CITY OF CHARLEVOIX

Agenda
City of Charlevoix Planning Commission Regular Meeting
Monday, December 9, 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. Approval of Planning Commission Minutes of November 11,2024

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. 153.116 Accessory Buildings
2. 153.160 Residential Decks Above First Floor (proposed new section)
3. 2025 Priorities and Activities
4. Annual Report Discussion

H. Old Business

I. Staff Updates

1. Zoning Administrators Report

J. Requests For Next Months Agenda or Research Items

K. 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, November 11, 2024 - 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. The Commission, staff, and members of the public rose and recited the Pledge of Allegiance.

B. Roll Call

Chair:	Jennifer Muladore
Members Present:	Scott Beatty, Shelley Boehmer, Sherm Chamberlain, Toni Felter, John Kurtz
Members Absent:	Maureen Radke
Staff Present:	Jonathan Scheel, Director of Planning and Zoning

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Motion by Chamberlain, seconded by Beatty to approve the agenda as presented.
Motion carried by unanimous voice vote.

E. Approval of the Minutes

Motion by Boehmer, seconded by Kurtz to approve the minutes from October 14, 2024 with the correction on page 3 {last paragraph} should read Chamberlain moved, Radke seconded and approve the subcommittee minutes {as presented}.
Motion carried by unanimous voice vote.

1. Minutes of October 14, 2024 Planning Commission meeting

2. Housing Subcommittee Minutes October 30, 2024

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Site Plan Review 1522 Bridge Street Pinebridge Place Townhomes

   Director Scheel presented the proposed development application. Jane MacKenzie, Executive Director of Northern Homes Community Development Corporation spoke about the site plan. Questions were raised about the landscaping and number of parking spaces. Since the parcel is an odd shaped, has roads on three sides, and a wide right of way also on those three sides, the Commission waived the landscape requirements. The Commission will ask the Shade Tree Commission to supply additional trees in the ROW frontage. Commissioners discussed the placement of trees near the roadside since it is the entrance into the City.

   There was discussion about the number of parking spaces. The ordinance requires a maximum

of 9 and the site plan shows 14. The Commission determined to waive the maximum requirement but allow the developer to have between 9 and 14 parking spaces. The Commission discussed walkability and safety. The Commission determined that the developer would need to extend a sidewalk to the property line for if and when the City extended public sidewalks to the area. It was a consensus of the Commission to encourage the City Council to prioritize the construction of public sidewalks in high traffic areas such as this to promote a walkable community.

The Commission went through the Findings of Fact.

Motion by Beatty, seconded by Boehmer to approve the site plan with the following conditions: professional signed prints needed to be given to the Director, south sidewalk to be extended to property line, waive extra parking spaces, but applicant could reduce parking spaces to 9 per ordinance, waive landscaping requirements, Commission will ask tree commission to place trees along road to buffer noise and allow for aesthetic look.
Motion carried by unanimous voice vote.

2. Discussion on changes to Zoning Ordinace Section 153.145 Fences and Walls
   The Commission concurred to leave the ordinance as is.

H. Old Business

1. Rooftop decks
   The Commission discussed residential standards and had concerns about privacy, noise and size. More information is needed. Director Scheel will work on special use permit language/standards for decks in R-1 and R-2 zoning districts and then place it on the December agenda.

I. Staff Updates

1. Zoning Administrator report October 2024
   Director Scheel explained there was a substantial increase in permits from last month.

J. Requests For Next Months Agenda or Research Items

- Rooftop decks
- ADU height restrictions
- Discussion on how to prepare and present the annual report

There will be a holiday reception following the December meeting. Anyone present at the meeting is welcome to join in. Member Beatty complimented Director Scheel on his knowledge and graciousness in answering questions from a concerned citizen.

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

Chair Muladore adjourned the meeting at 7:42 p.m.

_____ _____

Sarah Dvoracek Clerk Jennifer Muladore Chair

Charlevoix Planning Commission

New Business

Title: 153.116 Accessory Buildings
Date: December 9, 2024

Presented By: Jonathan Scheel, Director of Planning & Zoning

Background:
While reviewing a site plan approval application a few months ago, I found that at some point the regulation for the maximum height of a detached accessory building was dropped out of the ordinance between 2017 and the last changes to that section more recently. My interpretation of the ordinance as written today is that an accessory building could be the same height as the main structure in any zone district. After reviewing Section 153.116, I propose changes to the height of attached accessory structures and detached accessory structures, including ADUs.

Recommendation:
Review, discuss, make changes if necessary. Set a Public Hearing for January Planning Commission meeting

Attachments:
1. 153.116

§ 153.116 ACCESSORY BUILDINGS AND USES.

(A) *Accessory buildings and structures.*

(2) Where an accessory building is attached to the principal building, it shall be considered part of the principal building for purposes of determining ~~setback dimensions~~ ~~and~~ building height. The accessory structure cannot be more than two feet closer to the front yard setback than the principal structure. ~~If, however, the attached accessory building is connected to the principal building by a roofed porch, breezeway or similar covered structure, it shall not exceed 16 feet in height~~, and shall not be closer than 20 feet to the rear lot line and shall meet the front and side yard setback requirements of that zone district.

(4) Lots in the R1, ~~R2~~, and R2~~A~~ Zones shall be permitted to have a secondary detached accessory building, such as a storage shed. Secondary accessory buildings shall meet all the requirements of this section and not exceed 200 square feet in area.

(6) Detached accessory buildings and structures shall meet the following minimum setbacks.

(a) Rear yard: six feet from a rear lot line. Accessory structures that store vehicles adjacent to alleys or sidewalks shall not be closer than 20 feet from the edge of the alley or sidewalk surface.

(b) Side yards: an accessory building shall conform to the side yard and street side yard setback requirement of the principal building.

(c) Front yard: an accessory structure shall not be located within any front yard.

(d) Height: an accessory structure shall not exceed 16 feet in height unless it is a detached ADU, which shall not exceed 20 feet in height.

Charlevoix Planning Commission

New Business

Title: 153.160 Residential Decks Above First Floor (proposed new section)
Date: December 9, 2024

Presented By: Jonathan Scheel, Director of Planning & Zoning

Background:
With recent site plans including rooftop decks, unintended issues have negatively affected adjacent residential properties. Issues have included lack of privacy, and light spillage. Specific ordinance language may need to be included to relieve the concerns for administrative review of single family home zoning permits.

Recommendation:
Review, Discuss, make any needed changes. Set Public Hearing for January Planning Commission meeting

Attachments:
1. PROVISIONS GENERALLY APPLICABLE TO ALL DISTRICTS

PROVISIONS GENERALLY APPLICABLE TO ALL DISTRICTS

153.160 RESIDENTIAL RAISED DECKS

Decks that are above the ground floor shall be fully screened from neighboring residential properties that are in the R-1 and R-2 Districts. Screening could include mature vegetation, fencing, walls, or a combination of them to allow maximum privacy for adjacent properties. All lighting on raised decks will meet Section 153.172 LIGHTING of the City of Charlevoix Zoning Ordinance. No decks will be allowed above the second floor interior elevation of the home.

Charlevoix Planning Commission

New Business

Title: 2025 Priorities and Activities

Date: December 9, 2024

Presented By: Jonathan Scheel, Director of Planning & Zoning

Background:

For the beginning of each year, the Planning Commission discusses and sets its agenda for the year on what priorities and activities it wants to work on.

Recommendation:

Discuss and reach consensus on priorities for 2025

Attachments:

1. Activities Matrix Discussion
2. priority list for PC

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 - Updated March 2024

High Priority/Ongoing

~~1. Review Outdoor/RV Storage Ordinance language – *High Impact/High Effort*~~

~~2. Develop architectural design standards for mixed use/Charlevoix Corridor properties. Goal 1(3) – *High Impact/High Effort*~~

3. Review opportunities to expand Missing Middle Housing building options (buildout analysis) – *High Impact/High Effort*

4. Hold joint meeting with surrounding jurisdictions – *High Impact/Low Effort*

Zoning Ordinance Review

~~5. Review Outdoor Lighting Ordinance language – *High Impact/Low Effort*~~

6. Review Sign Lighting Ordinance language – *Low Impact/Low Effort*

7. Review Rooftop Ordinance language – *High Impact/Low Effort*

8. Review landscape standards and connect with lighting and design. Goal 5 – *Low Impact/Low Effort*

New - Master Plan Implementation

~~9. Create Charlevoix Corridor zoning district. Chapter 7 – *High Impact/High Effort*~~

10. Consider expanding residential uses in industrial zoning districts – *High Impact/Low Effort*

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

~~12. Downtown commerce signage and pedestrian wayfaring signs. Goal 3(3) – *High Impact/Low Effort*~~

13. Incentives for higher density in downtown. Goal 6(1) – *High Impact/High Effort*

Housing Subcommittee Initiates

14. Work with school district regarding future use of properties. Goal 6(6) – *High Impact/High Effort*

~~15. Coordinate land uses and future development plans with Charlevoix Township (MSHDA Grant) Goal 3(1) Goal 2(1) – *High Impact/Low Effort*~~

16. Champion City projects and value of careful zoning planning to promote housing (presentation). – *High Impact/High Effort*

Charlevoix Planning Commission

New Business

Title: Annual Report Discussion

Date: December 9, 2024

Presented By: Jonathan Scheel, Director of Planning & Zoning

Background:

The State-mandated Annual Report will be due soon. It has been requested by a PC member that there may be alternate ways to present the Annual Report to City Council and the public that might be more effective. I have included last years report and a sample version from another Michigan City.

Recommendation:

Discuss and make recommendations to the administrator.

Attachments:

1. 24
2. 14531

June 10, 2024

Hon. Mayor and Council Members
210 State Street
Charlevoix, MI 49720

RE: 2023 Charlevoix Planning Commission Annual Report

Hon. Mayor and Council Members:

As required per the Michigan Planning Enabling Act, Section 125.3819 (2) (Act 33 of 2008, as amended), the Planning Commission respectfully submits a report of the activities they undertook in the previous twelve months (May 2023-April 2024).

"A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development."

PLANNING COMMISSIONERS

1. Jennifer Muladore, Chairperson
2. Sherm Chamberlain, Vice-Chair
3. Mary Millington
4. Toni Felter
5. Maureen Radke
6. John Kurtz
7. Scott Beatty
8. Shelley Boehmer
9. Janet Coltman

PLANNING STAFF

Planning and Zoning staff provide support and technical expertise to the Planning Commission as well as other public bodies, City staff, residents, and other inquirers who have questions about the City's Ordinances, development potential, and application processes. Planning services were provided by regional planning agency, Networks Northwest until August 2023. Planning and zoning staff included:

1. Jennifer Neal, Planner, Networks Northwest (left 8/2023)
2. Jonathan Scheel, Zoning Administrator
3. Faith Miller, Enforcement Officer (seasonal)

January of 2023 Jonathan Scheel was promoted to Director of Planning and Zoning

MEETINGS

The Planning Commission met a total of twelve (12) times in the past year. Meetings are typically scheduled for the second Monday of the month, at 6:00 PM, at City Hall. All meetings are held in compliance with the *Open Meetings Act, PA 267 of 1976, as amended*.

1 Monday, May 8, 2023
2. Monday, June 12, 2023
3. Monday, July 10, 2023
4. Monday, August 14, 2023
5. Monday, September 11, 2023
6. Monday, October 9, 2023
7. Monday, November 13, 2023
8. Monday, December 11, 2023
9. Monday, January 8, 2024
10. Monday, February 12, 2024

11. Monday, March 11, 2024
12. Monday, April 8, 2024

Minutes to all Planning Commission meetings are available at https://charlevoixmi.portal.civicclerk.com/

ACTIVITIES

The Planning Commission Chairman directed a Housing sub-committee to look for any housing opportunities. The committee brought back information on rezones, working with the Charlevoix School District, and Charlevoix Township.

Housing opportunities including types and sizes in the city, missing middle, expanding housing opportunities at all income levels and implementing housing solutions that fit the community character, primarily duplexes and single multi-family buildings were all discussed.

Housing North presented a current housing study for Charlevoix County and the 10 county region.

Priority Matrix. Review ordinances related to outdoor / RV storage, Mixed Use Overlay Districts landscaping and Lighting.

The City received a Housing Readiness Grant from Michigan State Housing Development Authority to allow the City and the Charlevoix Township to plan together for regional housing.

UPDATES TO THE ZONING ORDINANCE

The Planning Commission continued to review and amend the Zoning Ordinance with language that supports and implements the vision of the adopted Master Plan.

Using Form-Based code to allow more housing choices with the least amount of impact to existing neighborhoods.

Reviewed the Zoning Ordinance for additional language to expand housing choices.

Held public hearings to rezone multiple parcels of General Commercial to Multifamily on the north side of the city and multiple parcels of Residential 1 to Residential 2 on the southwest side of the city. Both were recommended for adoption to the City Council.

LOOKING FORWARD…

In May 2024, the Planning Commission prepared a list of priority activities. The Planning Commission prioritized for 2024/25 discussion around design guidelines and landscaping standards for a mixed-use corridor along US31. Items related to expand Missing Middle Housing include continuing to consider initiatives to increase missing middle housing types, including considering permitting residential uses in the Industrial Zoning District, and considering initiatives to create additional housing in the Central Business District. The Commission also looks forward to an opportunity to hold a joint meeting with the Charlevoix Township Planning Commission to discuss housing initiatives and coordinate land use and future developments with the Township.

Respectfully submitted,

Jennifer Muladore, Chairperson
Planning Commission
City of Charlevoix

Planning Commission Annual Report 2023

INTRODUCTION

The Michigan Planning Enabling Act (MPEA) allows for the establishment of local Planning Commissions, Master Plans, and other associated activities. The City of Escanaba's Planning Commission is established in the city code of ordinances in Chapter 21, Article II and consists of 7 members. The Planning Commission is responsible for:

- Developing the community's Master Plan which provides a framework for orderly growth and redevelopment.
- Creating a zoning ordinance to translate master planning goals to land use regulations.
- Reviewing and approving development requests.
- Drafting a capital improvements plan.
- Studying special topics or conducting other special projects as requested by the governing body.

MEMBERSHIP

Planning Commission members for this reporting period were:

Seat	Name	Member Since	Term Exp.	Attendance		Training Hours Logged (4 required)
1	David Mason	9/2/2021	6/01/2024	2/2	(100%)	
2	James Hellermann, Chair	1/13/2014	6/01/2024	2/2	(100%)	
3	Kelli VanGinhoven	12/01/2022	6/01/2025	2/2	(100%)	
4	Roy Webber	6/09/2022	6/01/2025	1/2	(50%)	
5	Nevin Naser	1/07/2021	6/01/2023	2/2	(100%)	
6	Dominic Benetti, Secretary	2/01/2018	Resigned 2/6/2023	1/1	(100%)	0
7	Mark Hannemann	8/06/2020	Resigned 2/3/2023	1/1	(100%)	0
	Mark Sadowski	2/16/2023	6/1/2023	1/1	(100%)	
	Michael Harris	2/16/2023	6/1/2023	1/1	(100%)	

MEETINGS

The MPEA requires that local Planning Commissions meet at least four times a year. The Planning Commission meets regularly on the second Thursday of each month and held 12 regular meetings and 1 special meeting this year.

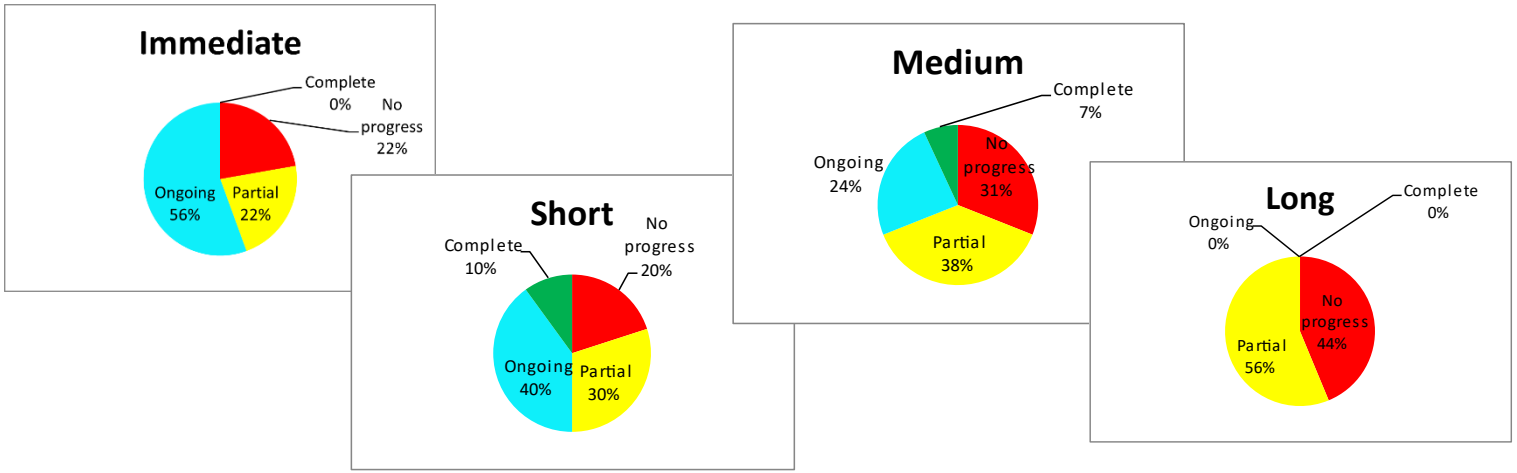
A Joint Meeting with City Council, Planning Commission, Downtown Development Authority, Historic District Commission, and Brownfield Redevelopment Authority took place on February 23, 2023. The agenda included a presentation of the Planning Commission's Annual Report, a discussion on how to strategically move forward with goals outlined in the Master Plan, and an update on RRC certification progress.

MASTER PLAN REVIEW

The Planning Commission is responsible for regularly reviewing and updating the Master Plan to ensure it continues to be relevant to the community's needs. The community's current Master Plan was adopted in 2016. The MPEA requires that a formal review (and update or reaffirmation) occur at least every five years. Most recently, the Planning Commission performed a 5-year review in May 2021 and affirmed that the current plan was adequate.

Attached to this report is a matrix outlining all goals, objectives, and actions of the Master Plan. Attempts were made to document progress to date with specific comments from various departments and external groups involved. The following charts summarize completion statuses of the Plan's 66 action items:

Color	Status	Economy	Housing	Natural Resources	Land Use	Facilities & Services	Recreation	Transport	Total	%
	No Progress	9	1	3	0	0	1	6	21	32%
	Partial Completion	12	3	2	1	0	3	5	25	38%
	Complete	1	0	0	0	0	2	0	3	5%
	Ongoing (no definable completion point)	5	1	0	0	4	6	1	17	26%
	TOTAL ACTION ITEMS	27	5	5	1	4	12	12	66	100%



Meager progress has been reported on several action items in 2022, with three items moving from No Progress to Partial Completion and one item achieving Complete status. The number of actions that have no discernable completion point continues to be problematic. Additionally, the City continues to operate without a strategic plan to achieve these goals in a coordinated way between Council, boards & commissions, departments, and external groups.

ANNUAL MASTER PLAN REVIEW QUESTIONS			
CRITERIA	**YES**	**NO**	**Comments**
Have development patterns changed significantly since the plan was written and adopted?		X	Development patterns have not changed significantly since the plan was written and adopted.
Does the adopted zoning ordinance align with the goals of the plan?		X	Although several zoning district changes were made in 2021 and 2022 to align with the Master Plan, little progress has been made to accomplish these goals overall. Renewed efforts to address these matters will take place in 2023.
Have there been any major changes, such as utility lines, major road improvements, large development approvals, etc.?	X		The Electric Department has been engaged in consistent efforts to improve reliability and efficiency of electric service and street lighting throughout the City. Construction of a circuit joining multiple distant substations began in Fall 2022, the objective being improvement to service reliability across the City. Over 2021 and 2022, 49 new streetlight poles have been placed throughout Escanaba, including 7 on Loren W. Jenkins Dr., 26 aluminum replacements on Ludington St. (18 of them in 2022), and 16 on various side streets as part of a Council initiative. Public Works also undertook major work in 2022, including the complete roadway replacement of S. 15th St. from 1st Ave. S. to 5th Ave. S. Water/Wastewater is engaged in numerous upgrade projects. Many of W/WW's projects have been spurred on by State requirements, but a great deal of work is necessary due to the age and condition of sections of these systems.
Have there been instances when the Planning Commission or elected body has departed from the plan?	X		While Council's pursuit of the former Delta County Jail site redevelopment holds promise for economic development and the positive reuse of vacant land, it does conflict with the Master Plan. Action Item E6 specifically identifies this property to be developed as waterfront public access. This Action Item references the North Shore Master Plan, which states that "[waterfront development] should be of the proper scale to complement, not compete with the downtown," and that hotels, condominiums, and attached retail space "[do] not appear to be the most appropriate use for waterfront property…".
Are the goals and priorities of the plan in sync with the goals and priorities of appointed and elected officials?	X		While a cohesive effort is certainly absent, many appointed and elected City officials express strong interest in carrying out goals and tasks outlined in the Master Plan.
Does the plan address the location and types of land uses frequently requested?	X		The Plan does address the location and types of land uses frequently requested.
Have there been other studies completed that change the relevancy of the plan?		X	The Five-Year Recreation Plan was last updated in 2021.

CAPITAL IMRPOVEMENT PLAN REVIEW

The Planning Commission is responsible for recommending a prioritized Capital Improvement Plan (CIP) to City Council. The CIP ties planning goals to budgetary investments over the next six years.

Annual CIP updates are done in tandem with budgeting processes. Department Heads begin updating existing project information and submitting new project requests in January, then the City Manager, City Controller, and Planning & Zoning Administrator compile, review, and prioritize these requests in February. The Planning Commission reviews a draft CIP in March/April and makes a recommendation to City Council. Finally, Council reviews and adopts the recommended CIP in conjunction with the budget in May.

Listed below are CIP projects which were completed this year:

Department	Project Description
Recreation	**Tennis Court Replacement- Ludington Park** Rebuilt the Ludington Park Tennis Courts (four coats total). Courts are now able to accommodate both pickleball and tennis.
Water/ Wastewater	**Turbidity Meter Replacement** Replaced existing turbidity meters (measures suspended solids in liquids) at water plant and integrated with SCADA (supervisory control and data acquisition) system per EPA & state rules and regulations.
Water/ Wastewater	**Replace Ludington Street Lift Station Automatic Generator** Replaced an existing automatic emergency back-up generator to power the lift station during power failures.
Water/ Wastewater	**Effluent/Bypass/ De-Watering Pump** Purchased a pump capable of providing capacity requirements (appx. 1.2 million gallons/day) in accordance with the needs of the upcoming WWTP Improvement project. Pump will also double as a by-pass pump in times of sewer repairs, and triple as a de-watering pump for City construction projects in areas of ground water.
Water/ Wastewater	**23rd Avenue Lift Station Automatic Generator** Purchased and installed an on-site automatic emergency back-up generator to power the lift station during power failures.
Water/ Wastewater	**BOD Incubator** Replaced an existing unit used for biological testing.
Water/ Wastewater	**Locator for Under Ground Pipe/ Cable** Purchase a new locator for conducting Miss Dig work.

ZONING ORDINANCE TEXT AMENDMENTS & REZONINGS

Zoning is the legal mechanism which turns planning goals into reality via land use and physical regulations. It is imperative that a community maintain an up-to-date zoning ordinance which aligns with those goals and addresses emerging trends. Throughout the year, the Planning Commission discussed and took action on the following amendments:

Topic	Summary	PC Recommend Date	City Council Approval Date	Ord. #

The Planning Commission is also responsible for making recommendations on rezoning requests. Such requests must align with the master plan's future land use map. However, no re-zonings that occurred this year.

Based on discussions regarding the need to increase housing options, it has been determined that a mixed-use district would be best suited near-downtown areas, specifically in "Neighborhood enhancement Areas" as indicated in the 2016 Master Plan's Map 13. Tasks which would help achieve this goal include:

- Seek public engagement to further develop the new district's purpose and requirements.
- Amend the Zoning Ordinance and Map with new zoning district text and boundaries.

DEVELOPMENT APPLICATION REVIEWS

Site plan review is a primary role of the Planning Commission and helps ensure that new development in the community aligns with the zoning ordinance requirements. Prior to Planning Commission review, staff conducts an internal review process as well. Planned Unit Developments (PUDs) have an additional layer of review and approval by City Council.

Project type	Location	Description	Status	Date of Action
Special Land Use	923 Ludington Stret	Upper Shelf Farms, LLC.- Marihuana Retailer	A motion was made by Van Ginhoven, seconded by Mason to approve the site plan for Upper Shelf Farm's LLC. at 923 Ludington Street conditioned upon the applicant providing screening for the loading and unloading area and working with administration to attain compliance with exterior building materials requirements. A roll call vote was taken, and the MOTION PASSED unanimously. A motion was made by Webber, seconded by Van Ginhoven, to approve the special land use permit for Upper Shelf Farms, LLC. at 923 Ludington Street**.** A roll call vote was taken, and the MOTION PASSED unanimously.	1/12/2023

Special Land Use	2430 Ludington Street	Joyology— Marihuana Retailer	A motion was made by Naser, seconded by Van Ginhoven, to approve the site plan for Joyology at 2430 Ludington Street conditioned upon the applicant connecting the existing sidewalk on Ludington Street and the proposed sidewalk on 26th Street, and that all new sidewalks have a minimum width of six feet. A motion was made by Hellermann, seconded by Mason, to approve the special land use permit for Joyology at 2430 Ludington Street conditioned upon a false window being installed on the west wall in compliance with marihuana establishment façade requirements.	2/9/2023
Special Land Use	1005 Ludington Street	Light Up 906— Marihuana Retailer	A motion was made by Van Ginhoven, seconded by Naser, to approve the site plan for Light Up 906 at 1005 Ludington Street conditioned upon the applicant providing signage at the back of the building indicating a) no customer parking in rear, b) no customer entrance in rear, and c) temporary unloading area location, including hours for unloading within those prescribed for deliveries by Ord. 1269, Sec. 5(e). A motion was made by Naser, seconded by Van Ginhoven, to approve the special land use permit for Light Up 906 at 1005 Ludington Street.	2/9/2023

ZONING BOARD OF APPEALS ACTIVITY

The Zoning Board of Appeals (ZBA) is tasked with hearing appeals, zoning ordinance interpretations, and variance requests. The ZBA consists of six members There are currently no vacancies on the ZBA that need to be filled.

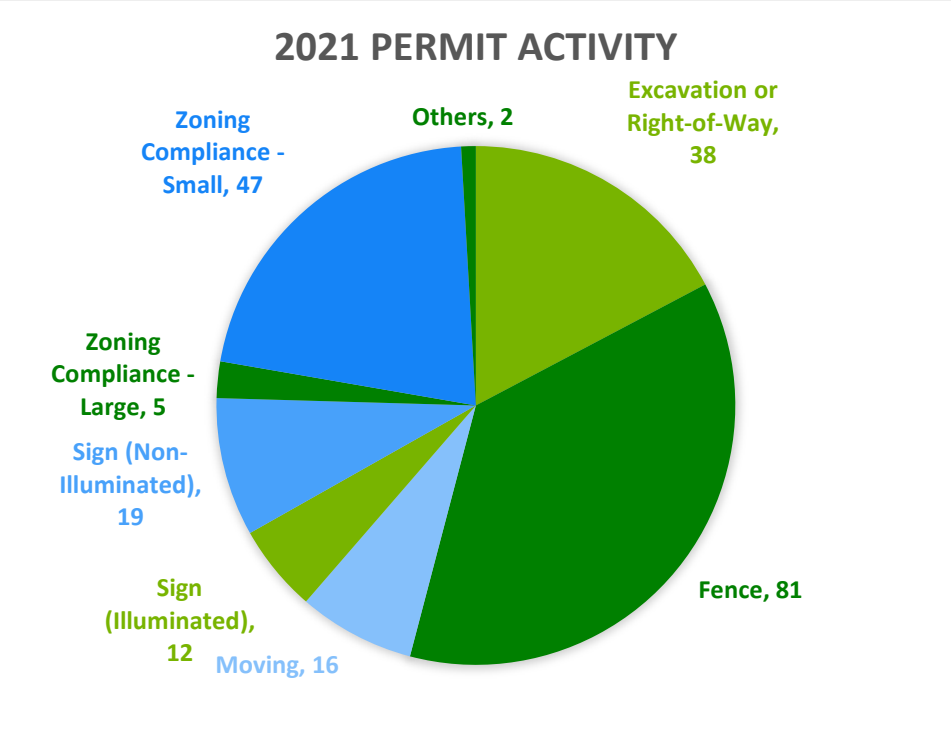
The ZBA meets quarterly on the first Tuesday of January, April, July, and October for regular meetings, and can be called for special meetings between. One regular meeting was held in 2022, in which training and housekeeping business was addressed. There was one appeal, for an interpretation and dimensional variance that was held in 2022.

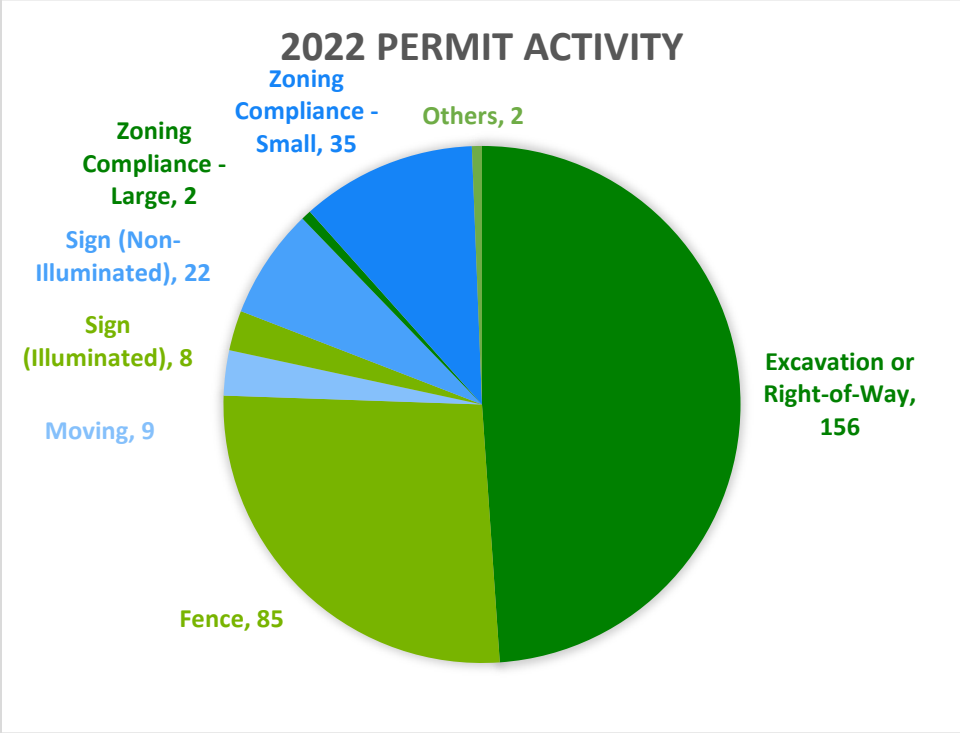
Appeal Type	Location	Description	Status	Date of Action
Dimensional Variance Request	536 North Lincoln Road	Applicant requested a 70' reduction of the 100' distancing restriction between marihuana establishments and one-family dwellings per Zoning Ordinance Sec. 205.6.8.3.		3/7/2023

PERMIT ACTIVITY

While large-scale zoning permits and Special Land Uses are reviewed as site plans by the Planning Commission, the Zoning Administrator is authorized to review and make decisions on most small-scale zoning permits, fence permits, and sign permits. Following is a summary of all land use permit activity for the year.

Permit Type	# Approved	Fees Collected	# Denied	Reasons for Denial
Zoning – Large				
Zoning – Marihuana				
Zoning – Small				
Fence				
Sign				
TOTALS				





ZONING VIOLATIONS

Enforcement of the zoning ordinance is critical to maintaining the integrity of the adopted ordinances. It is intended that most violations are handled through a simple owner notification, followed by a voluntary plan to bring the violation into compliance. Serious infractions or prolonged non-compliance may be enforced with municipal civil infraction citations.

Following is a summary of zoning ordinance enforcement cases for the year:

Type	Open	Closed	TOTAL
Easement Encroachment			
Fence	1		
Sign	1		
Zoning	1		
Excavation			
TOTAL			

Citations Issued – 2
District Court Hearings – 1

Sign Ordinance Enforcement:

It has become evident that many signs throughout the city have been installed without a sign permit. With a permit, a sign would be considered legal nonconforming ("grandfathered in"), giving it legal right to continue as approved in the permit even if it did not meet current ordinance regulations. However, without a valid permit on file, a sign cannot be confirmed legal nonconforming ("grandfathered in"), and instead would be considered a violation, meaning enforcement action must be used to bring the sign into compliance with current ordinances through the permit process, or be removed.

Recognizing that:

- Some signs have existed in a state of violation for quite some time;
- The city has not consistently identified nor taken enforcement action on these types of violations in the past;
- The city wants to protect its right to enforce its sign ordinance in the future while continuing to move signs into greater compliance with current ordinances;

An amnesty policy/plan was approved by City Council in 2022 to allow for a grace period to get existing signs (including the re-facing of existing sign structures) permitted and legally protected, within certain parameters. It is anticipated this process will take 12-24 months, after which full enforcement of the sign ordinance will occur.

PUBLIC ENGAGEMENT

Redevelopment Ready Communities Best Practice 1.4 includes an annual summary of public engagement activity in the community, guided by the community's goals and tools outlined in an adopted Public Participation Plan; The City of Escanaba's Public Participation Plan was last updated and adopted in February 2020.

Planning Commission Public Engagement	Jan. 12	Feb. 9	Mar. 9	Apr. 13	May 11	Jun. 8	Jul. 13		Aug. 10	Sep. 14	Oct. 12	Nov 9.	Dec. 14	Total
Attendance by General Public (not part of commission, staff, or applicants)	43	34												
Public Comment on Agenda Items	0	0												
General Public Comment	5	5												
Zoning Ordinance Amendments														
# of Public Hearings	1	2												
# of Comments	4	7												
Development Projects														
# of Public Hearings	0	0												
# of Comments	0	0												
Other Public Hearings														
# of Public Hearings	0	0												
# of Comments	0	0												

TRAININGS RELATED TO PLANNING, ZONING, AND DEVELOPMENT

GOALS AND WORK PLAN – 2022

Below are the goals outlined for 2022 and their status:

2022 Goals	Status
1. Create a mixed-use district for the near-downtown areas, including zoning ordinance text and re-zoning of parcels to form the district boundaries.	No Progress. Long-term planning & zoning projects were put on hold after Roxanne Spencer, the previous P&Z Administrator, left the position in spring.
2. Continue to amend the Zoning Ordinance in small portions to address the 2019 Zoning Audit findings and to continue to improve the clarity, organization, and user-friendliness of it. If funding is made available in the budget, begin the process of hiring a consultant to assist in doing a complete overhaul.	On Hold. Due to budgetary concerns. Instead, recommendations for amendments have been handled internally in smaller portions at a slower pace until funding is made available.
3. Revisit the Sidewalk Infill Plan with City Council to improve walkability throughout the city.	On Hold. A Public Hearing by City Council was held in July 2020, but the project was put on hold due to economic concerns and the COVID-19 pandemic. The Planning Commission requested that approval be made to commence implementation of the plan within the next six months. City Council voted to postpone the sidewalk infill plan until further information was gathered from the Public Works Department and legal advice was obtained to determine if they could add a clause to the current recommendation of the ordinance.

GOALS AND WORK PLAN - 2023

Bearing in mind the difficulties which fell on the Planning & Zoning Department in 2022, a productive schedule is planned for 2023.

1. Continued Zoning Ordinance Amendment

Amendments which should be undertaken include the following topics:

- Improvement and better integration of marihuana-related language into appropriate sections.
- Revision of setback and area requirements the Central Commercial District (E3).
- Optimization of Chapters 17-20 (Parking and Circulation Requirements, Site Plan and Sketch Plan Standards, Development Standards, Signs).

2. Create a Mixed-Use District

This zone should be for near-downtown areas, specifically in "Neighborhood Enhancement Areas" as indicated in the 2016 Master Plan's Map 13. Tasks which would help achieve this goal include:

- Seek public engagement to further develop the new district's purpose and requirements.
- Amend the Zoning Ordinance and Map with new zoning district text and boundaries.

3. Undertake "Placemaking" Asset Inventory and Assessment

Identified in Action Item E4 of the Master Plan. Preliminary work should be done to establish how to determine placemaking standards and concepts.

CITY OF CHARLEVOIX

To: The City of Charlevoix Planning Commission
From: Jonathan Scheel, Zoning Administrator
Subject: Zoning Administrator's Report re: thru November 2024

Permits Issued in 2024

Following are two types of breakdowns for all permits issued by the zoning office so far in 2024:

By month

January	6
February	4
March	10
April	20
May	18
June	15
July	8
August	15
September	5
October	16
November	
December	
Total	

By type

	Month	Year
Banner permits	6	43
Fence permits	1	19
Sidewalk café/use		9
Sign		5
Zoning/other	8	30
Use	1	5
Parcel Division		2
Single-family		3
ADU		
Multi-family		2

Other activities

The fence, sign & zoning permits break down into the following zoning districts:

	M	Y
Central Business District (CBD)		5
Commercial Mixed (CM)		4
General Commercial (GC)		2
Industrial		
Marine Commercial (MC)		1
Residential Private Club (PC)		1
Public Facilities		
R-1		22
R-2		18

Level A Site Plan Administrative Review

None

Variances to Zoning Board of Appeals