

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, October 9, 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, Rick Golding, Nelson Fletcher, RJ Waddell

Members Absent: Dennis Halverson

Staff Present: Elise Crafts, Regional Planner Networks Northwest

C. Inquiry Into Potential Conflicts of Interest

D. Approval of Agenda

Chair Chamberlain wanted to add employer-owned housing as there were a couple of restaurants that purchased homes for their employees and there were some questions regarding houses that would have four unrelated individuals living in the home. The agenda was approved as revised.

E. Approval of Minutes – September 11, 2017

Motion by Member Fletcher, second by Member Clock, to approve the minutes of the September 11, 2017 meeting as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment not Related to Agenda Items

G. New Business

1. Planning Commission To Do List Discussion

Regional Planner Crafts stated that Interim Zoning Administrator Sullivan will be presenting options to City Council on the Site Plan Review process amendment prior to Planning Commission discussion. Chair Chamberlain stated it was a priority to finish the draft of the Zoning Ordinance changes for presentation to City Council. Member Waddell indicated that the proposed language regarding retaining walls was not presented to Council. Chair Chamberlain stated that the side lot setback issue needed to be resolved as well. Member Waddell addressed the issues of long term rentals, affordable housing, and historical district overlays as subjects for future discussion.

Planner Crafts summarized the items that were not addressed yet including:

- Clarify uses allowed in residential and non-residential districts
- Add language regarding State licensed residential facilities
- Review the home occupation section under accessory building usage
- Suggestions regarding building regulations, non-conforming uses, and conditional zoning.

She will prepare suggested language changes for discussion at the next Commission meeting. Member Waddell requested a list of items that the Commission has approved, but were pending Council approval.

H. Old Business

1. Zoning Code Review: Signage

a. Staff Presentation

Regional Planner Crafts proceeded to review her memo dated October 3, 2017 regarding the Draft Signage Ordinance including the following subjects:

- *Nuisance ordinance conflict (Section 6.3(8))* – section is confusing and needs to be amended
- *Abandoned signage* – After discussion, the Commission agreed not to include the definition because the issues were addressed in other sections of the sign ordinance.
- *How are window signs enforced currently? General sign enforcement trends?* Planner Crafts stated that Code Enforcement Officer Jones encouraged the Commission to keep window signage no greater than 25% of a window pane or not exceeding six sq.ft. as allowed. After discussion, the Commission concurred to not regulate the square footage of signs in windows.
- *Temporary Banners* – Discussion regarding the standard that read: “unfair competition among local businesses” which is difficult to determine. The Commission concurred to remove the phrase: “by non-profits”

or for-profit businesses or entities” from the definition of temporary banners.

- *What is the perspective of business owners, realtors, residents, etc. related to the City's sign ordinance?* Planner Crafts reviewed her memo regarding community feedback she received about the sign ordinance.
- *How shall the maximum number of signs be determined? By business? Parcel? Frontage?* Planner Crafts reviewed three scenarios regarding the maximum number of signs allowed: business friendly, current interpretation for business max, and a combination of the two. She noted that most businesses have three or more signs with some of those signs “grandfathered in” but that can be difficult to prove. She suggested the members check out the district.

Discussion followed regarding political signs and Planner Crafts stated that she would research the issue further and bring back more information to the November meeting. The Commission agreed to take a month and see what is out there before making a decision.

Discussion followed regarding corner businesses which essentially give them two frontages, maximums per linear frontage. These issues would be addressed at a future meeting. Member Waddell questioned the “Projecting Signs” section and Planner Crafts advised that she will clarify the subject language regarding wall signs and projecting signs.

Member Halverson noted that language on page 5 of the proposed ordinance, (5), *Unsafe Signs* (ix), regarding the costs remedying the unsafe condition being collected by a lawsuit against the sign owner. After discussion, the Commission concurred to change the language in item (ix) to read: “The costs of remedying the unsafe condition will be collected by the City from the owner of the sign or advertising device or the owner of the property on which the sign or advertising device is located.”

b. Planning Commission Discussion

Discussion held during Staff Presentation.

2. Employer Owned Housing Discussion

Chair Chamberlain began a discussion regarding Interim Zoning Administrator Sullivan’s request for guidelines relative to employer owned housing whereby a couple of restaurants in Charlevoix have purchased houses for their key employees. He stated that housing for workers is a problem in the City and businesses are starting to purchase homes to house their employees as part of their compensation. Interim Zoning Administrator Sullivan questioned if this would be considered a boarding house. After discussion, the Commission concurred not to regulate employer housing, and let the Zoning Administrator review the request as a single-family home and also review the parking situation.

Planner Crafts felt an enforcement problem could arise with the definition of boarding house which is unclear. She suggested that there were a couple of ways to clear this up including: define boarding house, remove boarding house from special use, or amend/remove the definition of family.

I. **Staff Updates**

1. Solid Waste Ad Hoc Committee

Member Clock stated that the Committee met with the City Manager and DPW Superintendent. Their main concern was the grass clippings in the street and it was suggested bagging the clippings and have one of the garbage haulers pick them up. Member Fletcher stated that the Committee was looking at having a single hauler option.

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

K. **Adjournment**

Motion by Member Clock, second by Member Waddell, to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 8:46 p.m.