

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, February 12, 2018 - 6:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order

The meeting was called to order at 6:00 p.m. by Chair Chamberlain.

B. Roll Call

Chair: Sherm Chamberlain
Members Present: Judy Clock, Mary Eveleigh, Nelson Fletcher, Brian Gelb, Rick Golding, Dennis Halverson, RJ Waddell
Members Absent: Toni Felter
Staff Present: Kathy Egan, Community Planner Networks Northwest

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Motion by Member Clock, second by Member Eveleigh, to approve the agenda as presented. Motion passed by unanimous voice vote.

E. Approval of the January 8, 2018 Minutes

Motion by Member Eveleigh, second by Member Fletcher, to approve the minutes of January 8, 2018 as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Continue Public Hearing Zoning Ordinance Amendment: Article 11 Signs

a. Staff Presentation

Chair Chamberlain stated that the City Attorney reviewed the draft revisions to the new Sign Ordinance and made some modifications based upon the U.S. Supreme Court's 2015 case *Reed v. Town of Gilbert*. Planner Egan said she agreed with the revisions.

Chair Chamberlain stated in reviewing the draft it appeared that a lot is put on the Zoning Administrator to make interpretations about banners and when someone disagrees with the Zoning Administrator's opinion the individual could appeal that decision and he wondered whether the City could waive the fee for sign appeals. After discussion, no changes were made to the appeals process that goes through the Zoning Board of Appeals.

Planner Egan referenced provisions in the draft ordinance that the City Attorney recommended changes to, including:

- 5.101(1)(h) – remove reference to the Banner Program. City Attorney recommended “getting rid of the banner program altogether” or put in place “a permitting process open to all”. Chair Chamberlain stated that the Zoning Administrator would have to make the determination as to whether the event advertised “creates a benefit to the City”. Discussion followed regarding treating banners as temporary signs or keeping the existing language in place. Planner Egan stated that the key was to make sure that the application process and the banner program language are content neutral. Commission agreed to take out the language referencing that the event advertised must “create a benefit to the city”. She stated that they could make the language referencing the two locations for banners (adjacent to the city golf course and at the intersection of M-66 and US-31) to read: “signs in these two areas require approval of the Zoning Administrator”. The Commission agreed to leave the existing language regarding banners in place.
- 5.101.(2)(a) Signs Authorized Without a Sign Permit – Commission agreed to change signs posted on private property from one square foot to two square feet.
- 5.101.(5)(a) Unsafe Signs – Planner Egan stated that unsafe signs were covered in the Nuisance Ordinance under “abatement of dangerous signs”, but the Nuisance Ordinance refers back to this section. Chair Chamberlain recalled that the Commission felt that it was best to keep everything related to signs in the Sign Ordinance including dangerous or unsafe signs. After discussion, the Commission concurred to leave the Unsafe Sign section as written.

Motion by Member Clock, second by Member Fletcher, to approve the Sign Ordinance with the City Attorney's comments and the Commission's discussion tonight. Motion passed by unanimous voice vote.

2. Discussion: Boarding Houses

Substantial discussion followed regarding companies buying homes to rent to their seasonal employees, locations for boarding houses, safety issues, short-term rental requirements, defining particular areas for boarding houses, and the possible need for a long-term rental ordinance to ensure safe dwellings and limit the number of people living in a home. Planner Egan stated that she would do more research regarding long-term rentals and boarding houses.

3. Redevelopment Ready Communities Report

Planner Egan stated that the draft Report of Findings was completed and it included specific action steps. Chair Chamberlain suggested that Planner Egan sit down with the City Manager to identify priorities for the action steps. Planner Egan stated she has been putting together a To Do list from the Commission meeting minutes, Sarah Lucas's notes, and other resources and suggested that the Commission determine their priorities at the next meeting,

4. Meeting Ending Time

Chair Chamberlain suggested establishing an ending meeting time and Planner Egan commented that they could set an ending time of 8:00 p.m. and the agenda could read: ADJOURNMENT by 8:00 p.m. unless otherwise extended by motion. The Commission concurred with the suggestion.

H. Old Business

I. Staff Updates

1. Zoning Administrator Interview Process Update

Planner Egan stated that Sarah Lucas and the City Manager should make a candidate selection by the end of next week.

2. Planning Commissioner General Comments

Planner Egan stated that the Solid Waste Ordinance was tentatively scheduled for a City Council public hearing on March 19th. Chair Chamberlain updated the Commission on the status of the Division Street project.

3. Planner Report

J. Request for Next Month's Agenda or Research Items

Planner Egan stated that she would change the By-Laws to reflect the new meeting time of 6:00 p.m. to consider at the next meeting.

K. Adjournment

Motion by Member Fletcher, second by Member Clock, to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 7:34 p.m.

Joyce M. Golding/fgm

City Clerk

Sherm Chamberlain

Chair