

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

PLANNING COMMISSION PUBLIC MEETING AGENDA

Created: November 9, 2017 Posted November 9, 2017 at 4 p.m.

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

- A) CALL TO ORDER/PLEDGE OF ALLEGIANCE
- B) ROLL CALL
- C) INQUIRY INTO POTENTIAL CONFLICTS OF INTEREST
- D) APPROVAL OF AGENDA
- E) APPROVAL OF THE October 9, 2017 MINUTES
- F) CALL FOR PUBLIC COMMENT NOT RELATED TO AGENDA ITEMS
- G) NEW BUSINESS
 - 1. Special Land Use Permit Application, Project 2017-09
 - 2. Level B Site Plan Review 2017-10 SP: Herriman/Marvin Site Plan Review
 - 3. Short-term Rental Subcommittee
 - a. Motion to dissolve subcommittee
- H) OLD BUSINESS
 - 1. Zoning Ordinance Language Progress Report
 - a. Staff presentation
 - b. Planning Commission discussion
 - 2. Planning Commission To-Do List
 - a. Staff presentation
 - b. Planning Commission discussion
 - 3. Zoning Code Review: Signage
 - a. Staff presentation
 - b. Planning Commission discussion
- I) STAFF UPDATES
 - 1. Solid Waste Ad Hoc Committee
 - 2. Historic District creation process
- J) REQUESTS FOR NEXT MONTHS AGENDA OR RESEARCH ITEMS.
- K) ADJOURNMENT

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon 1 weeks notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250

CITY OF CHARLEVOIX
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.



NOTICE OF PUBLIC HEARING

City of Charlevoix Planning Commission
Hearing Date: November 13, 2017 7:00 PM
Charlevoix City Hall- Council Chambers 2nd Floor
210 State Street
Charlevoix, MI. 49720

CASE NUMBER: 2017-09 SU
APPLICANT: W. & K. Herriman and David Marvin/Stafford's Hospitality
SUBJECT PROPERTY: 403 Petoskey Avenue
PROPERTY TAX NO. 15-052-123-029-10

October 25, 2017

Dear Property Owner or Occupant:

You are receiving this notice because you are located within 300 feet of a property for which a Special Land Use application has been submitted that will be reviewed by the City of Charlevoix Planning Commission. You are not required to respond to this notice unless you have specific concerns that you would like to have considered by the Planning Commission.

The City of Charlevoix Planning Commission will hold a public hearing on **November 13, 2017 at 7:00 PM** to review a proposed Special Land Use permit application submitted by Bill Dietrich on behalf of William and Kristen Herriman and David Marvin/Stafford's Hospitality. The applicant is requesting approval of a Special Land Use permit to allow the use of the existing residence on the property as a Boarding/Rooming House for the purpose of providing employee housing. The property is zoned R-1 Residential-Low Density and is overlaid by the North Side Professional Office Space Overlay. The Planning Commission may approve, approve with conditions, or deny the application based on specific findings of fact. The project file may be viewed at the City Planning Office on the second floor of City Hall. Written and oral comments are welcome from the public. Oral comments may be presented at the hearing. Written comments may be mailed, e-mailed, faxed or dropped off at the City Planning Office no later than 4:00 p.m. the day of the hearing or may be presented at the hearing.

Office of Planning and Zoning
Larry Sullivan, Interim City Zoning Administrator
planner@charlevoixmi.gov
Phone: (231)547-3265
Fax: (231)547-3617



PLANNING COMMISSION AGENDA ITEM

AGENDA TITLE: Special Land Use Permit Application. Project 2017-09 SU

HEARING DATE: Monday, November 13, 2017 7:00 PM

PRESENTED BY: Larry Sullivan, Interim City Zoning Administrator

ATTACHMENTS:	1. Application and narrative from the applicant 2. City of Charlevoix Zoning Ordinance. Title V. (4-15-2015) 3. Project file 2017-09 SU and all contents
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STAFF REPORT:

I. PROPOSAL:

David Marvin/Stafford's Hospitality is proposing to purchase an existing residence Zoned R-1 with a North Side Professional Office Overlay located at 403 Petoskey Avenue and use it for housing for four (4) employees working at the Weathervane Restaurant in Charlevoix. Due to the definition of "family" that is contained in the City of Charlevoix Zoning Ordinance, the applicant has no option for providing housing for their employees in the R-1 or R-2 Zone Districts in the City other than choosing the Boarding/Rooming House option, which is an allowed use with a Special Use Permit in both the R-1 and the R-2 Zone Districts. The purpose of this Staff Report is to evaluate this proposal against the procedures and criteria outlined in Article 13: "Special Land Use Review" of the City of Charlevoix Zoning Ordinance.

II. SITE:

The subject property is located at 403 Petoskey Avenue on the north side between Burns and Prospect Streets. The total lot is approximately 9,763 square feet, with the dwelling, an attached lean to, and an accessory building (shed) consisting of 870 square feet. The adjoining properties to the east and the west are used for single family residential purposes. The property to the west (having the address of 401 Petoskey Avenue) was granted a Special Land Use permit in 2006 to allow for office use. The properties located on the south side of Petoskey Avenue (across the street) are occupied by Performance Engineers Inc. (an office use) and the Goodwill Resale Store (a retail establishment).

Aerial photo from 2016.



Photo taken 10/26/2017.



III. TIMING AND AUTHORITY:

The Special Land Use application was submitted on October 17, 2017. The notice for the public hearing was advertised in the Charlevoix Courier on October 27, 2017. Notice of the hearing was sent to adjoining landowners and tenants within 300 feet of the property on October 25, 2017.

The permitted uses by right and the Special Land Uses allowed in the R-1 Low Density Single Family Residential District are listed in Section 5.26 Table 5.26 Allowed Uses: Residential Zones of the Zoning Ordinance. The uses permitted by Right are as follows:

- a. Single Family Detached Dwellings.
- b. Rentals subject to section 5.78,
- c. Churches,
- d. Public Parks/Playgrounds,
- e. Wind Energy Conversion Systems,
- f. Solar Panels,
- g. Accessory uses, buildings and structures, and
- h. Minor Home Occupations

The uses allowed as Special Land Uses are as follows:

- a. Bed and Breakfasts
- b. Boat Houses
- c. Day Care
- d. Foster Care
- e. Adult Foster Care Small Group Homes
- f. Major Home Occupations
- g. Boarding/Rooming Houses, and
- h. Day care center/nursery

The Planning Commission is the governing authority in regard to Special Land Use applications. Special Land Use applications are not forwarded to the City Council under the Zoning Ordinance. A decision as to whether or not to grant approval for Special Land Use is a Planning Commission decision. Applicants applying for a Special Land Use are also required to submit a Site Plan which is subject to a Level B review. The Planning Commission is charged with making a recommendation upon a Level B Site Plan review with the City Council having the final authority upon said application.

IV.

The following section is taken directly from the Section 5.133 of the Ordinance with staff suggested findings of fact below each criterion in italics. The Planning Commission is under no obligation to follow the Staff suggested findings. Staff's suggested findings are developed with the thought of providing the Planning Commission members with potential ideas as to where to begin their discussions. The Planning Commission may delete, add to, or modify the findings of fact as they feel are appropriate. The Planning

Commission must find that this proposal meets all of the following criteria before considering a motion to approve.

5.133. Review Standards

A Special Land Use shall only be approved if all the following general standards are satisfied, in addition to any applicable requirements for specific special land uses, as found in Article 7:

- (1) The use is designed and constructed, and will be operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity; will be compatible with adjacent uses of land; and will not change the essential character of the area in which it is proposed.

The Planning Commission finds that the proposed special use is a residential use and will be harmonious with the existing neighboring uses and the intended character of the general vicinity. This use will not change the essential character of the area. The applicant is not proposing any exterior structural alterations; therefore the current appearance would remain unchanged. The applicant is not requesting a use that would result in an activity dissimilar from typical of residential areas throughout the City of Charlevoix in general and in this neighborhood specifically.

- (2) The use is, or as a result of the Special Land Use approval, will be served adequately by public services and facilities, including but not limited to, streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities, and schools.

The Planning Commission finds that there are adequate essential public services and facilities to accommodate this special use and that this project will not require improvement to or expansion of city infrastructure or public services, including streets, water and sewer facilities, refuse disposal, or police and fire protection. This application was reviewed by appropriate City Department Heads and no concerns were expressed over the project.

- (3) The use will not involve activities, processes, materials and equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of traffic, noise, smoke, fumes, glare or odors.

The Planning Commission finds that the proposed special use will not be hazardous or disturbing to existing or future nearby uses. The property will continue to be used for residential purposes. The expansion of the parking area from two to three parking spaces with the three point turn-around will reduce potential traffic hazardous in that any vehicles exiting the property onto Petoskey Avenue will have the opportunity to turn around on the property and drive head first onto Petoskey

Avenue as opposed to the current situation whereby the vehicles must backup onto Petoskey Avenue.

- (4) The use will be compatible with the natural environment and will be designed to encourage conservation of natural resources and energy.

The Planning Commission finds that this proposal will not adversely affect the natural environment since this property is already developed. The only external alteration to the property will be the addition of one parking space and an area to allow a three point turn-around.

- (5) The site plan proposed for the use demonstrates compliance with the Special Land Use specific design standards and all other applicable requirements of this ordinance.

The Planning Commission finds that minimal physical changes to the exterior of the site are being proposed by the applicant to address the issue of parking and the three point turn-around. The site already contains a single family dwelling, of which no changes are being proposed. The Special Land Use section of the Zoning Ordinance does not contain any specific design standards related to the proposed Boarding/Rooming House.

- (6) The special land use will be consistent with the intent and purposes of this ordinance and the most recent updates to the master plan.

The Planning Commission finds that the proposed use of this property will continue to be residential and given the fact that a maximum of 4 persons will be residing in the dwelling, the use will be lower than might be the case then if a single family were to reside in the residence. Furthermore, the Planning Commission finds that this is in effect a transition or buffer zone between the high traffic use that Petoskey Avenue is subject to and the single family dwellings that are located a lot off of Petoskey Avenue to the north and south. With the Special Land Use Permit having been issued to 401 Petoskey Avenue and the commercial and office uses located on the south side of Petoskey Avenue, granting this Special Land Use Permit is found to be consistent with the existing uses in the area, is consistent with the current Zoning Ordinance and complies with the City Master Plan and it's promotion of the tenets of Smart Growth in that this use will assist in promoting a mixture of land uses as well as helping to provide a mixture of housing opportunities.

V. CONDITIONS of APPROVAL:

The Planning Commission may impose additional conditions and safeguards based on Section 5.132 which reads:

Reasonable conditions may be imposed on the approval of a special land use in order to achieve the following:

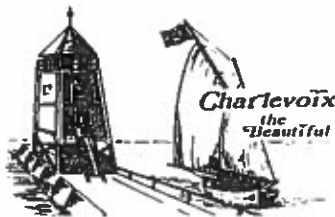
1. Ensure that public services and facilities affected by the proposed land use and site plan will not be adversely affected.
2. Ensure that the use is compatible with adjacent land uses and activities.
3. Protect natural resources, the health, safety, welfare and social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
4. Ensure compatibility between the proposed use or activity and the rights of the city to perform its governmental functions.
5. Meet the intent and purpose of the zoning ordinance, be related to the standards established in the ordinance for the land use or activity under consideration and be necessary to ensure compliance with those standards.
6. Ensure compatibility with other uses of land in the vicinity.

Staff recommends that one condition be placed upon the approval of this request. The condition is the number of persons allowed to reside in the Boarding/Rooming House is limited to 4 persons. Any increase above 4 persons will require a revision to the Special Land Use Permit and an amendment to the Site Plan. This condition is based upon the fact that the parking requirements contained in the Zoning Ordinance are based upon the number of beds (hence the number of people). More people equals beds which requires more parking spaces necessary to comply with the Zoning Ordinance requirements.

VI. PLANNING COMMISSION ROLE AND OPTIONS:

The City of Charlevoix Planning Commission has the following options for Project 2017-09 SU:

1. Deny Project 2017-09 SU based on specific findings of fact that the application does not meet the review criteria in Sections 5.25 and 5.133.
2. Approve Project 2017-09 SU based on specific findings of fact that the application does meet the review criteria in Sections 5.25 and 5.133.
3. Approve Project 2017-09 SU based on specific findings of fact that the application does meet the review criteria in Sections 5.25 and 5.133 with conditions as contained herein.
4. Table the decision based on the need for additional review time or information.



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

SPECIAL LAND USE REVIEW APPLICATION

Applicant Bill Dutrich agent for owner
William C. Herriman & Kristen Herriman Address of subject property 403 Petokey Avenue

502 May Street, Charlevoix, Mich. 49720
Address (City/State/Zip)

William C. Herriman & Kristen Herriman
Property Owner Name (If different than applicant)

512 May Street Charlevoix, Michigan 49720
Property Owner Address (City/State/Zip) (If different than address of subject property)

Property Owner Phone (231) 330-7438 Email billherriman@hotmail.com

Agent Phone (231) 633-1353 Email billdutrich50@gmail.com

Current zoning of subject property: R-1 Tax ID: 15-052-123-029-10

Current use of property: Residential

Proposed use: Housing for restaurant employees

Is the proposed use listed as a Special Use for the district in which said use is located? (Refer to the allowed uses tables in Sections 5.26 and/or 5.31 of the Zoning Ordinance) yes

Dimensions of parcel: 59.39 x 164.64 Parcel size: 9,763 .224
Square feet Acres

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

Will the use be designed, constructed, operated and maintained in a manner that is harmonious and appropriate in appearance with the character of the surrounding area, is compatible with adjacent land uses and does not essentially alter the character of the area in which it is proposed?

yes

Is the use, or will the use be, adequately served by public services and facilities? (ex. Streets, police, fire protection, water and sewer, refuse disposal and schools.)

yes

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

No

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

yes

Does the site plan for the proposed use comply with the applicable design standards and other requirements of the Zoning Ordinance?

yes

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

yes

AFFIDAVIT

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

Property Owner Signature or Authorized Agent:

Bill Dutch, agent
for owner ~~Bill Dutch~~

Date:

10-17-17

\$75,900**403 Petoskey****Charlevoix****M****MLS #451265**

Status **ACTIVE**
 Class **RESIDENTIAL**
 School District **Charlevoix**
 Township **Charlevoix City**
 Zip **49720**
 County **Charlevoix**
 Town/Range **T34N/R8W**
 Section **23**
 Input Date **4/13/2017 2:07 PM**

Sale/Rent **For Sale**
 # of Bedrooms **2**
 # of Full Baths **1**
 # of Half Baths **0**
 Above Ground Sq. Footage **922**
 Total Finished Sq. Ft. **922**
 GAR./CAR. CAPACITY **None**
 Lake
 Water View (Y/N)
 Associated Documents **2**

REMARKS

Charlevoix Northside home, convenient location within a short walk to downtown. Spacious backyard with great fencing for your pets plus a 12 x 16 storage shed and lots of room for your garden. Attractively priced.

GENERAL

Approx. Year Built
 Approx. Lot Dim. **59.4 x 165**
 Approx. # of Acres
 Lot (Y/N) **Y**
 Survey (Y/N)
 Zoning **Residential**
 Well (Size & Association
 Condo Unit #
 Site Condo Unit #
 Possession **At closing**
 Waterfront Feet

FINANCIAL

Original Price **\$85,000**
 Tax ID **052-123-029-10**
 New Split (Y/N) **N**
 S.E.V./Yr. **29100/2017**
 Dues Per
 Association Fee
 Legal **SEC 23 T34N/R8W... COMPLETE LEGAL DESCRIPTION IN ASSO. DOCS.**

Virtual Tour

LIVING AREA

Living Rm Main **14 x 14'10"**
 Kitchen Main **11'8 x 15**
 Dining Rm Main **combo with**
 Family Rm N/A
 Master Bdrm Upper **10'3 x 11'10"**
 Bedroom 2 Upper **11 x 13**
 Bedroom 3 N/A
 Bedroom 4 N/A
 Bath 1 Main **7'8 x 10'2"**
 Bath 2 N/A
 Rooms 1 N/A
 Rooms 2 N/A
 Utility Main **w/bath**

FEATURES

CONSTRUCTION **Wood Frame/Site Built**
 ROOF **Asphalt Shingle**
 WINDOWS **Wood Sash, Insulated, Vinyl**
 HEAT **Natural Gas**
 BASEMENT **Crawl, Partial**

GARAGE/CARPORT **None**
 OTHER BUILDINGS **Shed**
 FEATURES **Cable, Dryer, Mini Blinds, Range, Refrigerator, Washer**
 TERMS **Cash, Conventional**
 SEWER **City**

Addendum 30 gallon hot water tank.

Directions: US 31 (Petoskey Ave) North. Home is 2nd on left after Burns St.

This information has been provided for you by:

Real Estate One - Charlevoix
OFFICE: 231-547-5100



This information is deemed reliable, but not guaranteed. This listing may be that of another office and/or agent who participates in the MLS. Any commission information contained herein applies only to NMMLS members.

Viewing Parcel Number: 052-123-029-10

Parcel Details

Property Address:	403 PETOSKEY AVE CHARLEVOIX, MI 49720
Owner Information:	HERRIMAN WILLIAM C 403 PETOSKEY AVE CHARLEVOIX, MI 49720-1167
Property Class:	401 - Residential - Improved
School District:	15050 - Charlevoix
P.R.E. Percentage:	100%
P.R.E. Filing Date:	3/28/1997
2017 SEV:	\$29,100
2017 Taxable Value:	\$26,198
2016 SEV:	\$27,100
2016 Taxable Value:	\$25,965

Legal Description

BEG N LI PETOSKEY 1310.6 FT E OF E LI MICH N 156.75 FT E 59.4 FT S 156.75 FT TO N LI PETOSKEY W 59.4 FT TO POB PT OF GOV LOT 3 SEC 23 T34N R8W ALSO 8.25 FT OF VACATED ALLEY ABUTTING SD LOT VACATED ALLEY 1963 L284P960 '86 SP/COMB

RECEIVED

OCT 24 2017

CITY OF CHARLEVOIX

SITE PLAN

FOR

WEATHERVANE RESTAURANT & REAL ESTATE
PART OF GOV'T LOT 3,
SECTION 23, TOWN 34 NORTH, RANGE 8 WEST,
CITY OF CHARLEVOIX, CHARLEVOIX COUNTY, MICHIGAN
R-1 ZONING DISTRICT

Property Address:

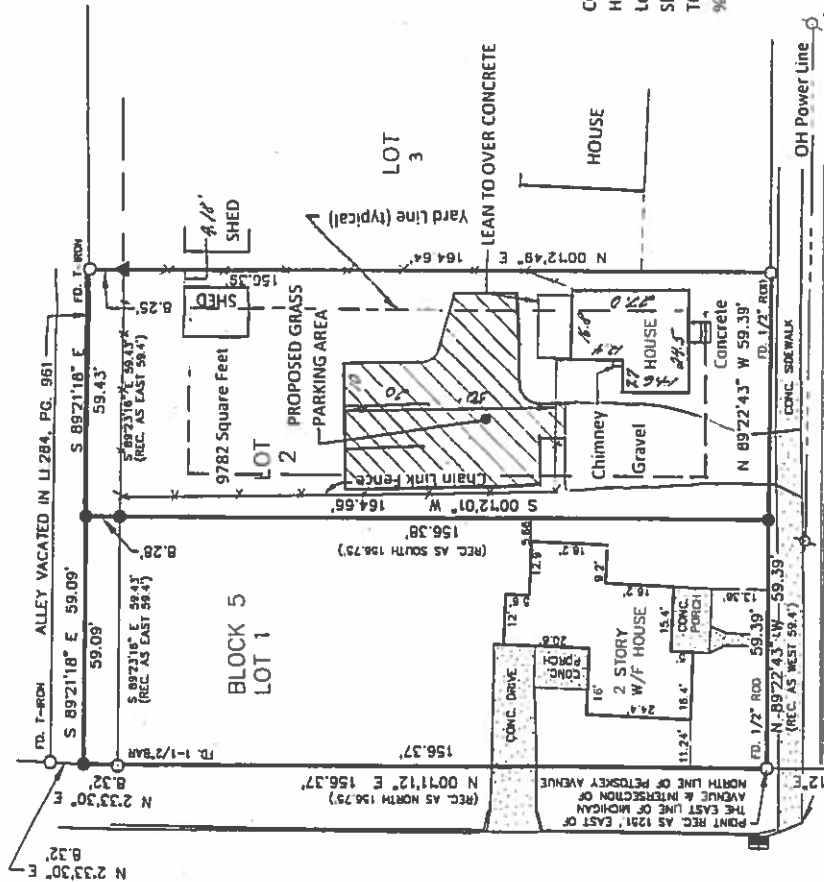
403 Petoskey Avenue
Charlevoix, Michigan 49720

Property Tax # 052-123-029-10



BURNS STREET (66' WIDE)

UNRECORDED PLAT OF FOX & EATON'S
ADDITION



COVERAGE DATA

House Site: 566 Sq. Feet
Lean To Size: 112 Sq. Feet
Shed Size: 192 Sq. Feet
TOTAL: 870 Sq. Feet
% COVERAGE: 9%

ZONING DATA:

Front Yard 15'
Side Yard 10'
Rear Yard 25'
Maximum Lot Coverage 40%
Minimum Lot Area 9000 Sq. Feet
Minimum Lot Width 70'
Maximum Lot Height 26'
Minimum Dwelling Size 1040 (one story) 1600 (two story)

1369.18'

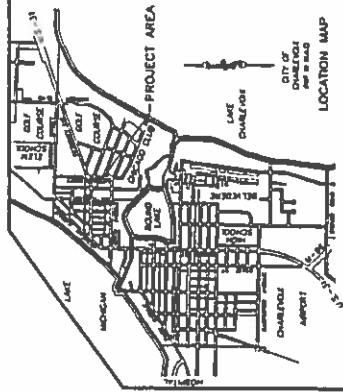
N 89°23'51" W 1868.64'
SOUTH LINE OF SEC. 23, T. 34 N., R. 8 W.
(SOUTH LINE OF GOV'T LOT 3)

PETOSKEY AVENUE (66' WIDE)

499.45'

REFERENCE MARK TO G.L.O. MEANDER CORNER
ON SOUTH LINE OF SEC. 23, T. 34 N., R. 8 W.
(D. CH. CO. WAGON 278.4' EASTERLY OF MEANDER CORNER LOCATION)
1" MAPLE - NORTH - 3.90'
2" MAPLE - S 20° W - 5.39'
POWER POLE - N 20° E - 35.70'

SOUTH 1/4 COR., SEC. 23, T. 34 N., R. 8 W.
WITNESSES: (FD. 1/2" ROD W/ PVC PIPE)
12" PINE - S 70° W - 4.30'
11" PINE - N 30° E - 5.45'
POWER POLE - N 5° W - 21.60'



Sheridan A. Chamberlain, Jr.
SHERIDAN A. CHAMBERLAIN, JR.
P.S. 25624

FERGUSON & CHAMBERLAIN ASSOCIATES, INC.
PROFESSIONAL SURVEYORS
100 W. LAMONT STREET
CHARLEVOIX, MICHIGAN 49720
PHONE: (231) 547-2222

10-17-17

Zimbra

lindaw@charlevoixmi.gov

Property at 403 Petoskey

From : Judy Herriman <jmherriman@hotmail.com>

Mon, Oct 30, 2017 12:33 PM

Subject : Property at 403 Petoskey**To :** planner@charlevoixmi.gov

I do not object to the plans for this residence. I think it is stupid to be giving the buyer such a hard time!!! Quit dragging it out. 306 Burns St.



NOTICE OF PUBLIC MEETINGS

Charlevoix City Hall – Council Chambers 2nd Floor
210 State Street
Charlevoix, MI 49720

City Planning Commission
November 13, 2017 7:00PM

City Council
November 20, 2017 7:00 PM

CASE NUMBER: 2017-10 SP
APPLICANT: W. & K. Herriman and David Marvin/Stafford's Hospitality
SUBJECT PROPERTY: 403 Petoskey Avenue
PROPERTY TAX NO.: 15-052-123-029-10

October 25, 2017

Dear Property Owner/Tenant:

You are receiving this notice because you are located within 300 feet the above identified property for which a Site Plan Review will take place before the Planning Commission and the City Council on the respective dates indicated above. This property is subject to a Special Land Use application which will be considered by the Planning Commission prior to considering the Site Plan. Should the Special Land Use application be denied by the Planning Commission, the Site Plan Review will be cancelled by both the Planning Commission and the City Council. You are not required to respond to this notice.

The City of Charlevoix Planning Commission will hold a public meeting on **Monday November 13, 2017 at 7:00 p.m.** in the Charlevoix City Hall Council Chambers to evaluate a Site Plan application submitted by Bill Dietrich on behalf of William and Kristen Herriman and David Marvin/Stafford's Hospitality. The Planning Commission will forward a recommendation to the City Council who will review the proposal on **Monday, November 20, 2017 at 7:00 p.m.**, unless the Planning Commission tables or postpones the decision. The Planning Commission may recommend approval of the Site Plan, recommend approval with modifications, recommend denial of the Site Plan or table action on the Site Plan. The applicant is also applying for a Special Land Use to allow for a Boarding/Rooming House for the purpose of providing employee housing in an existing dwelling. The case file may be reviewed at the City Planning Office on the second floor of City Hall.

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

Larry Sullivan
Interim Zoning Administrator
Office of Planning and Zoning
planner@charlevoixmi.gov
Phone: (231)547-3265
Fax: (231)547-3617

Site Plan on Reverse Side



PLANNING COMMISSION AGENDA ITEM

AGENDA TITLE:	<u>Level B Site Plan Review 2017-10 SP: Herriman/Marvin Site Plan Review</u>	
PUBLIC MEETING DATE:	November 13, 2017	7:00PM
EXHIBITS:	1. Site Plan Review application. 2. Site Plan provided by applicant. 3. City of Charlevoix Zoning Ordinance.	

I. GENERAL INFORMATION:

Applicant:	W. & K. Herriman and David Marvin/Stafford's Hospitality
Property Owner:	W. & K. Herriman
Requested Action:	Level B Site Plan Approval for Special Use Permit for Boarding/Rooming House
Zoning:	R-1 – Residential Low Density with a North Side Professional Office Overlay
Project Location:	403 Petoskey Avenue
Project Site Size:	0.224 acres, 9781 square feet
Existing Land Use:	Single Family Residential Dwelling
Adjacent Land Uses:	Single family residential to the north, single family residential to the east and west and general retail and professional office to the south (across Petoskey Avenue). Dwelling to the west received a Special Use Permit in 2006 to allow the use of a professional office. The use does not appear to be occurring at this time.
Adjacent Zoning:	The property on both sides and to the north are zoned R-1 Residential. The property to the east and the west are also in the North Side Professional Office Overlay, while the property to the north is not subject to the overlay. The property to the south (across Petoskey Avenue) is zoned General Commercial.

PROJECT DESCRIPTION/LOCATION:

The applicant is requesting a Special Land Use permit to operate a Boarding/Rooming House which requires a Level B Site Plan Review. The applicant is not proposing any exterior changes to the existing residence which currently exists on the property. The only change proposed to be made to the property is an increase in the parking area to provide for three parking spaces and an area in which three point turns can be made to allow vehicles to turn around on the property and then drive onto Petoskey Avenue, as opposed to having to back onto Petoskey Avenue which is currently the case.

Aerial photo from 2016.



Source: Charlevoix County Website, property boundary lines are approximate.

Photo taken 10/26/2017



MASTER PLAN CONSIDERATIONS: *Please note that Site Plan Review is not based on consistency with the City Master Plan, this section is included only for general reference.

The 2011 Land Use Master Plan identifies this area of Charlevoix as being Low Density Residential.

II. SITE PLAN REQUIREMENTS:

The Zoning Administrator has been granted the authority to waive portions of the information that is typically required in a site plan by the Zoning Ordinance. The table below Section 5.119 (1) indicates what items are included on the site plan as submitted and what items the Zoning Administrator has waived. The key for the responses on the right hand side of the Table 5.119(1) are noted below.

X	Information Provided on Site Plan
SA	See Attached Information
PI	Partial Information Provided on Site Plan
NA	Not Applicable, Requirement Waived by Zoning Administrator
M	Missing

5.115. Submittal Requirements

(1) Required Content. Each site plan submitted shall contain the information detailed in Table 5.119(1), as applicable:

Table 5.119(1): Required Site Plan Content

<u>Required Information</u>	<u>Level “B”</u>
------------------------------------	-------------------------

General Information

<u>Date, north arrow and scale</u>	<u>X</u>
<u>Name and firm address of the professional individual responsible for preparing the site plan</u>	<u>X</u>
<u>Name and address of the property owner or petitioner</u>	<u>X</u>
<u>Location sketch</u>	<u>X</u>
<u>Legal description of the subject property</u>	<u>SA*</u>
<u>Size of subject property in acres or square feet</u>	<u>SA**</u>
<u>Boundary survey</u>	<u>X</u>
<u>Preparer’s professional seal</u>	<u>X</u>
<u>Revision block (month, day and year)</u>	<u>X</u>

Existing Conditions

<u>Existing zoning classification of subject property</u>	<u>X</u>
<u>Property lines and required setbacks (dimensioned)</u>	<u>PI</u>
<u>Location, width and purpose of all existing easements</u>	<u>NA</u>
<u>Location and dimension of all existing structures on the subject property</u>	<u>X</u>
<u>Location of all existing driveways, parking areas and total number of existing parking spaces on subject property</u>	<u>PI</u>
<u>Abutting street right-of-way width</u>	<u>M</u>
<u>Location of all existing structures, driveways and parking areas within three hundred (300) feet of the subject property’s boundary</u>	<u>NA</u>
<u>Existing water bodies (rivers, creeks, wetlands, etc.)</u>	<u>NA</u>
<u>Existing landscaping and vegetation on the subject property</u>	<u>NA</u>
<u>Size and location of existing utilities</u>	<u>NA</u>
<u>Location of all existing surface water drainage facilities</u>	<u>NA</u>

Proposed Development

<u>Location and dimensions of all proposed buildings</u>	<u>NA</u>
<u>Location of all proposed drives (including dimensions and radii), acceleration/deceleration lanes, sidewalks, walls, fences, signs, exterior lighting, curbing, parking areas (including dimensions of a typical</u>	

<u>parking space and the total number of spaces to be provided) and</u>	
<u>unloading areas</u>	PI
<u>Setbacks for all buildings and structures</u>	NA
<u>Recreation areas, common use areas, dedicated open space and</u>	
<u>areas to be conveyed for public use</u>	NA
<u>Flood plain areas and basement and finished floor elevations of all</u>	
<u>buildings</u>	NA
<u>Landscape plan (showing location of proposed materials, size and type)</u>	NA
<u>Layout and typical dimensions of proposed parcels and lots</u>	NA
<u>Number of proposed dwelling units (by type), including typical floor</u>	
<u>plans for each type of unit</u>	NA
<u>Number and location (by code, if necessary) of efficiency and one, two</u>	
<u>and three or more bedroom units</u>	NA
<u>All deed restrictions or covenants</u>	NA
<u>Brief narrative description of the project including proposed use,</u>	
<u>existing floor area (sq. ft.), size of proposed expansion (sq. ft.) and</u>	
<u>any change in the number of parking spaces</u>	X

Engineering

<u>Proposed method of handling sanitary sewage and providing potable</u>	
<u>Water</u>	NA
<u>Location and size of proposed utilities, including connections to public</u>	
<u>sewer and water supply systems and/or size and location of on-site systems</u>	NA
<u>Location and spacing of fire hydrants</u>	NA
<u>Location and type of all proposed surface water drainage facilities</u>	NA
<u>Grading plan at no more than two (2) foot contour intervals</u>	NA
<u>Proposed streets (including pavement width, materials and easement or</u>	
<u>right-of-way dimensions)</u>	NA

Building Details

<u>Typical elevation views of all sides of each building</u>	NA
<u>Gross and usable floor area</u>	NA
<u>Elevation views of building additions</u>	NA
<u>Building height</u>	NA

*The legal description of this property is as follows: *Lot 2, Block 5 of Fox and Eaton Addition to the Village of Charlevoix (Unrecorded)*

**Size of Property is: *9782 Square feet, being approximately 0.224 acres*

(2) Information Waiver. Specific requirements of either a Level "A" or "B" site plan may be waived by the Zoning Administrator where it is determined that such information is not applicable to the request.

(3) Additional Reports/Study: The Zoning Administrator or Planning Commission may require additional studies, reports or written opinions from qualified consultants to determine

compliance with this ordinance or to ensure negative impacts to public health, safety and welfare are avoided or mitigated. These reports/studies may include, but are not limited to, traffic studies, transportation plans, geotechnical reports, flood hazard evaluations or environmental assessments. The Zoning Administrator or Planning Commission shall have the authority to choose the individual consultant, firm or company. The costs of additional study shall be paid for by the applicant.

The Zoning Administrator has seen no need to require additional information in regard to this site plan.

III. SITE PLAN REVIEW:

The following section is taken directly from the Section 5.120 (pg. 130) of the Zoning Ordinance. The Planning Commission must make findings of fact to determine if the proposal meets each of the following standards. The Planning Commission must find that this proposal meets all of the following standards based on findings of fact before considering a motion to approve or deny. Staff has written the following recommended findings of fact as a starting point. The Planning Commission may add, modify, or delete any of the following draft findings at the meeting. The draft findings are in *italics*.

5.120. Standards for Site Plan Approval: A site plan shall be approved only upon a finding of compliance with the following standards:

- (1) The site plan must comply with all standards of this Article and all applicable requirements of this ordinance, as well as with all other applicable city, county, state and federal laws and regulations.

The Planning Commission finds that the site plan proposal complies with Section 5.21.(1) (pg. 23) of the Zoning Ordinance, which states that R-1, Low Density Residential Districts are intended to provide stable, low density neighborhoods of primarily single family dwellings.

The Planning Commission finds that no water supply and sewage disposal facilities are proposed beyond those that currently service the single family dwelling, so the requirements of Section 5.77 (pg. 86) are met.

- (2) The site must be designed in a manner that is harmonious, to the greatest extent possible, with the character of the surrounding area.

The Planning Commission finds that the proposed development is harmonious with the character of the existing neighborhood. The use proposed is for the residential use of a single family dwelling. The dwelling is located in an area that is already largely occupied by similar dwelling units with the exception of the uses on the south side of Petoskey Avenue, which are general retail and professional offices, so the design is generally harmonious and not out of place.

- (3) The site must be designed to minimize hazards to adjacent property and to reduce the negative effects of traffic, noise, smoke, fumes and glare to the greatest extent possible.

The Planning Commission finds adequate measures have been taken to limit hazards to adjacent properties. The area behind the single family dwelling allows for sufficient parking, as required by the Zoning Ordinance and provides for the ability for the residents vehicles to be turned around so that they are not backing onto Petoskey Avenue, which is a potential traffic safety hazard.

- (4) Unless a more specific design standard is required by the city through a different ordinance or regulation, all uses and structures subject to site plan review shall comply with the following design standards:

(a) TRAFFIC CIRCULATION.

The number, location and size of access and entry points, and internal vehicular and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, as well as circulation within the site. In reviewing traffic features, the number, spacing and alignment of existing and proposed access points shall be considered relative to their impact on movement on abutting streets and adjacent properties.

Parking Considerations

The Definition Section of the Zoning Ordinance defines a "Parking Lot" as "a facility providing parking spaces, along with adequate drives, aisles, and maneuvering space, to allow unrestricted ingress and egress to at least two (2) vehicles."

The Zoning Ordinance does not contain any standards that require a driveway, parking area or turnaround area located on private property in the R-1 Low Density Single Family Residential District to be surfaced with gravel or be paved with some other type of impervious surface. The R-4 Planned High Density Residential District does state the following in Section 5.27(4) (b) 3: "all areas being used by vehicles and all pedestrian walks shall be surfaced with bituminous asphalt, concrete or similar materials and be properly drained."

Article 10 of the Zoning Ordinance addresses the issue of Off-Street Parking, Loading, Access and Circulation. A brief summary of the applicable portions of this Article is as follows:

Section 5.90 Adequate parking and access are to be provided in a safe and convenient manner and afford reasonable protection for adjacent land uses. Parking impacts shall be reduced through minimum and maximum parking requirements.

Section 5.92 Minimum parking spaces shall not be exceeded without the approval of the Planning Commission based upon documented evidence. The Planning

Commission may require additional spaces be constructed using alternate paving materials such as pervious pavers or concrete. Use of alternative materials shall include a maintenance plan satisfactory to the Planning Commission. When calculations for required parking spaces result in a fraction over one-half (1/2), one (1) full space shall be required. A Boarding or Rooming House requires one (1) space per two (2) beds, plus one (1) additional space for owner or employee use.

Section 5.93 Other forms of travel such as bicycle, or transit are available and are reasonable alternatives. Where a reduction in parking spaces is not warranted, but the applicant can demonstrate the parking requirements may be excessive given the use of the property, the Planning Commission may defer some parking some of the required parking but the site plan shall designate an area where the deferred parking can be provided at a later date. The property owner or the City may at a later date require the deferred parking to be provided. The Planning Commission may require the parking to be located in the side or rear of a building. In this instance, the Planning Commission may waive the landscaping or screening requirements.

Section 5.94 Off-Street Parking shall meet the side and yard setback requirements and not be closer than fifteen (15) feet to the rear lot line. All parking lots shall be hard surfaced using asphalt, concrete, or concrete or brick pavers and shall be appropriately graded and drained. A public street shall not be used as a maneuvering space for a vehicle to get into or out of an off-street parking space. Off-Street parking areas shall be landscaped in accord with Section 5.81(8).

The Planning Commission finds there would be sufficient vehicular access to the property, as well as maneuvering area on the parcel.

(b) STORM WATER.

Storm water retention and drainage systems shall be designed so the removal of surface water will not adversely affect neighboring properties or public storm water drainage systems. Unless impractical, storm water shall be removed from all roofs, canopies and paved areas by an underground surface drainage system. Low impact design solutions such as rain gardens and green roofs are encouraged.

The Planning Commission finds that there are no known drainage issues affecting this parcel or adjoining parcels, therefore, this is not a concern.

(c) LANDSCAPING.

The landscape shall be preserved in its natural state, insofar as practical, by minimizing unnecessary tree and soil removal. Any grade changes shall be in keeping with the general appearance of neighboring developed areas. Provision or preservation of landscaping, buffers or greenbelts may be required to ensure the proposed uses will be adequately buffered from one another and from surrounding property.

Section 5.81 Landscaping requirements do not appear to apply to this use as it is a residential use located in a residentially zoned area. The only instance where it

appears that landscaping or buffering is required in a R-1 or R-2 District is in those instances where the use is either non-residential or where the development being planned is a new subdivision or a residential PUD whereby the ordinance requires stated amounts of landscaping based upon the number of new dwelling units be planned for construction. Further, the applicant does not propose to remove soils or vegetation. Section 5.81 (8) on page 93 states that "a parking lot containing more than ten (10) spaces shall be screened as follows:". No language is contained in the ordinance addressing parking lots of less than 10 spaces. This "parking lot" will contain only three (3) spaces and as such does not appear to be required to be landscaped or buffered.

The Planning Commission finds that the development meets this requirement.

(d) SCREENING.

Where non-residential uses abut residential uses, appropriate screening shall be provided in accordance with Section 5.81(9) (pg. 94) to shield residential properties from noise, headlights and glare.

The Planning Commission finds that since this is a residential use, no screening of adjoining residences is necessary.

(e) LIGHTING

Lighting shall be designed to minimize glare on adjacent properties and public streets. As a condition of site plan approval, reduction of lighting during non-business hours may be required.

The Planning Commission finds that no additional lighting is proposed for the property, thus this item is not applicable.

(f) UTILITY SERVICE.

All utility service shall be underground, unless impractical due to engineering difficulties.

The Planning Commission finds that the existing utilities adequately serve the residence and that no new utilities are being proposed, therefore this item is not applicable.

(g) EXTERIOR USES.

Exposed storage areas, machinery, heating and cooling units, service areas, loading areas, utility buildings and structures, and similar accessory areas shall be located to have a minimum negative effect on adjacent properties and shall be screened, if reasonably necessary, to ensure compatibility with surrounding properties.

The Planning Commission finds that since the use of the property will not be changing and no outdoor storage will be occurring other than that which would typically occur on a residential parcel, no negative impacts will result and no screening will be necessary.

(h) **EMERGENCY ACCESS.**

All building and structures shall be readily accessible to emergency vehicles.

The Planning Commission finds that the site plan has been reviewed and preliminarily approved by the Police Chief. He feels public safety vehicles have adequate access to the residence.

(i) **WATER AND SEWER.**

Water and sewer installation shall comply with all city specifications and requirements.

The Planning Commission finds that no new utility connections to the building or property will be necessary based upon the current and proposed uses so this criteria has been met.

(j) **SIGNS.**

Permitted signs shall be located to avoid creating distractions, visual clutter and obstructions for traffic entering or exiting a site.

The Planning Commission finds that there is no signage being proposed for the property nor is none necessary on the property or on the building.

IV. CONDITIONS OF APPROVAL

The following section is taken directly from the Section 5.121 (pg. 131) of the Zoning Ordinance. The PC may impose conditions of approval on the site plan based on the following criteria.

5.121. Conditions of Site Plan Approval.

Conditions which are designed to ensure compliance with the intent of this ordinance and other regulations of the City of Charlevoix may be imposed on site plan approval.

Conditions imposed shall be based on the following criteria:

- (1) Ensure that public services and facilities affected by the proposed land use and site plan will not be adversely affected.
- (2) Ensure that the Use is compatible with adjacent land uses and activities.
- (3) Protect natural resources, the health, safety, welfare and social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- (4) Ensure compatibility between the proposed use or activity and the rights of the city to perform its governmental functions.
- (5) Meet the intent and purpose of the zoning ordinance, be related to the regulations and standards established in the ordinance for the land use or activity under consideration and be necessary to ensure compliance with those standards.

- (6) Ensure compliance with the intent of other city ordinances that are applicable to the site plan.
- (7) Ensure compatibility with other uses of land in the vicinity.

V. Planning Commission Recommendation to City Council: (choose one)

- A. **Approve** Project 2017-10 SP **without conditions**, based on specific findings of fact that prove the project does meet the review standards in Section 5.120;
- B. **Approve** Project 2017-10 SP **with conditions**, based on specific findings of fact that prove the project does meet the review standards in Section 5.120; The requirement that the parking area and three point turnaround area be surfaced with gravel.
- C. **Approve** Project 2017-10 SP **with conditions**, based on specific findings of fact that prove the project does meet the review standards in Section 5.120; The requirement that the parking area and three point turnaround area be paved.
- D. **Deny** Project 2017-10 SP based on specific findings of fact that prove the project does not meet the review standards in Section 5.120, based on specific findings of fact that prove the project does not meet the review standards in Section 5.120 with the particular standard being that the parking surface is a natural grass surface.
- E. **Table** the decision on Project 2017-10 SP. (Usually this option is only used when additional information is needed to assist the Planning Commission in making the decision.)



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

LEVEL B SITE PLAN APPLICATION

Bill Dietrich Agent for owner
Applicant

403 Petoskey Ave
Address of subject property

502 May St. Charlevoix MI 49720
Address (City/State/Zip)

William & Kristin Herriman
Property Owner Name (If different than applicant)

512 May St Charlevoix MI 49720
Property Owner Address (City/State/Zip) (If different than address of subject property)

Property Owner Phone
(231) 330-2438

Email
billherriman@hotmail.com

Agent Phone
(231) 633-1353

Email
billdietrich50@gmail.com

Zoning of subject property: R-1

Tax ID: 15-052-123 0 29-10

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

Single Family

Proposed use: Boarding/Rooming House for Restaurant Employees

Dimensions of parcel: 59.39 x 164.64

Parcel size: 9763

Square feet

.224

Acres

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

None Planned

Dimensions of proposed construction, excluding eaves: NA

Total square footage of proposed construction: NA
Height of proposed construction to the top of the roof: NA
Height of proposed construction to the midpoint of the roof, for gabled roof: NA
Roof type (example: gable, hip, flat, etc.): NA
Square footage of all impervious surfaces (please show all on site plan: paved driveways, sidewalks, patios, etc.): _____
Requested date to begin construction if known: _____

AFFIDAVIT

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

Property Owner Signature or Authorized Agent:

Bill Dutra, agent for owner

Date:

10-26-17

THIS SECTION FOR OFFICE USE ONLY

Zoning District: R-1

Tax ID: 052-123-029-10

Receipt Number: 1.550347

Date Inspected: Oct. 26, 2017

Approved: ☐ Denied: ☐ If variance was required: Project # _____

Lot Coverage Calculations: Existing: 870

Proposed: 0

Total: 870

Lot Size: 9763 Percentage: 8.9%

Staff findings or notes: _____

Zoning Administrator Signature: _____

Date: _____

10-15-17

OCT 24 2017

CITY OF CHARLEVOIX

SITE PLAN

FOR

WEATHERVANE RESTAURANT & REAL ESTATE
PART OF GOV'T LOT 3,
SECTION 23, TOWN 34 NORTH, RANGE 8 WEST
CITY OF CHARLEVOIX, CHARLEVOIX COUNTY, MICHIGAN
R-1 ZONING DISTRICT

Property Address:

403 Petoskey Avenue
Charlevoix, Michigan 49720

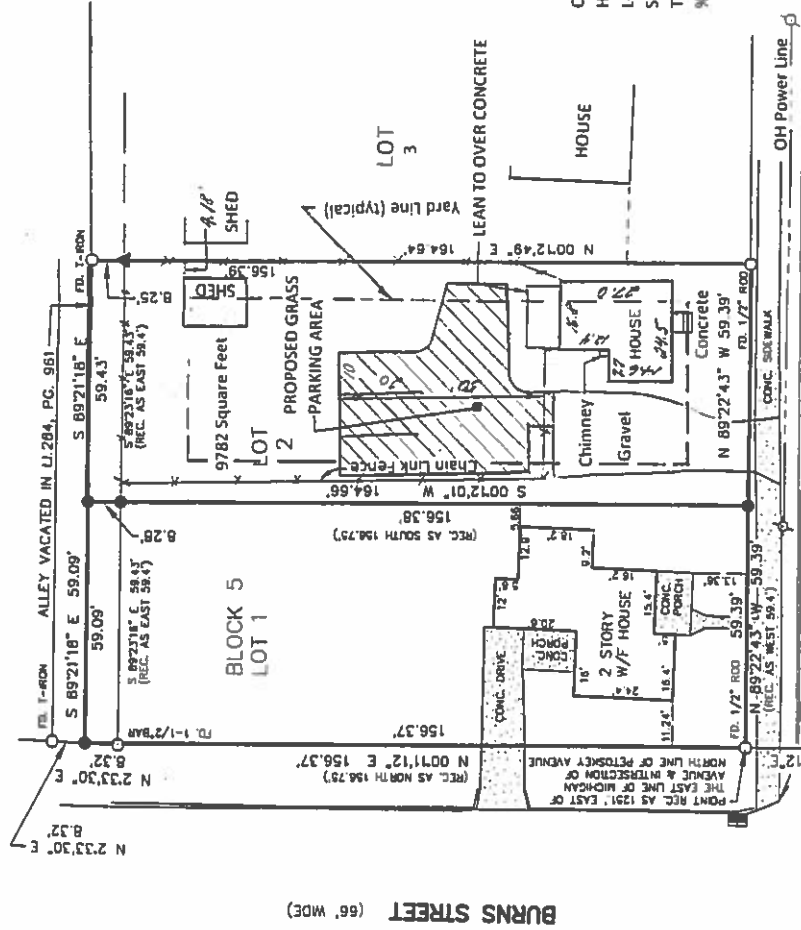
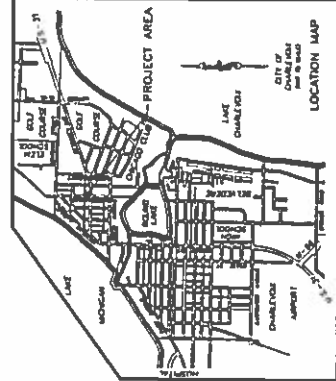
Property Tax # 052-123-029-10



SCALE 1" = 30'

- LEGEND:
- 1 ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF
 - 2 'X' LOCATES WIRE SET
 - 3 'X' SET 1/2" RE IRON
 - 4 'X' LOCATES ROW/ROD FOUND IN PLACE
 - 5 DIMENSIONS ARE BASED ON THE CITY OF CHARLEVOIX COORDINATE SYSTEM

COVERAGE DATA
House Size: 566 Sq. Feet
Lean To Size: 112 Sq. Feet
Shed Size: 192 Sq. Feet
TOTAL: 870 Sq. Feet
% COVERAGE: 9%



ZONING DATA:
Front Yard 15'
Side Yard 10'
Rear Yard 25'
Maximum Lot Coverage 40%
Minimum Lot Area 9000 Sq. Feet
Minimum Lot Width 70'
Maximum Lot Height 26'
Minimum Dwelling Size 1040 (one story) 1600 (two story)

PWR. Pole (Typical)
OH Power Line
PWR. Pole (Typical)

PETOSKEY AVENUE (66' WIDE)
SOUTH 1/4 COR., SEC. 23, T. 34 N., R. 8 W.
WITNESSES: (FD. 1/2" ROD IN PVC PIPE)
11" PVC - N 30° E - 5.45'
11" PVC - S 70° W - 4.30'
POWER POLE - N 5° W - 21.80'

REFERENCE MARK TO G.L.O. MEANDER CORNER
ON SOUTH LINE OF SEC. 23, T. 34 N., R. 8 W.
WITNESSES:
2" MAPLE - NORTH - 1.90'
2" MAPLE - S 20° W - 5.35'
POWER POLE - N 20° E - 35.70'

Sherman A. Chamberlain, Jr.
SHERMAN A. CHAMBERLAIN, JR.
P.L. 23824

FERGUSON & CHAMBERLAIN ASSOCIATES, INC.
PROFESSIONAL SURVEYORS
1000 N. BURNING WOOD DRIVE
CHARLEVOIX, MICHIGAN 49720
PHONE: 800.441.8888
FAX: 800.441.8888

DATE: 10-17-17

Job Number: SB-26711C-17

Zimbra

lindaw@charlevoixmi.gov

Property at 403 Petoskey

From : Judy Herriman <jmherriman@hotmail.com>

Mon, Oct 30, 2017 12:33 PM

Subject : Property at 403 Petoskey**To :** planner@charlevoixmi.gov

I do not object to the plans for this residence. I think it is stupid to be giving the buyer such a hard time!!! Quit dragging it out. 306 Burns St.

MEMO

November 9, 2017

To: City of Charlevoix Planning Commission

From: Elise Crafts, Networks Northwest

Re: Zoning Ordinance Language Status Update

Summarized below are ordinance language changes made by the Planning Commission since April 2017:

Administrative edits (approved by PC):

- Article 1: Reference to Michigan Zoning Enabling Legislation in Article 1
- Article 2: Added or amended definitions of adjoining, aggrieved person, dredging, manufactured home/mobile home, planned unit development
- Article 4: Added upland dredging as a use permitted
- Article 5: Corrected spelling
- Article 7: Added upland dredging as use permitted
- Article 8: Provided example language regarding regulating fencing material, added language regarding retaining walls, added example diagram of front setback on corner lots
- Article 9: Clarified buffer type numeral system
- Article 12: Added language regarding site plan review on water front parcel

New ordinance language:

- Signage (in process at PC)
- Solid Waste (in process at PC)
- Single room rentals (approved by PC, Council)
- Short-term rental (approved by PC, Council)

Planning Commission To-Do List 2017

Housing-Related Items:

Goal: Diverse types of non-traditional housing (ADU, small homes, etc.) are easier to safely, affordably develop/access.

Item	Priority	Status
Short-term rental ordinance (new)	High	Council approved. Legal approval requirements ongoing
Long-term rental ordinance (new)	High	
Definition of Family (review)	High	
SUP for Boarding House, B&B (review if should be required in light of the short-term rental ordinance)	High	
Lot size (review)	High	
Accessory building heights – if used for dwelling may increase (review)	High	
Blight enforcement procedures (review)	High	

General Zoning Items:

Goal: Ensure ordinance is compatible with Master Plan; ensure ordinance produces responsive, consistent, easy-to-understand, and safe outcomes.

Item	Priority	Status
Signage ordinance (update, incl. nuisance ordinance language)	High	Planning Commission discussion ongoing
Codify Zoning Ordinance, including graphic designs/minor language conflicts	Medium – PC likely to pick up in late 2018	Minor language conflicts approved by Planning Commission Contract approved with City Code Recodification firm. 6-9 month process
Landscaping ordinance (review)	Low	Not started
Site Plan Review Process (review Council approval for Level B, review airport hangar approval)	High	Larry researching best practices for Council discussion during late 2017
Solid Waste Ordinance (update)	High	Committee formed
Lot Coverage standards (review)	Medium	

Updated October 27, 2017

Parking standards (review)	Medium	
Impervious surface definition (review)	Low	

General Planning Items:

Goal: Ensure the City of Charlevoix is prepared for and attracts strategic growth within the City and surrounding region.

Item	Priority	Status
Redevelopment Ready Certification	High	
Joint meeting with surrounding Twps/School Boards	Low?	

MEMO

November 8, 2017

To: City of Charlevoix Planning Commission

From: Elise Crafts, Networks Northwest

Re: Draft Signage Ordinance

Changes to the draft ordinance based on the October discussion are reflected in RED below.

Definitions

Definition has been removed for “abandoned sign”.

Section 5.101 General Provisions

(1) Prohibited Signs

Letter c – abandoned sign removed under prohibited signs.

(2) Signs Authorized without a Sign Permit

Letter h – edited window signs standards to allow window signs (regardless of size) located on the interior of the building without a sign permit.

(5) Unsafe Signs

Removed mention of attorney fees/lawsuit in letter (ix).

Section 5.103 Sign Standards for Specific Signs

(2) Window Signs

Removed this subsection as window signs are now allowed without permit, and window signs located on the exterior of the window will be considered wall signs.

(3) Wall Signs

Added language to prevent wall signs from interfering with vehicular traffic.

(4) Projecting Signs

Added language to prevent projecting signs from interfering with vehicular traffic.

(7) Temporary Banner Signs

Removed “by non-profit or for-profit businesses or entities”.

Section 5.106 – Section 5.114 Zoning Districts

(1) Signs Not Requiring a Sign Permit

Added “signs authorized by Section 5.101(2)”, removed window sign mention, and removed “on-premise” from temporary ground sign to allow for political signage.

(2) Signs Requiring a Sign Permit

Removed “on-premise” from temporary ground sign to allow for political signage.

Summarized below are discussion items for the November 8th Planning Commission meeting, based on the October meeting discussion:

- **Political Signage**

Post *Reed* lawsuit, the definition of “political signage” (content-based) should be removed. Political signs should instead be treated as “temporary signage”. It is tricky (and in some cases, illegal) to impose restrictions on political signage. Therefore, treating political signage as temporary signage opens up the same flexibility applied towards political signs to all temporary signs (i.e. community events).

Find in draft ordinance:

Section 5.106(1): Removed “on-premise” from letter (c) to include political signage in this category. This is repeated in Sections 5.107-5.114.

- **Sign Number Maximums**

The current ordinance is not clear on the maximum number of signs allowed, with the exception of businesses. I have attempted to clarify the maximum signs allowed using current best practices, and by doing so, have increased the maximum allowance (option 1). Larry Sullivan, Interim Zoning Administrator, feels the current regulations are working well and suggests we carry these over into the new ordinance (option 2). Walking through downtown Charlevoix and surrounding commercial districts, it is clear that many businesses have more than 2 signs per street frontage. In fact, most have 3 or 4. Given that reality, a combination of options 1 and 2 is presented in option 3.

Find in draft ordinance:

Section 5.115 Schedule of Regulations

Three maximum scenarios are presented for your review. Maximum sign face area, height, location, etc. have not changed since the previous draft.

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 or sign structures that are abandoned or no longer used by the property or sign owner, in which case abandonment or discontinuance of sign use may be shown by cessation of use of the property where the sign is located for the use or purpose with the sign.~~
- d. 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)*.
- e. Signs that are not securely affixed to a substantial structure that will hold the sign in a fixed position under normal weather conditions.
- f. Signs that are attached to any natural growth, such as trees, shrubs or other natural foliage.
- g. 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.

- h. Signs other than official utility company signs affixed to power utility poles or other utility structures or fixtures.
- i. 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*.)
- j. Signs in public rights-of-way other than those allowed by the City Highway Banner Program and State of Michigan TODS program.
- k. External neon signs other than in the GC, CBD, or CH Districts.
- l. All types of flags, feathers, banners (except those authorized under *Section 5.101(2)(d)* and *Section 5.103(7)*, 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.)
- m. Billboard-highway advertising signs.
- n. Internally lighted signs.
- o. Off-premises signs.
- p. Roof signs.
- q. 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 one (1) square foot 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 in Public Rights-of-Way

All signs in the US 31 and M 66 Highway Rights of Way are jointly regulated by the City of Charlevoix and 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:
 - i. The location of the sign or advertising device that is structurally unsafe.
 - ii. The nature of the unsafe condition.
 - iii. 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.
 - iv. 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.
 - v. 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.
 - vi. 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.

- vii. 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.
- viii. 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.
- ix. The costs of remedying the unsafe condition shall be collected by the city ~~from 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.

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) Sign Height

- a. The height of a sign shall be measured vertically from the ground level to the top of the sign, unless otherwise specified.

(4) 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 CH (Commercial Hospitality) zoning districts only.

(5) 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. Any window sign greater than six (6) square feet is shall be considered a wall sign.~~
- ~~b. Window signs less than or equal to six (6) square feet shall not count towards the maximum number of signs allowed.~~

(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 **and shall not interfere with vehicular traffic**. In all other instances, see *Section 5.115* 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 **and shall not interfere with vehicular traffic**.
- b. Projecting signs shall be located at least eight (8) feet from ground level, measured vertically from ground level to the bottom of the sign.

(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.

(7) Temporary Banner Signs

- a. 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 do not require a sign permit and may only be placed in those locations, ~~by non-profit or for-profit businesses or entities,~~ after 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. Temporary banners may be erected not more than two (2) weeks before the event and must be removed within two (2) days after the event.

(8) Flags

- a. Commercial flags shall be a maximum of fifteen (15) square feet and shall be located as to not interfere with pedestrian activity.

5.104 Sign Standards for Specific Land Use

(1) Automobile Gasoline Service Stations

- a. In addition to the signs allowed by *Section 5.115*, 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 5.115* In the case of a shopping center or other integrated group of stores or commercial buildings, one (1) ground sign may be erected per street frontage. The maximum area for such a sign face shall be equal to twenty (20) square feet one of sign face area for each business, 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(3)	Max 16 ft	See Section 5.104(3)	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 5.115* 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:

- Signs authorized by *Section 5.101(2)*.
- ~~Window signs that do not exceed six (6) square feet in sign face area.~~
- On-premise wall signs less than or equal to two (2) square feet in sign face area.
- ~~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.

(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:

- ~~On-premise~~ temporary ground signs greater than eight (8) square feet in sign face area but not to exceed thirty-six (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.
- On-premise ground sign.

5.107 PUD Zoning District

The following signs are authorized in the PUD (Planned Unit Development) zoning district. See *Section 5.115* 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. Signs authorized by *Section 5.101(2)*.
- ~~b. Window signs that do not exceed six (6) square feet in sign face area.~~
- c. On-premise wall signs less than or equal to two (2) square feet in sign face area.
- d. ~~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.

(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 projecting sign.
- d. On-premise wall sign.

(3) 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 5.115* for all dimensional requirements.

5.108 PF Zoning District

The following signs are authorized in the PF (Public Facilities) zoning District. See *Section 5.115* 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. Signs authorized by *Section 5.101(2)*.
- ~~b. Window signs that do not exceed six (6) square feet in sign face area.~~
- c. On-premise wall signs less than or equal to two (2) square feet in sign face area.
- d. ~~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.
- e. Temporary Banners. See *Section 5.103(7)*.

(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 5.115* 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. Signs authorized by *Section 5.101(2)*.
- ~~b. Window signs that do not exceed six (6) square feet in sign face area.~~
- c. On-premise wall signs less than or equal to two (2) square feet in sign face area.
- d. ~~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.
- 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 5.115* 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. Signs authorized by *Section 5.101(2)*.
- 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.
- d. 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 5.115* 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. Signs authorized by *Section 5.101(2)*.
- b. ~~Window signs that do not exceed six (6) square feet in sign face area.~~

- c. On-premise wall signs less than or equal to two (2) square feet in sign face area.
- d. ~~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.
- e. External neon signs no larger than two (2) square feet in sign face area.
- f. One (1) commercial flag per business. The flag shall be placed in a location where it does not interfere with pedestrian traffic.
- g. 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 I Zoning District

The following signs are authorized in the I (Industrial) zoning district. See *Section 5.115* 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. Signs authorized by *Section 5.101(2)*.
- ~~b. Window signs that do not exceed six (6) square feet in sign face area.~~
- c. On-premise wall signs less than or equal to two (2) square feet in sign face area.

- d. ~~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.
- a. Temporary Banners. See *Section 5.103(7)*.

(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 PO and MC Zoning Districts

The following signs are authorized in the PO (Professional Office) and MC (Marine Commercial) zoning districts. See *Section 5.115* 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. Signs authorized by *Section 5.101(2)*.
- ~~b. Window signs that do not exceed six (6) square feet in sign face area.~~
- c. On-premise wall signs less than or equal to two (2) square feet in sign face area.
- d. ~~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.

(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.

5.114 CH Zoning District

The following signs are authorized in the CH (Commercial Hospitality) district. See *Section 5.115* 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. Signs authorized by *Section 5.101(2)*.
- ~~b. Window signs that do not exceed six (6) square feet in sign face area.~~
- c. On-premise wall signs less than or equal to two (2) square feet in sign face area.
- d. ~~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.

(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 projecting sign.
- d. On-premise wall sign.

5.115 Schedule of Regulations

Table 5.113 Schedule of Regulations by Zoning District

Zoning District	Sign Type	Max Sign Face Area	Max Height	Max. Number	Location	Permit Required?
R1, R2, R2A, R4, PC, SR	Window	See Section 5.106(1)(a)	n/a	n/a	n/a	No
	Temporary Ground	Max 36 sf	Max 8 ft	1/public frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Wall	Max 2 sf	Max 8 ft	1/parcel	First floor of building	No
	Ground	Max 16 sf	Max 16 ft	1/public frontage	Min set back 4 ft from ROW	Yes
PUD	Window	See Section 5.107(1)(a)	n/a	n/a	n/a	No
	Temporary Ground	Max 36 sf	Max 8 ft	1/public frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Wall	Max 30 sf	Max 8 ft	1/parcel	First floor of building	No – if sign face area less than/equal to 2 sf
	Ground	Max 16 sf	Max 16 ft	1/public frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	1/public frontage	Shall not be located in ROW	Yes

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Zoning District	Sign Type	Max Sign Face Area	Max Height	Max. Number	Location	Permit Required?
PF	Window	<i>See Section 5.108(1)(a)</i>	n/a	n/a	n/a	No
	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
	Temporary Ground	Max 36 sf	Max 8 ft	1/public frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Wall	Max 30 sf	Max 8 ft	1/parcel	First floor of building	No – if sign face area less than/equal to 2 sf
	Ground	Max 16 sf	Max 16 ft	1/public frontage	Min set back 4 ft from ROW	Yes
GC	Window	<i>See Section 5.109(1)(a)</i>	n/a	n/a	n/a	No
	Temporary Ground	Max 36 sf	Max 8 ft	1/public frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Wall	Max 30 sf	Max 8 ft	1/parcel	First floor of building	No – if sign face area less than/equal to 2 sf
	Awning, Canopy, Marquee	Max 16 sf	Max 8 ft	1/parcel	Shall not be located in ROW	Yes
	Ground	Max 20 sf	Max 16 ft	1/public frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	1/parcel	Shall not be located in ROW	Yes
	External Neon	Max 2 sf	Max 8 ft	1/business	n/a	No
CM	Wall	Max 2 sf	Max 8 ft	1/parcel	n/a	No
	Temporary Ground	Max 36 sf	Max 8 ft	1/public 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	1/parcel	Shall not be located in ROW	Yes
	Ground	Max 16 sf	Max 16 ft	1/public frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	1/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
	Temporary Ground	Max 36 sf	Max 8 ft	1/public frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Wall	Max 30 sf	Max 8 ft	1/parcel	First floor of building	No – if sign face area less than/equal to 2 sf

DRAFT SIGN ORDINANCE FOR PC REVIEW ON 11.13.17

Zoning District	Sign Type	Max Sign Face Area	Max Height	Max. Number	Location	Permit Required?
CBD Cont.	Portable	Max 6 sf	Max 4 ft	See Section 5.111(1)(c)	No	
	External Neon	Max 2 sf	Max 8 ft	1/business	n/a	No
	Commercial Flag	Max 15 sf	n/a	1/business	Shall not interfere with pedestrians	No
	Awning, Canopy, Marquee	Max 16 sf	Max 8 ft	1/parcel	Shall not be located in ROW	Yes
	Ground	Max 16 sf	Max 16 ft	1/public frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	1/parcel	Shall not be located in ROW	Yes
I	Window	See Section 5.112(1)(a)	n/a	n/a	n/a	No
	Temporary Ground	Max 36 sf	Max 8 ft	1/public 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
	Wall	Max 30 sf	Max 8 ft	1/parcel	First floor of building	No – if sign face area less than/equal to 2 sf
	Awning, Canopy, Marquee	Max 16 sf	Max 8 ft	1/parcel	Shall not be located in ROW	Yes
	Ground	Max 16 sf	Max 16 ft	1/public frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	1/parcel	Shall not be located in ROW	Yes
PO, MC	Window	See Section 5.113(1)(a)	n/a	n/a	n/a	No
	Temporary Ground	Max 36 sf	Max 8 ft	1/public 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
	Wall	Max 30 sf	Max 8 ft	1/parcel	First floor of building	No – if sign face area less than/equal to 2 sf
	Awning, Canopy, Marquee	Max 16 sf	Max 8 ft	1/parcel	Shall not be located in ROW	Yes
	Ground	Max 16 sf	Max 16 ft	1/public frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	1/parcel	Shall not be located in ROW	Yes

Zoning District	Sign Type	Max Sign Face Area	Max Height	Max. Number	Location	Permit Required?
CH	Window	<i>See Section 5.114(1)(a)</i>	n/a	n/a	n/a	No
	Temporary Ground	Max 36 sf	Max 8 ft	1/public frontage	Min set back 4 ft from ROW	No – if sign face area less than/equal to 8 sf
	Wall	Max 30 sf	Max 8 ft	1/parcel	First floor of building	No – if sign face area less than/equal to 2 sf
	Ground	Max 20 sf	Max 16 ft	1/public frontage	Min set back 4 ft from ROW	Yes
	Projecting	Max 16 sf	Min 8 ft Max 12 ft	1/parcel	Shall not be located in ROW	Yes

5.116 Severability and Substitution Clause

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

5.115 Schedule of Regulations

Zoning District	Sign Type	Max. Number
R1, R2, R2A, R4, PC, SR	Window	n/a
	Temporary Ground	1/public frontage
	Wall	1/parcel
	Ground	1/public frontage
PUD	Window	n/a
	Temporary Ground	1/public frontage
	Wall	1/parcel
	Ground	1/public frontage
	Projecting	1/public frontage
PF	Window	n/a
	Temporary Banner	n/a
	Temporary Ground	1/public frontage
	Wall	1/parcel
	Ground	1/public frontage
GC	Window	n/a
	Temporary Ground	1/public frontage
	Wall	1/parcel
	Awning, Canopy, Marquee	1/awning, canopy, or marquee
	Ground	1/public frontage
	Projecting	1/parcel
	External Neon	1/business
CM	Wall	1/parcel
	Temporary Ground	1/public frontage
	Portable	1/business
	Awning, Canopy, Marquee	1/awning, canopy, marquee
	Ground	1/public frontage
	Projecting	1/parcel

Zoning District	Sign Type	Max. Number
CBD	Window	n/a
	Temporary Ground	1/public frontage
	Wall	1/parcel
	Portable	1/businesses
	External Neon	1/business
	Commercial Flag	1/business
	Awning, Canopy, Marquee	1/awning, canopy, or marquee
	Ground	1/public frontage
	Projecting	1/parcel
I	Window	n/a
	Temporary Ground	1/public frontage
	Temporary Banner	n/a
	Wall	1/parcel
	Awning, Canopy, Marquee	1/awning, canopy, or marquee
	Ground	1/public frontage
	Projecting	1/parcel
PO, MC	Window	n/a
	Temporary Ground	1/public frontage
	Temporary Banner	n/a
	Wall	1/parcel
	Awning, Canopy, Marquee	1/awning, canopy, or marquee
	Ground	1/public frontage
	Projecting	1/parcel
CH	Window	n/a
	Temporary Ground	1/public frontage
	Wall	1/parcel
	Ground	1/public frontage
	Projecting	1/parcel

5.115 Schedule of Regulations

Zoning District	Sign Type	Max. Number
R1, R2, R2A, R4, PC, SR	Window	n/a
	Temporary Ground	1/public frontage
	Wall	1/parcel
	Ground	1/public frontage
PUD	Window	2 signs total/public frontage. Must be different types.
	Temporary Ground	
	Wall	
	Ground	
	Projecting	Example: 1 wall sign and 1 projecting sign per street frontage.
PF	Window	n/a
	Temporary Banner	n/a
	Temporary Ground	1/public frontage
	Wall	1/parcel
	Ground	1/public frontage
GC	Window	2 signs total/public frontage. Must be different types.
	Temporary Ground	
	Wall	
	Awning, Canopy, Marquee	Example: 1 wall sign and 1 projecting sign per street frontage.
	Ground	
	Projecting	
	External Neon	
CM	Wall	2 signs total/public frontage. Must be different types.
	Temporary Ground	
	Portable	
	Awning, Canopy, Marquee	Example: 1 wall sign and 1 projecting sign per street frontage.
	Ground	
	Projecting	

Zoning District	Sign Type	Max. Number
CBD	Window	2 signs total/public frontage. Must be different types.
	Temporary Ground	
	Wall	
	Portable	
	External Neon	Example: 1 wall sign and 1 projecting sign per street frontage.
	Commercial Flag	
	Awning, Canopy, Marquee	
	Ground	
I	Projecting	2 signs total/public frontage. Must be different types.
	Window	
	Temporary Ground	
	Temporary Banner	Example: 1 wall sign and 1 projecting sign per street frontage.
	Wall	
	Awning, Canopy, Marquee	
	Ground	
PO, MC	Projecting	2 signs total/public frontage. Must be different types.
	Window	
	Temporary Ground	
	Temporary Banner	
	Wall	Example: 1 wall sign and 1 projecting sign per street frontage.
	Awning, Canopy, Marquee	
	Ground	
	Projecting	
CH	Window	2 signs total/public frontage. Must be different types.
	Temporary Ground	
	Wall	
	Ground	
	Projecting	Example: 1 wall sign and 1 projecting sign per street frontage.

5.115 Schedule of Regulations

Zoning District	Sign Type	Max. Number
R1, R2, R2A, R4, PC, SR	Window	n/a
	Temporary Ground	1/public frontage
	Wall	1/parcel
	Ground	1/public frontage
PUD	Window	n/a
	Temporary Ground	1/public frontage
	Wall	2 signs total/public frontage. Must be different types.
	Ground	
	Projecting	
PF	Window	n/a
	Temporary Banner	n/a
	Temporary Ground	1/public frontage
	Wall	1/parcel
	Ground	1/public frontage
GC	Window	n/a
	Temporary Ground	1/public frontage
	External Neon	1/business
	Awning, Canopy, Marquee	1/awning, canopy, or marquee
	Wall	2 signs total/public frontage. Must be different types.
	Ground	
	Projecting	
CM	Temporary Ground	1/public frontage
	Portable	1/business
	Awning, Canopy, Marquee	1/awning, canopy, marquee
	Wall	2 signs total/public frontage. Must be different types.
	Ground	
	Projecting	

Zoning District	Sign Type	Max. Number
CBD	Window	n/a
	Temporary Ground	1/public frontage
	Portable	1/businesses
	External Neon	1/business
	Commercial Flag	1/business
	Awning, Canopy, Marquee	1/awning, canopy, or marquee
	Wall	2 signs total/public frontage. Must be different types.
	Ground	
I	Projecting	
	Window	n/a
	Temporary Ground	1/public frontage
	Temporary Banner	n/a
	Awning, Canopy, Marquee	1/awning, canopy, or marquee
	Wall	2 signs total/public frontage. Must be different types.
	Ground	
	Projecting	
PO, MC	Window	n/a
	Temporary Ground	1/public frontage
	Temporary Banner	n/a
	Awning, Canopy, Marquee	1/awning, canopy, or marquee
	Wall	2 signs total/public frontage. Must be different types.
	Ground	
	Projecting	
CH	Window	n/a
	Temporary Ground	1/public frontage
	Wall	2 signs total/public frontage. Must be different types.
	Ground	
	Projecting	

Sign-Related Definitions

~~**Abandoned Sign.** A sign or sign structure which is no longer used by the property or sign owner, in which case discontinuance of sign use may be shown by cessation of use of the property where the sign is located for the use or purpose of the sign.~~

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.