements. The uses are group according to the categories of Accessory Buildings and Uses, Residential Uses, Lodging, Dining and Entertainment Uses, etc. The uses beneath these headings should stand out better visually for ease of reference. They are currently shown in italic non-bold text – the uses could stand out visually through the use of bold text or some type of color block. These specific uses should be included in the proposed article table so that users can find the use they are looking for quickly. The ordinance would be more user-friendly by making the entire document interactive. Currently, the Table of Contents is interactive, but buttons and links could be added throughout the ordinance to allow users to click on the smaller, proposed article tables, a general reference Table of Contents that could be added to the footer, and links added to referenced sections in the ordinance and other laws outside the ordinance.
3. **Article 1.** Add reference to the enabling legislation here (Authority).
4. **Article 2. Definitions:**
 - a. Does the definition of *adjoining* include those properties separated by a road or easement?
 - b. Add definition for *aggrieved person*.
 - c. Separate definitions for *manufactured home* and *mobile home* are not needed. They are not regulated separately in the text of the Ordinance.

d. Define *Planned Unit Development*.

e. *Recreational Facility, Indoor* - This definition states that the facility is not publicly-owned, but what would it be classified as if it were publicly owned (if, for example, the city owned an ice arena)? Would it then fall under the category of a "*publicly-owned building*" which are permitted in all non-residential districts?

f. How is *Transient Housing* different from *Boarding House*? How does a *Bed & Breakfast* differ? (See definitions below). These definitions are very similar and the average user might not be able to tell the difference between the three by definitions. Table 5.26 allows transient housing as permitted in all residential districts but boarding houses/rooming houses and bed and breakfasts are Special Uses only in R1 and R2. (B & B are also allowed in some commercial districts). Do the following definitions really provide the needed distinction between the three?

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

Transient Housing. An apartment, condominium, single family home or similar dwelling unit rented out to individuals or groups. (See *Section 5.78*)

Bed and Breakfast. A building or structure, or portion thereof, where two or more individual rooms are rented separately to transients for compensation. (See *Section 5.46(3)*)

5. Article 4 and 5 (Residential and Nonresidential/Mixed Use Districts) – Uses Allowed and District Regulations.

a. Page 25 - where is footnote 7 listed in the tables on this page? I only see the footnote itself. "Buildings" is spelled wrong in this footnote.

b. Grouping the district regulations this way with tables and footnotes is not all that user-friendly. I recommend having 1-2 pages specifically for each district containing only that district's standards and uses allowed. While this does add more pages to the ordinance, it makes it much clearer for the public to look up the standards that apply to their district. In addition, a diagram could be added to show the standards (setbacks, building envelope, setback averaging, lot coverage etc).

c. In general, breaking up the residential and non-residential zone uses into two tables means that, if I am looking to open up a specific facility (churches, for example), and I want to know what districts they are allowed in, then I am flipping back and forth to find the two tables where churches are listed (both the residential table and the non-residential table). All districts could appear in one table if the table is oriented landscape on the page (color matched to the zoning map also helps to distinguish districts). So, the uses allowed could be presented in two ways: (1) all in one table with all districts and uses listed so that people

can look up a single use and see what districts it is allowed in; and (2) in individual tables within a section devoted to each district (which also contains all regulations pertaining to that district).

- d. *State-Licensed Residential Facilities* should be added as permitted in all residential districts as per the MZEA Section 125.3206. "State licensed residential facility" means a structure constructed for residential purposes that is licensed by the state under the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737, or 1973 PA 116, MCL 722.111 to 722.128, and provides residential services for 6 or fewer individuals under 24-hour supervision or care.
- e. Table 5.31 Allowed Uses in Non-Residential and Mixed Zones. Following are some uses that don't seem to be listed (although some might be able to fall under the "similar uses" category):
- Add Personal Services as a catch all for other types of service establishments – day spa, etc.
 - Indoor Showrooms (i.e. interior design)
 - Museum
 - Art studio/gallery (listed in the CBD overlay but not in the use table)
 - Guided Tour Operations
 - Funeral home/crematorium (not listed as an allowable use but it does have parking requirements listed)
 - There should be some type of general services category to catch all other uses such as exterminator, cleaning companies, cash advance, etc.
 - Outdoor equipment sales. Likely this would fall under retail with a gross leasable area greater than 15,000 sq ft (with a 60,000 sq foot maximum). But what is considered "gross leasable area" – there is no definition for this. Does this square footage take into account outdoor sales areas? Also, section 5.50 stipulates that a single retail business shall not occupy a gross leasable area greater than 20,000 sq ft. Yet, the table also contains the statement "60,000 sq ft maximum" and refers to Section 5.50 – this is inconsistent).
 - Broadcasting studios
 - Accessory dwelling units
 - Contractors with outdoor storage
 - Laboratories (does have parking requirements listed)
 - Medical marijuana primary caregiver. While there is a separate section devoted to this use, it should also appear in the use tables. Bring definitions out of body of ordinance and put in definitions section.
 - Couriers (UPS office, FedEx)
 - Tattoo parlor

Table of uses should be cross-referenced with the uses listed in the overlay district and those listed in the parking space table.

6. **Central Business District.** Outdoor display and sales is listed as permitted in the CBD in Table 5.31 and section 5.46(8) is referenced. But, at the bottom of page 45 (section 5.46(8)), it says this section shall not apply to the CBD Overlay District and then references Section 5.41 (CBD Overlay) which then says that outdoor display is not allowed except during sidewalk sales. So, what this ultimately means is that outdoor display and sales is allowed in the CBD except for in the CBD Overlay – however getting to this information is a little circuitous. It would be helpful to state (in Section 5.46(8)) that outdoor display and sales in the CBD Overlay is only allows during sidewalk sales.

7. **Section 5.46 Accessory Buildings and Uses.**

a. Home Occupation (minor) – #7 (page 45) states that the home occupation shall be carried out only by the inhabitants of the dwelling plus not more than one non-resident employee. The definition states that minor home occupations have two (2) or less employees who reside at the same location but does not mention non-resident employees. This is slightly confusing. I think this means that, if an off-site person is employed, it no longer qualifies as a “minor” home occupation? Many communities allow Cottage Industry as a Special Use (essentially a more intense home occupation). Typically, these types of home-based businesses fall under the following (or similar) criteria:

1. requires regular visits by clients or customers;
2. needs frequent delivery or shipment of goods;
3. conducts regular operations or store materials outside of the residence;
4. employs two or more individuals who reside off premises;
5. and, has the potential to rapidly increase in size and intensity

b. Wind Energy Conversion Systems – 10.c.2 (page 47) the minimum lot area – states that a building-mounted WECS shall be allowed on any lot provided all other requirements are met. However, Table 5.31 does not allow them in the SR District, so this section text should reflect that. Some communities address other issues related to WECS such ice throw and shadow flicker.

8. **Section 5.47 Residential Uses.**

a. Table 5.27(2) lists a principal structure minimum width of 16 ft in R1, R2, R2A, and PC, but 5.47 (1) (c) has a minimum width of 22 feet for at least 67% of its length. Also, this section is referring to both attached and detached units – is this minimum width always appropriate for “attached” single-family? I would think the minimum width requirements should only apply to detached units.

- b. Section 5.47 (3) Site Condominiums – 5.47 (3)(a)(3)(b) says that each site condominium unit shall comply with all applicable provisions of this ordinance (min area, width, setbacks and height). However, what would be considered applicable? If each site condominium unit needs to comply with the regulations of a “single zoning lot”, then it should say that specifically. You could add language like this:

Zoning Requirements. All site condominium projects shall be located within the zoning district that permits the proposed use and shall comply with all zoning requirements of this Ordinance.

- a. *For the purposes of these regulations, each condominium unit in a site condominium shall be considered as a single zoning lot and shall comply with all regulations of the zoning district in which it is located.*
- b. *In a site condominium containing single-family detached dwelling units, not more than one (1) dwelling unit shall be located on a single site condominium unit nor shall a dwelling unit be located on a site condominium unit with any other principal structure or use.*
- c. *Required yards shall be measured from the boundaries of the site condominium unit.*
9. **Section 5.55 Other Uses.** This section lists mineral extraction but it is not listed in the Table of Allowed Uses. This same section lists Athletic Courts and this use is found in Table 5.26 – only in residential districts. In terms of athletic courts, they they might be appropriate in some non-residential districts. Possible athletic courts are meant to be included within the “Recreational Facility” use?
10. **Section 5.61 Building Regulations.**

- a. **Section 5.61(4)** states that no principal building shall be erected on a lot unless that lot fronts its full width upon an improved street or access road. However, take a look at the diagram contained within the definition of *lot* – the lot in the northwest corner of the diagram only has a small portion of its width fronting on a street. Section 5.61 (4) also says that other developments may be exempt from this – I would clarify to state residential developments may be exempt and would also state who makes that determination.
- b. **Section 5.61 (5)** states that only one principal building shall be located on a lot (with some exceptions such as multiple family, commercial, or industrial). However, I would argue that the single-family attached dwellings (i.e. townhouses) should also be listed here. Per the definition of such provided in this ordinance, a single-family attached dwelling situation is not considered multiple family. These types of dwelling units might also occur in several buildings upon one lot. 5b also states that the buildings must be under single ownership, but often townhouse situations are individually owned while the land area is collectively owned.

11. **Section 5.65 Fences & Walls.** Many communities allow up to four feet in the front yard – this is just a notation. Are there materials which are not allowed (i.e. plywood, woven wire, scrap lumber, sheet metal)?
12. **Section 5.71 Setback Requirements.** This section is badly in need of diagrams showing examples. Item 1.b is especially confusing.
13. **Section 5.80 Building Appearance.** This section needs diagrams as examples. There are many more optional design standards available to use – i.e. transparency, façade standards, the use of pedestrian-scale designs, and building form.
14. **Table 5.81(3)(g):** Buffer Area Requirements by District - the numbers 1, 2, and 3 seem to refer to the buffer type in the table below, but the table doesn't state this and it makes it confusing to the user.
15. **Article 11 Signs.**
- a. Add a statement about remaining content-neutral into the purpose statement.
 - b. Remove definitions that are not content-neutral (such as business center sign, construction sign, development identification sign, directional sign, home occupation sign, identification sign, informational sign, political sign, real estate development sign, real estate sign, etc).
 - c. Major revisions are needed to bring this section into compliance with the Supreme Court decision in *Reed et al v. Town of Gilbert, Arizona et al.* This decision confirmed that sign regulations in local zoning must be content-neutral (i.e. not regulated by content – in other words, if you have to read the sign to know how it is regulated, then it is not a legal regulation). Many examples in Section 5.104 are content-based regulation (such as construction signs, political signs, real estate signs, etc). Signs must only be regulated based on the sign structure (primary freestanding, temporary, wall sign) and/or the use of property/or district allowed (signs on residential property, commercial property, etc).
16. **Section 5.152 Nonconforming Uses.** The ordinance does not address destruction of a nonconforming use. The next section addresses destruction of a nonconforming building, but what happens if the nonconformity is for the use only and it is destroyed by fire? Can they rebuild the building and re-establish the use? Does the 6 month discontinuation period in 5.152 (5) (d) apply in this situation?
17. **Section 5.194** is confusing. It begins by talking about an amendment to conform to a decree of a court but all of the sub-numbers under this cover Conditional Rezoning – these two things don't seem to be related. Is there a Section missing that should be titled "Conditional Rezoning"?

18. The city might want to consider adding a section on what is required for uses not requiring a site plan? Are the submittal requirements listed? Tables listing the administrative procedure for different types of uses are helpful to the user.
19. Shoreline development is not well-addressed in terms of water resource protection but also in terms of encouraging innovative shoreline re-development along the waterfront that provides a mix of residential and commercial uses.

Proposed Language for Zoning Ordinance Amendments as of 3-8-2017

Upland Dredging on Round Lake

Section 5.7, pg. 7

Add a definition for upland and inland dredging.

Dredging: clean out the bed of a harbor, river, or other area of water by scooping out mud and other materials with a dredge.

- (1) Upland Dredging. Removing material from above the high water mark in order to allow for waterway access.
- (2) Inland Dredging. Removing material from inland waterways to maintain watercraft navigability or increase water depth.

Section 5.26, pg. 23

Add upland dredging as a use permitted in any R1 district on Round Lake by special use permit, as boathouses already are.

Table 5.26 Allowed Uses: Residential Zones						
P = Permitted Use by Right S = Special Land Use	R1	R2	R2A	R4	PC	Specific Requirements
Accessory						
Accessory uses, buildings and structures	P	P	P	P	P	Section 5.46(1)
Bed and breakfast establishment	S	S	-	-	-	Section 5.46(3)
Boathouses, upland dredging	S	-	-	-	S	Section 5.46(4)
Day care	Family day care home	S	S	-	-	
	Group day care home	S	S	-	-	Section 5.46(5)
Foster care	Adult foster care family home	S	S	-	-	
	Foster family home and foster family group home	S	S	-	-	
Major home occupation	S	S	S	S	-	Section 5.46(7)
Minor home occupation	P	P	P	P	P	Section 5.46(7)
Solar panels	P	P	P	P	P	Section 5.46(9)
Wind energy conversion systems, single accessory	P	P	P	P	P	Section 5.46(10)
Residential						
Adult foster care large group home	-	-	-	S	-	
Adult foster care small group home	S	S	-	-	-	
Convalescent and nursing homes	-	-	-	S	-	
Dwellings	Single family, detached	P	P	P	P	Section 5.47(1)
	Single family, attached	-	-	P	P	Section 5.47(1)
	Two family	-	-	P	P	
	Multiple family	-	-	-	P	
Senior housing: Independent living, assisted living and similar facilities	-	-	-	S	-	Section 5.47(2)
Transient housing	P	P	P	P	P	Section 5.78
Boarding/Rooming House	S	S	-	-	-	

Table 5.26 Allowed Uses: Residential Zones						
P = Permitted Use by Right S = Special Land Use	R1	R2	R2A	R4	PC	Specific Requirements
Offices and Services						
Day care center/nursery	S	S	-	-	-	Section 5.51(1)
Recreation and Open Space						
Public parks/playgrounds	P	P	P	P	-	
Athletic courts	P	P	-	P	P	Section 5.55(1)
Public/Institutional						
Churches and customary related uses	P	P	P	P	P	
Colleges and universities	-	-	-	S	-	
Community centers	-	-	-	S	-	
Other Uses						
Essential service , publicly owned	P	P	P	P	P	
Site condominium	P	P	P	P	P	Section 5.47(3)

Section 5.46(4), pg. 42-44

Add subsection (k) and adjust title of subsection to include Inland Dredging

- (4) **Boathouses and Upland Dredging.** Special land use approval for a **boathouses and upland dredging without a boathouse** in the R1 Zone shall be subject to the following requirements. **Boathouses and upland dredging:**
- (a) shall not be permitted on Lake Michigan or Lake Charlevoix;
 - (b) **Boathouses** shall have a gabled roof with a minimum roof pitch of 8:12 for new construction. Repair of existing **structures** may utilize the existing roof pitch and roof design at the time of application. Multiple peaks and a variety of rooflines or other architectural features consistent with the character of the neighborhood are encouraged. Eaves extending out greater than twenty-four (24) inches shall be considered part of the building footprint;
 - (c) **Boathouses** are permitted over the water but may not extend greater than eighty (80) feet lakeward from the existing sea wall location¹, or **ordinary high water mark** if no sea wall is present;
 - (d) where **upland** dredging is required, **boathouses** may not extend greater than fifty (50) feet inland from the existing sea wall location or **ordinary high water mark** if no sea wall is present;
 - (e) shall be located at least ten (10) feet from **side lot lines**; no **rear yard setback** required;
 - (f) **Boathouses** shall not exceed a building footprint (length x width) of two thousand (2,000) square feet in area, exclusive of eaves;
 - (g) **Boathouses** shall not contain sleeping quarters, kitchens or bathrooms;
 - (h) **Boathouses** in the R1 Zone shall not exceed a height of sixteen (16) feet with the base elevation starting at the **ordinary high water mark**. (See *Figure 5.46(4)-1*)

¹ Existing sea wall locations shall be those locations as of the adoption of the zoning ordinance.

- (i) Existing sea wall² locations shall be considered the **rear lot line** for the purposes of calculating **lot area** and **coverage** requirements.
- (j) Sea walls may not be extended lakeward, nor shall any **filling** take place for the purposes of increasing lot size or relocating the **rear lot line**. (See *Figure 5.46(4)-2*)
- (k) Upland dredging that would result in permanent altering of the shoreline requires a public hearing for a special use permit before the property owner applies for permits from the State and Federal governments.
- (l) **Boathouses** in the Belvedere Club and Chicago Club are excluded from the height requirements for **accessory structures** provided that they may be extended in the same building line elevation and size as the existing **boathouses**. (See *Figure 5.46(4)-3*)

Retaining Walls

Add to Section 5.65, pg. 81-82
Add as subsection (12)

5.60. Fences and Walls

- (1) All **fences**, walls and other similar **structures** shall be located on private property and must not obstruct the sight distance of motorists from **driveways**, roads and intersections. **Fences** or walls in all districts, except Industrial, shall not exceed six (6) feet in height above **grade** when located in any portion of the **rear** or **side yard**. **Fences** located in the **front yard** are permitted provided they are open wrought iron, picket, split rail and similar decorative **fences**, have a maximum opacity of fifty (50) percent and do not exceed three (3) feet above **grade**.
- (2) All **fences** shall be constructed with the finished side exposed to the neighboring properties. Support posts shall be placed on the inside. The **fence** shall be properly maintained and its appearance shall be harmonious with the surrounding properties and neighborhood.
- (3) Fence posts and decorative caps shall not extend greater than six (6) inches above the maximum allowed height. (See *Figure 5.65(3)*)
- (4) **Fences** or walls in Industrial Districts shall not exceed nine (9) feet in height above **grade** in the **side** and **rear yards**. All other relevant provisions of this section shall apply.
- (5) It shall be unlawful to erect or maintain a **fence**, wall or other similar **structure** equipped with or having barbed wire, spikes, razor wire or similar devices, or any electrical charge or current sufficient to cause shock. In Industrial Districts, however, a security **fence** may be installed with one (1) foot of barbed wire; provided, the barbed wire is at least eight (8) feet above the **adjacent grade**.

² Existing sea wall locations shall be those locations as of the adoption of the zoning ordinance.

- (6) **Fences** in the **front yard** shall have a minimum **setback** of twelve (12) inches from the property line.
- (7) **Fences** shall not be allowed to be located directly over property lines, unless two (2) or more **adjoining** property owners submit a joint application to the **zoning administrator** for approval.
- (8) Posts, cement, wood and any other **fence** materials shall not encroach onto **adjoining** properties, unless such encroachments are authorized under a joint application.
- (9) An artificial **berm** with a **fence** placed on top of it is considered part of the **fence**, with the combination being subject to the height limits for **fences** established in subsection (1) above.
- (10) The required **fence** height shall be maintained through the entire length on sloping properties. Grading and/or **filling** of materials to elevate the **grade** for a higher **fence** is prohibited.
- (11) Walls constructed of stone, brick or similar materials shall be permitted in the **front yard** provided they do not exceed three (3) feet in height. The height limits in the **side** and **rear yards** shall not exceed six (6) feet. Walls shall be set back a minimum of two (2) feet from all property lines and must be constructed and maintained in the future as to not create safety concerns for **adjoining** property owners or the general public. The **planning commission** may approve walls not to exceed six (6) feet in height in the **front yard** for developments in the R4 zone. This section shall not apply to **retaining walls**, as defined by this ordinance or **screening walls** under Section 5.81.
- (12) **Retaining Walls** in residential districts are subject to the following requirements:
 - (a) Retaining walls in the front yard(s), or yard(s) facing the public right-of-way, may be no taller than three (3) feet in height, and must be set back from the front property line, or property lines fronting the public right-of-way, a minimum of two (2) feet.
 - (b) In cases where the height or slope of the grade in the front yard(s), or yard(s) facing the public right-of-way, needing to be retained is greater than three (3) feet, multiple tiers may be used. The horizontal distance between tiers must be a minimum of five (5) feet.
 - (c) Retaining walls in side or rear yards that do not face a public right-of-way may be greater than three (3) feet tall, but are required to be designed and sealed by a licensed engineer to ensure the safety of adjoining property.
 - (d) Retaining walls must be constructed of stone, brick, treated lumber or similar materials. Plain cement block and untreated wood are not acceptable materials.
 - (e) The fill behind retaining walls must consist of dirt, drain stone, or similar materials.
 - (f) Retaining walls must be maintained in such a condition as to not present a threat to adjacent properties, or people or objects in the public right-of-way.

Site Plan Review for Waterfront Parcels

Add to Section 5.116, pg. 125-126

- (2) **Level "B" Review.** The **planning commission** shall act upon all **site plans**, other than those provided for level "A" review, in connection with the creation of a **use** or the erection of a **building or structure** in any of the following circumstances:
- (a) Any "permitted" **use** within any **zoning district** occupying a **building** of two thousand (2000) square feet or more.
 - (b) Any special **use** in any district.
 - (c) Any Planned Unit Development.
 - (d) Any site plan on a waterfront parcel.
 - (e) As otherwise required by this ordinance.

Addressing Summer Worker Rentals

5.14. Definitions R – S

Rentals.

- (1) Long Term Rentals. Any dwelling or condominium or portion thereof, that is available for use for a fee or other compensation for a term of 30 consecutive days or more.
- (2) Short Term Rentals. Any dwelling or condominium or portion thereof, that is available for use for a fee or other compensation for a term of less than 30 consecutive days, not including hotel rooms, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, and hospitals or other health care related facilities.

5.15. Definitions T – U – V

~~**Transient Housing.** An apartment, condominium, single family home or similar dwelling unit rented out to individuals or groups. (See Section 5.78)~~

5.78. Renting of Residential Properties

Renting of residential properties, including but not limited to homes, condos, apartments, townhouses, and duplexes, as **transient housing**, regardless of the underlying **zoning district**, shall comply with the following standards:

- (1) No exterior signage advertising the rental shall be allowed.
- (2) **Accessory Structures** may not be rented to separate individuals or groups.

- (3) Short term renting of individual rooms to separate individuals or groups is prohibited and shall be considered a **bed and breakfast**, which requires special land use approval under *Article 13*.
- (4) Long term renting of no more than one (1) individual room in a residential structure is permitted, as long as the structure is owner occupied.

Front Yard on Corner Lot Definition Discrepancy

5.11. Definitions L – M

Lot Lines.

- (1) *Front Lot Line.* In the case of an interior lot, the line separating the lot from the street right-of-way or road easement. For a corner lot, see Section 5.71(1). ~~the front lot line shall be the shortest of the two lot lines tangent to the street right-of-way or road easement.~~ In the case of a through lot, the front lot line shall be determined by the zoning administrator based on the dominant orientation of abutting and facing lots.
- (2) *Rear Lot Line.* The lot line opposite and most distant from the front lot line. In the case of an irregular, triangular or flared lot, the rear lot line shall be a line at least ten (10) feet in length entirely within the lot, parallel to and at the maximum distance from the front lot line. An undeveloped through lot does not have a rear lot line.
- (3) *Side Lot Line.* A lot line that is neither a front lot line, nor a rear lot line.
- (4) *Street Side Lot Line.* A side lot line abutting a street on a corner lot.

MEMO

March 3, 2017

To: City of Charlevoix Planning Commission

From: Sarah Lucas, Networks Northwest/City of Charlevoix Staff Planner

Re: Food Trucks – pilot program/regulatory options

Food trucks, or mobile food vendors, are a growing trend recognized by many communities for their impact on economic development and entrepreneurship, providing opportunities to support local entrepreneurs that may later expand to bricks-and-mortar restaurants, and to create or grow a local food culture by providing more dining choices to visitors and residents. On the other hand, some businesses and residents express concerns over the potential for creating an uneven playing field between mobile food vendors and brick-and-mortar restaurants, due to differences between restaurant and mobile food operating regulations and real estate taxes.

These opportunities and concerns are addressed by many communities through zoning or specially adopted ordinances that address issues including permitting and fees; operating hours; allowable locations; and standards for noise, lighting, signage, waste, parking, and other details. In many cases, food trucks are addressed first through pilot programs that help communities understand the needs and issues associated with them prior to adopting an ordinance. Last year, in this spirit, the City of Charlevoix adopted a pilot program to allow food trucks to operate on public property during the farmers market.

There is interest from mobile food vendors in using last year's pilot program again in 2017. In addition, questions have arisen regarding the potential for food trucks on private property. The Planning Commission is requested to consider options for accommodating or regulating food trucks moving forward, including (please note these items are not mutually exclusive):

- Consider renewal/extension of the 2016 pilot program for 2017
- Explore regulatory approaches or pilot programs to allow food trucks/mobile food vendors on private property.

This item is included on the March 13 Planning Commission agenda for further discussion.



CITY OF CHARLEVOIX

210 STATE ST. CHARLEVOIX, MICH. 49720

Charlevoix City Manager's Office
231-547-3270 markh@cityofcharlevoix.org

Memo

To: Chairman Chamberlain and the Charlevoix Planning Commission
From: Mark L. Heydlauff, City Manager
Subject: Charlevoix Tomorrow and Capital Budget Document
Date: March 7, 2017

The City Charter and Michigan law both have provisions requiring the creation of a Capital Budget and requirements for the Planning Commission to play an important role in reviewing this budget in light of the Land Use Master Plan. To this end, I have asked City Staff to prepare their best "guesses" of capital needs in the future.

Additionally, the Redevelopment Ready Communities Program requires us to continually update and maintain lists of sites we believe are prime for redevelopment and the strategy we plan to employ for economic development.

Given the annual changes likely in both of these areas, I felt it best to compile them all into a document I've dubbed Charlevoix Tomorrow. It includes the goals set by Council for the coming year, the economic development goals and strategies outlined in the Master Plan, a list of potential redevelopment sites, and the long-range capital budget.

I welcome the Planning Commission to review this document and look for ways it can better integrate into our Master Plan. Some areas of the capital budget will continually be refined as we look to the future but it is our best guess for now of what the future holds. We are also working on a 10 year plan for the continual updating of our infrastructure. This will be reflected in next year's capital budget.

Due to travel, I am not able to attend your March meeting. Should you find my presence helpful to discuss this further, I would be happy to attend your meeting in April. Thank you for your dedication and effort to help our City improve.

Charlevoix Tomorrow

A summary of plans, goals, and opportunities for the future of our community

Introduction

In an effort to constantly stay focused on the future of our community and compile the essence of the direction of Charlevoix City Government, this document is intended to annually summarize the goals of the City Council, the development goals of our Master Plan, the future capital investments for the long-term sustainability of our community.

2017-2018 City Council Goals

As approved on January 16, 2017, the City Council of the City of Charlevoix has adopted the following five items as goals for the future and has directed City Staff to explore a variety of action steps toward accomplishing these goals.

Ensure Charlevoix is environmentally sustainable while also economically viable
Charlevoix should be a leader in using renewable energy to meet the demands of our electric customers and to protect our natural resources. Our built infrastructure should incorporate design standards that protect our waterways, preserve our trees, and encourage healthy living. Recycling, energy optimization, and water conservation will be encouraged.

Include the senior citizen community in all public events and activities
We have a growing senior citizen population and it is important for all members of the community to enjoy the quality of life we offer. Public facilities, especially parks, should have activities available for all ages and ability level.

Develop and maintain long-term infrastructure plans
As a progressive, year-round community, Charlevoix's infrastructure must be reliable in all weather conditions and should deliver the services required by our population.

Provide strong stewardship of public resources and promote good governance
We will seek collaboration with other entities around the area and look for ways to efficiently provide the quality services the community expects. Charlevoix government should be organized around gathering public input and effectively giving staff and Council good recommendations for public policy.

Enhance and showcase the outstanding quality of life in Charlevoix
Charlevoix is well known as one of the premiere resort communities on the Great Lakes but of equal importance is that it is home to our residents. We cannot lose sight of our community being "home." One of our strongest attributes is the many activities and amenities offered; we should support these and build upon them.

2016 Land Use Master Plan Vision Statement & Development Strategy

Master Plan Vision Statement

Charlevoix will strive to be the focal point for the region and build on its distinctive character, downtown, and diverse neighborhoods; while respecting its unique setting and environment and creating a foundation for future economic prosperity and personal success.

Development Strategy

- Continue collaboration with the Charlevoix Area Chamber of Commerce, CVB (Convention and Visitors Bureau), local governments, and the business community regarding regional economic development.
- Support efforts to implement the Regional Comprehensive Development Strategy (CEDS) put out by Networks Northwest, designed to retain, grow, and attract new business.
- Pursue goals outlined in the Economic Development Strategy prepared by the Chesapeake Group (2015).
- Aggressively market and provide incentives to businesses in emerging industries.
- Support and promote technological advances, such as high speed internet and fiber optic networks in Charlevoix to encourage economic development.
- Evaluate, and if necessary, amend the Industrial Tax Abatement Program so that Charlevoix remains competitive.
- Coordinate with Charlevoix Township, community leaders, and property owners to plan for and promote future development.
- Work with surrounding townships to identify other suitable areas for economic development; explore 425 agreements where appropriate.
- Explore a program to waive or reduce utility extension, or hookup fees for businesses seeking to expand.
- Continue to support and promote expanding Coast Guard operations in Charlevoix.

The full text of the City of Charlevoix 2016 Land Use Master Plan can be found online at www.cityofcharlevoix.org/city-departments/planning-department.html.

Prime Sites for Future Growth or Redevelopment

In keeping with the Master Plan, the following sites have been identified for their potential as sites of redevelopment or future growth. While these sites are listed, the City welcomes development and redevelopment throughout the community in keeping with the Master Plan and the City of Charlevoix Zoning Code. Except for the Charlevoix Municipal Airport, the City does not own these sites and they are subject to the unique development decisions of their private owners.

<u>Development Site</u>	<u>Current Use</u>	<u>Reuse Prospect(s)</u>
Lodge Hotel (Dixon and Michigan)	Hotel	Mixed use residential, commercial
Vacant land (Hurlbut and State)	Vacant	Mixed use residential, commercial
Ackerman Building (Bridge Street)	Fire Damaged	Mixed use residential, commercial
Trademark Properties (Bridge Street)	Fire Damaged	Mixed use residential, commercial

Prime Sites for Future Growth or Redevelopment (continued)

<u>Development Site</u>	<u>Current Use</u>	<u>Reuse Prospect(s)</u>
Vacant land (Division Street)	Vacant	Single or multi-family residential
Former Destaco Building (Taylor Road)	Former industrial	Light manufacturing
Vacant land (Industrial/Business Park)	Vacant	Light manufacturing, tech industry
Charlevoix Municipal Airport	Airport	Aviation businesses, hangars
Philips Station (Petoskey Avenue)	Private storage	Commercial
Former Roadhouse (Petoskey Avenue)	Former restaurant	Commercial

In most, cases the public infrastructure serving these sites is sufficient for reuse and development prospects identified for them. The Capital Improvement Plans can be amended to accommodate needs identified in specific development or redevelopment circumstances.

Capital Budget & Improvement Plan

Pursuant to the Charlevoix City Charter and the Michigan Planning and Zoning Enabling Act, the City must maintain an annually updated plan for capital improvements in the future. For street and utility work, all utilities and pavement quality will be assessed when performing any kind of repair or upgrade to maximize the efficiency of construction.

2017-2018 Capital Projects (included in Operating Budget)

City Hall Chiller Replacement Estimated cost: \$175,000

Due to age and failing service, the chiller in the City Hall HVAC system should be replaced. This should improve reliability and reduce energy consumption. There are no tax implications for this expenditure and annual costs for utilities will be within existing margins, if not reduced. Payment will be made from existing reserves.

Playground at Lake Michigan Beach Estimated cost: \$92,000

To improve the recreation opportunities for all in the community, an accessible playground will be constructed at Lake Michigan Beach Park. There are no tax implications for this expenditure and annual expenses associated with this playground are not likely to exceed \$1,500. Payment for this project will come from a Michigan Recreation Trust Fund Grant, a Charlevoix County Recreation Millage Grant, and City reserves. Additional funding is being sought from the Charlevoix County Community Foundation and the Health Department of Northwest Michigan.

Tennis/Basketball Court Restoration Estimated cost: \$52,000

In order to improve safety and usability, the tennis courts on Elm Street and basketball courts at Ferry Beach and Mt. McSaubia will be resurfaced. Striping of the tennis courts will consider the shared use of these courts with the Charlevoix Township courts on Waller Road for use for both pickle ball and tennis. There are no tax implications for this project and funding will come from existing reserves and the general operating levy appropriated to the Recreation Department.

Taxiway A Rehabilitation Construction Estimated cost: \$1,061,000

As part of ongoing maintenance at the Charlevoix Municipal Airport, Taxiway A will be rehabilitated for long-term viability. There are no tax implications for this project. 90% of the cost will be paid by the Federal Aviation Administration; the Michigan Department of Transportation will pay 5% of the cost with the Airport paying the remaining \$53,050 from operating revenue and reserves. If necessary, Public Improvement Fund #6 will fund any remaining costs.

Taxiway A Lighting Estimated Cost: \$229,000

Taxiway A lighting will improve the quality of light and safety of air traffic at the Charlevoix Municipal Airport. There are no tax implications for this project. 90% of the cost will be paid by the Federal Aviation Administration; the Michigan Department of Transportation will pay 5% of the cost with the Airport paying the remaining \$11,450. Public Improvement Fund #6 will fund any remaining costs.

Runways 9 & 27 REIL Replacement Estimated cost: \$30,000

The Runway End Identifier Lights (REIL) are due for replacement to provide a safe environment for air traffic at the Charlevoix Municipal Airport. There are no tax implications for this project. 90% of the cost will be paid by the Federal Aviation Administration; the Michigan Department of Transportation will pay 5% with the Airport paying the remaining \$1,500 from operating revenue and reserves. If necessary, Public Improvement Fund #6 will fund any remaining costs.

Street Reconstruction Estimated cost: \$1.2 million

Fully rebuild above-ground infrastructure and replace existing utilities under the following streets:

- Hurlbut Street (from Bridge to State)
- Antrim Street (from Bridge to State)
- Prospect Street (from Dixon to Petoskey)

Once complete, these streets will better service the water and sewer needs of adjoining properties and will carry traffic more smoothly. Similar work is being performed on all sites in order to realize economies of scale. The project will be funded with remaining funds from the Series 2016 Charlevoix Infrastructure improvement Bonds. These bonds mature in 15 years and are backed by the taxing authority of the City of Charlevoix. Specifically, the Infrastructure Levy, currently in place, is assumed to provide revenue necessary to make bond payments along with the City portion of the Charlevoix County Road Millage which will provide revenue until 2022. Operating costs are minimal but repair costs for underground utilities should decrease with new piping. Pavement will be maintained using existing asset management practices.

Street Paving Estimated cost: \$400,000

Based on costs, several blocks of city streets will receive partial or full paving overlay treatments to address cosmetic improvements; streets will be chosen based on PASER ratings and expected future underground utility upgrade needs. There are no tax implications for this project and it will be funded from cash on hand in the Public Infrastructure Funds.

Vehicle Replacements

Estimated cost: \$271,300

Annually, we update our fleet as needed based on replacement schedules. This amount is the total anticipated though each vehicle will only be replaced if needed. There are no tax implications and the vehicle purchases will all be made from cash reserves- primarily held in the Motor Pool Fund.

Water Treatment Plant Capital Improvements Estimated cost: \$ 512,000

The Water Treatment Plant is nearly 30 years old and is requiring some extensive capital improvements so that it continues to provide quality water supply and meet ever more stringent environmental standards from the Michigan Department of Environmental Quality. In 2015, Prein & Newhof created a Plant Reliability Study that outlined future replacement plans for the plant. The following projects are planned for 2017-2018:

- Rebuild High Service Pumps \$20,000
- Filter Flocculator Replacement \$350,000
- Control System Replacement \$25,000
- Roof Replacement \$32,000
- Filter Media Replacement \$75,000
- Security improvements \$10,000

There are no tax implications though capital improvements like these are part of the necessity to reevaluate water rates annually.

Water Treatment Plant Back-up Generator Estimated cost: \$320,000

The existing Water Treatment Plant Back-up Generator is a World War II era machine taken as surplus from a military ship and is prone to frequent repairs and does not serve the water system well. It will be replaced with a modern machine capable of fully powering the plant. There are no tax implications though capital improvements like this are part of the necessity to reevaluate water rates annually. Funds for this will come from a loan that will need to be made from the Electric Fund to the Water Fund. Annual payments with interest will be made from Water Capital Replacement. This plan will require a budget amendment once the full-costs are returned.

Electric Capital Improvements

Estimated cost: \$ 225,000

As part of maintaining our electric distribution system, we plan to install various improvements and replacements in the system including 12kv3 upgrades, LED streetlights, and other routine supplies used to maintain the system. There are no tax implications for these projects though it is important to maintain adequate rates to support long-term improvements. Funds will come from operating revenue allocated to capital replacement and some cash reserves.

Remote Communication Upgrades

Estimated cost: \$60,000

In order to improve the reliability of connections, we plan to upgrade the communications between remote assets and the Wastewater Treatment Plant. This will lower operating costs for traditional phone lines and enhance control functions. There are no tax implications though capital improvements like this are part of the necessity to reevaluate sewer rates annually.

Retaining Wall at Ferry and Stover

Estimated cost: \$25,000

This wall will improve the look and stability of soil at this intersection. There are no tax implications and funds for this project will come from the Local Street Fund derived from Gas and Weight Tax Revenue distributed under Act 51.

2018-2019 Capital Projects**Sodium Hypochlorite System for Disinfection** Estimated cost: \$400,000

This would enhance the disinfection capabilities of the water plant and was recommended in the 2015 Water Plant Reliability Study performed by Prein & Newhof. There are no tax implications for this project since it is funded with revenue derived from water rates and funds will be available in fund reserves by the time the project is launched.

Electric Capital Improvements

Estimated cost: \$ 225,000

As part of maintaining our electric distribution system, we plan to install various improvements and replacements in the system including 12kv3 upgrades, LED streetlights, and other routine supplies used to maintain the system. There are no tax implications for these projects though it is important to maintain adequate rates to support long-term improvements. Funds will come from operating revenue allocated to capital replacement and some cash reserves.

Wastewater Treatment Plant Improvements Estimated cost: \$292,560

Periodic and routine capital maintenance is necessary to preserve the work that has been done at our Wastewater Treatment Plant. There are no tax implications for this project since the WWTP is funded with wastewater rates. Ongoing maintenance will be minimal, if not reduced, since this is upkeep of existing equipment.

Sewer Collection System/Lift Stations

Estimated cost: \$241,000

This amount is allocated to make capital improvements to the sewer collection system and/or necessary improvements to the lift station system. Currently the City is working with Prein & Newhof on an asset management plan for these systems and that plan will better guide the projects conducted going forward. There are no tax implications for these projects since revenue from Sewer rates pays for expenses like this.

Construct Combined Public Services Facility Estimated cost: \$TBD

In 2016, the City retained Northwest Design Group to provide conceptual consulting and estimates for a joint public services facility to house the DPW, Water, and Electric crews. They will provide probable costs and a recommended location for a facility designed for these purposes. We have asked them to consider energy efficiency and LEED Design to minimize operating costs. There is currently more than \$1.7 million in reserve for this project; additional funds could be derived from bonds or utility reserve funds. It is unlikely that this project will affect taxes but final determinations would be made once a final plan is developed. Operating costs for a new facility are likely to be equal or less than current costs to run two facilities and new, more efficient fixtures will be included.

Vehicle Replacements

Estimated cost: \$324,700

Annually, we update our fleet as needed based on replacement schedules. This amount is the total anticipated though each vehicle will only be replaced if needed. There are no tax implications and the vehicle purchases will all be made from cash reserves- primarily held in the Motor Pool Fund.

Ferry Beach Pier Improvements

Estimated cost: \$40,000

The City Council felt the addition of jumping into Lake Charlevoix from the Ferry Beach Pier would be a good improvement to our recreational assets. To accomplish this, we would recap the pier with concrete, add rails along the sides of the pier, and dredge the area to make it safe for jumping. This would be accomplished through the General Fund and would have no tax implications.

2019-2020 Capital Projects**High Service Pump Addition**

Estimated cost: \$150,000

The addition of a high service pump at the Water Treatment Plant will improve plant capabilities during peak operation and add extra redundancy to the system with aging pumps. There are no tax implications for this project since it is funded with water rates. Annual operating costs should be minimal since this pump will be cycled among others at the plant.

Electric Capital Improvements

Estimated cost: \$ 225,000

As part of maintaining our electric distribution system, we plan to install various improvements and replacements in the system including 12kv3 upgrades, LED streetlights, and other routine supplies used to maintain the system. There are no tax implications for these projects though it is important to maintain adequate rates to support long-term improvements. Funds will come from operating revenue allocated to capital replacement and some cash reserves.

Sewer Collection System/Lift Stations

Estimated cost: \$241,000

This amount is allocated to make capital improvements to the sewer collection system and/or necessary improvements to the lift station system. Currently the City is working with Prein & Newhof on an asset management plan for these systems and that plan will better guide the projects conducted going forward. There are no tax implications for these projects since revenue from Sewer rates pays for expenses like this.

Vehicle Replacements

Estimated cost: \$277,800

Annually, we update our fleet as needed based on replacement schedules. This amount is the total anticipated though each vehicle will only be replaced if needed. There are no tax implications and the vehicle purchases will all be made from cash reserves- primarily held in the Motor Pool Fund.

Airport Perimeter Fencing

Estimated cost: \$155,000

This improvement would enhance security and keep us compliant with FAA regulations for airfield fencing. Most airport improvement projects like this can be mostly funded with Federal grant funds and tax revenue is not likely to be used.

Replace 2002 Ambulance

Estimated cost: \$180,000

This would be the scheduled replacement time to replace the 2002 Ambulance. Funds for this purchase are derived from EMS fees and set aside in the Fire and Ambulance Capital Fund (PI #1). There are no tax implications for this since the revenue is derived from service fees.

2020-2021 Capital Projects

Electrical Gear Upgrades Estimated cost: \$350,000

Electrical upgrades at the Water Treatment Plant are anticipated as part of an on-going modernization of the facility. There are no tax implications for this project since improvements are funded with water rates. Improving electrical equipment will likely reduce annual operating costs by installing more energy efficient technology.

Electric Capital Improvements Estimated cost: \$ 225,000

As part of maintaining our electric distribution system, we plan to install various improvements and replacements in the system including 12kv3 upgrades, LED streetlights, and other routine supplies used to maintain the system. There are no tax implications for these projects though it is important to maintain adequate rates to support long-term improvements. Funds will come from operating revenue allocated to capital replacement and some cash reserves.

Sewer Collection System/Lift Stations Estimated cost: \$241,000

This amount is allocated to make capital improvements to the sewer collection system and/or necessary improvements to the lift station system. Currently the City is working with Prein & Newhof on an asset management plan for these systems and that plan will better guide the projects conducted going forward. There are no tax implications for these projects since revenue from Sewer rates pays for expenses like this.

Vehicle Replacements Estimated cost: \$195,000

Annually, we update our fleet as needed based on replacement schedules. This amount is the total anticipated though each vehicle will only be replaced if needed. There are no tax implications and the vehicle purchases will all be made from cash reserves- primarily held in the Motor Pool Fund.

2021-2022 Capital Projects

Low & High Service Pump Upgrades Estimated Cost: \$150,000

This work will restore and maintain the pumps at the Water Treatment Plant and this project focuses on heavy maintenance of existing equipment to extend the life. There are no tax implications for this project since improvements are funded with water rates. Updating and maintaining equipment like this should reduce sudden emergency maintenance costs by rehabbing multiple pieces of equipment simultaneously.

Electric Capital Improvements Estimated cost: \$ 225,000

As part of maintaining our electric distribution system, we plan to install various improvements and replacements in the system including 12kv3 upgrades, LED streetlights, and other routine supplies used to maintain the system. There are no tax implications for these projects though it is important to maintain adequate rates to support long-term improvements. Funds will come from operating revenue allocated to capital replacement and some cash reserves.

Sewer Collection System/Lift Stations Estimated cost: \$241,000

This amount is allocated to make capital improvements to the sewer collection system and/or necessary improvements to the lift station system. Currently the City is working with Prein & Newhof on an asset management plan for these systems and that plan will better guide the projects conducted going forward. There are no tax implications for these projects since revenue from Sewer rates pays for expenses like this.

Vehicle Replacements Estimated cost: \$150,000

Annually, we update our fleet as needed based on replacement schedules. This amount is the total anticipated though each vehicle will only be replaced if needed. There are no tax implications and the vehicle purchases will all be made from cash reserves- primarily held in the Motor Pool Fund.

T Hangar Construction Estimated cost: \$350,000

Constructing a new T Hangar at the airport would encourage more air traffic and provide a source of revenue to the airport for ongoing operations. Funds for construction would likely come from MDOT Entitlement Grants and would not use local tax revenue. Maintenance costs would be funded by lease revenue from those hanging their planes in the space.

2022-2023 Capital Projects

Electric Capital Improvements Estimated cost: \$ 225,000

As part of maintaining our electric distribution system, we plan to install various improvements and replacements in the system including 12kv3 upgrades, LED streetlights, and other routine supplies used to maintain the system. There are no tax implications for these projects though it is important to maintain adequate rates to support long-term improvements. Funds will come from operating revenue allocated to capital replacement and some cash reserves.

Sewer Collection System/Lift Stations Estimated cost: \$241,000

This amount is allocated to make capital improvements to the sewer collection system and/or necessary improvements to the lift station system. Currently the City is working with Prein & Newhof on an asset management plan for these systems and that plan will better guide the projects conducted going forward. There are no tax implications for these projects since revenue from Sewer rates pays for expenses like this.

Vehicle Replacements Estimated cost: \$150,000

Annually, we update our fleet as needed based on replacement schedules. This amount is the total anticipated though each vehicle will only be replaced if needed. There are no tax implications and the vehicle purchases will all be made from cash reserves- primarily held in the Motor Pool Fund.

Replace 2004 Ambulance Estimated cost: \$180,000

This would be the scheduled replacement time to replace the 2004 Ambulance. Funds for this purchase are derived from EMS fees and set aside in the Fire and Ambulance Capital Fund (PI #1). There are no tax implications for this since the revenue is derived from service fees.

2023-2024 Capital Projects

Electric Capital Improvements Estimated cost: \$ 225,000

As part of maintaining our electric distribution system, we plan to install various improvements and replacements in the system including 12kv3 upgrades, LED streetlights, and other routine supplies used to maintain the system. There are no tax implications for these projects though it is important to maintain adequate rates to support long-term improvements. Funds will come from operating revenue allocated to capital replacement and some cash reserves.

Sewer Collection System/Lift Stations Estimated cost: \$241,000

This amount is allocated to make capital improvements to the sewer collection system and/or necessary improvements to the lift station system. Currently the City is working with Prein & Newhof on an asset management plan for these systems and that plan will better guide the projects conducted going forward. There are no tax implications for these projects since revenue from Sewer rates pays for expenses like this.

Vehicle Replacements Estimated cost: \$150,000

Annually, we update our fleet as needed based on replacement schedules. This amount is the total anticipated though each vehicle will only be replaced if needed. There are no tax implications and the vehicle purchases will all be made from cash reserves- primarily held in the Motor Pool Fund.

2024-2025 Capital Projects

Construct Second Raw Water Intake Estimated cost: \$1 million

The installation of a second raw water intake line under Lake Michigan may be necessary if plant output grows or if more detailed review shows the necessity of having a redundant water source at the Water Treatment Plant. There are no tax implications for this project since improvements are funded with water rates. Annual maintenance costs are minimal and could be combined with the costs for the existing water intake line.

Electric Capital Improvements Estimated cost: \$ 225,000

As part of maintaining our electric distribution system, we plan to install various improvements and replacements in the system including 12kv3 upgrades, LED streetlights, and other routine supplies used to maintain the system. There are no tax implications for these projects though it is important to maintain adequate rates to support long-term improvements. Funds will come from operating revenue allocated to capital replacement and some cash reserves.

Sewer Collection System/Lift Stations Estimated cost: \$241,000

This amount is allocated to make capital improvements to the sewer collection system and/or necessary improvements to the lift station system. Currently the City is working with Prein & Newhof on an asset management plan for these systems and that plan will better guide the projects conducted going forward. There are no tax implications for these projects since revenue from Sewer rates pays for expenses like this.

Vehicle Replacements Estimated cost: \$150,000

Annually, we update our fleet as needed based on replacement schedules. This amount is the total anticipated though each vehicle will only be replaced if needed. There are no tax implications and the vehicle purchases will all be made from cash reserves- primarily held in the Motor Pool Fund.