CITY OF CHARLEVOIX

Agenda
City of Charlevoix Planning Commission Regular Meeting
Monday, January 8, 2024 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

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 Minutes

1. December 11, 2023 minutes

F. Election of Officers

1. Election of Officers

G. Set Meeting Dates 2024

1. Set meeting dates 2024

H. Call for Public Comment Not Related to Agenda Items

I. New Business

1. Rezoning of 13513 Division Avenue (Charlevoix County Administration Property)
2. Revise Planning Commission Bylaws Order of Business

J. Old Business

1. Activities Matrix Discussion, Priorities 2024
2. Outdoor Storage

K. Staff Updates

L. Requests For Next Months Agenda or Research Items

M. Adjournment by 8:00 p.m. unless extended by a motion

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Clerk's Office at 231-547-3250 or by email clerk@charlevoixmi.gov. A 24-hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodations requests.

City of Charlevoix
Planning Commission Regular Meeting Minutes
Monday, December 11, 2023 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

A. Call to Order/Pledge of Allegiance

The meeting was called to order at 6:00 p.m. by Chair Muladore followed by the Pledge of Allegiance.

B. Roll Call

Chair:	Jennifer Muladore
Members Present:	Scott Beatty (arrived at 6:19 p.m.), Shelley Boehmer, Sherm Chamberlain, Toni Felter, John Kurtz, Maureen Radke
Members Absent:	Janet Coltman, Mary Millington
Staff Present:	Jonathan Scheel, Zoning Administrator

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Motion by Member Felter, seconded by Member Boehmer to approve the agenda as presented.
Motion carried by unanimous voice vote.

E. Approval of the Minutes

1. Minutes from November 13, 2023
   Motion by Member Boehmer, seconded by Member Chamberlain to approve the minutes of November 13, 2023 as presented.
   Motion carried by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Report on Housing North Housing Study for Charlevoix County
   Zach Sompels, Charlevoix County Housing Ready Program Coordinator, indicated Housing North had completed a 10-county housing needs study earlier this year. Mr. Sompels stated he would forward his presentation to the Commission Members as well. Mr. Sompels proceeded to review the highlights and the big takeaways from the study, which includes 600 pages of data with 45 pages related to Charlevoix County. Mr. Sompels responded to questions from Commission Members throughout the presentation.

   Scott Beatty joined the meeting at 6:19 p.m.

   General discussion followed regarding housing needs, the projects that take several years from start to finish for new housing units and the available vacant lots within the City from the

recent rezones.

2. Activities Matrix Discussion 2024

   Chair Muladore stated that in December 2022, the Commission reviewed tasks by priority, organizing them by impact on the City and the efforts needed to accomplish those tasks; therefore, it was time to review and amend the list as needed. Discussion followed regarding the tasks included in the matrix from 2023.

   Zoning Administrator Scheel stated there was a potential $50,000 grant available that involved planning efforts related to housing, and he had spoken to the City Manager about approaching Charlevoix Township to apply for the grant to use a third party to help with properties adjacent to the township that had the potential for housing development.

   Mr. Scheel stated the Commission is doing a great job at using the Master Plan as a guide and using it to amend the zoning ordinances about the missing middle housing issue. There were numerous other suggestions and goals in the Master Plan that weren't specifically related to the Planning Commission, which included policies and programs the City Council has control over. Mr. Scheel requested the Commission's guidance on future ordinance amendments that use the Master Plan as a guide. Mr. Scheel suggested that a joint meeting in the near future with City Council would be a good idea. After discussion, the Commission agreed to discuss prioritizing and categorizing the activities matrix at the January meeting.

H. Old Business

1. Outside Storage Ordinance

   Zoning Administrator Scheel stated the Commission had asked him to write specific language related to changes needed to the outdoor storage language in the zoning ordinance. Mr. Scheel stated he needed more feedback from the Commission regarding what is or is not important, amid what is or is not intrusive to neighbors or the public at large. Mr. Scheel provided in the packet numerous pictures from the southeast neighborhood that are legal, some may or may not be legal because of the intent, but because of the wording in the ordinance, the attorney said the provisions were not enforceable at this point. The Commission reviewed the photographs.

   Discussion followed regarding the ability of people who own RV's and boats to store such equipment/vehicles properly off of their residential lots, no storage of vehicles in the front yard or front setbacks, and whether the proposed revisions are enforceable.

   Zoning Administrator Scheel reviewed each of the proposed revisions to the ordinances, the ability to enforce them and the consistency of each. Member Beatty stated he was not offended by seeing boats in driveways or recreational vehicles and the statement regarding owners being able to afford such vehicles can afford to store them properly is disingenuous. Member Beatty stated that any boat, car, rv, etc. should be licensed and operational, and out of the setbacks and right-of-way, and that the length of allowable boats should be 30' instead of 20'.

   Nelson Fletcher, resident of State Street, stated the Commission should consider that the median household income is $37,000, a large variety of lot sizes/houses in the City, and that

people can't afford to store their recreational vehicles off-site.

Chair Muladore stated she did not want to punish the locals with varying income levels who live here year round and who own different-sized boats.

Shirley Gibson stated that it depends on whether you own a recreational vehicle or boat and whether it bothers you. Ms. Gibson stated she did not own one and her main concerns are that the ordinance should allow only one RV and definitely no one should be living in an RV,, and they should be small (18'). Ms. Gibson stated in her neighborhood there were several large motor homes that are larger than the house and RV's should not be parked in the front yard, and there has to be an ordinance that is enforceable.

After discussion, it was determined to discuss the outdoor storage issue again at the next Commission meeting.

I. Staff Updates

1. Zoning Report

   Zoning Administrator Scheel stated the number of permits has decreased due to winter. Mr. Scheel highlighted the following items:

   - Inquiries and contracts to purchase all the land on the top of Hurlbut, and the owner of The Earl bought the old school, and a developer on both sides of that property has contracts working with the owner of The Earl for one large development (from Bridge Street to State Street)
   - A pre-development meeting was held for the Chamber building and MEDC hired a consultant to do some drawings for a mixed-use building
   - Applied for a grant for housing rehabilitation tying it to the blight issues
   - Two developers want to do a commercial project on 743 Petoskey Avenue

J. Requests For Next Months Agenda or Research Items

K. Adjournment by 8:00 p.m. unless extended by a motion

Chair Muladore adjourned the meeting at 8:03 p.m.

_____ _____

Sarah J. Dvoracek/fgm City Clerk Jennifer Muladore Chair

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

3.3 Code of Conduct/Accepting gifts.

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

4.0 Officers

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

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

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

a.) Preside at all meetings with all powers under parliamentary procedure;

b.) Shall rule out of order any irrelevant remarks; remarks which are personal; remarks about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics; profanity; or other remarks which are not about the topic before the Commission;

c.) Call special meetings if deemed necessary;

d.) Review with the staff, prior to a Commission meeting, the items to be on the agenda if he or she so chooses;

e.) Periodically meet with the Planning Director and/or other Planning Department staff to review Planning Department operation, procedures, and to monitor progress on various projects.

f.) Chair or perform a major role in the interview and selection process for a Planning Director;

g.) Act as the Commission's and Planning Department's chief spokesman and lobbyist to represent the Commission at local, regional, and state government levels.

h.) Represent the Commission before the City of Charlevoix; and

i.) Perform such other duties as may be ordered by the Commission.

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

a.) Act in the capacity of Chair, with all the powers and duties found in Section 4.3 of these Rules, in the Chair's absence;

b.) Perform such other duties as may be ordered by the Commission.

City of Charlevoix

Planning Commission

Meeting Dates 2024

The second Monday of each month 6:00 P.M.

January 8, 2024

February 12, 2024

March 11, 2024

April 8, 2024

May 13, 2024

June 10, 2024

July 8, 2024

August 12, 2024

September 9, 2024

October 14, 2024

November 11, 2024

December 9, 2024

Charlevoix Planning Commission

New Business

Title: Rezoning of 13513 Division Avenue (Charlevoix County Administration Property)
Date: January 8, 2024

Presented By: Jonathan Scheel, Zoning Administrator

Background:
Recently, the City annexed the portion of the parcel the Charlevoix County Administration building sits on at 13513 Division Ave. per a request from the County. As the parcel comes into the city without a zoning classification, the Planning Commission should start the process of zoning the parcel. The current use and long term planned use is the administrative building for the Charlevoix County government. A Public Facilities' designation is the appropriate choice for the City's Land Use Map.

Recommendation:
Motion to have a Public Hearing for the rezone at the February 12, 2024 Planning Commission meeting

Attachments:
1. JN 23-021 Charlevoix City Annexation Property
2. JN 23-021 Charlevoix City New Boundary
3. description

Blue Area = Property Annexed to the City
Beachwoods
Taybr
Mc Sauba
Carson
Mercer
23-021
Division
Auld
Burns
Prospect
Meech
Petoskey
Mercer

Beechwoods
TWP
New City Boundary
Mc Sauba
Charlevoix
Carson
Mercer
City
Charlevoix
City
Division
Petoskey
Mercer
Ard
Burns
Prospect
Meech

STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

Job Number: 23-021

Townships

Charlevoix County

In the matter of the annexation of a certain property located in Charleston Township to Charlevoix City. Conditionally transferred in accordance with the provisions of Act 279 of 1909, Mutual consent or Vacant city owned, as amended the following described property:

In the Township of Charlevoix, Charlevoix County, Michigan, Commencing at the East 1/4 corner of Section 23, Township 34 North, Range 08 West; thence North 89°26'22" West 1519.29 feet along the East and West 1/4 line of said Section 23 and the centerline of Division Street to the POINT OF BEGINNING; thence continuing along said 1/4 line and centerline North 89°26'22" West 460.49 feet to the East line of the plat of Homeland Subdivision as monumented; thence along said monumented subdivision line North 0°13'31" East 832.03 feet (recorded as North 0°31' West); thence South 89°45'39" East 460.68 feet; thence South 0°14'19" West 834.61 feet to the POINT OF BEGINNING; being a part of the Southwest 1/4 of the Northeast 1/4 of Section 23, Township 34 North, Range 8 West and containing 8.811 acres,

Record of Proceedings filed in the Office of the Secretary of State 12/5/2023

Charlevoix Planning Commission

New Business

Title: Revise Planning Commission Bylaws Order of Business

Date: January 8, 2024

Presented By: Jonathan Scheel, Zoning Administrator

Background:

Currently, under Section 5.8 "Order of Business, Agenda" of the Planning Commission Bylaws, new Business (g) comes before Old Business (h). The meetings would flow better if we continued with Old Business first before starting on new issues/items.

Recommendation:

Motion to change order of business with Old Business to come before New Business on future Agendas.

Attachments:

1. agenda

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

5.6 Parliamentary Procedure. Parliamentary procedure in Commission meetings shall be informal. However, if required to keep order, Commission meetings shall then be governed by *Roberts Rules of Order Newly Revised,* (10th Edition, Perseus Publishing, New York, 2000 (ISBN 0-7382-037-6)) for issues not specifically covered by these Bylaws. Where these Bylaws conflict, or are different than *Robert's Rules of Order*, then these Bylaws control.

5.7 Public Participation. All regular and special meetings, hearings, records, and accounts shall be open to the public.

a.) All public comments not specifically related to agenda items shall be provided at the beginning of the meeting in accordance with the agenda. Public comments on specific agenda items shall be called for at the appropriate time by the Chair.

b.) The Chair may limit the amount of time allowed for each person wishing to make public comment at a Commission meeting. The Chair may ask members of the audience to caucus with others sharing similar positions so they may select a single spokesperson. If a single spokesperson is selected, that individual shall be able to make public comment at the Commission meeting without time limit or an extended time limit.

5.8 Order of Business. Agenda. The Recording Secretary, or designee, shall prepare an Agenda for each meeting and the order of business shall be as follows:

a.) Call to order and Pledge of Allegiance.
b.) Roll call.
c.) Inquiry into potential conflicts of interest.
d.) Approval of agenda.
e.) Approval of the minutes.
f.) Call for public comment not related to agenda items.
g.) New business
h.) Old business
i.) Staff updates/Planning Commission general comments/Request for research items.
j.) Requests for future agenda items, research, or miscellaneous business.
k.) Adjournment.

5.9 Placement of Items on the Agenda.

a.) The City Planning Director/Zoning Administrator or City Manager may place items on the agenda with approval from the Chair.

Charlevoix Planning Commission

Old Business

Title: Activities Matrix Discussion, Priorities 2024

Date: January 8, 2024

Presented By: Jonathan Scheel, Zoning Administrator

Background:

At the December 2023 Planning Commission meeting, members asked for one month to review last year's list and have discussion at the January 2024 meeting.

Recommendation:

Discuss, add and subtract to/from the list and prioritize for 2024

Attachments:

1. Activities Matrix Discussion
2. PC Priorities 2024

Activities Matrix Discussion

The following tasks were identified on
the matrix in 2023 as follows:

1. Review opportunities to expand Missing Middle Housing building options - High Impact/High Effort

2. Review Outdoor/RV Storage Ordinance language - High/Low Impact/High Effort

3. Review Downtown Building Height Ordinance language - High Impact/Low Effort

4. Review Outdoor Lighting Ordinance language - High Impact/Low Effort

5. Review Sign Lighting Ordinance language - Low Impact/Low Effort

6. Review requirements to install utilities underground – High Impact/Low Effort

7. Create Charlevoix Corridor zoning district - High Impact/High Effort **Goal 1(1)**

8. Consider expanding residential uses in industrial zoning districts - High Impact/Low Effort

9. Hold joint meeting with surrounding jurisdictions - High Impact/Low Effort

A. Downtown signage and wayfaring signs. **Goal 3(3)**

B. Design guidelines downtown/commercial buildings. **Goal 1(3)**

C. Incentives for higher density in downtown. **Goal 6(1)**

D. Work with school district regarding future use of properties. **Goal 6(6)**

E. Review landscape standards. **Goal 5**

F. Coordinate land uses with Charlevoix Township **Goal 3(1)**

G. Coordinate with Charlevoix township….. plans for future development. **Goal 2(1)**

2024 Priorities and Activities

Charlevoix Planning Commission - January 2024

High Priority/Ongoing

1. Review Outdoor/RV Storage Ordinance language – *High/Low Impact/High Effort*
2. Review opportunities to expand Missing Middle Housing building options (buildout analysis) – *High Impact/ High Effort*
3. Hold joint meeting with surrounding jurisdictions (MSHDA Grant) – *High Impact/Low Effort*

Zoning Ordinance Review

4. Review Outdoor Lighting Ordinance language – *High Impact/Low Effort*
5. Review Sign Lighting Ordinance language – *Low Impact/Low Effort*
6. Review Rooftop Ordinance language – *High Impact/Low Effort*

New - Master Plan Implementation

7. Create Charlevoix Corridor zoning district – *High Impact/High Effort*
8. Consider expanding residential uses in industrial zoning districts – *High Impact/Low Effort*
9. Review requirements to install utilities underground – *High Impact/Low Effort*

Charlevoix Planning Commission

Old Business

Title: Outdoor Storage
Date: January 8, 2024

Presented By: Jonathan Scheel, Zoning Administrator

Background:
The Planning Commission has been reviewing changes to the Outdoor Storage Section of the Zoning Ordinance.

Recommendation:
Motion for staff to take the Planning Commissioner's direction in writing new ordinance language for the Outdoor Storage section of the Zoning Ordinance.

Attachments:
1. Outdoor storage
2. Obligation of Planners

Outdoor storage

Planning Commission discussion points

January 8, 2024

Recreational vehicles

Additional Definitions

RECREATIONAL VEHICLE OR EQUIPMENT: Vehicle or equipment used for travel and leisure activities including:

a. Travel trailer: A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses; and which is permanently identified as a "travel trailer" by the manufacturer.

b. Pickup camper: A structure designed primarily to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational, and vacation uses.

c. Motorized home: A portable dwelling designed and constructed as an integral part of a self-propelled vehicle.

d. Folding tent trailer: A canvas or plastic folding structure, mounted on wheels, designed for travel and vacation use.

e. Utility trailer: A vehicle designed for the purpose of hauling miscellaneous goods and materials.

f. Boats and boat trailers: Includes boats, floats, rafts, canoes and kayaks; plus the normal equipment to transport them on the highway.

g. Other recreational equipment: Includes snowmobiles, personal watercraft, all terrain or special terrain vehicles, motorcycles, utility trailers, plus the normal equipment used to transport them on the highway.

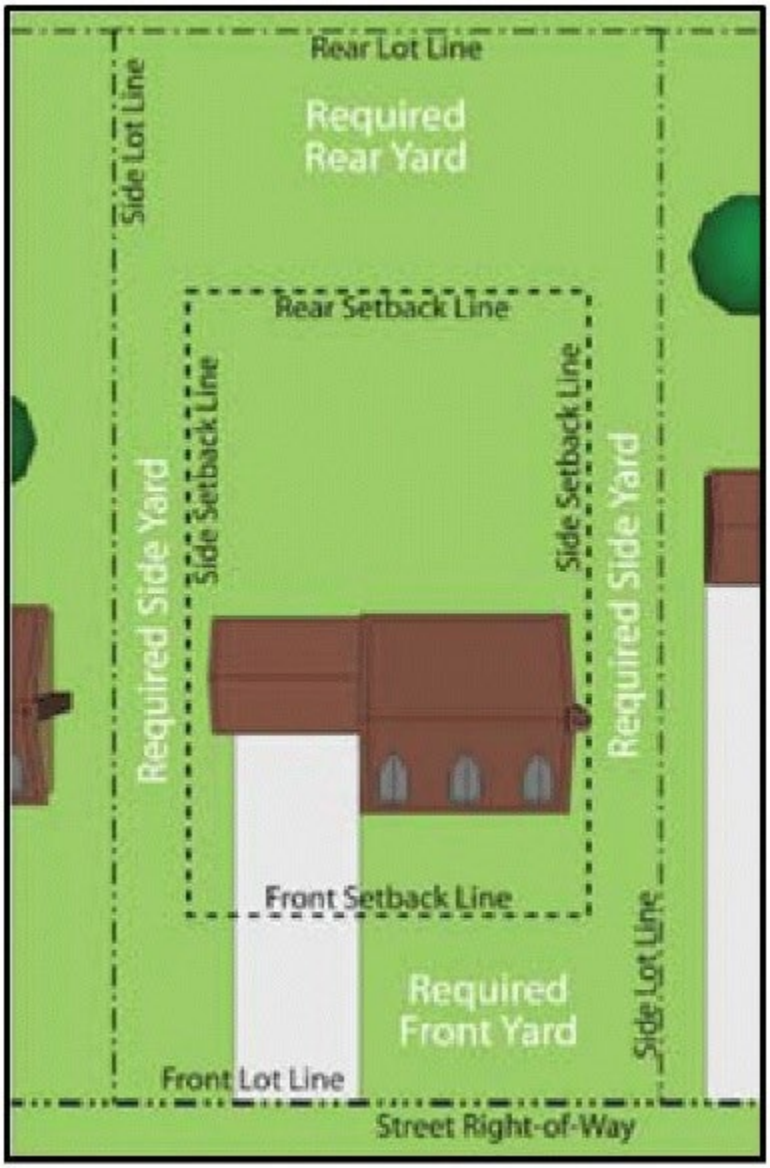

Figure 1 From existing ordinance Definitions "Yard" for context

1) Front yard parking — Parking in the required front yard?
   a) Potentially replaces automobiles in driveways. Section 153.187 requires 2 parking spaces per single-family and two-family dwellings.
   b) Parking in the front setback?

2) Front yard storage — Same questions as front yard parking

3) Side yard parking — Parking in side yard
   a) Parking in side yard setback

b) Parking in side yard setback (with adjacent structure)

4) Side yard storage — Same questions as side yard parking

5) Length and height of vehicles — Consistency among all vehicles

6) Screening — Exceptions for screening. We have exceptions if inside accessory buildings.

7) Non owned vehicles on a property — Allow/not allow.

8) Connected to utilities — Enforcement issues.

9) Number of recreational vehicles parked or stored on a property. Historically has been two.
   a) Kayaks/canoes?

10) Temporary lodging — Enforcement issues,
   a) Current ordinance definition for ***DWELLING***. A recreational vehicle, vehicle chassis or tent is not considered a ***DWELLING***.

Other

Automotive vehicles	(A) Inoperable or unlicensed motor vehicles shall not be kept, parked or stored in any residential district, except within a completely enclosed building. The purpose of this provision is to prevent the accumulation of junk motor vehicles and, therefore, it shall not apply to any motor vehicle ordinarily used, but temporarily out of running condition. If the motor vehicle is being kept for actual use, but is temporarily unlicensed, the Zoning Administrator may grant the owner a reasonable time, not to exceed two months, to procure a license.
Machinery, materials	(B) ~~Likewise~~, ~~o~~Old, rusty and unsightly machinery, machines, not suited for use upon the premises, or quantities of used building materials not fit to be used to improve the premises shall not be kept or stored outside a building; provided, however, that, building materials fit to be used to improve the premises may be kept on-site for one year if they are piled off the ground so as not to become a harbor for vermin. Lawn equipment, snow equipment or other tools will be stored in the side or rear yard when not in use.

Household stuff	Unused or rarely used household items. Broken, rusted, things left where they were last dropped. Household items stored on open porches.

Obligation

Each Planning Commissioner is expected to represent the opinions of the constituency over their own interests and have a working knowledge of the rules and governing documents. They are expected to be prepared for and to attend the meetings. Knowledge of planning and zoning is not necessary, and training and ongoing educational opportunities will be provided,,.

At one of your recent meetings one of the planners made the comment that the city of Charlevoix is a recreation area. A recreation area is land set aside for public recreation use and they are protected areas that support a range of outdoor activities in a natural and/or man-made settings. The city of Charlevoix is a planned, zoned community and has not been set aside as a recreation area.

Another planner mentioned that there was no problem in their neighborhood. This is a common sense city-wide issue.

I would prefer to see NO RV's, of any type or size, totally banned from the city limits. However I am willing to be reasonable with rules regarding size (under 20'), no front lawns, no living quarters and to not be seen from the street.

Think about the folks who want their neighborhoods to be free from these eyesores. Planning is to solve city wide issues not the personal wishes of individual planners.

This has now been discussed at planning for 2 years please make a decision and recommendation and forward it to city council for approval and implementation.