

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

PLANNING COMMISSION PUBLIC MEETING AGENDA

Created: August 9, 2017 Posted August 10, 2017 at 2:00 PM

MONDAY, August 14, 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 July 7, 2017 MINUTES
- F) CALL FOR PUBLIC COMMENT NOT RELATED TO AGENDA ITEMS
- G) NEW BUSINESS
 - 1. Cemetery Pillar Donation
 - a. Staff presentation.
 - b. Planning Commission discussion.
 - c. Motion
 - 2. Short-term rental ordinance – schedule public hearing
 - a. Staff presentation.
 - b. Planning Commission discussion.
 - c. Motion
 - 3. Site Plan Review discussion
 - a. Staff presentation.
 - b. Planning Commission discussion
- H) OLD BUSINESS
 - 1. PC “To Do” List
 - a. Staff presentation
 - b. Planning Commission discussion
 - 2. Zoning Code Review.
 - a. Staff presentation.
 - b. Planning Commission discussion
- I) STAFF UPDATES
 - 1. Solid Waste Ad Hoc Committee
 - 2. SBEI Event August 17th
 - 3. Staff Roles & Contact Information
- J) REQUESTS FOR NEXT MONTHS AGENDA OR RESEARCH ITEMS.
- K) ADJOURNMENT

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CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, July 10, 2017 - 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order

The meeting was called to order at 7:00 p.m. by Chair Chamberlain.

B. Roll Call

Chair: Sherm Chamberlain

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

Staff Present: Elise Crafts, Regional Planner Networks Northwest

C. Inquiry Into Potential Conflicts of Interest

None.

D. Approval of Agenda

Regional Planner Crafts asked to add approval of the June 27, 2017 Minutes to the agenda. The Commission approved the agenda as amended.

E. Approval of Minutes – June 12, 2017 and June 27, 2017

Motion by Member Halverson, second by Member Eveleigh, to approve the minutes of the June 27, 2017 meeting as presented. Motion passed by unanimous voice vote.

Member Clock questioned if there was a Code definition for “bedroom”. After discussion, it was determined that the existing definitions covered bedrooms. Motion by Member Clock to approve the minutes of the June 12, 2017 meeting as presented. *Clerk’s note: There was no second, however the Chair called for and received a unanimous voice vote. Therefore it was presumed that the motion passed.*

F. Call for Public Comment not Related to Agenda Items

Chair Chamberlain stated that he reviewed an old map of downtown Charlevoix and he visited the Taffy Barrel owner to show him the fact that there was a building where there was parking now. He agreed with the owner that there should be some type of screening around the restaurant’s cooler and screening has since been installed.

G. New Business

1. Planning Commission Bylaws Review

a. Planning Commission Discussion

Chair Chamberlain began a review of the bylaws and discussion was held regarding excused absences from meetings and Secretary duties. Member Waddell questioned if the review of donations/gifts to the City should be included in the list of Commission responsibilities. Regional Planner Crafts stated that such responsibility would fall under Section 9.2 of the bylaws. No changes were made to the bylaws.

H. Old Business

1. Zoning Code Review

a. Staff Presentation

Regional Planner Crafts stated that she needed to do further research to locate the “to-do” list requested by Member Waddell. Discussion followed regarding the topics that were on the list. Chair Chamberlain stated that a number of the issues were incorporated with the Redevelopment Ready initiative. He indicated that the Master Plan was “Redevelopment Ready” and now they needed to get the Zoning Ordinance to match the Master Plan.

Regional Planner Crafts began a discussion regarding current and proposed sign regulations including:

- Signage placed in the right-of-way – Signs are not allowed in the public right-of-way other than those signs that are part of the City’s highway banner program, however portable signs are allowed on private property which includes the A-frame signs placed outside businesses. She stated that due to the varying right-of-way widths, it was likely that some businesses have private property in between their business storefront and the public right-of-way. After discussion, no changes were recommended.
- Enforcement of sign regulations – Regional Planner Crafts noted several discrepancies in the ordinances she reviewed. After discussion, she agreed to research referencing MDOT sign regulations specifically in the

ordinance.

- Sidewalk signs – Regional Planner Crafts stated that all types of signage on sidewalks, roads and grounds were prohibited which was a very wide prohibition and she doubted that this was enforced. After discussion, the Commission agreed to eliminate the prohibition against signage on sidewalks.
- Artwork – Regional Planner Crafts stated that the current ordinance allowed for architectural features and works of art in every district were allowed without a permit under certain conditions. After discussion, no changes were recommended, but she would research other regulations regarding works of art.
- Window Signage – Regional Planner Crafts stated that window signs less than 6 sq.ft. were permissible in all districts and exempt from permits, however the ordinance also states that a business was allowed a maximum of two types of signs per public frontage. She felt that those two rules may or may not work. She noted that there were several examples downtown where there are multiple window signs and additional signage on the exterior of the building. She suggested signage less than 6 sq.ft. be allowed in every district and there would be language added “and are not included in sign count totals”. After discussion, no additional changes were recommended.

b. Planning Commission Discussion

Discussion followed regarding language relative to temporary signs and content neutral signage. Regional Planner Crafts stated that the draft that she will present in August may have sections which include “ors” for a couple of options. Member Waddell recommended that she include examples as parentheticals in the draft ordinance.

I. Staff Updates

Regional Planner Crafts stated that she and Staff Planner Lucas would meet with Interim Zoning Administrator Larry Sullivan to discuss the site plan review process and any possible changes to the process.

Member Waddell recalled that at the May meeting they talked about asking City Council or the City Manager to draft a letter to the State Committee regarding not regulating short-term rentals. He indicated that the matter was scheduled for the August 7th City Council meeting along with the short-term rental ordinance discussion. The ordinance will be available by the end of the week. Member Golding suggested disbanding the Short Term Rental Subcommittee once Council approves the ordinance.

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

Regional Planner Crafts stated that Networks Northwest and the City were still working out the details for Planning and Zoning with Mr. Sullivan in place. Discussion followed regarding how concerns raised at Commission meetings would be relayed to City Staff.

Member Eveleigh felt that when a member recuses themselves, they should not be asked any questions during the meeting. Discussion followed regarding specifics of the recusal process.

K. Adjournment

Motion by Member Felter, second by Member Eveleigh, to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 8:23 p.m.

Joyce M. Golding/fgm

City Clerk

Sherm Chamberlain

Chair

MEMO

August 10, 2017

To: City of Charlevoix Planning Commission

From: Sarah Lucas, Director of Community Development/City Staff Planner

Re: Staff Progress Report

Following is an update on staff activities related to prior Planning Commission discussions and ongoing initiatives, for your review and discussion at the August 14 Planning Commission meeting.

Short-Term Rentals

The Charlevoix City Council reviewed and discussed the draft short-term rental regulations at their August 7 meeting. The Council asked clarifying questions regarding notification and inspections, and concurred to ask the Planning Commission to move forward with scheduling a public hearing on the draft amendment (draft meeting minutes and draft language are attached). Staff will coordinate with the City Attorney for legal review before the public hearing.

Planning Commission action requested: Schedule a public hearing for action on the proposed short-term rental amendments.

Site Plan Review

Staff will lead a discussion with the Planning Commission regarding the current site plan review process and any changes the Planning Commission wishes to make.

Planning Commission action requested: Review current site plan review language and suggest recommended changes.

Planning Commission “To-Do” List

Staff is unable to locate the “tickler” or “to-do” list maintained by previous staff. Based on Planning Commission meetings and minutes, we have attempted to recreate this list and will present this to the Planning Commission in August.

Planning Commission action requested: Review list and suggest additional activities.

Sign Ordinance

A final draft of the sign regulations will be presented to the Planning Commission in August.

Planning Commission action requested: Review draft ordinance language and suggest recommended changes. Consider scheduling a focus group with business owners, event organizers, etc. for the purpose of discussing the proposed signage ordinance.

Solid Waste Ad Hoc Advisory Committee

The Solid Waste Ad Hoc Advisory Committee met on August 1 to discuss issues and action items related to solid waste in the City. Committee members include Planning Commissioners Judy Clock and Nelson Fletcher; and Council members Aaron Hagen and Shirley Gibson. Priority issues identified by the committee include traffic and noise; City-funded bulky/household waste pickup; and construction waste. The committee will be exploring alternatives and options for pick-up systems, and reviewing practices in neighboring communities. Draft meeting minutes are attached.

Future meetings of the group will be held the first Tuesday of each month at 2 p.m., and are open to the public.

No Planning Commission action requested.

SBEI

The second meeting of MSU's Sustainable Built Environment Initiative (SBEI), exploring issues in Charlevoix's downtown alleys, is scheduled for August 17, at 6 p.m. in the Charlevoix Library. Participants will have the opportunity to view initial design ideas and provide feedback via an open house format. A flyer with additional details is attached.

No Planning Commission action requested.

If you have any questions prior to the August 14 meeting, please don't hesitate to contact myself or Elise Crafts at 231-929-5000, or via email at elisecrafts@networksnorthwest.org or sarahlucas@networksnorthwest.org.



CITY OF CHARLEVOIX

210 STATE ST. CHARLEVOIX, MICH. 49720

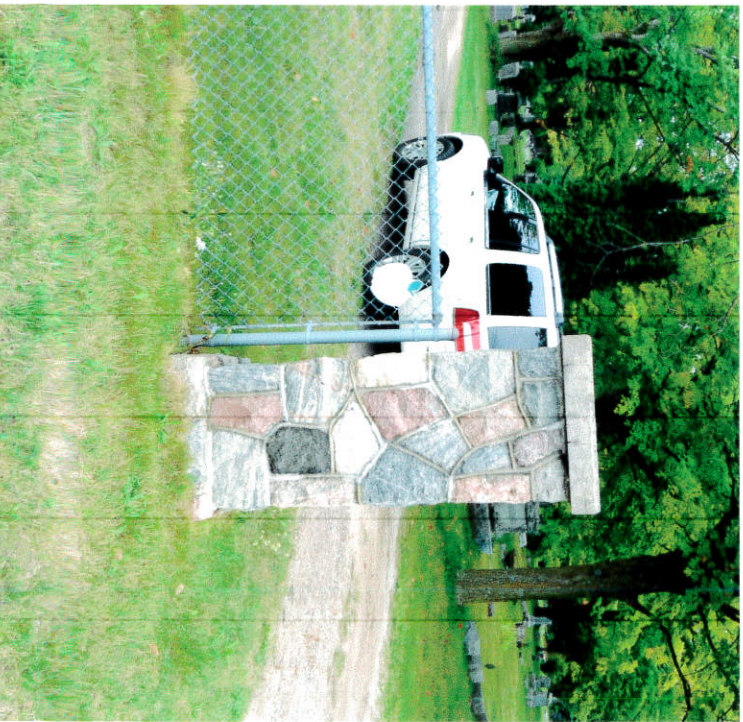
Charlevoix City Manager's Office
231-547-3270 markh@cityofcharlevoix.org

Memo

To: Charlevoix Planning Commission
From: Mark L. Heydlauff, City Manager
Subject: Proposed Donation for Brookside Cemetery
Date: July 31, 2017

As you are aware, proposed donations first require Planning Commission review and consideration before the City Council considers them. A local donor wishes to anonymously donate new stone pillars for the M-66 entrance to Brookside Cemetery. The work would be completed by Sharrow Masonry of Charlevoix. This would replace existing stone veneer pillars and match the entrance off Marion Center Road. DPW Superintendent Pat Elliott has reviewed this plan and believes it would be a nice improvement for the cemetery.

The City would not bear any of the costs for this improvement and there should be no long-term maintenance costs. City staff recommend the Planning Commission positively consider this request and forward it to City Council.



CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, August 7, 2017 – 7:00 p.m.
Council Chambers, 210 State Street, Charlevoix, MI

The meeting was called to order at 7:00 p.m. by Mayor Luther Kurtz.

1. Pledge of Allegiance

2. Roll Call

Mayor: Luther Kurtz
Members Present: Councilmembers Shane Cole, Shirley Gibson, Aaron Hagen, Janet Kalbfell, Tom Oleksy, Leon Perron
Members Absent: None
City Manager: Mark Heydlauff
City Clerk: Joyce Golding

3. Presentations

4. Inquiry Regarding Conflicts of Interest

Mayor Kurtz disclosed that he owned a downtown apartment for personal use that he occasionally rents, but he did not feel that this was a conflict.

Motion by Councilmember Gibson, second by Councilmember Oleksy, that Mr. Kurtz recuse himself on the agenda item Short Term Rentals.

Yeas: Perron, Gibson, Oleksy
Nays: Kalbfell, Cole, Hagen
Motion failed.

5. Consent Agenda

All items listed under Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion of an item is required, it will be removed from the Consent Agenda and considered separately.

- A. City Council Meeting Minutes – July 3, 2017 Regular Meeting
- B. City Council Meeting Minutes – July 31, 2017 Special Meeting
- C. Accounts Payable and Payroll Check Registers
 - a. Special Accounts Payable Check Register – July 24, 2017
 - b. Regular Accounts Payable Check Register – August 8, 2017
 - c. ACH Payments – July 17, 2017 to July 31, 2017
 - d. Payroll Check Register – July 28, 2017
 - e. Payroll Transmittal – July 28, 2017
 - f. Tax Disbursement – August 8, 2017
- D. 2017 MERS Annual Conference Officer Delegate – Andrew Whitley, employee delegate; Elizabeth Anderson, alternate
- E. 2017 Michigan Municipal League Delegate – City Manager Heydlauff

Motion by Councilmember Hagen, second by Councilmember Kalbfell, to approve the Consent Agenda.

Yeas: Kalbfell, Perron, Cole, Gibson, Oleksy, Hagen
Nays: None

6. Public Hearings & Actions Requiring Public Hearings

7. All Other Actions & Requests

A. Hampton Village Street Improvement

DPW Superintendent Elliott stated that we are currently working on the 2017 infrastructure projects, which include complete utility upgrades as well as repaving a number of streets. He explained the scope of the proposed Hampton Village Street plan and stated that it was Staff's recommendation to amend the Reith-Riley contract in order to complete the Hampton project, increasing the contract amount by \$95,096.69. This project will use up the money derived from the 2016 Infrastructure Improvement Bonds and money set aside in the 2017/2018 Operating Budget for street improvements.

Mayor Kurtz opened the item to public comment. There was no comment and the item was closed.

Motion by Councilmember Cole, second by Councilmember Oleksy, to approve change order #1, in the amount of \$95,096.69, and add this work to MDC's existing contract.

Yeas: Kalbfell, Perron, Gibson, Cole, Oleksy, Hagen
Nays: None

B. Short Term Rental Options and Senate Bill 329

Staff Planner Lucas stated that the Rental Regulations Subcommittee developed a draft short-term rental ordinance for City Council's review and discussion. As currently written, the draft ordinance would:

- Require registration of properties that are rented two or more weeks per year providing basic information about the unit
- Require a "good neighbor guide" and compliance with relevant City codes

She noted that the goal of the ordinance was to require property owners to register their homes, not to regulate them. Staff Planner Lucas will clarify rooms over garages and a remediation process for easily corrected issues.

Mayor Kurtz opened the item to public comment.

RJ Waddell, Planning Commission, explained that there would not be an inspection with the registration but, only with complaints from a renter. Sherm Chamberlain, Planning Commission, added that the applicable building code for a home would be the one in effect when it was built or remodeled.

Linda Sawyer felt that the Planning Commission should focus on long-term rentals which create a blight problem and questioned when long-term rentals would be addressed.

Ed Mann explained that rentals in Grand Rapids were inspected every four years and he felt that this would be a good policy for all rentals in the City.

Bob Timms felt the ordinance was another layer of bureaucracy and was not in favor.

The item was closed to the public.

Council concurred that the Planning Commission should continue the ordinance introduction process.

Staff Planner Lucas then discussed legislation that is currently proposed in the Michigan State Senate that would restrict the ability of local governments to regulate short-term rentals. The Planning Commission directed Staff to prepare a letter for consideration by Council to send to state senators and representatives expressing their position against the bill.

Mayor Kurtz opened the item to public comment.

Dave Gudritz, 204 Alice, questioned how rental regulations would be managed.

The item was closed to the public.

Motion by Councilmember Perron, second by Councilmember Hagen, to approve the [draft] letter from the Planning Commission concerning Bill 329 and to direct Staff to send the letter to the appropriate Senators and Representatives.

Yeas: Kalbfell, Perron, Gibson, Cole, Oleksy, Hagen

Nays: None

8. **Reports & Communications**

A. Public Comments

Beth Egler commented on dangerous jumping at Michigan Beach, a buoy that drifted, and she suggested more trash barrels on the beach, as well as installing a drain near the steps to avoid washouts.

Robert Taylor, 103 Maranatha, wanted to set the record straight regarding continuous complaints about campfires in his backyard. He stated that he is a good neighbor and respectful of those around him when having a fire. He suggested that this problem was an enforcement issue and doesn't warrant a change to the nuisance ordinance.

Ed Mann, Smoke on the Water, felt the City's temporary signage at Van Pelt Alley and the Trademark Building was unfair.

B. City Manager Comments

City Manager Heydlauff reported on the following:

- Park preservation ballot language submitted to the Governor for approval was rejected as written; the City Attorney will redraft language upon the recommendation of the Assistant Attorney General
- Carbon monoxide detectors are being installed in City police cruisers
- August 17th is the second Sustainable Built Environment Initiative visioning session at the Library
- Chamber microphones are being reviewed

C. Mayor & Council Comments

Councilmember Oleksy commented that Olesons' business suffered during the Venetian street closure and he questioned what the plan was for next year. It was noted that the closure was being evaluated and City Manager Heydlauff responded that nothing was set in stone.

9. Other Council Business

9. Closed Session: City Manager Performance Review

Motion by Councilmember Kalbfell, second by Councilmember Perron, to enter Closed Session [for the purpose of conducting a performance evaluation at the request of the employee MCL 15.268 Section 8(a).]

Yeas: Kalbfell, Perron, Gibson, Cole, Oleksy, Hagen

Nays: None

Council moved into Closed Session at 7:57 p.m. Council resumed Open Session at 9:32 p.m.

Motion by Councilmember Cole, second by Councilmember Gibson, to extend the City Manager's employment contract by one year [effective July 27, 2017.]

Yeas: Kalbfell, Perron, Gibson, Cole, Oleksy, Hagen

Nays: None

10. Adjourn

The Mayor adjourned the meeting at 9:34 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
Special Accounts Payable – 07/24/2017			
AT&T	2,722.94	HOLIDAY COMPANIES	4,969.45
AT&T LONG DISTANCE	89.17	METLIFE SMALL BUSINESS CENTER	739.57
AT&T MOBILITY	90.33	PRIORITY HEALTH	39,032.49
CHARLEVOIX STATE BANK	6,397.70	VERIZON WIRELESS	56.72
CHARTER COMMUNICATIONS	816.51	VISION SERVICE PLAN	512.74
DELTA DENTAL	3,643.24		
GREAT LAKES ENERGY	191.92	TOTAL	59,262.78
Regular Accounts Payable – 08/08/2017			
1400 BRIDGE STREET LLC	535.29	CHARLEVOIX TOWNSHIP	15.23
a5 Branding & Design	5,250.00	CINTAS CORPORATION	124.76
ACCESS LOCKSMITHING INC	75.00	CINTAS CORPORATION #729	243.71
ADVANCED BUILDING	490.00	CITY OF CHARLEVOIX - UTILITIES	34,095.42
ADVANCED PAVEMENT MARKING LLC	1,542.00	CIVIC SYSTEMS	210.00
AIRGAS USA LLC	66.30	COOK FAMILY FARMS	192.00
AIS CONSTRUCTION EQUIPMENT	4,518.00	CRYSTAL FLASH ENERGY	798.51
ALL-PHASE ELECTRIC SUPPLY CO.	435.50	CURREY FARMS LLC	92.00
ALTEC INDUSTRIES INC	737.27	CWIK, ADOLPH	25.00
AMERICAN WASTE INC.	257.46	DCASSESSING SERVICES	4,371.08
ARCADIA BENEFITS GROUP INC	25.00	DELL MARKETING L P	713.90
ASPEN WIRELESS	3,210.00	DeROSIA, PATRICIA E.	50.00
AVFUEL CORPORATION	96,802.39	DERRER OIL & PROPANE CO	542.85
BAKER COLLEGE OF CADILLAC	35.00	DHASELEER, CARL	214.00
BALL, MATTHEW	75.00	DOAN, GERARD P.	50.00
BEAR EARTH HERBALS	10.00	DORNBOS SIGN INC.	7,628.96
BEIJO DE CHOCOLAT LLC	80.00	DOTSON, LINDSEY J.	50.00
BELL EQUIPMENT COMPANY	811.43	EAST JORDAN COMMUNITY POOL	50.00
BERLAGE, JIM	30.00	ECONO SIGNS LLC	123.00
BLACK PEARL PLATINUM BRAND	40.00	EJ USA INC.	1,681.64
BLARNEY CASTLE OIL CO	822.09	ELLIOTT, PATRICK M.	203.84
BOSS, KEN	33.89	ELLSWORTH FARMER'S EXCHANGE	375.60
BRADFORD'S	48.75	EMERGENCY MEDICAL PRODUCTS INC	405.39
CCI SOUTH LLC	26.25	EMMET BRICK & BLOCK	71.53
CELEBRATE ME HOME	10,000.00	EVANS, HAL	50.00
CENTRAL DRUG STORE	51.85	FARMER WHITE'S	407.00
CHAPDELAINE, EMILY	50.00	FASTENAL COMPANY	310.92
CHARLEVOIX COMMUNITY SHOPPER	299.00	FERGUSON & CHAMBERLAIN	4,700.00
CHARLEVOIX COUNTY NEWS	260.00	FISHER SCIENTIFIC	514.46
CHARLEVOIX SCREEN MASTERS INC	513.00	FREIDINGER, REED	15.00
CHARLEVOIX SEWER & DRAIN	170.00	GEI CONSULTANTS	3,400.00

GERBER HOMEMADE SWEETS	66.00	PHILLIPS, BILL	50.00
GILLESPIE, ALISON	15.00	PHYSICIAN'S CLINIC OF CHARLEVOIX	75.00
GINOP SALES INC	57.46	POND HILL FARM LLC	271.00
GLEN'S MARKET - CHARLEVOIX	1,676.15	POWER LINE SUPPLY	5,244.90
GLOBAL EQUIPMENT COMPANY	86.96	PREFERRED WASTE 2 LLC	425.00
GOLDING, JOYCE M.	50.00	PREIN & NEWHOF	3,021.13
GOLOVICH, RENEE	48.00	PRO WEB MARKETING LLC	30.00
GORDON FOOD SERVICE	136.81	QUILL CORP	540.39
GREENVIEW DATA INC	5,545.00	R & R PRODUCTS INC	703.32
GUNTZVILLER, RHONDA	529.00	REEDY, JOSEPH	38.77
HANKINS, SCOTT A.	50.00	REHMANN-ROBSON & CO	10,500.00
HARRELL'S	166.00	RESIDEX LLC	411.87
HEALEY, BRUCE	15.00	RICK-BIDDICK, MICHELLE	1,785.64
HEID, THOMAS J.	50.00	ROCKY TOP FARMS	36.00
HEP'S HOMEBAKED GRANOLA	68.00	ROTARY CLUB OF CHARLEVOIX	37.50
HERSEY, BRADFORD	150.00	ROWE PROFESSIONAL SERVICES CO	400.00
HERZOG ELECTRIC	259.85	RS TECHNICAL SERVICES	2,004.00
HEYDLAUFF, MARK L	50.00	RUSSELL, ANNE	346.00
IDEXX DISTRIBUTION INC.	1,312.86	RUSTIC BAKER	78.00
INTERWATER FARMS INC	761.00	SAUL, GINNIE	125.00
JANE'S SASSY SALSA	39.00	SEARS COMMERCIAL ONE	224.84
JOHN E. GREEN COMPANY	47,189.50	SHINDORF BUILDERS	322.00
JONES & JONES GARAGE DOOR SVCS	240.00	SHORELINE POWER SERVICES INC.	450.00
JTHOMAS PARTS	123.27	SIEGRIST, DAVID	42.00
KILWINS CHARLEVOIX	1,037.50	SIGN & DESIGN	30.00
KIRINOVIC, THOMAS F.	50.00	SITE ONE LANDSCAPE SUPPLY	3,838.91
KLOOSTER, ALIDA K.	50.00	SKILLPATH SEMINARS	417.00
KSS ENTERPRISES	2,886.45	SMITH, MILO	103.58
LAKE FOREST BAKING COMPANY	220.00	SNAP-ON	214.95
LAKESHORE TIRE & AUTO SERVICE	99.31	SNIVELY, KIRBY	75.00
LANDSCAPE LOGIC	225.00	SPARTAN STORES LLC	35.82
LANGE, JEFFREY	150.00	STATE OF MICHIGAN	725.00
LOTTIE'S BAGELS	330.00	SULLIVAN, LAWRENCE R	1,000.00
MAYER, SHELLEY L.	50.00	SUPERIOR MECHANICAL	4,815.77
MCCALLUM, KADIN	50.00	SWANSON, RACHEL	15.00
MCGINN, KELLY A.	50.00	SWEM, DONALD L.	50.00
MDC CONTRACTING LLC	25,495.02	SYSTEMS SPECIALISTS INC	1,952.00
MICHELS, CHRISTOPHER	150.00	TERMINAL SUPPLY CO	408.38
MICHIGAN BOATING INDUSTRIES ASSOC	295.00	THE CHARLES MACHINE WORKS INC	10,304.28
MICHIGAN MUSHROOM MARKET LLC	32.00	THE GO ROUNDS LLC	1,000.00
MICHIGAN WATER ENV ASSOC	140.00	THE TROPHY CASE	40.00
MILLER, WILLIAM S.	50.00	TIMMS, ROBERT	332.00
MOORS & MCCUMBER	1,250.00	TRAVERS, MANUEL J.	50.00
MUSTANG TOOL SERVICE	332.97	TRI-TURF	76.61
NETSOURCE ONE INC.	104.00	UNIFIRST CORPORATION	221.08
NORTH COUNTRY CRITTERS	15.00	UP NORTH PROPERTY SERVICES LLC	5,568.00
NORTHERN CREDIT BUREAU	251.00	VILLAGE GRAPHICS INC.	199.90
NORTHERN FIRE & SAFETY INC.	381.86	WAGNER, JODI	66.00
NORTHERN SAFETY CO INC	1,231.67	WARD BROTHERS BOATS INC	113.79
NORTHWEST DESIGN GROUP	350.00	WATTA COOKIE LLC	64.00
NW MI COG	12,180.00	WCMU PUBLIC MEDIA	695.00
OLD DOMINION BRUSH	933.08	WELLER, LINDA J.	50.00
OLSON BZDOK & HOWARD	1,634.70	WILTFONG, DAVID	34.68
OLSTROM EXCAVATING AND PAVING	3,040.00	WINNIE'S ORIGINAL LLC	5.00
OMS COMPLIANCE SERVICES INC	202.50	WITMER PUBLIC SAFETY GROUP	432.53
P.I.W. CORPORATION	82.50	WORK & PLAY SHOP	486.73
PARKER, MICHAEL	81.00	WURST, RANDALL W.	50.00
PENCHURA LLC	45,537.00	WYMAN, MATTHEW A.	50.00
PERSONAL GRAPHICS	799.48	TOTAL	408,161.54

ACH Payments – 07/17/2017 to 07/31/2017

MI PUBLIC POWER AGENCY	37,245.95	VANTAGEPOINT (401 ICMA PLAN)	713.94
NEOFUNDS BY NEOPOST (POSTAGE)	4,990.00	VANTAGEPOINT (457 ICMA PLAN)	13,296.88
MI PUBLIC POWER AGENCY	16,760.06	VANTAGEPOINT (ROTH IRA)	961.53
MI PUBLIC POWER AGENCY	254,726.70	MERS (DEFINED BENEFIT PLAN)	31,193.05
IRS (PAYROLL TAX DEPOSIT)	44,005.50	MI PUBLIC POWER AGENCY	13,905.90
ALERUS FINANCIAL (HCSP)	420.00		
STATE OF MI (WITHHOLDING TAX)	6,355.71	TOTAL	424,575.22

Payroll Net Pay – Pay Period Ending 07/22/2017 (Paid 07/28/2017)

WELLER, LINDA JO	1,499.87	MUMICH, BARRY J.	595.90
HEYDLAUFF, MARK L.	2,161.23	CRANDELL, ZACKARY R.	643.67
GOLDING, JOYCE M.	1,132.69	LEITNER, RYAN S.	802.81
DEROSIA, PATRICIA E.	483.25	FERGUSON, ROYCE L.	788.84
DOTSON, LINDSEY J.	1,421.14	BOSS, SHERRY M.	405.84
LOY, EVELYN R.	1,050.16	KIRINOVIC, THOMAS F.	432.86
KLOOSTER, ALIDA K.	1,566.56	STEBE, LAURA A.	18.47
GOLOVICH, KAREN J.	970.67	SROUFE, MARC E.	85.88
SPENCLEY, PATRICIA L.	1,233.43	SROUFE, PAMELA B.	74.81
MILLER, FAITH G.	28.07	MILAN, JANE E.	1,092.80
LEESE, MERRI C.	523.99	ANZELL, BETH A.	650.22
MCGINN, KELLY A.	1,618.00	BERNIER, RACHEL M.	719.19
JONES, JANET M.	496.47	MACGILLIVRAY, RAYMOND L.	660.32
DOAN, GERARD P.	1,603.59	DIXON, MIKAYA S.	481.50
SCHLAPPI, JAMES L.	1,290.95	MILAN, BAC P.	691.58
UMULIS, MATTHEW T.	1,457.52	HOLECHECK, JENNACA R.	828.08
HANKINS, SCOTT A.	2,182.32	LABELLE, DAVIS B.	409.75
ORBAN, BARBARA K.	1,402.10	BAILEY, ALYSSA M.	700.06
TRAEGER, JASON A.	1,936.32	HEID, THOMAS J.	1,299.22
FLICKEMA, ANDREW M.	1,862.15	LEESE, ALAN K.	455.33
MATELSKI, KIMBERLY A.	1,188.90	HART, DAVID R.	48.48
RILEY, DENISE M.	477.84	GRUNCH, RONALD J.	433.97
EVANS JR, HALBERT K.	1,470.62	DAVIS, RONALD L.	243.31
KLOOSTER, PATRICK H.	1,050.59	FAIRCHILD, GALEN W.	321.25
BINGHAM, LARRY E.	836.39	DAKROUB, JOSEPH E.	247.12
ENGSTROM, TYLER A.	600.58	MASSON, DONALD J.	437.37
WARNER, PAYTON J.	1,110.09	KUSINA, DENNIS W.	374.96
MATELSKI, RYAN G.	980.40	LABLANCE, MAUREEN J.	286.73
GREENE, GLORIA C.	760.38	LIVINGSTON, BRIAN D.	662.34
DAVIS, LEAH R.	725.82	VANLOO, JOSEPH G.	965.01
TELGENHOF, WILL G.	645.24	WYMAN, MATTHEW A.	1,761.58
WILLIAMS, BRANDON S.	431.22	BOSS, RYDER S.	793.72
CARLSON, JOSHUA A.	281.03	MILLER, WILLIAM S.	1,354.08
GREYERBIEHL, KELLY M.	812.46	HOUSER, JAMES F.	533.48
WURST, RANDALL W.	1,414.01	DOUGLAS, MARK	686.91
MAYER, SHELLEY L.	1,957.22	MITCHELL, JACOB A.	648.90
HILLING, NICHOLAS A.	1,343.65	TRAVERS, MANUEL J.	1,636.68
MEIER III, CHARLES A.	1,261.35	STEVENS, JEFFREY W.	239.12
ZACHARIAS, STEVEN B.	1,484.58	RILEY, CASEY W.	161.60
EATON, BRAD A.	1,809.08	JONES, LARRY M.	715.73
WILSON, TIMOTHY J.	2,027.54	FLORE, ROBERT A.	829.43
LAVOIE, RICHARD L.	1,630.19	WILLSON, BRENDA R.	857.17
STEVENS, BRANDON C.	1,629.38	BEAN, PETER J.	693.48
DRAVES, MARTIN J.	2,008.03	FENNELL, DREW M.	127.75
BROWN, STEPHANIE C.	1,042.19	MCMULLEN, DONALD R.	1,076.90
ANDERSON, ELIZABETH A.	1,151.81	SILVA, JESSE L.A.	373.30
ELLIOTT, PATRICK M.	2,004.05	RILEY, DANIEL A.	389.38
SCHWARTZFISHER, JOSEPH L.	1,437.91	TIMMS, ROBERT N.	46.17
BRADLEY, KELLY R.	1,509.35	GERBER, SAMUEL A.	41.56
HART II, DELBERT W.	1,217.48	KLINGER, LUCAS D.	520.94
JONES, ROBERT F.	1,082.88	KLINGER, BRADLEY W.	691.29
DORAN, JUSTIN J.	1,812.58	WILLIAMS, SYDNEY K.	772.91
FARRELL, MITCHELL L.	1,256.48	SWEM, DONALD L.	1,878.07
MANKER JR, DAVID W.	581.41	WHITLEY, ANDREW T.	1,939.21
MANKER SR, DAVID W.	796.02	MORRISON, KEVIN P.	1,775.07
BECKER, MICHAEL S.	942.35	JOHNSON, STEVEN P.	1,660.50
NEDWICK, DAVID J.	596.66	BISHAW, JAMES H.	733.83
FREY, DYLAN V.	572.14	WITTHOEFT, LUKILA F.	537.69
SHEPARD, ZACHARY N.	601.55	ITTER, DAVID M.	661.68
HART III, DELBERT W.	637.92	PETERSON, BENJAMIN D.	235.30
SLADEK, RYLYNN S.	543.57	GILL, DAVID R.	1,094.55
HAWKINS, JAMES S.	445.38	MATTER, DAWSON K.	3,521.89
MCGHEE, ROBERT R.	1,154.49		
ALDEN, CAMDEN D.	610.52	TOTAL	118,701.35

Payroll Transmittal – 07/28/2017

4FRONT CREDIT UNION	277.69	CHAR EM UNITED WAY	59.00
AMERICAN FAMILY LIFE	191.88	CHARLEVOIX STATE BANK	1,259.62
AMERICAN FAMILY LIFE	447.24	CHEMICAL BANK	150.00

COMMUNICATION WORKERS OF AMER	516.80	PRIORITY HEALTH	1,938.69
MI STATE DISBURSEMENT UNIT	401.83	TOTAL	5,242.75

Tax Disbursement – 08/08/2017			
CHARLEVOIX COUNTY TREASURER	366,196.55	CHARLEVOIX PUBLIC SCHOOLS	9.18
CHARLEVOIX COUNTY TREASURER	153.07	CHARLEVOIX PUBLIC SCHOOLS	21,419.92
CHARLEVOIX DISTRICT LIBRARY	19.38	CITY OF CHARLEVOIX - TAXES DUE	303,458.07
CHARLEVOIX PUBLIC SCHOOLS	507,117.77	CITY OF CHARLEVOIX/DDA	303,034.24
CHARLEVOIX PUBLIC SCHOOLS	107,122.52	RECREATIONAL AUTHORITY	3.48
CHARLEVOIX PUBLIC SCHOOLS	21,419.76	TOTAL	1,629,953.94

DRAFT

DRAFT City of Charlevoix

Short-Term Rental Ordinance

Definitions

Bed and Breakfast. Any place of lodging that provides rooms for rent for more than 10 nights in a 12-month period, is the owner's personal residence, is occupied by the owner or owner's representative at the time of rental, and in which a morning meal is served to guests.

Bedroom. A separate room or space with a legal means of egress, used or intended to be used specifically for sleeping purposes. The following spaces do not qualify as bedrooms: 1) kitchens; 2) dining areas; 3) gathering spaces such as family rooms, dens, or living rooms; and 4) attics or basements without egress meeting standards in applicable building, residential, and fire codes.

Dwelling Unit. A building or portion of a building, designed for use and occupancy by individuals, or one family, for living and sleeping purposes and with housekeeping facilities. A recreational vehicle, vehicle chassis or tent is not considered a dwelling.

(1) Dwelling, Multiple Family. A building containing three (3) or more dwelling units where each unit may have access to a common hallway, stairs or elevator, or where each unit may have individual access to a street or common courtyard.

(2) Dwelling, Single Family. (a) Detached. A single family dwelling unit that is separate and distinct from any other dwelling. A single family dwelling that does not share a party wall with any other dwelling is a detached single family dwelling. (b) Attached. A dwelling designed for occupancy by one (1) family in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another, and each unit is separated from any other unit by one or more vertical common fire-resistant walls (also known as a townhouse or rowhouse).

(3) Dwelling, Two Family. A single family dwelling unit attached to one (1) other single family dwelling by a common wall or floor (also known as a "duplex").

Good Visitor Guideline Materials. Materials prepared by the City's Planning and Zoning Department that include 1) a summary of the City's noise ordinance, fireworks ordinance, trash disposal ordinances, and applicable offenses against the public peace; 2) a reminder that the rental property is located in a residential neighborhood and that neighbors may not be vacationing; 3) information regarding amenities and regulations regarding pets; 4) parking rules and designated areas; 5) street address; 6) safety features; and 7) a statement informing the renters that neighboring property owners may contact the local agent and local police to report any issues relating to the property.

Local Agent. An individual designated to oversee the short-term rental of a dwelling unit in accordance with this article and to respond to calls from renters, concerned citizens, law enforcement, and representatives of the city. The local agent **must** be available to accept telephone calls on a 24 hour basis at all times that the short-term rental is rented and occupied. The local agent must have a key to the rental unit and be able to respond to the short-term rental within sixty (60) minutes to address issues or must have arranged for another person to address issues within the same timeframe.

Short-term rental. Any dwelling or condominium or portion thereof, excepting boat docks, that is available for use for a fee or other compensation for a term of less than 30 consecutive days, not including bed and breakfasts, 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.

Motel/Hotel. A building or group of buildings on the same lot, containing sleeping or dwelling units in which lodging is provided for compensation on a transient basis. The term includes tourist cabins, motor courts, motor lodges and similar facilities.

Registration Required.

Registration Required. All dwelling units used for short-term rentals for a total of two (2) or more weeks per calendar year shall be registered with the City. The short-term rental of an unregistered dwelling unit for a total of two or more weeks during a calendar year is prohibited. Registration shall be issued by calendar year. All short-term rental registrations shall expire at the end of the calendar year and must be renewed each year.

Application. To register a dwelling unit used for short-term rentals, the property owner or agent of the owner shall, for each unit on the property:

- Provide and certify as true the following on a form provided by the City:
 - Name, address, and telephone number of the local agent for the dwelling unit
 - The street address of the dwelling unit, along with other identification if more than one dwelling unit has the same street address.
 - The number of bedrooms in each dwelling unit, and in the dwelling as a whole.
 - The number of weeks the dwelling unit is available for short term rental each calendar year.
 - A statement certifying that the property owner or a local agent will provide at least one copy of the City's good visitor guideline materials to the renters each time the dwelling unit is rented.
 - A statement indicating which year the dwelling unit was first used as a short-term rental, and for how many weeks it was rented in the previous calendar year.
 - Such other information as the City deems appropriate.
- Pay an administrative fee, as set by resolution of the City Council.

Short-term rental regulations.

Local agent required. All dwelling units used for short-term rentals shall have a designated local agent.

Contact information posted in window. A notice shall be posted in a prominent first-floor door or window of any dwelling unit used for short-term rentals stating (in at least 16-point type) the name of the local agent, a 24-hour telephone number with which the agent can be reached.

Compliance with codes. The dwelling unit must meet all applicable residential building, health department, nuisance, and safety codes.

Noise and nuisance. Noise during quiet hours must be limited to that which does not disturb the quiet, comfort or repose of a reasonable person of normal sensitivities. Quiet hours shall be from 11:00 PM to 7:00 AM. The City of Charlevoix Noise Control Ordinance shall also apply.

Fireworks. Fireworks of any kind are not allowed on rental property except in accordance with the City of Charlevoix Fireworks Ordinance.

Inspections and Conditions.

Upon written complaint, the zoning administrator may make periodic inspections of a short-term rental to ensure continuing compliance with the approval standards specified in this Ordinance. In addition, the zoning administrator may impose reasonable conditions on a registration issued under this Ordinance which are reasonably necessary to ensure compliance with the approval standards provided in this Ordinance.

Suspension or Revocation of Short Term Rental Registration.

Grounds for Suspension or Revocation. In addition to any other penalty authorized by law, a short term rental registration may be suspended or revoked if the Zoning Administrator finds by competent, material, and substantial evidence and after written notice of the charges to the owner and an opportunity to be heard, that the licensee or his or her agents or employees has or have violated, or failed to fulfill, the requirements of any of the following:

- Any provision of this Ordinance
- Title VI of the City Code: Health Regulations
- Title IX of the City Code: Police Regulations
- Title II of the City Code: Utilities and Services
- Any provision of the Zoning Ordinance or any permit or approval issued pursuant to the Zoning Ordinance.

Revocation Procedure. The written notice of the charges and the notice of the hearing shall be personally served on the owner or agent or served on the owner by certified mail, restricted delivery, no less than 21 days before the hearing before the Zoning Administrator.

- Upon a finding by the Zoning Administrator of a First violation within any twelve (12) month period, the short term rental registration may be suspended for up to thirty (30) days and during said time the premises shall not be utilized for a short term rental.
- Upon a finding by the Zoning Administrator of a Second violation within any twelve (12) month period, the short term rental registration shall be suspended for thirty (30) days and during said time the premises shall not be utilized for a short term rental.
- Upon a finding by the Zoning Administrator of a Third violation within any twelve (12) month period, the short term rental registration shall be revoked and the owner or local agent who had been issued the short term rental registration shall not again be issued a short term rental registration for a period of twelve (12) months and during said time the premises shall not be utilized for a short term rental. Appeal from denial or suspension or revocation of a short term rental registration is allowed.

Appeals.

Appeal. Upon a determination by the zoning administrator that the registration of a dwelling unit is subject to revocation pursuant to subsection), the zoning administrator shall issue a notice to the owner and agent stating that the City intends to revoke the rental registration. The notice shall inform the owner and local agent of a right to a hearing to show cause as to why the registration should not be revoked. If a hearing is requested within 14 days of the service of the notice, the City shall schedule the hearing before the Zoning Board of Appeals and notify the owner and agent in writing of a time and place for that hearing. At the hearing, the owner and agent may present evidence that the requirements for revocation provided in subsection_ are not satisfied, or that the property owner and agent should not be held responsible for one or more of the three requisite violations due to extenuating circumstances. Extenuating circumstances may include circumstances that the owner or the owner's agent could not reasonably anticipate and prevent, and could not reasonably control.

City of Charlevoix

GOOD VISITOR GUIDE

1. The City of Charlevoix Noise Control Ordinance has Quiet Hours from 11:00 p.m. to 7:00 a.m. Your neighbors may not be vacationing, especially in residential areas.
2. The City of Charlevoix Fireworks Ordinance does not allow any fireworks. This also includes Chinese Lanterns (paper balloons that go aloft by candle).
3. Vehicle parking needs to be in designated driveway or properly at the street. The City of Charlevoix Parking Ordinance requires off-street parking in winter.
4. The City of Charlevoix Pet Ordinance requires pets not in their yard to be on a leash. Pick-up after pets is required and pick-up stations are available. Pets are NOT allowed in the park during events (concerts, vendor fairs, etc.) There is not a designated dog park in Charlevoix and pets are not to be on the beaches.
5. Trash is to be put at the curb edge. The pick-up date for this property is:
6. Alcohol is not allowed in any City park, playground, recreational area or athletic field between the hours of 9:30 p.m. and 6:00 a.m. Alcohol is also prohibited in any park within 1,000 feet of US 31.
7. Please do enjoy:
 - Charlevoix Chamber of Commerce
 - Charlevoix Convention and Visitors Bureau at 109 West Mason Street, or online at www.charlevoix.org
 - Charlevoix's parks and three city beaches: Lake Michigan, Depot, and Ferry Earl Young Mushroom Houses
 - The drawbridge, which goes up on the hour and half hour if there is boat traffic
 - Bike and Walking trails: Mount McSaubia, Lake-to-Lake
 - The Charlevoix Public Library at 22 West Clinton Street.

Dear Property Owner,

The City of Charlevoix has adopted Ordinance __, to provide for the annual registration of Short-Term Rentals.

The purpose of this Ordinance is to:

1. Provide information and assistance to property owners/landlords regarding insurance needs, business and tax issues, and other issues.
2. Provide information and assistance to the visitors/renters through a "Good Visitor Guide" to enhance their Charlevoix experience and encourage responsible renters and neighbors.
3. Provide information for the city on short-term rentals to ensure the health and safety for our residents and visitors.
4. Short-term rentals are homes that are rented for a term of less than 30 consecutive days. They do not include bed and breakfasts, 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.

If this applies to your residence, please complete the attached form.

If you are uncertain if this applies to you, or if you have any questions, please contact__.

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

SHORT-TERM RENTAL REGISTRATION

APPLICATION

1. This application is to be completed by the applicant, signed, and filed with the Zoning Administrator.
2. Applicant must pay \$__ Short-Term Rental Registration fee made payable to the City of Charlevoix. For multiple rentals within one property (as determined by a single tax identification number), only one fee is required, but each unit must have a separate registration.
3. Two copies of the approved registration are provided to the applicant. The original application is part of the City's permanent records.

SHORT-TERM RENTAL REGISTRATION APPLICATION

Applicant

Address of Rental

Property Owner Name (if different than applicant)

Property Owner Address (If different than address of subject property)

Local Agent (24-hour, 7-day-a-week contact) Name

Local Agent Address

Property Owner Phone

Local Agent Phone

Unit __ of __

Number of Bedrooms in the Rental Unit _____

Total Maximum Number of Occupants _____

Number of Weeks Rental Unit is Available in a Calendar Year _____

Number of Weeks Rented in Previous Calendar Year _____

First Year Rented _____

AFFIDAVIT

I agree the statements made in the above application are true, and if found not to be true, any registration or permit issued may be void.

I also agree to comply with the conditions and regulations provided with any registration or permit that may be issued.

Further, I agree that any permit that may be issued is issued with the understanding that the individual(s) or organization(s) named or represented on that permit will comply with all applicable sections of the Charlevoix City Code.

Accordingly, I agree that at least one copy of the City's Good Visitor Guidelines will be provided to renters each time the dwelling unit is rented, and that one copy with the address of the property will be clearly posted in the kitchen..

I also agree that a local agent will be available to oversee the short-term rental in accordance with City Code and to respond to calls from renters, concerned citizens, and representatives of the City. The local agent will be available to accept telephone calls on a 24-hour basis at all times that the short-term rental is rented and occupied, and will have a key to the rental unit and be able to respond to the rental within 60 minutes to address issues, or will have arranged for another person to address issues in the same timeframe.

I also agree that the address of the property and the contact information for the local agent must be posted in a prominent first-floor door or window of each unit used as short-term rental.

Finally, I understand that this is an application for a short-term rental registration only (not a zoning permit) and does not include any representation or conveyance of rights in any other statute, building code, deed restriction, or other property rights.

Owner Signature

Date



CITY OF CHARLEVOIX

210 STATE ST. CHARLEVOIX, MICH. 49720

August 10, 2017

Elise Crafts

The following are my comments regarding Article 12: the Site Plan Review Section of the City of Charlevoix Zoning Ordinance.

I did not review the Special Land Use Review or the Planned Unit Development (PUDs) Sections of the Zoning Ordinance.

As a general overall comment, I believe that a Site Plan Review process should address the entire parcel of property upon which a structure is located or to be located and not just limit the review to the structure or structures whose uses are changing or proposing to be constructed. As an example, if a commercially zoned parcel of property contains an existing building and another is proposed which is less than 2,000 square feet in size, I believe this should require the "Level B" even though the Zoning Ordinance as currently written would allow the review to take place via the "Level A" review.

Additionally, many small projects could take place as a "Level A" review, some thought should be given to require certain types of uses or uses proposed in certain districts be reviewed as a "Level B" review. This could include commercial uses that border upon Residentially Zoned Districts or multiple family developments bordering upon single family districts. The same could be true for industrial uses that border any type of residential district or perhaps commercial uses as well.

Specific language changes that I believe should be considered are outlined below.

5.116 (1) (a.) add to the end of the sentence, "and is the only principal or primary building located upon the property"

5.116 (2.) add to the end of the sentence "or which results in two or more principal, or primary buildings located upon the property which have a total square footage of 2,000 square feet or more"

5.118 (1.) (d.) add to the end of the sentence "and the Planning Commission for their information."

5.118 (2.) (f.) Do one of the following, either delete this subsection entirely and have the Planning Commission be the sole approving body for "Level B" site plans, or

Amend the last sentence to include the Planning Commission comments as

to what the City council review would be based upon in part”

If the decision is to delete 5.118(2)(f), in Section 5.118 (2)(e) change the terms “recommend approval of” to “approve” and change the term “recommend denial” to “deny”.

5.118(2.) (g.) If the Council continues to review site plans, change the references from the “Chair of the Planning Commission” to the “Mayor” or “City Manager or City Clerk on behalf of the Council”.

Table 5.119(1.) – Required Site Plan Content under the Level A reviews, require data to be submitted on the following:

Location, width and purpose of all existing easements

Existing Water Bodies

Flood Plains

All Deed Restrictions and Covenants

5.119(2.) Add a new sentence at the end of this item that reads as follows “the Planning Commission and/or City Council reserves the right to request the waived information for Level B Site Plan reviews should they (the respective body) believe the information is useful or necessary in their decision making process.”

5.119(3.) Add “City Council” in both locations where the text refers to “zoning administrator or planning commission.”

The above are my comments, generally I am quite pleased with the language contained the existing zoning ordinance. The text changes I am recommending above I believe will both assist in tightening up the process as well as insuring that the Planning Commission is kept abreast of the Level A site plan reviews which I get the impression has been a bit lacking in the past.

Unfortunately, I have another commitment on Monday evening and as a result I will not be able to attend the Planning Commission meeting. Should you have any questions in the meantime or Monday during the day, feel free to contact me.

Sincerely,
Larry Sullivan
Interim Zoning Administrator

MEMO

August 9, 2017

To: City of Charlevoix Planning Commission

From: Sarah Lucas, Director of Community Development/City Staff Planner

Re: Planning Commission To-Do List

The following is a list of items the Planning Commission is either currently working on, or will be working on in the future (in no particular order):

- Short-term rental ordinance
- Signage ordinance update
- Solid Waste ordinance update
- Planning Commission training
- Site Plan Review process evaluation
- Update zoning ordinance to match Master Plan
- Codify zoning ordinance
- Redevelopment Ready Certification (MEDC)
- Affordable housing
- Incorporate graphic design elements into zoning ordinance
- Does Planning Commission need to review site plan approvals at airport?
- _____
- _____
- _____

MEMO

August 9, 2017

To: City of Charlevoix Planning Commission

From: Elise Crafts, Networks Northwest

Re: Draft Signage Ordinance

Summarized below are the changes made to each section of the proposed new signage ordinance.

Section 5.100 Purpose

No changes made.

Section 5.101 General Provisions

- (1) Prohibited Signs
- (2) Signs Authorized Without a Sign Permit
- (3) Permit Required for Signs
- (4) Signs and Public Rights-of-Way
- (5) Unsafe Signs
- (6) Abatement of Dangerous Signs
- (7) Legal Non-Conforming Signs
- (8) Appeals

I reorganized this section to include much of the “administrative” components of the signage ordinance (permits, appeals, etc.) and regulations that apply broadly to all signs, everywhere (prohibited signs, unsafe signs, dangerous signs, etc.). The text in this section is substantially similar to the existing sign ordinance.

This section is meant to give the reader a broad “lay of the land” before we dive into specific sign standards.

***Note** – Sections 5.101(1)(i) and 5.102(3)(e) reference the “MH” zoning district, which as far as I can tell, doesn’t exist. It’s possible the “CH” or “MC” district is intended here. Any ideas?

Section 5.102 Sign Standards for All Signs

- (1) Number and Placement Requirements
- (2) Computation of Sign Face Area
- (3) Illumination and Lighting
- (4) Sign Materials

I reorganized this section to include the physical regulations applicable to all signs (lighting, sign face area, materials, etc.). The text is substantially similar to the existing sign ordinance.

This section is intended to provide the reader the required basics of all signs erected in the City, before getting into specific regulations for each type of sign.

Section 5.103 Sign Standards for Specific Signs

- (1) Ground Signs
- (2) Window Signs
- (3) Two-Sided Signs
- (4) Wall Signs
- (5) Projecting Signs
- (6) Awning, Canopy, Marquee Signs

This section provides requirements for each type of sign, no matter where that sign is located in the City. The text is substantially similar to the existing sign ordinance, though I pulled much of it from different places in the existing ordinance and consolidated it into one section.

Section 5.104 Sign Standards for Specific Land Use

- (1) Automobile Gasoline Service Stations
- (2) Major Home Occupations
- (3) Multi-tenant Business Center

This section provides specific sign standards for three separate land uses – gas stations, major home occupations, and multi-tenant business centers – but does not provide standards related to what the signage says. After extensive research, I determined that regulating commercial signage post-Reed v. Town of Gilbert is still a “gray area”. This approach offers minimal regulation (based on land use, not content) and still allows these specific uses a practical sign option without opening up that option to the entire zoning district within which they reside.

Section 5.105 Schedule of Regulations for Specific Land Use

This section summarizes the information contained in Section 5.104 as a table and offers additional dimensional requirements such as height, location, etc.

Sections 5.106-5.113 Zoning Districts

These sections provide the types of signs allowed (without and with a permit) for each zoning district in the City. The sections are broken up by district (though in several cases multiple districts are lumped together because the regulations are the same). I determined which signs are allowed in which district based on the existing sign ordinance.

However, there are significant changes to these sections, including:

- On-premise temporary ground signs less than or equal to 8 sf are allowed in most districts without a permit. This is intended to provide for real estate, yard sales, etc. Temporary ground signs larger than that will require a permit – which is a departure from the current ordinance. To avoid this, we could raise the 8 sf to a greater size allowed without a sign permit.
- On-premise temporary ground signs mean that the sign refers to an activity/event/service occurring at that property. Therefore, temporary signs related to a community event, for example, are not allowed. This is consistent with the current ordinance.
- The regulations for portable signs have not changed from the current ordinance, however, I did include which districts portable signs are allowed in (this is not stated in the current ordinance). These are proposed to be allowed in the CBD and CM districts.

Section 5.114 Schedule of Regulations

This section summarizes the information contained in Sections 5.106-5.113 as a table and offers additional dimensional requirements such as height, location, etc.

I provided a maximum number of signs allowed based on best practices in other sign ordinances. The current ordinance does not specify a maximum allowed, except for businesses, which are allowed a maximum of two types of signs per public frontage (for example, a wall/projecting sign).

Section 5.115 Severability and Substitution Clause

This is the recommended language to include in every sign ordinance and protects the ordinance as a whole if one section/subsection is ruled invalid.

Article 11 Signs

5.100 Purpose

The purpose of this article is to regulate signs designed to be visible to the public in a manner which does not restrict the content thereof while:

1. Recognizing the mass communications needs of both businesses and other parties.
2. Protecting property values and neighborhood character.
3. Creating a more attractive business climate.
4. Promoting pedestrian and traffic safety by reducing sign distractions, obstructions and other hazards.
5. Promoting pleasing community environmental aesthetics.
6. Discouraging visual competition among businesses.

5.101 General Provisions

(1) Prohibited Signs

The following signs shall not be allowed in any zoning district:

- a. Signs that are not consistent with the standards of this chapter.
- b. Signs that are not clean i.e. are covered with materials that obscure the message, in whole or in part. Signs that are not in good repair, i.e. having broken foundation, base or support structures, lighting fixtures, etc., and/or having a faded appearance.
- c. Signs that are structurally unsafe and/or dangerous, i.e. in a state of disrepair or being designed and/or constructed so as to pose a likely threat of total or partial collapse. See *Section 5.101(5)* and *Section 5.101(6)*.
- d. Signs that are not securely affixed to a substantial structure that will hold the sign in a fixed position under normal weather conditions. Signs that are attached to any natural growth, such as trees, shrubs or other natural foliage.
- e. Signs, which by reason of their location, shape, size or color appear to regulate, warn or direct the movement of traffic on public thoroughfares or interfere with or resemble an official traffic sign, signal or device.
- f. Signs other than official utility company signs affixed to power utility poles or other utility structures or fixtures.
- g. Signs located so as to interfere with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private roads. (See *Section 5.62.*)

- h. Signs in public rights-of-way other than those allowed by the City Highway Banner Program.
- i. External neon signs other than in the GC, CBD, or MH Districts (what is the MH district??).
- j. All types of flags, feathers, banners (except those authorized under *Section 5.101(2)(d)*) pennants, streamers and airborne devices attached to the ground or buildings ("Over Highway Banners" are allowed only by the City Highway Banner Program by permit from the City Manager and MDOT.)
- k. Billboard-highway advertising signs.
- l. Internally lighted signs.
- m. Off-premises signs.
- n. Roof signs.
- o. Signs containing an electronic sign face other than allowed by *Section 5.104(1)*.

(2) Signs Authorized Without a Sign Permit

The following signs are authorized in any district without a Sign Permit and are not included towards the maximum number of signs allowed on a parcel, but shall conform to the applicable requirements of this chapter and the applicable building codes.

- a. Signs posted on private property less than or equal to two (2) square feet in sign face area.
- b. Signs erected by, on behalf of, or pursuant to the authorization of a governmental body.
- c. Official signs erected by public utilities.
- d. Non-commercial flags or insignia.
- e. Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, moving parts or lights.
- f. Any sign located wholly within a building and not visible from outside the building.
- g. Window signs less than or equal to six (6) square feet in sign face area and located on the interior of a building. Window signs exceeding six (6) square feet in sign face area, whether located on the interior or exterior of a building, are considered wall signs and are subject to all applicable regulations.
- h. Public signs or signs sanctioned by a public body on public land are not subject to this chapter.

(3) Permit Required for Signs

- a. Except as otherwise provided in this chapter, no sign may be constructed, erected, moved, enlarged, illuminated or otherwise altered unless a sign permit has been issued in accordance with the provisions of this chapter. Repainting or changing the message of a sign shall not in and of itself be considered an alteration.
- b. Application for a sign permit shall be submitted to the zoning administrator on appropriate forms supplied by her/his office. Said application shall contain the following information:
 - i. Name, address, and telephone number of the applicant.
 - ii. Written permission of property owner on whose property the sign will be located (if the applicant is not the property owner).
 - iii. Type of sign as defined by this chapter.
 - iv. Scaled drawing showing sign size, height, type of support (if applicable), zoning district in which the sign will be located, location of sign on property including front and side yard setback distances and any other information required herein.
 - v. Street address of the property upon which the sign will be located.
 - vi. The name of the sign contractor, who shall erect the sign and/or sign structure.
 - vii. No permit shall be issued for the erection of any sign or signs until such sign(s) have been reviewed and approved by the zoning administrator and without first having paid a permit fee as established by the city council.

(4) Signs and Public Rights-of-Way

All signs in the US 31 Highway Right of Way are regulated by the Michigan Department of Transportation (MDOT) at locations approved by and installed in accord with the State of Michigan TODS program.

(5) Unsafe Signs

- a. No person, corporation, business organization or other legal entity shall own or maintain any sign or advertising device that is structurally unsafe. For purposes of this section, the term “structurally unsafe” shall mean being in a state of disrepair or being designed and/or constructed so as to pose a likely threat of a total or partial collapse.
- b. The zoning administrator and/or other officials designated by the zoning administrator shall have the right to inspect signs and advertising devices to determine whether they are structurally unsafe. The zoning administrator and/or other officials designated by the zoning administrator may exercise this right of inspection by consent of the owner of the sign or advertising device and the

owner of the property on which the sign or advertising device is located or by administrative search warrant.

- c. If the zoning administrator finds that a sign or advertising device is structurally unsafe, he or she shall serve on the owner of the sign or advertising device and the owner of the property on which the sign or advertising device is located a written notice, which specifies all of the following:
 - d. The location of the sign or advertising device that is structurally unsafe.
 - e. The nature of the unsafe condition.
 - f. The date, no less than twenty (20) days after the written notice was served, before which the owner of the sign or advertising device or the owner of the property on which the sign or advertising device is located shall remedy the unsafe condition.
 - g. A statement that if the owner of the sign or advertising device or the owner of the property on which the sign or advertising device is located fails to remedy the unsafe condition within the time specified in the written notice, the city may enter onto the property to remedy the unsafe condition and charge the costs of such action, including reasonable attorney fees, to the owner of the sign or advertising device and/or the owner of the property on which the sign or advertising device is located.
 - h. A statement that the owner of the sign or advertising device and the owner of the property on which the sign or advertising device is located has the right before the expiration of the deadline contained in the written notice to request a hearing before the city council regarding whether the sign or advertising device is structurally unsafe.
 - i. The service required by this subsection shall be personal service or service by certified mail, restricted delivery, return receipt requested. For purposes of this section, the phrase "remedy the unsafe condition" shall mean repairing the sign or advertising device so that it does not pose a serious threat of a total or partial collapse or removing the sign or advertising device from the property.
 - j. If the owner of the sign or advertising device or the owner of the property on which the sign or advertising device is located requests a hearing before the city council as provided in this section, the city shall take no action to remedy the unsafe condition until, after notice and hearing, the city council finds that the sign or advertising device is structurally unsafe. A notice of the time, date and place of the hearing before the city council shall be served on the owner of the sign or advertising device and on the owner of the property on which the sign or advertising device is located no less than fourteen (14) days before the scheduled hearing. The service of this notice may be made by first class mail. The

owner of the sign or advertising device or the owner of the property on which the sign or advertising device is located may appeal an adverse decision by city council to the circuit court as provided by law.

- k. In exercising its right under this section to remedy the unsafe condition, either with or without a hearing before the city council, the city shall remove the sign or advertising device from the property if the repairs necessary to remedy the unsafe condition exceed fifty (50) percent of the value of the sign or advertising device.
- l. The costs of remedying the unsafe condition by the city, including reasonable attorney fees, may be collected in a lawsuit against the owner of the sign or advertising device or the owner of the property on which the sign or advertising device is located.

(6) Abatement of Dangerous Signs

- a. To protect the health, safety and general welfare of the inhabitants of the City of Charlevoix, the zoning administrator is hereby authorized and empowered to order city officials to enter onto private property to remove, repair or otherwise make safe any dangerous sign or advertising device without notice to the owner of the sign or advertising device or the owner of the property on which the sign or advertising device is located. For purposes of this section, the phrase “dangerous sign or advertising device” means a sign or advertising device that is in such a state of disrepair or has such a design and/or construction flaw that it poses an imminent threat of total or partial collapse such that following the procedures of *Section 5.111* would result in a substantial likelihood of injury to persons or property.
- b. If the zoning administrator exercises the authority granted in *Section 5.112(1)* above, he or she shall cause a written notice of such action to be served on the entity who benefits from the sign or advertising device and on the owner of the property on which the sign or advertising device is located as soon as possible after the action is taken. The service required by this subsection shall be by personal service or by first class mail. Service shall be deemed completed when the notice is mailed. Acceptance of the certified mail is not required.
- c. The costs incurred by the city in removing, repairing or otherwise making a dangerous sign or advertising device safe under this section, including reasonable attorney fees, may be collected in a lawsuit against the owner of the sign or advertising device or the owner of the property on which the a sign or advertising device is located.

(7) Legal Non-Conforming Signs

- a. Subject to the remaining restrictions of this Section, nonconforming signs that were otherwise lawful on the effective date of this chapter may be continued, repaired and maintained as is necessary to keep in a sound condition.
- b. No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming sign. In addition, no person may add illumination.
- c. A nonconforming sign may not be moved or replaced except to bring the sign into greater conformity with this chapter.
- d. If a nonconforming sign is destroyed to the extent it is impractical to be restored using a majority of its existing major components, it may not thereafter be repaired, reconstructed or replaced except in conformity with all the provisions of this chapter, and the remnants of the former sign structure shall be cleared from the land.
- e. The message of a nonconforming sign may be changed so long as this does not create any new non-conformity.

(8) Appeals

Any person aggrieved by a decision of the zoning administrator may appeal that decision to the zoning board of appeals.

5.102 Sign Standards for All Signs

(1) Number and Placement Requirements

- a. For the purpose of determining the number of signs where graphic material is displayed in a random manner without an organized relationship of elements, each element shall be considered a single sign. A number of small signs randomly placed on a wall cannot be construed to be a single sign.
- b. No sign may extend above any parapet or be placed upon any roof surface, except that for purposes of this chapter, roof surfaces constructed at an angle of seventy-five (75) degrees or more from horizontal shall be regarded as wall space. This subsection shall not apply to displays, including lighting, erected in connection with the observation of holidays on the roofs of residential structures.

(2) Computation of Sign Face Area

- a. The sign face area of a sign shall be computed by including the entire area within a single, continuous perimeter of a circle, triangle, rectangle or parallelogram enclosing the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or

structure against which it is placed, but not including any supporting framework or bracing that is clearly incidental to the display itself.

- b. If the sign consists of more than one (1) section or module, all of the area, including that between sections or modules, shall be included in the computation of the sign face area.
- c. Subject to the provisions of *Section 5.103 (3)* the sign face area of two-sided, multi-sided or three-dimensional signs shall be computed by including the total of all sides designed to attract attention or communicate information that can be seen at any one time by a person from one vantage point.

(3) Illumination and Lighting

- a. All electrical wiring to a sign shall be placed underground when applicable.
- b. Signs must be lighted indirectly and not internally. Indirect lighting shall be directed either downward or upward onto the sign face and shielded so that it illuminates only the sign face and does not shine directly into a public right-of-way or residential premises.
- c. Signs may be illuminated using a high intensity reflective surface or lettering.
- d. No sign may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity.
- e. External neon signs no larger than two (2) square feet in sign face area are allowed in the GC (General Commercial), CBD (Central Business District), and MH (What is this zoning district?) zoning districts only.

(4) Sign Materials

- a. Signs shall be constructed of durable materials.
- b. Natural or natural-like materials are encouraged. Earth tone colors are to be encouraged.
- c. It is recommended that the sign be constructed of materials compatible with the existing structure.

5.103 Sign Standards for Specific Signs

(1) Ground Signs

- a. No part of a ground sign may exceed a height of sixteen (16) feet, measured from ground level.
- b. No part of a ground sign may be closer than four (4) feet to the right-of-way line.

(2) Window Signs

- a. Window signs are allowed provided they do not exceed twenty-five (25) percent of the total area of each window pane and do not exceed six (6) square feet.
- b. Window signs less than or equal to six (6) square feet shall not count towards the maximum number of signs allowed.
- c. Any window sign greater than six (6) square feet is shall be considered a wall sign.

(3) Two-sided Signs

- a. A two-sided or multi-sided sign shall be regarded as one (1) sign so long as the interior angle of a “V” type sign does not exceed thirty (30) degrees and the two (2) side are at no point separated by a distance that exceeds five (5) feet; and the distance between the backs of each face of a double-faced (back-to-back) sign does not exceed three (3) feet.

(4) Wall Signs

- a. No wall sign attached to a building may project more than twelve (12) inches from the building wall. In those instances where a wall sign is affixed to the wall of the structure which lies on a right-of-way line, the bottom of the wall sign may be no closer than eight (8) feet from the ground. In all other instances, see *Section 5.114* for height requirements.

(5) Projecting Signs

- a. No part of a projecting sign may extend more than eight (8) feet over private property or a public right-of-way, nor be less than eight (8) feet from ground level.

(6) Awning, Canopy, Marquee Signs

- a. Except for awning, canopy, and marquee signs hanging entirely over private property, no part of an awning sign may be closer than eight (8) feet from ground level.

5.104 Sign Standards for Specific Land Use

(1) Automobile Gasoline Service Stations

- a. In addition to the signs allowed by *Section 5.114*, automobile gasoline service stations, including any business selling gasoline, may display one (1) other sign with a sign face area not to exceed eighteen (18) square feet. For purposes of this subsection, the sign may be an electronic sign face. Signs on pump canopies may be considered secondary to a station’s primary sign should the primary sign,

for example be a ground sign. See *Section 5.105* for all dimensional requirements.

- b. On-premise signs displayed over individual entrances or service bays shall be permitted. Not more than one (1) such sign per bay shall be permitted and each sign shall not exceed four (4) square feet in total sign face area. See *Section 5.105* for all dimensional requirements.

(2) Major Home Occupations

- a. Major home occupations may have one (1) wall sign no larger than four (4) square feet. See *Section 5.105* for all dimensional requirements.

(3) Multi-tenant Business Center

- a. Notwithstanding the requirements of *Section 114* In the case of a shopping center or other integrated group of stores or commercial buildings, one (1) ground sign may be erected. The maximum area for such a sign face shall be equal to one-half (0.5) square foot of sign face area for each foot of building frontage, or sixty (60) square feet, whichever is less. See *Section 5.105* for all dimensional requirements.

5.105 Schedule of Regulations for Specific Land Use

Table 5.105 Schedule of Regulations for Specific Land Use

Land Use	Sign Type Allowed	Sign Face Area	Height	Number	Location	Permit Required?
Major Home Occupations	Wall	Max 4 sf	Max 8 ft	Max 1 per parcel	First floor of building	Yes
Business Center	Ground	See Section 5.104(4)	Max 16 ft	See Section 5.104(4)	Min set back 4 ft from ROW	Yes
Automobile Gasoline Service	Electronic	Max 18 sf	Max 16 ft	See Section 5.104(1)	Min set back 4 ft from ROW	Yes
	Service Bay	Max 4 sf	Min 8 ft Max 12 ft	Max 1 per service bay	See Section 5.104 (1)	Yes

5.106 R1, R2, R2A, R4, PC, and SR Zoning Districts

The following signs are authorized in the R1 (Residential Low Density), R2 (Residential Medium Density), R2A (Residential Medium Density – Multi Family), R4 (Residential Planned High Density), PC (Residential Private Clubs), and SR (Scenic Reserve) zoning districts. See *Section 5.114* for all dimensional requirements.

(1) Signs Not Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized without a sign permit:

- a. Window signs that do not exceed twenty-five (25) percent of the total area of each window pane and do not exceed six (6) square feet in sign face area.
- b. On-premise wall signs less than or equal to two (2) square feet in sign face area.
- c. On-premise temporary ground signs less than or equal to eight (8) square feet in sign face area. Such signs shall be removed within seven (7) days after the activity referenced has concluded.

(1) Signs Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized after issuance of a sign permit:

- a. On-premise temporary ground signs greater than eight (8) square feet in sign face area. Such signs shall be removed within seven (7) days after activity referenced has concluded.
- b. On-premise ground sign.

5.107 PUD Zoning District

The following signs are authorized in the PUD (Planned Unit Development) zoning district. See *Section 5.114* for all dimensional requirements.

(1) Signs Not Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized without a sign permit:

- a. Window signs that do not exceed twenty-five (25) percent of the total area of each window pane and do not exceed six (6) square feet in sign face area.
- b. On-premise wall signs less than or equal to two (2) square feet in sign face area and less than eight (8) feet in height.
- c. On-premise temporary ground signs less than or equal to eight (8) square feet in sign face area and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after the activity referenced has concluded.

(1) Signs Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized after issuance of a sign permit:

- a. On-premise temporary ground signs greater than eight (8) square feet in sign face area but not to exceed 36 square feet and less than eight (8) feet in height.

Such signs shall be removed within seven (7) days after activity referenced has concluded.

- b. On-premise ground sign.
- c. On-premise projecting sign.
- d. On-premise wall sign.

(2) Mixed-use Planned Unit Development

- a. Except for the signs permitted under *Section 5.107*, no other signs are permitted in residential areas of a PUD zoning district, but are allowed in the commercial areas of a PUD zone district. See *Section 5.114* for all dimensional requirements.

5.108 PF Zoning District

The following signs are authorized in the PF (Public Facilities) zoning District. See *Section 5.114* for all dimensional requirements.

(1) Signs Not Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized without a sign permit:

- a. Window signs that do not exceed twenty-five (25) percent of the total area of each window pane and do not exceed six (6) square feet in sign face area.
- b. On-premise wall signs less than or equal to two (2) square feet in sign face area and less than eight (8) feet in height.
- c. On-premise temporary ground signs less than or equal to eight (8) square feet in sign face area and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after the activity referenced has concluded.
- d. Temporary Banners. Temporary banners in conjunction with a one-time event are only allowed in two (2) specific locations within the city, adjacent to the city golf course and near the intersection of M-66 and US-31. Banners may be placed in those locations by non-profit or for-profit businesses or entities when the Zoning Administrator determines that these events will provide a substantial benefit to the City of Charlevoix and the event will not create any unfair competition among local businesses. Banners may be erected not more than two (2) weeks before the event and must be removed within two (2) days after the event.

(2) Signs Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized after issuance of a sign permit:

- a. On-premise temporary ground signs greater than eight (8) square feet in sign face area but not to exceed 36 square feet and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after activity referenced has concluded.

- b. On-premise ground sign.
- c. On-premise wall sign.

5.109 GC Zoning District

The following signs are authorized in the GC (General Commercial) zoning district. See *Section 5.114* for all dimensional requirements.

(1) Signs Not Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized without a sign permit:

- a. Window signs that do not exceed twenty-five (25) percent of the total area of each window pane and do not exceed six (6) square feet in sign face area.
- b. On-premise wall signs less than or equal to two (2) square feet in sign face area and less than eight (8) feet in height.
- c. On-premise temporary ground signs less than or equal to eight (8) square feet in sign face area and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after the activity referenced has concluded.
- d. Temporary Banners. Temporary banners in conjunction with a one-time event are only allowed in two (2) specific locations within the city, adjacent to the city golf course and near the intersection of M-66 and US-31. Banners may be placed in those locations by non-profit or for-profit businesses or entities when the Zoning Administrator determines that these events will provide a substantial benefit to the City of Charlevoix and the event will not create any unfair competition among local businesses. Banners may be erected not more than two (2) weeks before the event and must be removed within two (2) days after the event.
- e. External neon signs no larger than two (2) square feet in sign face area.

(2) Signs Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized after issuance of a sign permit:

- a. On-premise temporary ground signs greater than eight (8) square feet in sign face area but not to exceed 36 square feet and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after activity referenced has concluded.
- b. On-premise awning sign.
- c. On-premise ground sign.
- d. On-premise projecting sign.
- e. On-premise wall sign.

5.110 CM Zoning District

The following signs are authorized in the CM (Commercial Mixed Use) zoning district. See *Section 5.114* for all dimensional requirements.

(1) Signs Not Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized without a sign permit:

- a. On-premise wall signs less than or equal to two (2) square feet in sign face area and less than eight (8) feet in height.
- b. On-premise temporary ground signs less than or equal to eight (8) square feet in sign face area and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after the activity referenced has concluded.
- c. Portable signs
 - i. Shall be not more than forty-eight (48) inches in height and thirty (30) inches in width, and cannot exceed six (6) square feet in sign face area;
 - ii. Shall be located on private property;
 - iii. Shall not block pedestrian access;
 - iv. Shall be constructed of durable materials and be clearly portable in terms of size, weight and placement; and
 - v. Shall only be displayed between the hours of 7:00 a.m. and 12:00 a.m.
 - vi. Shall use chalkboards or whiteboards for their signage area.
 - vii. Shall not utilize changeable lettering for their messaging

(2) Signs Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized after issuance of a sign permit:

- a. On-premise temporary ground signs greater than eight (8) square feet in sign face area but not to exceed 36 square feet and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after activity referenced has concluded.
- b. On-premise awning sign.
- c. On-premise ground sign.
- d. On-premise projecting sign.

5.111 CBD Zoning District

The following signs are authorized in the CBD zoning districts. See *Section 5.114* for all dimensional requirements.

(1) Signs Not Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized without a sign permit:

- a. Window signs that do not exceed twenty-five (25) percent of the total area of each window pane and do not exceed six (6) square feet in sign face area.

- b. On-premise wall signs less than or equal to two (2) square feet in sign face area and less than eight (8) feet in height.
- c. On-premise temporary ground signs less than or equal to eight (8) square feet in sign face area and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after the activity referenced has concluded.
- d. External neon signs no larger than two (2) square feet in sign face area.
- e. One (1) commercial flag per business. The flag shall be placed in a location where it does not interfere with pedestrian traffic.
- f. Portable signs
 - i. Shall be not more than forty-eight (48) inches in height and thirty (30) inches in width, and cannot exceed six (6) square feet in sign face area;
 - ii. Shall be located on private property;
 - iii. Shall not block pedestrian access;
 - iv. Shall be constructed of durable materials and be clearly portable in terms of size, weight and placement; and
 - v. Shall only be displayed between the hours of 7:00 a.m. and 12:00 a.m.
 - vi. Shall use chalkboards or whiteboards for their signage area.
 - vii. Shall not utilize changeable lettering for their messaging.

(2) Signs Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized after issuance of a sign permit:

- a. On-premise temporary ground signs greater than eight (8) square feet in sign face area but not to exceed 36 square feet and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after activity referenced has concluded.
- b. On-premise awning sign.
- c. On-premise ground sign.
- d. On-premise projecting sign.
- e. On-premise wall sign.

5.112 PO, I, and MC Zoning Districts

The following signs are authorized in the PO (Professional Office), I (Industrial), and MC (Marine Commercial) zoning districts. See *Section 5.114* for all dimensional requirements.

(1) Signs Not Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized without a sign permit:

- a. Window signs that do not exceed twenty-five (25) percent of the total area of each window pane and do not exceed six (6) square feet in sign face area.
- b. On-premise wall signs less than or equal to two (2) square feet in sign face area and less than eight (8) feet in height.

- c. On-premise temporary ground signs less than or equal to eight (8) square feet in sign face area and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after the activity referenced has concluded.

(2) Signs Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized after issuance of a sign permit:

- a. On-premise temporary ground signs greater than eight (8) square feet in sign face area but not to exceed 36 square feet and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after activity referenced has concluded.
- b. On-premise awning sign.
- c. On-premise ground sign.
- d. On-premise projecting sign.
- e. On-premise wall sign.

5.113 CH Zoning District

The following signs are authorized in the CH (Commercial Hospitality) district. See *Section 5.114* for all dimensional requirements.

(1) Signs Not Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized without a sign permit:

- a. Window signs that do not exceed twenty-five (25) percent of the total area of each window pane and do not exceed six (6) square feet in sign face area.
- b. On-premise wall signs less than or equal to two (2) square feet in sign face area and less than eight (8) feet in height.
- c. On-premise temporary ground signs less than or equal to eight (8) square feet in sign face area and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after the activity referenced has concluded.

(2) Signs Requiring a Sign Permit. Subject to any other applicable requirements and permits, the following signs are authorized after issuance of a sign permit:

- d. On-premise temporary ground signs greater than eight (8) square feet in sign face area but not to exceed 36 square feet and less than eight (8) feet in height. Such signs shall be removed within seven (7) days after activity referenced has concluded.
- e. On-premise ground sign.
- f. On-premise projecting sign.
- g. On-premise wall sign.

5.114 Schedule of Regulations

Table 5.113 Schedule of Regulations by Zoning District

Zoning District	Sign Type	Sign Face Area	Height	Number	Location	Permit Required?
R1, R2, R2A, R4, PC, SR	Window	See Section 5.106(1)(a)	n/a	n/a	n/a	No
	Wall	Max 2 sf	Max 8 ft	Max 1 per parcel	First floor of building	No
	Temporary Ground	Max 36 sf	Max 8 ft	Max 1 per frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Ground	Max 16 sf	Max 16 ft	Max 1 per frontage	Min set back 4 ft from ROW	Yes
PUD	Window	See Section 5.107(1)(a)	n/a	n/a	n/a	No
	Wall	Max 30 sf	Max 8 ft	Max 1 per parcel	First floor of building	No – if sign face area less than/equal to 2 sf
	Temporary Ground	Max 36 sf	Max 8 ft	Max 1 per frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Ground	Max 16 sf	Max 16 ft	Max 1 per frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	Max 1 per parcel	Shall not be located in ROW	Yes
PF	Window	See Section 5.108(1)(a)	n/a	n/a	n/a	No
	Wall	Max 30 sf	Max 8 ft	Max 1 per parcel	First floor of building	No – if sign face area less than/equal to 2 sf
	Temporary Ground	Max 36 sf	Max 8 ft	Max 1 per frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Ground	Max 16 sf	Max 16 ft	Max 1 per frontage	Min set back 4 ft from ROW	Yes
	Temporary Banner	Max 30 sf	Max 16 ft	n/a	US 31/M 66 intersection only. Shall not be located in ROW	No – Zoning Administrator approval is required
GC	Window	See Section 5.109(1)(a)	n/a	n/a	n/a	No
	Wall	Max 30 sf	Max 8 ft	Max 1 per parcel	First floor of building	No – if sign face area less than/equal to 2 sf
	Temporary Ground	Max 36 sf	Max 8 ft	Max 1 per frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Temporary Banner	Max 30 sf	Max 16 ft	n/a	Adjacent to City Golf Course. Shall not be located in ROW	No – Zoning Administrator approval is required

DRAFT SIGN ORDINANCE FOR PC REVIEW ON 8.14.17

Zoning District	Sign Type	Sign Face Area	Height	Number	Location	Permit Required?
GC cont.	Awning, Canopy, Marquee	Max 16 sf	Max 8 ft	Max 1 per parcel	Shall not be located in ROW	Yes
	Ground	Max 20 sf	Max 16 ft	Max 1 per frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	Max 1 per parcel	Shall not be located in ROW	Yes
	External Neon	Max 2 sf	Max 8 ft	Max 1 per business	n/a	No
CM	Wall	Max 2 sf	Max 8 ft	Max 1 per parcel	n/a	No
	Temporary Ground	Max 36 sf	Max 8 ft	Max 1 per frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Portable	Max 6 sf	Max 4 ft	<i>See Section 5.110(1)(c)</i>		No
	Awning, Canopy, Marquee	Max 16 sf	Max 8 ft	Max 1 per parcel	Shall not be located in ROW	Yes
	Ground	Max 16 sf	Max 16 ft	Max 1 per frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	Max 1 per parcel	Shall not be located in ROW	Yes
CBD	Window	<i>See Section 5.111(1)(a)</i>	n/a	n/a	n/a	No
	Wall	Max 30 sf	Max 8 ft	Max 1 per parcel	First floor of building	No – if sign face area less than/equal to 2 sf
	Temporary Ground	Max 36 sf	Max 8 ft	Max 1 per frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Portable	Max 6 sf	Max 4 ft	<i>See Section 5.111(1)(c)</i>		No
	External Neon	Max 2 sf	Max 8 ft	Max 1 per business	n/a	No
	Commercial Flag	Max 15 sf	n/a	Max 1 per business	Shall not interfere with pedestrians	No
	Awning, Canopy, Marquee	Max 16 sf	Max 8 ft	Max 1 per parcel	Shall not be located in ROW	Yes
	Ground	Max 16 sf	Max 16 ft	Max 1 per frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	Max 1 per parcel	Shall not be located in ROW	Yes
PO, I, MC	Window	<i>See Section 5.112(1)(a)</i>	n/a	n/a	n/a	No
	Wall	Max 30 sf	Max 8 ft	Max 1 per parcel	First floor of building	No – if sign face area less than/equal to 2 sf
	Temporary Ground	Max 36 sf	Max 8 ft	Max 2 per frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf

Zoning District	Sign Type	Sign Face Area	Height	Number	Location	Permit Required?
PO, I, MC cont.	Awning, Canopy, Marquee	Max 16 sf	Max 8 ft	Max 1 per parcel	Shall not be located in ROW	Yes
	Ground	Max 16 sf	Max 16 ft	Max 1 per frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	Max 1 per parcel	Shall not be located in ROW	Yes
CH	Window	<i>See Section 5.113(1)(a)</i>	n/a	n/a	n/a	No
	Wall	Max 30 sf	Max 8 ft	Max 1 per parcel	First floor of building	No – if sign face area less than/equal to 2 sf
	Temporary Ground	Max 36 sf	Max 8 ft	Max 2 per frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Ground	Max 20 sf	Max 16 ft	Max 1 per frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	Max 1 per parcel	Shall not be located in ROW	Yes

5.115 Severability and Substitution Clause

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this code is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the code.

Sign-Related Definitions

Awning. A permanent shelter constructed on a supporting framework, projecting from and supported by the exterior wall of a building.

Awning. A permanent shelter constructed on a supporting framework, projecting from and supported by the exterior wall of a building.

Airborne Devices. A sign supported by aerodynamic forces or propelled through the air by force including, but not limited to, air filled balloons, signs animated by forced air and lighter than air signs.

Awning Sign. A sign painted, printed, attached flat against or integrated within the surface of an awning.

Banner. A sign made of a non-rigid material; however, not including pennants or flags.

Billboard-Highway Advertising Sign. An off-premises sign owned by a person, corporation or other legal entity that engages in the business of utilizing and/or selling the space on that sign. See *“Off-Premises Sign.”*

Building Elevation. All of that part of a building façade(s) which would be included in an elevation view rendering of the building drawn parallel to, and for the entire length of, a lot line.

Business Center Sign. An on-premises sign which identifies or gives directions to a business complex or group of contiguous stores which may contain the names of the individual stores, businesses, institutions, or other organizations located within the complex or group. See *“On-Premises Sign.”*

Canopy (Building). A permanent rigid structure covered with fabric, metal, shingles or other material and supported by a building at one or more points.

Canopy (Freestanding). A permanent, rigid structure covered with fabric, metal or other material and supported by columns, posts or other forms of support not a part of a building.

Canopy Sign. A sign affixed, applied to or part of a canopy.

Electronic Sign Face. That portion of a sign face capable of changing its message or image electronically.

Flag. A sign made of non-rigid material having a distinctive size, color and design used as a symbol or emblem.

Flashing Sign. Any illuminated sign on which the artificial light is not at all times stationary or constant in intensity and color.

Ground Sign. A sign supported by one (1) or more uprights, poles, braces or some other structure, placed in the ground surface and not attached to any building.

Illuminated Sign. A sign that includes artificial light by either emission, reflection or refraction.

Internally Lighted Sign. A sign having an internal lighting source which allows light to be visible through the sign face.

Marquee. A permanent structure of rigid materials supported by and extending from, or above, the façade of a building

Marquee Sign. Any sign attached to or supported by a marquee.

Off-Premises Sign. A sign which contains a message regarding a land use, service, or activity provided on property other than the premises where such sign is located.

On-Premises Sign. A sign which contains a message regarding a land use, service, or activity provided on the property where such sign is located.

Pennant. A small, often triangular, flag used in multiples.

Portable Sign. A freestanding sign, often with a changeable message, that is not permanently anchored or secured to either a building or the ground.

Projecting Sign. A sign which is affixed to any building or structure other than a marquee or canopy and projects in such a way that the sign face is not parallel to the wall to which it is attached.

Roof Sign. Any sign or part of a sign which is erected on, or as a part of, the roof of a building.

Sign. A structure, including its base, foundation and erection supports upon which a message is displayed.

Sign Face. That portion of a sign excluding its base, foundation and erection supports.

Streamers. A long narrow wavy strip resembling or suggesting a banner floating in the wind.

Temporary Sign. A sign, often with a non-changeable message, with or without a structural frame, intended for a limited period of display,

Wall Sign. A sign which is attached directly to, or painted upon, a building wall, the exposed face of which is essentially in a plane parallel to the building wall or structure.

Window Sign. A sign, picture, symbol or combination thereof that is placed on the interior of a window pane or glass with the intent to be visible from the outdoors.

CITY OF CHARLEVOIX
DRAFT SOLID WASTE AD HOC COMMITTEE MEETING MINUTES
August 2, 2017 – 2:00 p.m.
210 State Street, City Hall, Charlevoix, MI

A. CALL TO ORDER

The meeting was called to order at 2:00 p.m.

B. ROLL CALL

Members Present: Councilmember Gibson, Council Member Hagen, Judy Clock, Nelson Fletcher

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

C. INQUIRY INTO POTENTIAL CONFLICTS OF INTEREST

None.

D. APPROVAL OF AGENDA

The agenda was accepted as presented.

E. NEW BUSINESS

1. Solid waste and recycling issues

Staff Planner Lucas provided background and context for the solid waste committee. Concerns have been expressed by Council members, Planning Commission members, and the public related to solid waste pickup. Staff was directed to review how solid waste pickup is addressed in the City Code. There is a garbage and rubbish section of the City Code, and there are a number of references to solid waste elsewhere in the City Code. They are not always consistent with each other, and it appears that the provisions of the Garbage and Rubbish Ordinance are not enforced. She continued that there are a number of ways that other cities address these types of issues, including scenarios where all haulers must be registered and comply with certain rules; or single hauler systems, where the community puts out a request for bids, and contracts with one waste hauler to provide all waste pickup services in the community. Further input and guidance is requested from City officials in order to determine the most appropriate direction for Charlevoix.

Committee members discussed concerns and issues related to solid waste collection in the City. Member Gibson stated that haulers currently collect trash on multiple days throughout the week, creating additional traffic and noise. She hears from constituents frequently on this issue. She's also noted that construction waste can sometimes sit for long periods of time, outside of a dumpster, without being picked up. Also, bulky waste, which is picked up under a City contract and schedule twice a month, sits out for longer than it should. She feels it should be collected twice a year rather than twice a month.

Member Clock said that if bulky waste is collected less frequently, there will be large piles. Member Hagen noted that the frequency of collection is not the issue, but how long it sits out at the curb. There are rules regarding when it can be put out at the curb; they need to be enforced. He feels that the big issue is noise, especially early in the morning. Members discussed noise from traffic pickup. It can start as early as 4:30 a.m. Lucas noted that in other communities, including Traverse City, it can be considered a noise ordinance violation.

Member Fletcher referred to other communities that schedule trash pick-up by neighborhoods or wards, so that trucks are only in one part of the city at a time. He stated that in order to pick up one ward at a time, you'd almost have to have a single hauler. He asked, is that something the City would do themselves, or would they bid it out? He discussed concerns related to single hauler systems, including impacts on competition, and how that could impact prices for residents.

Clock stated that if the City does it, it would raise taxes. Gibson noted that the City has passed a millage for twice a month pick-up for bulky waste.

Fletcher noted some logistical issues with pick-up by ward, including the difficulties in multiple haulers working around each other on the same day.

Members discussed services provided by other cities that would be desirable in Charlevoix, including recycling pickup. Lucas stated that if the City bids out services, it can specify what services they want included, and the hauler has to come up with a way to offer them cost-effectively. Fletcher stated that they could underbid - if it looks like they won't make money, they won't want to bid. He added that recycling could be included in a request for bids. He continued that one issue is that people who have moved here from other communities may be used to having amenities that aren't available here, and now they expect them.

Hagen noted that the biggest pro in a single hauler system is the enforcement ability it provides. As far as bulky waste is concerned, we need to get away from letting it sit outside for days at a time. He added that the ordinance is obsolete. Members agreed, and noted that construction waste should be addressed/enforced by the ordinance.

Gibson stated that another solid waste issue is yard waste. The City pick-up for yard waste is not consistent or predictable. Clock agreed and noted that you never know when they're going to come by - it can sit there for weeks. Fletcher added that the City has both a chipper and a vacuum - you never know which one is coming when. Members discussed options including compostable bags and scheduled pickup by neighborhood.

F. STAFF UPDATES

None.

G. REQUESTS FOR NEXT MONTH'S AGENDA OR RESEARCH ITEMS

Lucas will provide information/case studies on:

- Taxpayer funded pickup
- Single hauler system
- Solid waste collection systems in neighboring communities (Boyne City, East Jordan)
- County roles
- Construction/yard waste pickup

Future meetings will be held on the first Tuesday of each month at 2 p.m.

Sharing Streets & Alleys in Charlevoix:

Envisioning Multi-Modal Traffic in Charlevoix's Downtown

Parking lots and alleys in downtown Charlevoix offer opportunities for new business, redevelopment, and downtown access for **pedestrians, bicyclists, and cars**. Bounded by Bridge, Park, State, and Clinton Streets, one such “multi-modal” area – a space that serves multiple traffic types – has been the subject of discussion about how and whether it can be enhanced to better serve the community. What improvements are necessary? How should it be designed? What are the safety concerns? How can this area connect the downtown with other community attractions?

To help answer these questions and create a community consensus about the area, Michigan State University is providing planning and design services through its Sustainable Built Environment Initiative (SBEI). To follow up from the June 7th Kickoff Meeting, Charlevoix residents, businesses, and others are invited to a public input event on **August 17th** to **provide feedback on the first round of suggestions** made by the SBEI team.

AGENDA

- 6:00 PM Registration & Social Gathering
- 6:15 PM Welcome & Introductions
- 6:30 PM Presentation of Recommendations
- 6:45 PM Open House & Feedback Session

Thursday, August 17th

6 - 8 p.m.

Charlevoix Library
220 Clinton Street, Charlevoix

FREE

Refreshments will be served.
Please RSVP by August 14 to:
Sarah Lucas, Networks Northwest
231-929-5034

sarahlucas@networksnorthwest.org

This event is offered by the City of Charlevoix in partnership with the Sustainable Built Environment Initiative of Michigan State University.
More information is available online at www.spdc.msu/about_us/sbei



City of Charlevoix

Planning & Zoning Staff Roles

I have a question/concern about...	Staff Contact
Zoning Enforcement - Can my neighbor do...? - Can you investigate a potential zoning/nuisance violation regarding...?	Gerard Doan City of Charlevoix Police Chief (231) 547-3258 gdoan@cityofcharlevoix.org office hours: Mon-Fri, 8 am – 5 pm
Zoning Permits & General Land Use - Do I need a land use or special use permit for...? - What are the setbacks for...? - Can I build...? - Do I need a variance for...?	Larry Sullivan Interim Zoning Administrator (231) 547-5415 Larrysullivan00@hotmail.com office hours: available by appointment
Community Planning Projects - Ordinance development - Plan updates & implementation - Planning Commission activities	Sarah Lucas Networks Northwest O: (231) 929-5000 C: (231) 920-2116 sarah.lucas@networksnorthwest.org office hours: Mon and Fri, 9 am – 12 pm* Elise Crafts Networks Northwest O: (231) 929-5057 C: (231) 313-7116 elise.crafts@networksnorthwest.org office hours: Tue and Fri, 9 am - 12 pm* *please feel free to call/email Sarah or Elise at any time, but these are the specific days/times we have dedicated to Charlevoix projects in our Traverse City location. We are available for meetings in Charlevoix by appointment.