



Agenda
City of Charlevoix Planning Commission Regular Meeting
Monday, March 10, 2025 - 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 Draft Minutes January 13, 2025
- F. Call for Public Comment Not Related to Agenda Items**
- G. New Business**
 - 1. 153.171 Landscaping
- H. Old Business**
 - 1. Annual Report
- I. Staff Updates**
 - 1. Zoning Administrator's Report January 2025
- 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, January 13, 2025 - 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, 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

D. Approval of Agenda

Motion by Member Felter, seconded by Member Radke to approve the agenda with the addition of selection of officers and 2025 meeting schedule.

Motion carried by unanimous voice vote.

E. Approval of the Minutes

1. Planning Commission Minutes of December 9, 2024

Motion by Member Boehmer, seconded by Member Beatty to approve the minutes of December 9, 2024 as presented.

Motion carried by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Match on Main Grant Applications

Jonathan Scheel, Director of Planning & Zoning

Director Scheel provided background on the Match on Main Grant Program and stated this was the first year the City accepted applications outside the DDA's boundary.

Maureen Owens, DDA Chair, clarified the State had modified the requirements of this grant. Ms. Owens stated the grant is for \$25,000 and she did not believe it was dividable among applicants with only one entity per City being eligible to receive the funds. Ms. Owens stated the City had received three (3) applications and only two (2) could be forwarded to the State. Ms. Owens stated when the DDA Board went through the scoring process they reviewed the same three (3) applications that the Commission had before them and also reviewed the

criteria using the scoring sheet provided by City staff. Ms. Owens stated Dockside Books was the DDA Board's first recommendation and Happy Troll was their second recommendation.

Chair Muladore stated Stiggs Brewery was the only applicant that showed the amount requested correctly and they also included the full amount of the project which is way beyond all of the other projects. Chair Muladore stated when she went through her review she had Stiggs Brewery and Dockside Books scored higher and both of the applications were thorough, clear, and easy to match up against the score sheet. Stiggs's application was revitalizing a building on the north side that has stood empty for years. Discussion followed regarding specifics of the applications.

Each of the Planning Commission members stated their top two (2) applicants as follows:

Member Radke: Dockside, Stiggs
Member Felter: Dockside, Happy Troll
Member Boehmer: Stiggs, Dockside
Chair Muladore: Stiggs, Dockside
Member Chamberlain: Stiggs, Happy Troll
Member Kurtz: Stiggs, Happy Troll
Member Beatty: Happy Troll, Dockside

Director Scheel stated the top two (2) applicants were Stiggs Brewery and Dockside Books.

Motion by Member Boehmer, seconded by Member Kurtz to submit Stiggs Brewery and Dockside Books to the State under the Match on Main Grant Program.

Chair Muladore questioned if staff helped the businesses complete their applications. Sarah Van Horn, Chamber President, indicated she did get the information out to the businesses and she had met with eight (8) downtown businesses and two (2) businesses outside of downtown to let them know what was available through the program and what qualified for projects under the grant guidelines.

Motion carried by unanimous voice vote.

H. Public Hearings

1. 153.116 Accessory Buildings Height changes

Chair Muladore opened the public hearing at 6:44 p.m.

Director Scheel stated there was not a regulation for the maximum height of a detached accessory building as it was accidentally dropped out of the ordinance during recent changes and codifications. The proposed changes to the maximum height of detached accessory structures will be 16' and detached Accessory Dwelling Units accessory structures at a maximum height of 20'.

The public hearing was closed at 6:47 p.m.

Motion by Member Kurtz, seconded by Member Chamberlain to send the recommended accessory building height changes (Section 153.116) to the City Council with a recommendation for approval.

Motion carried by unanimous voice vote.

2. 153.160 Residential Decks Above First Floor

Chair Muladore opened the public hearing at 6:49 p.m.

Director Scheel stated recent site plans including rooftop decks in residential areas of the City include issues that are negatively affecting adjacent residential properties including lack of privacy and light spillage. Specific ordinance language for privacy concerns is being proposed to relieve the concerns of adjacent property owners when there is administrative review of single-family home zoning permits.

The public hearing was closed at 6:52 p.m.

After discussion, the last sentence under Table 153.071 was changed to read: "No decks are allowed above the second floor elevation of the home."

Motion by Member Radke, seconded by Member Felter to send the recommended residential decks above first floor changes with the changes as discussed to the City Council with a recommendation for approval.

Motion carried by unanimous voice vote.

I. Old Business

1. 153.145 Fences and Walls (Deer Management)

Chair Muladore stated they did have several homeowners come to the last meeting to express their concerns about the deer population. Director Scheel stated everyone knew about the overabundance of deer and the City Council recently adopted culling regulations as one step in deer management. City Council made it very clear they would like the Commission to review fencing standards to see if fencing could be a tool to help with the deer problem.

Director Scheel stated the issue to focus on is fencing aesthetics. The Commission needs to concentrate on the timeframe for allowing such fences, fence materials, and comparable fencing. Mr. Scheel stated there were several homeowners that installed such fences over the last number of years, some have been doing it with his permission, others not. Mr. Scheel stated most of the deer fencing was 7.5' to 8' in height.

Director Scheel stated he researched various companies that sold deer fencing to see what were the most common height and materials and the first column on the attachment was titled Fence Standards which reflected his recommendation. Chair Muladore stated deer can jump a 12' fence and such height would not be practical within the City limits. Chair Muladore described a home in her neighborhood that had a 4' wood fence with the polypropylene material above the wood fence and it appeared to be enough of a deterrent to keep the deer out.

Discussion followed regarding the polypropylene materials being used in conjunction with a wood fence (4' in the front yard). Member Kurtz stated he was not in favor of changing the ordinance at all based on aesthetics. Director Scheel stated the civil infraction fees were \$100 for the first offense, \$300 for the second offense and \$500 for the third offense, and beyond

that it goes to court. Member Beatty suggested allowing the fences up to 8' high in an aesthetically pleasing fashion and less intrusive for the neighborhood for two (2) years and after two (2) years re-evaluate it and either let the standards stay or expire.

Member Kurtz stated if the Commission didn't define what works and doesn't work with regard to deer fencing then he didn't think they could allow such fencing. Mr. Kurtz stated the Commission should not change the rules on fencing and if the City Council wants to do it then they certainly can change the rules. Mr. Scheel stated that if they changed the rules they also would need to determine the timeframe for seasonal use of such fencing.

Director Scheel stated he would take this conversation back to the City Council with the pros and cons as this sounds more like a policy that the City should do for two years. Mr. Scheel stated he would bring back the summary of the discussion and proposed policy to the Planning Commission at the next meeting. Member Chamberlain suggested that the regulations could be in a landscape protection ordinance rather than the fences and walls portion of the zoning ordinance.

2. 2025 Priorities and Activities

Director Scheel stated he had made a list of goals and activities that the Commission had discussed the previous month. Mr. Scheel stated he would have the final report for the Redevelopment Ready Program ready next week and expanding residential uses was included in the report. Mr. Scheel stated that 75% of the land adjacent to the City limits was in Charlevoix Township.

After discussion, the tasks for 2025 were prioritized as follows:

1. Review landscape standards
2. Design guidelines residential R-1, R-2 primary structures
3. Review downtown building height ordinance language, incentives for higher housing density downtown, design guidelines for downtown/commercial buildings
4. Downtown signage and wayfinding signs

Ongoing:

1. Items listed under number 3
2. Review opportunities to expand missing middle housing building options
3. Work with school district regarding future use of properties
4. Consider expanding residential uses in industrial zoning districts as part of the Redevelopment Ready process

J. Staff Updates

1. Zoning Administrator Report

Director Scheel stated his report included final numbers for 2024. Mr. Scheel stated there was a public hearing scheduled for February 19, 2025 at Charlevoix Township (1249 Waller Road) for a rezone of 13208 Stover Road from planned residential to marine industrial. Mr. Scheel stated the Commission will have to look at what the potential uses are since the property is next to Ferry Beach Park.

2. Selection of Officers and 2025 Meeting Schedule (item added 01/13/2025) Nominations for Officers

Motion by Member Radke, seconded by Member Felter to nominate Jennifer Muladore as Chair and Sherm Chamberlain as Vice Chair and both accepted the nominations.

Motion carried by unanimous consensus.

Director Scheel stated the meeting dates for 2025 would be the second Monday of the month at 6:00 p.m. at Council Chambers and any special meeting can be scheduled up to 18 hours ahead of time. The Commission concurred with the annual meeting schedule as presented.

K. Requests For Next Months Agenda or Research Items

Director Scheel stated next month the Commission would see the annual report and the City Manager and Planning Commission Chair had already reviewed the report. Attendance and training needs to be included in the annual report so anyone who had training in the past year needs to get that information to Director Scheel this week.

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

Chair Muladore adjourned the meeting at 8:05 p.m.

Sarah J. Dvoracek/fgm

City Clerk

Jennifer Muladore

Chair

Charlevoix Planning Commission

New Business

Title: 153.171 Landscaping

Date: March 10, 2025

Presented By: Jonathan Scheel, Director of Planning & Zoning

Background:

At the January 2025 Planning Commission meeting, The commission members prioritized a list of goals for the 2025 year. Looking at the Landscaping Section of the Zoning Ordinance was number one on that list. Included with the agenda item is a copy of the existing section with highlighted areas that you may want to review. Also there are some suggested changes to simplify and shorten the section as it is repetitive of other more detailed ordinance sections.

Recommendation:

Review, discuss and send back to administrator with changes.

Attachments:

1. Landscape 153.171

(A) *Intent.* This section promotes the public health, safety and welfare by establishing minimum standards for the design, installation and maintenance of landscaping. Landscaping and landscaped buffers help protect and enhance land uses and the visual image of the community. They further preserve natural features, improve property values and can alleviate the impacts of noise, traffic and visual distractions. Landscaped buffers protect less intense uses from noise, lighting and other impacts associated with more intensive land uses. Specifically, the intent of these provisions is to:

- (1) Improve the appearance of off-street parking and storage areas and property abutting public rights-of-way;
- (2) Protect and preserve the appearance, character and value of the neighborhoods, which abut non-residential areas, parking lots and other potentially obtrusive uses;
- (3) Reduce soil erosion and depletion;
- (4) Increase soil water retention, thereby helping to prevent flooding, erosion and sedimentation and enhancing ground water recharge;
- (5) Remove air pollutants and reduce, eliminate or control glare, reflection and heat island effects; and
- (6) Assist in directing safe and efficient traffic flow and prevent vehicular and pedestrian circulation conflicts.

(B) *General requirements.* These regulations apply to all new uses and the expansion of existing **uses requiring site plan approval.** (R1 and R27)

(1) Landscaping shall be installed before occupancy, unless the **Planning Commission** (Zoning Administrator) authorizes occupancy prior to complete landscape installation, due to unforeseen weather conditions or other circumstances beyond the applicant's control. In such a case, a performance guarantee, per § [153.239](#) of this chapter, shall be provided to ensure completion of the project as required. All landscaping shall be completed within one full growing season.

(2) All landscaping shall be maintained after planting and regularly watered, fertilized, pruned and kept free from disease. The owner or controlling party shall be responsible for maintenance.

(3) Diseased or dead plants shall be replaced within one growing season.

(4) All plants shall be hardy per climatic conditions in the city.

(5) All landscaped areas shall be mulched and those not containing trees and shrubs must be planted with ground cover. Mulch of any type is not considered groundcover, nor is it a substitute for ground cover.

(6) The overall landscape plan shall not contain more than 25% of any one plant species.

(7) Trees and shrubs shall not be placed closer than four feet to a fence, wall or property line.

(8) For a corner lot or a lot with more than one frontage where landscaping is required, all frontages shall be landscaped.

(9) Berms shall be designed to vary in height and shape to create a more natural appearance. An unbroken earth mound of uniform height shall be avoided. The maximum slope for a berm shall be one foot vertical to three feet horizontal, unless otherwise allowed by the Planning Commission.

- (10) Landscaping shall not obstruct sight distance, per § [153.142](#) of this chapter.
- (11) Landscaping plans are subject to **Planning Commission** (ZA if R1 or R2) review and approval.
- (12) The **Planning Commission** (ZA if R1 or R2) may allow a deviation from the requirements of this section under any of the following circumstances:
 - (a) Existing vegetation or topographic features make compliance with requirements unnecessary or difficult to achieve;
 - (b) The application of requirements will result in a significant loss of existing vegetation, or natural or cultural features;
 - (c) Modification of requirements will clearly result in a superior design that could not be otherwise achieved;
 - (d) Where the distance between a building, parking area or use is more than 200 feet from a side or rear lot line, the Planning Commission may reduce the buffer area requirements along the applicable lot line(s) by 50%;
 - (e) Where the required landscaping may interfere with view corridors, such as developments along water bodies, the Planning Commission may require planting of specific species in locations where the height or canopy will not compromise view corridors; and
 - (f) Where landscaping requirements may not be necessary for community aesthetics, such as within the Ance Industrial Park.
- (13) The **Planning Commission** (ZA if R1 or R2) may impose conditions on landscaping as part of site plan review.
- (14) Where a development is proposed in phases, each phase shall comply with all applicable landscaping requirements.
- (15) Where landscaping requirements are based on a distance measured along a property line and result in a fractional requirement, the required landscaping for just that area shall be multiplied by the fraction. For example, when a fractional area is equal to 30% of the required distance the number of required plants shall be multiplied by 0.30. A fraction less than 25% may be disregarded.
- (16) To ensure that all landscaping is installed, as a condition of approval a letter of credit or some other performance guarantee may be required in accordance with § [153.239](#) of this chapter.
- (17) Low impact design, such as use of native vegetation, rain gardens and vegetated swales is encouraged.

(C) *Buffer areas.*

- (1) A buffer area may be required where any use in a business or industrial district is adjacent to residentially zoned land and where multiple-family residential land uses are adjacent to land in the R1, R2, ~~R2A~~ and R4 Districts.
- (2) A buffer area is not required if the qualifying adjacent zoning districts are separated by a public right-of-way.
- (3) A buffer area shall be parallel to and follow the property line tangent to the qualifying zoning district.
- (4) A buffer area shall be required even when the adjacent property is undeveloped.

(5) Except for access drives or private streets determined by the Planning Commission to be necessary to provide safe access to a property, a building, structure or parking lot shall not encroach within a required buffer area.

(6) When adjacent to a PUD containing a residential land use, a use in a non-residential or multiple-family residential district shall provide a buffer area along the property line adjacent to the residential use, in accordance with the requirements of Table 153.171(a). The Planning Commission, however, may waive or modify the required buffer if the setbacks and perimeter landscaping provided within the PUD meet the intent of division (A) above.

(7) Buffer areas are required as shown in Table 153.171(a). Buffer types 1, 2 and 3 are described in Table 153.171(b).

Table 153.171(a): Buffer Area Requirements by District			
Subject Zoning District	Adjacent district		
	R1 (Buffer Type)	R2 (Buffer Type)	Residential areas in Charlevoix Township
R4	3	3	NA
GC	1	1	1
CBD	2	2	NA
CH	1	1	NA
MC	1	1	NA
I	1	1	1

(8) Table 153.171(b) shows landscaping requirements by buffer type:

Table 153.171(b): Buffer Area Landscaping Requirements			
Buffer Type	Minimum Width	Minimum Requirements	Intensity
1	10 feet	2 canopy trees, plus 1 evergreen tree or 1 ornamental tree, plus 12 shrubs, for each 50 linear feet of buffer area	Most Intense
2	10 feet	1 canopy tree, plus 1 evergreen tree or 1 ornamental tree, plus 8 shrubs, for each 50 linear feet of buffer area	

3	10 feet	1 canopy tree or 1 evergreen tree, plus 1 ornamental tree or 12 shrubs, for each 50 linear feet of buffer area	 Least Intense
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(9) Buffer Area Alternatives

(a) Plants may either be arranged formally, or be informally clustered for a more random, natural effect.

(b) Berms may be constructed in a buffer area to supplement landscaping and add interest. Minimum landscaping requirements shall be reduced by 50% where a berm at least three feet tall is constructed for at least 85% of the length of the buffer area.

(c) A screen wall or fence, located within a buffer area, may be used in lieu of some landscaping.

1. A screen wall or fence shall be six feet tall and constructed of architectural block, brick, wood, vinyl or textured concrete.

2. A screen wall or fence shall be located at least **two feet** (leaves a no man' land that doesn't get maintained) from a property line.

3. To maximize the effectiveness of screening, openings shall not exceed 20% of the surface of a wall or fence.

4. ~~When a screen wall or fence has both a finished and unfinished side, the finished side shall face either outward from the development site or to the side most visible to the general public, as determined by the Planning Commission.~~ Meet Section 153.145 Fences and Walls

5. Landscaping requirements may be reduced by 75% when a screen wall is constructed in a buffer area.

(D) *Minimum plant requirements.*

(1) The minimum plant size at the time of installation shall comply with Table 153.171(c):

Table 153.171(c): Minimum Plant Size at Installation			
<i>Plant Material</i>	<i>Minimum Caliper</i>	<i>Minimum Height</i>	<i>Minimum Spread</i>
Canopy tree	2.5"	x	
Ornamental tree	1-3/4"	x	
Evergreen tree		6'	

Shrubs			24"
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(2) Existing healthy and desirable trees to be preserved may satisfy the landscaping regulations of this section, as shown in Table 153.171(d). Each credit may be applied toward fulfilling the requirements set forth in this section (i.e., one credit equal to one equivalent tree).

Table 153.171(d): Credit for Existing Landscaping			
Tree Material	Minimum Caliper	Minimum Height	Credits
Canopy tree	4 to 8 inches	x	1
	Greater than 8 inches	x	2
Ornamental tree		6 to 10 feet	1
		Greater than 10 feet	2
Evergreen tree		6 to 12 feet	1
		Greater than 12 feet	2

(E) *Residential development.*

(1) For each dwelling unit in a residential subdivision, land division or site condominium.

(a) One canopy tree shall be planted between the right-of-way line and the street per Shade Tree and Park Commission rules Chapter 152 Trees .

(b) Trees shall be evenly spaced, meet new Residential Guidelines) except where site conditions warrant otherwise.

(2) For a multiple-family development, one canopy or evergreen tree shall be provided for every 4,500 (?) square feet of gross lot area.

(3) In addition to the above requirements in **division (D) C?** above for a residential development abutting an arterial street, two evergreen trees and one canopy tree ~~shall be planted within 30 feet of the right-of-way~~ for every 50 feet of development frontage on the arterial street.

(4) Berms may also be used to buffer lots or dwellings from an abutting arterial street. Minimum landscaping requirements shall be reduced by 50% where a berm at least three feet tall is constructed for at least 85% of the length of the street frontage.

(5) In the R4 Zone, the Planning Commission may require berms, fencing or vegetative screening (or any combination thereof) along property lines for reasons including, but not limited to, protection of public safety, preservation of neighborhood character or the creation of privacy buffers for single-family zones.

(F) *Non-residential and mixed use districts and non-residential uses in residential districts.*

(1) For all non-residential uses in any zoning district except the CBD District, for every 100 feet of lot frontage as measured along a public right-of-way, the following front yard landscaping requirements apply.

(a) Three canopy trees and one evergreen or two ornamental trees shall be provided.

(b) The Planning Commission may allow landscaping anywhere within the front yard, except where a parking area is located along the lot frontage. In such instances landscaping shall be placed between the parking lot and the public right-of-way.

(2) Berms may be constructed in a front yard to supplement landscaping and enhance buffering. Minimum front yard landscaping requirements shall be reduced by 50% where a berm at least three feet tall is constructed between a parking lot located along a street frontage and the public right-of-way. A berm may also be used to meet the screening requirement for parking lots as required in division (H) below.

(3) For any permitted non-residential use in a residential district, the Buffer Type 2 requirements, as specified in Table 153.171(b), shall apply to all side and rear property lines.

(G) *Outdoor storage areas.* Where permitted, outdoor storage areas shall be completely screened by buildings, structures or a continuous buffer at least five feet wide. The buffer area shall ~~include:~~ **meet 153.153 Outdoor Storage**

~~—(1) A six-foot tall screen wall or fence along with any combination of the following to provide an effective screen, as approved by the Planning Commission:~~

~~—(a) Berms;~~

~~—(b) Canopy, evergreen and ornamental trees; and~~

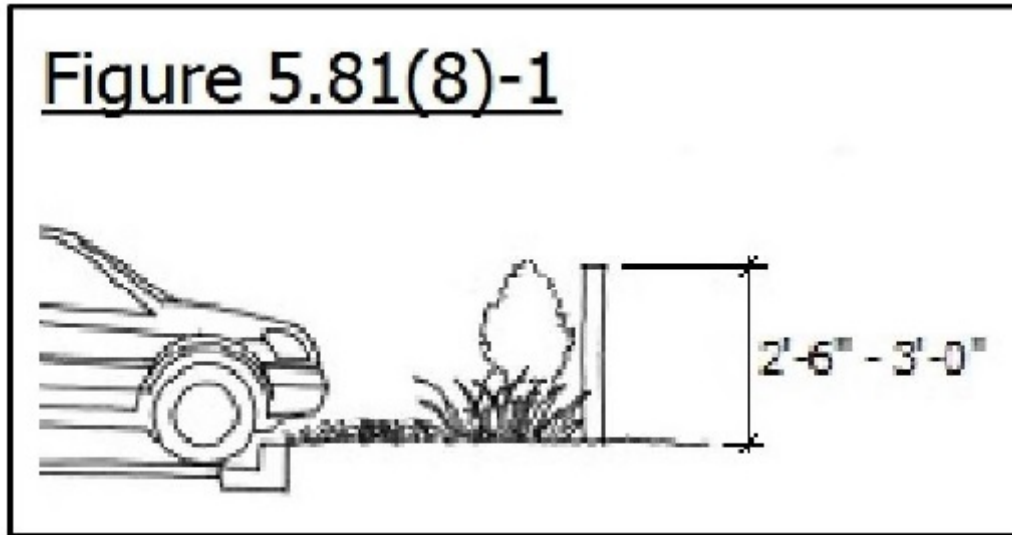
~~—(c) Shrubs.~~

~~—(2) If a buffer to an adjacent zoning district is required, per Table 153.171(a), it shall satisfy the requirements of this division (G).~~

(H) *Parking lot landscaping.*

(1) A parking lot containing more than ten spaces shall be screened as follows:

(a) Along any right-of-way or residential property line by a continuous two and one-half to three-foot tall screen; and

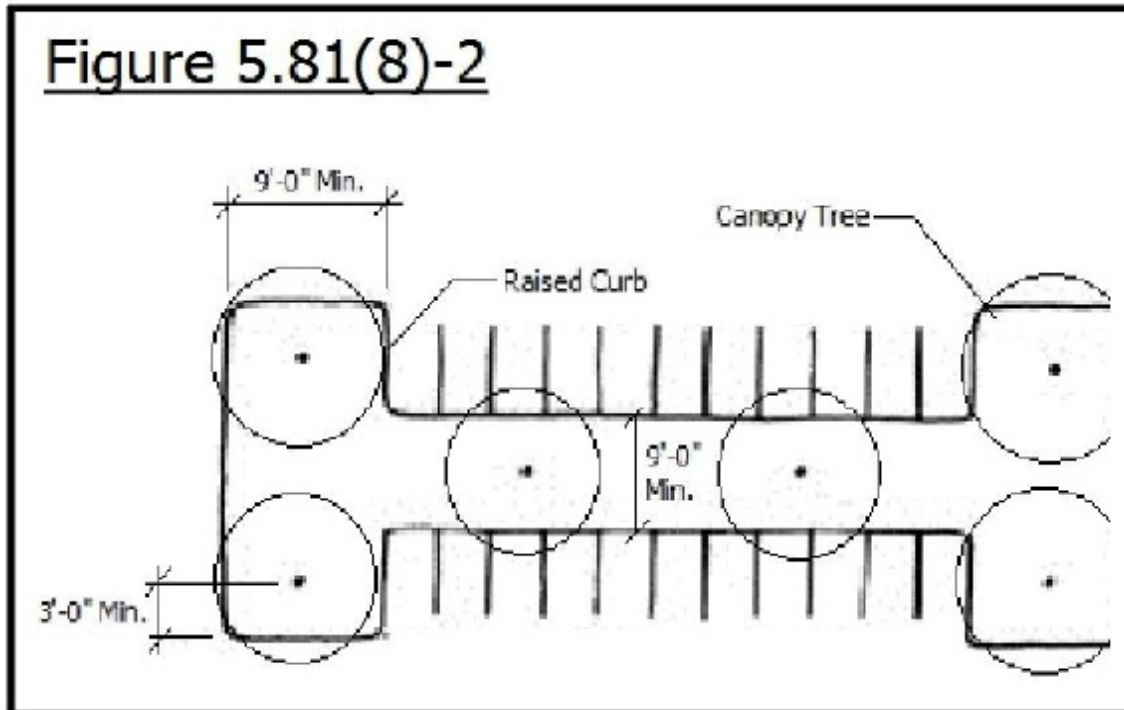


(b) The screen shall consist of landscaping, berms, a screen wall or any combination of these elements.

(2) To provide shade and to break up the visual appearance of large paved areas, parking lots with more than ten spaces shall be landscaped based on the following requirements.

(a) One canopy tree for every 12 parking spaces shall be provided within a parking lot island or peninsula.

Figure 5.81(8)-2



(b) Parking lot islands and peninsulas shall meet the following requirements:

1. All islands and peninsulas shall be protected by raised curbs; ~~dub-downs non-raised curbs~~ are permitted to facilitate drainage, **except** in instances where the grading and drainage plan demonstrates storm water runoff can be managed without the use of raised curbs.
2. An island or peninsula shall be at least nine feet wide.
3. Islands or peninsulas may be combined for greater visual effect.
4. Trees shall be planted at least ~~three~~ **three** (centered on islands) ~~feet~~ from the edge of the curb or pavement.
5. Landscaping shall not obscure traffic signs, fire hydrants or sight distance within the parking lot and at driveway entrances, in accordance with § [153.142](#) of this chapter.

(l) *Fencing, screening and walls.*

- (1) Screening shall be required around all trash dumpsters in all zoning districts, except as may be provided elsewhere in this section.
- (2) Solid waste dumpsters may be located in required buffers; provided, they are screened in accordance with this division (I).
- (3) Screening shall be required even if the surrounding area or adjacent properties are not developed.

(4) When a property changes to a more intense land use, a special land use or when site plan approval is required, screening shall be provided in accordance with this section.

(5) (a) Unless otherwise permitted in accordance with this section, a screen shall consist of a solid, sight-obscuring fence or wall that meets the following specifications: **see 153.173**

1.—Six feet tall;

2.—Enclosed on all sides and does not contain any openings other than an access gate, which shall be closed at all times when not being used. A screen around staging or loading/unloading areas may provide an opening that does not contain an access gate;

3. Constructed of masonry, treated wood or other materials approved by the Planning Commission and must be durable, weather-resistant, rust-proof and easily maintained; and

4. A trash dumpster enclosure and gates shall be protected by bollards or other means to prevent vehicle damage.

(b) If approved by the Planning Commission, a screen may consist of berms or landscaping either in combination or as a substitute for a fence or wall. It must be determined that the alternate design shall either provide the same degree, or enhanced screening as required by this section.

(6) (a) **Walls must be no greater than eight feet high.**

(b) Must be a minimum of two feet back from the property line.

(c) Placement cannot interfere with pedestrian or vehicular traffic.

(d) Walls must be maintained and kept in good condition by the property owner.

(Add additional requirements to section 153.173 and remove from this section)

(J) *Landscape site plan requirements.*

(1) Proposed landscaping shall be shown on a separate drawing at the same scale as the site plan. To ensure that landscaping is not affected by, nor interferes with utilities, the plan shall indicate any existing or proposed utilities and easements.

(2) Planting plans shall show all landscaped areas and plants listed in a table by common and botanic name and show quantities, size at planting and anticipated mature height and spread. Anticipated mature height and spread shall be shown with circles indicating anticipated plant size at maturity.

(3) Text shall accompany the landscape plan, providing calculations for the proposed landscaping and describing how the plan successfully complies with the regulations of this section.

(4) Existing natural and human-made landscape features and proposed buildings and structures, as required for the overall site plan, shall be clearly indicated

(5) Contours shall be shown at intervals no greater than two feet.

(6) Irrigation systems shall be shown.

(7) All other site development plan review standards, as set forth in §§ [153.230](#) through [153.243](#) of this chapter, shall be followed.

(K) *Treatment of existing plant material.* The following regulations shall apply to existing plants.

(1) *Preservation of existing plant material.* Site plans shall show all existing trees (four-inch caliper or greater) located in portions of the site that will be built upon or otherwise altered. Trees shall be labeled “To Be Removed” or “To Be Saved” on the site plan.

(2) *Destruction or removal of healthy trees.* In the event healthy plants that are intended to meet the requirements of this section are cut down, damaged or destroyed during construction, they shall be replaced **with as close to in-kind as possible.**

Charlevoix Planning Commission

Old Business

Title: Annual Report

Date: March 10, 2025

Presented By: Jonathan Scheel, Director of Planning & Zoning

Background:

Michigan Planning Enabling Act of 2008 Section 125.3819 requires an annual report to the legislative body concerning it's operations, status of planning activities and recommendations regarding actions by the legislative body related to planning and zoning.

Recommendation:

Review, discuss and make any changes needed. Motion to send annual report to City Council.

Attachments:

1. 2025

RE: 2024 Charlevoix Planning Commission Annual Report
Hon. Mayor and Council Members:

INTRODUCTION

The [Michigan Planning Enabling Act](#) (MPEA) allows for the establishment of local Planning Commissions, Master Plans, and other associated activities. The City of Charlevoix’s Planning Commission is established in the city code of ordinances in Title III, Chapter 32.105 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.
- Studying special topics or conducting other special projects as requested by the governing body.

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 (January 2024-December 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.”

MEMBERSHIP

Planning Commission members for 2024 were:

<i>Name</i>	<i>Member since</i>	<i>Term Exp.</i>	<i>Attendance</i>	<i>Training Hours Logged 4 hours recommended</i>
Jennifer Muladore, Chairperson	05/2018	04/2027	12/13 92%	
Maureen Radke	01/2022	04/2027	9/13 69%	
Shelley Boehmer	04/2023	04/2026	12/13 92%	23 MAP Conference, Planning and Zoning Essentials, RRCA +
Toni Felter	11/2008	04/2026	11/13 85%	4 Planning and Zoning Essentials
Sherman Chamberlain, Vice-Chair	03/2011	04/2025	12/13 92%	
Scott Beatty	11/2022	04/2025	12/13 92%	
John Kurtz	11/2022	04/2025	13/13 100%	16 MAP Conference

MEETINGS

The Planning Commission met a total of thirteen (13) 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*.

Monday, January 8, 2024
Monday, February 12, 2024
Thursday, February 22, 2024, Special Meeting
Monday, March 11, 2024
Monday, April 8, 2024
Monday, May 13, 2024
Monday, June 10, 2024
Monday, July 8, 2024
Monday, August 12, 2024
Monday, September 9, 2024
Monday, October 14, 2023
Wednesday October 30, 2024, Housing Sub-Committee
Monday, November 11, 2024
Monday, December 9, 2024

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

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 and zoning staff included:

Jonathan Scheel, Director of Planning and Zoning
Faith Miller, Enforcement Officer (seasonal)

The city contracted with Networks Northwest for additional support for some planning and zoning in 2024

ACTIVITIES

The Planning Commission Chairman directed the Housing sub-committee to work on collecting data that could be turned into a presentation for civic groups on the Charlevoix-specific housing changes and master plan evolution overtime.

The City continued to implement the Housing Readiness Grant from Michigan State Housing Development Authority that allows the City and the Charlevoix Township to plan together for regional housing. Networks Northwest supported this effort with an in-depth report on strategies to achieve those goals. The City will be working with the Township on those recommendations.

- Received \$354,000 CHILL Grant for housing repairs for low-income homeowners in the city
- Site Plan Review 800 State Street for a church structure
- Site Plan Review 743 Petoskey Avenue for a brewery/taproom
- Site Plan Review 1002 May Street for two duplexes with the addition of one ADU
- Site Plan Review 1522 Bridge Street for three duplexes
- Reviewed the Zoning Ordinance to add additional language to expand housing choices.

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:

- Used Form-Based code to allow more housing choices with the least amount of impact to existing neighborhoods
- Outdoor Storage Ordinance
- Design Guidelines for Commercial Mixed Use buildings US 31 Corridor
- Mixed Use Ordinance Sign Ordinance change for Bridge Park Drive
- Lighting Ordinance
- Rezone of 13513 Division Street
- Conditional Rezone Petoskey Avenue
- Rezone of 800 State Street (rejected)
- Rezone of 115 Hurlbut (rejected)

ZONING BOARD OF APPEALS ACTIVITY

Appeal Type	Location	Description	Action	Date of Action
Dimensional Variance	1209 Bridge Street	rear and side variance	Denied	8/21/24
Dimensional Variance	509 Newman	Side yard variance	Denied	4/17/24

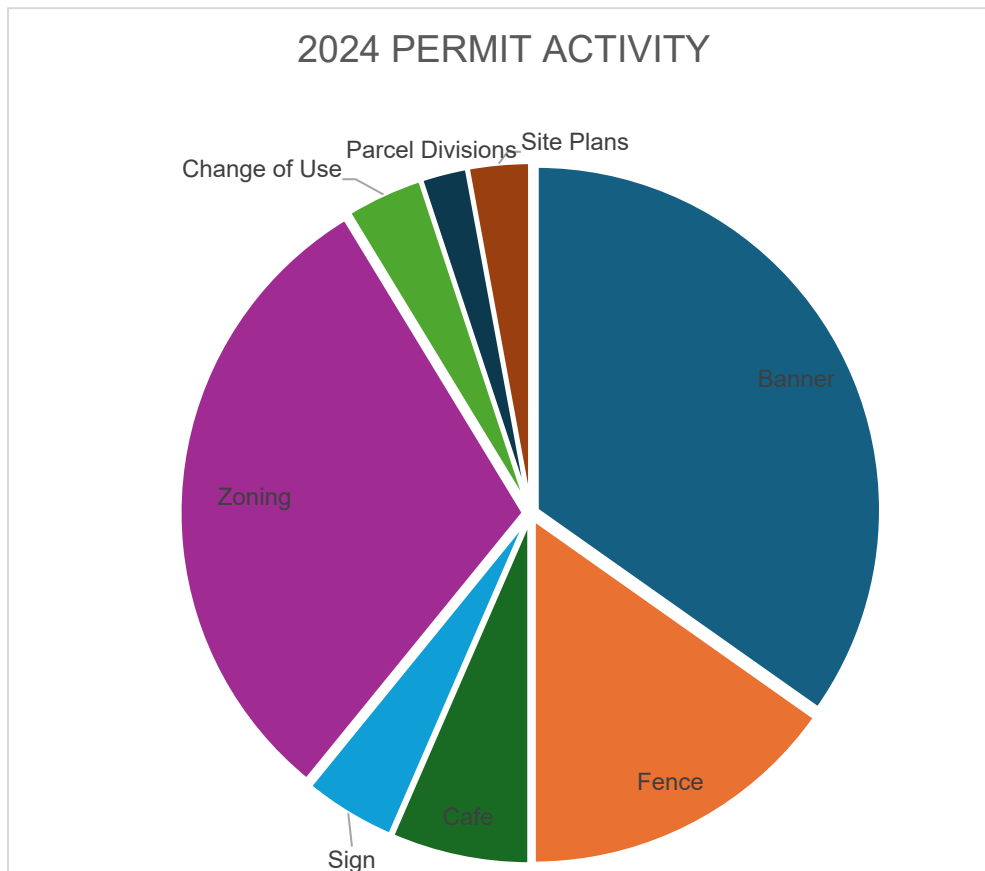
PERMIT ACTIVITY

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.

135 total Permits,

Banner permits	48
Fence permits	21
Sidewalk Café/Use	9
Sign permits	6
Zoning	42
Change of Use	5
Parcel Divisions	3
Site Plans (PC)	4

Those above include zoning permits for 3 new single family homes, 2 Accessory Dwelling Units and 7 Multi-family buildings.



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. Most zoning and blight violations are handled this way in the city. There have been serious infractions and prolonged non-compliance in 2024 which were enforced with municipal civil infraction citations.

LOOKING FORWARD...

In December, the Planning Commission prepared a new list of priority activities and goals. The Planning Commission prioritized for 2025:

- Review downtown building height ordinance language
- Incentives for a higher density downtown.
- Design guidelines downtown/commercial buildings.
- Design guidelines residential R-1, R-2 primary structures
- Review landscape standards.
- Consider expanding residential uses in industrial zoning districts
- Review opportunities to expand Missing Middle Housing building options
- Downtown signage and wayfinding signs.
- Work with school district regarding future use of properties.



To: The City of Charlevoix Planning Commission
 From: Jonathan Scheel, Zoning Administrator
 Subject: Zoning Administrator's Report re: thru January 31, 2025

Permits Issued in 2025

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

<u>By month</u>	<u>By type</u>	<u>Month</u>	<u>Year</u>
January9	Banner permits	4	4
February	Fence permits		
March	Sidewalk café/use		
April.....	Sign	2	2
May.....	Zoning	2	2
June.....	Use	1	1
July.....	<u>Parcel Division</u>		
August.....	Single-family		
September	ADU		
October.....	Multi-family		
November			
December			

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

	M	Y
Central Business District (CBD)		
Commercial Mixed (CM)		
General Commercial (GC)		
Industrial		
Marine Commercial (MC)		
Residential Private Club (PC)		
Public Facilities		
R-1	1	1
R-2	1	1
Other (LD, Café, Use)		

Level A Site Plan Administrative Review

None

Variances to Zoning Board of Appeals

None

Other activities

Historic Commission Certificate of Appropriateness 304 Park Ave.

Historic Commission National Register Nomination for downtown Charlevoix SHPO approval passed

Short Term Rental License renewals completed 80 business licenses, 4 personal licenses

Historic Commission Annual Report complete

Planning Commission Annual Report complete

Licensing, Permitting and Enforcement Software is now online and usable by citizens

Redevelopment Ready Community renewal for 2025