

City of Charlevoix
Planning Commission Regular Meeting Minutes
Monday, December 9, 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, Maureen Radke

Members Absent: None

Staff Present: Jonathan Scheel, Director of Planning and Zoning

C. Inquiry into Potential Conflicts of Interest

Member Beatty stated he did not think it was a conflict, but he recently applied for an ADU at his residence, so he is involved in the process and ADU's will be discussed under New Business, the Commission concurred that no conflict of interest exists.

D. Approval of Agenda

Motion by Member Chamberlain, seconded by Member Boehmer to approve the agenda as presented.

Motion carried by unanimous voice vote.

E. Approval of the Minutes

1. Approval of Planning Commission Minutes of November 11, 2024

Motion by Member Felter, seconded by Member Beatty to approve the minutes of November 11, 2024 as presented.

Motion carried by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. 153.116 Accessory Buildings

Director Scheel stated the Commission had reviewed a site plan approval for a May Street project a few months ago, and he found that somewhere between 2017 and more recently the maximum height of a detached accessory building was dropped out of the Zoning Ordinance. Mr. Scheel stated his interpretation of the ordinance as written today is that an accessory building could be the same height as the main structure in any zoned district. Mr. Scheel stated he had drafted new language for Section 153.116 which suggested that the height of an accessory structure shall not exceed 16 feet in height unless it is a detached ADU, which shall not exceed 20 feet in height.

Discussion followed regarding various scenarios related to the allowable height of accessory dwelling units.

Motion by Member Kurtz, seconded by Member Chamberlain to send this updated ordinance to a public hearing in January with the amendment that they will set back the height to 16' at 6' of setback in a rear yard and 20' height at 8' of a setback.

Motion carried by unanimous voice vote.

2. 153.160 Residential Decks Above First Floor (proposed new section)

Director Scheel stated the recent site plans included rooftop decks in residential areas and unintended have negatively affected adjacent residential properties. Issues with the rooftop decks have included lack of privacy, and light spillage. Mr. Scheel proposed language in a new Section 153.160, Residential Raised Decks, which would be applicable only in residential areas which basically banned a rooftop deck.

Discussion followed regarding different scenarios of decks in residential neighborhoods and decks on commercial properties that were covered under a different section of the Zoning Ordinance.

Deb Buckner, 201 Burns, questioned restrictions regarding lights and noise from neighbor's decks and Director Scheel responded to her concerns.

Motion by Member Boehmer, seconded by Member Chamberlain to send the ordinance changes to public hearing on January 13, 2025.

Motion carried by unanimous voice vote.

3. 2025 Priorities and Activities

Director Scheel stated the Commission had accomplished many tasks in 2024, and they still had priorities from the 2023 Activities Matrix to be scheduled for 2025. Mr. Scheel listed the remaining activities from the 2023 Matrix:

- Review opportunities to expand Missing Middle Housing building options - High Impact/High Effort;
- Review Downtown Building Height Ordinance language - High Impact/Low Effort;
- Review requirements to install utilities underground - High Impact/Low Effort;
- Consider expanding residential uses in industrial zoning districts - High Impact/Low Effort;
- Downtown signage and wayfinding signs (Goal 3(3);
- Design guidelines for downtown/commercial buildings Goal 1(3);
- Incentives for higher density in downtown Goal 6(1);
- Work with school district regarding future use of properties Goal 6(6);
- Review landscape standards Goal 5.

2024 Priorities and Activities:

- High Priority/Ongoing

- Review opportunities to expand Missing Middle Housing options (buildout analysis) - High Impact/High Effort
- Hold joint meeting with surrounding jurisdictions - High Impact/Low Effort
- Zoning Ordinance Review:
 - Review Sign Lighting Ordinance language - Low Impact/Low Effort - completed;
 - Review Rooftop Ordinance language - High Impact/Low Effort - in process for public hearing in January 2025.
 - Review landscape standards and connect with lighting and design. Goal 5 - Low Impact/Low Effort - completed 2023.
- New - Master Plan Implementation:
 - Consider expanding residential uses in industrial zoning districts - High Impact/Low Effort - 2023.
 - Review requirements to install utilities underground - High Impact/Low Effort - 2023
 - Incentives for higher density in downtown Goal 6(1) - High Impact - 2023
- Housing Subcommittee Initiatives:
 - Work with school district regarding future use of properties (Goal 6(6) - High Impact/High Effort
 - Champion City projects and value of careful zoning planning to promote housing (presentation) - High Impact/Low Effort

Director Scheel stated the goal for this meeting was to determine if all the items that haven't been worked on are still valid and if there was anything new to include on the list. Mr. Scheel will bring the Commission a clean list at the January meeting to prioritize.

Chair Muladore stated that given their discussion about the fence ordinance for deer issues and if they were going to look at landscape standards, it seemed like that might be an opportunity to look at ideas of what they could allow and encourage.

John Campbell, 309 Dixon Avenue, stated in the community they can't have cows, horses, chickens, or pigs. Mr Campbell stated over the past few years the deer population has become huge, and he gave examples of different types of fencing to keep the deer out of yards. Mr. Campbell stated he installed a 6' to 8' to 10' high temporary fencing on his property to keep the deer out of his yard during spring, summer and fall.

Deb Buckner, 201 Burns Street, stated that she has a small garden, and she uses just the 6' thick, nylon fencing. Ms. Buckner stated that none of her neighbors are bothered by the temporary fencing.

Jane Hire, Mercer Blvd., stated that she would like the Commission to reconsider the deer fencing issue and the problem with the deer was not just in Charlevoix, but in her opinion, was a problem in the whole country. Ms. Hire stated that she only wants to be able to protect her property.

Mary Lee Campbell, 309 E. Dixon Avenue, stated that they have always had deer, and it is a problem in every neighborhood. Ms. Campbell stated that the deer droppings can cause E.coli

as well.

4. Annual Report Discussion

Director Scheel stated the Planning Commission's Annual Report was due soon and he had a Commission member show him another version of an Annual Report that might be more effective. Mr. Scheel showed examples of reports from other Michigan cities. Mr. Scheel questioned how much additional data the Commission wanted in the report and the overall feel for whether they wanted to include graphs and charts.

After discussion, the Commission agreed to expand on the Commission's accomplishments and put it in a different format in the report. Director Scheel stated that he will draft the Report with additional information as discussed and bring it back to the Commission for approval in January or February 2025. Chair Muladore stated that she liked the list of development application reviews that Escanaba included in their report, which had too much detail for Charlevoix but including some kind of list of activities that listed the number of site plans reviewed, which led to a number of residential housing units approved which would be beneficial information for the City Council.

H. Old Business

I. Staff Updates

1. Zoning Administrators Report

Director Scheel reviewed his Report. Mr. Scheel stated he was re-writing the Historic District Ordinance, and he did have an application for landscaping on the big stone house on Park Avenue as the new owners wanted to add stone fences and gates.

J. Requests For Next Months Agenda or Research Items

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

Chair Muladroe adjourned the meeting at 7:47 p.m.

Sarah Dvoracek/fgm

City Clerk

Jennifer Muladore