

The Charlevoix City Council met on Tuesday, September 3, 2019 with Mayor Luther Kurtz presiding. All Councilmembers were present. The following is an excerpt from the official records of said meeting:

**CITY OF CHARLEVOIX
ORDINANCE NO. 807 of 2019**
AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTIONS 153.186, 153.187, 153.188, and 153.189
OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.186(A) is hereby amended as follows:

(A) For all buildings and uses established after the effective date of this chapter, off-street parking shall be provided as required by this section, except in the CBD Central Business District. Parking spaces provided in this manner shall be unreserved and generally available to the public.

SECTION 2. Title XV, Chapter 153, Table 153.187 of the City of Charlevoix Code is hereby replaced as follows:

<i>Table 153.187: Parking and Access Requirements by Use</i>	
<i>Use</i>	<i>Number of Parking Spaces</i>
RESIDENTIAL USES	
Bed and breakfast	See § 153.116(C)
Boarding or rooming house	1 space per 2 beds, plus 1 additional space for owner or employee use
Dwellings above first floor businesses	1 space per dwelling unit
Multiple-family residential dwellings	1.5 spaces per dwelling unit
Senior apartments and senior independent living	0.5 space per unit, and 1 space per employee. Should units revert to general occupancy, the requirements for multiple-family residential dwellings shall apply
Single-family and two-family dwellings	2 spaces per dwelling unit
INSTITUTIONAL USES	
Auditoriums, assembly halls, meeting rooms, theaters and similar places of assembly	1 space per 4 seats, based on maximum seating capacity in the main place of assembly, as established by the city's Fire and Building Codes
Day care facility, nursery school, child care center, family day care home, group day care home	1 per 700 sq. ft. of UFA, plus 1 per employee. Sufficient area shall be designated for drop-off of children or adults in a safe manner that will not result in traffic disruptions
Elementary and middle schools	1 per teacher, employee and administrator
Convalescent or nursing home	1 per 6 beds or occupants and 1 space per staff member or employee on the largest shift
Hospitals and similar facilities for human care	1 per 5 beds, plus 1 per employee on the largest shift
Churches and customary related uses	1 for every 5 seats in the main place of assembly
High schools; colleges and universities; business, trade, technical, vocational or industrial schools; performing and fine arts schools	1 per teacher, employee and administrator, and 1 for every 10 students
RETAIL USES	
Retail stores, except as otherwise specified	1 per employee on the largest shift, plus 1 for every 500 sq. ft. of UFA
Multi-tenant shopping centers	
With 60,000 sq. ft. or less of retail	1 per employee on the largest shift, plus 1 for every 350 sq. ft. of retail UFA
With over 60,000 sq. ft. of retail	1 per employee on the largest shift, plus 1 for every 300 sq. ft. of retail UFA
With restaurants	If more than 20% of the shopping center's floor area is occupied by restaurants or entertainment uses, parking requirements for these uses shall be calculated separately. Where the amount of restaurant space is unknown, it shall be calculated at 20%
Agricultural sales, greenhouses and nurseries or roadside stands	1 per employee on the largest shift, plus 1 per 350 sq. ft. of permanent or temporary area devoted primarily to sales
Animal grooming, training, day care and boarding	1 per employee on the largest shift, plus 1 for every 1,000 sq. ft. of UFA
Furniture and appliance, household equipment, show-room of a plumber, decorator, electrician, hardware, wholesale and repair shop or other similar uses	1 per employee on the largest shift, plus 1 for every 1,000 sq. ft. of net UFA, plus 1 additional space per employee

Table 153.187: Parking and Access Requirements by Use

Use	Number of Parking Spaces
Grocery store/supermarket	1 per employee on the largest shift, plus 1 for every 500 sq. ft. of UFA
Home improvement centers	1 per employee on the largest shift, plus 1 for every 1,000 sq. ft. of UFA
Open air businesses, except as otherwise specified	1 per employee on the largest shift, plus 1 for every 500 sq. ft. of lot area for retail sales, uses and services
Vehicle dealerships, including automobiles, RVs, motorcycles, snowmobiles, ATVs and boats	1 per employee on the largest shift, plus 1 for every 1,000 sq. ft. of floor space of sales room
SERVICE USES	
Banks and other financial institutions	1 per employee on the largest shift, plus 1 per 500 sq. ft. of UFA for the public. Drive-up windows/drive-up ATMs shall be provided with 2 stacking spaces per window or drive-up ATM
Beauty parlor or barber shop	1 per employee on the largest shift, plus 1 parking space per chair/station
Dry cleaners	1 per employee on the largest shift, plus 1 per 500 sq. ft. of UFA
Laundromats	1 per employee on the largest shift, plus 1 per 4 combinations of washer-dryer machines, plus 1 space per employee
Mortuary, funeral home	1 per employee on the largest shift, plus 1 per 3 patron seats at largest capacity
Motel, hotel or other commercial lodging establishment	1 per employee on the largest shift, plus 0.5 space per unit. In addition, spaces required for ancillary uses such as lounges, restaurants or places of assembly shall be provided and determined on the basis of the individual requirements for that use
Motor vehicle service stations (gas stations and truck stops)	1 per employee on the largest shift, plus additional parking required for other uses within an automobile service station, such as the retail floor area, restaurants or vehicle repair stalls
Vehicle repair establishment, major or minor	1 per employee on the largest shift, plus 1 per service stall
Vehicle wash	
Self-service (coin operated)	4 spaces, plus 2 stacking spaces for every washing stall
Full-service	1 per employee on the largest shift, plus 4 spaces and 3 stacking spaces for every washing stall or line
Restaurants, bars and clubs	
Standard sit-down restaurants with liquor license	1 per employee on the largest shift, plus 1 per 300 sq. ft. of UFA
Carry-out restaurant (with limited or no seating for eating on premises)	1 per employee on the largest shift, plus 4 per service or counter station
Open front restaurant/ice cream stand	1 per employee on the largest shift, plus 5 spaces and 1 per 6 seats
Drive-through restaurant	1 for every 2 employees, plus 1 for every 6 seats intended for patrons within the building, plus 4 stacking spaces per food pickup window
Bars, lounges, taverns, nightclubs (majority of sales consist of alcoholic beverages)	1 per employee on the largest shift, plus 1 per 200 sq. ft. of UFA
Private clubs, lodge halls or banquet halls	1 per employee on the largest shift, plus 1 for every 6 persons allowed within the maximum occupancy load as established by the city's Fire and Building Codes
RECREATION	
Athletic clubs, exercise establishments, health studios, sauna baths, martial art schools and other similar uses	1 per employee on the largest shift, plus 1 per 4 persons allowed within the maximum occupancy load as established by city's Fire and Building Codes
Billiard parlors	1 per 3 persons allowed within the maximum occupancy load as established by city's Building and Fire Codes, or 1 per 500 sq. ft. of gross floor area, whichever is greater
Bowling alleys	4 per bowling lane plus additional for accessory uses such as bars
Indoor recreation establishments including gymnasiums, tennis courts and handball, roller or ice-skating rinks, exhibition halls, dance halls and banquet halls	1 space for every 6 persons allowed within the maximum occupancy load as established by the city's Fire and Building Codes
Miniature or "par-3" courses	1 per employee on the largest shift, plus 1 per 2 holes
Commercial marinas	0.25 space for every boat slip based on the permitted slips by the state's Department of Natural Resources
OFFICES	

Table 153.187: Parking and Access Requirements by Use	
Use	Number of Parking Spaces
Business offices, post offices or professional offices of lawyers, architects or similar professionals	1 per employee on the largest shift, plus 1 for every 300 sq. ft. of UFA, but no less than 5 parking spaces
Medical offices of doctors, dentists, veterinarians or similar professions	1 per employee on the largest shift, plus 1 for every 300 sq. ft. of UFA
INDUSTRIAL USES	
Industrial establishments, including manufacturing, research and testing laboratories, creameries, bottling works, printing, plumbing or electrical workshops	1 for every 2 employees or 700 sq. ft. of UFA, whichever is greater
Warehouses and storage buildings	1 per employee on the largest shift
Mini warehouses/self-storage	Unobstructed parking area equal to 1 for every 10 door openings, plus parking for other uses on site such as truck rental
Truck terminal	1 per employee on the largest shift, plus 2 truck spaces of 10 x 70 ft. per truck berth or docking space
Air freight forwarders/distribution facilities	1 per employee on the largest shift

SECTION 3. Title XV, Chapter 153, Section 153.188(A) of the City of Charlevoix Code is replaced as follows:

- (A) *Shared/common parking.* Shared parking, or an arrangement in which two or more nonresidential uses with different peak parking demands (hours of operation) uses the same off-street parking spaces to meet their off-street parking requirements, may be allowed.
1. The Zoning Administrator may approve an adjustment to the parking requirements allowing shared parking arrangements for nonresidential uses with different hours of operation.
 2. Applicant must provide that there is no substantial conflict in the principle operating hours of the uses for which the shared parking is proposed.
 3. Shared parking must be within fifty (50) feet walking distance, measured from the entrance of the use to the nearest parking space in the shared lot.
 4. An agreement providing for the shared use of the parking, executed by the parties involved, must be filed with the Zoning Administrator, in a form approved by the Zoning Administrator upon consultation with the city attorney.

SECTION 4. Title XV, Chapter 153, Table 153.188(B)(c) of the City of Charlevoix Code is hereby replaced as follows:

- (c) For separate properties, shared parking lots shall be within 300 feet to one another with vehicular and pedestrian access.

SECTION 5. Title XV, Chapter 153, Section 153.188(D) of the City of Charlevoix Code is hereby replaced as follows:

- (D) *Downtown parking.* The minimum number of off-street parking spaces required by this section shall be waived for all buildings fronting Bridge Street between the Pine River Channel and Antrim Street.

SECTION 6. Title XV, Chapter 153, Section 153.188(F) of the City of Charlevoix Code is hereby deleted.

SECTION 7. Title XV, Chapter 153, Sections 153.189(A)(3) and 153.189(A)(3)(a) of the City of Charlevoix Code is hereby replaced as follows:

- (3) *Proximity.* Required off-street parking facilities for all uses, other than residential dwellings, shall be located on the same lot as the use, or within 300 feet of the building(s) or use they are intended to serve. Distance shall be measured from the nearest point of the building to the nearest point of the off-street parking lot.
- (a) Required off-street parking facilities for residential dwellings shall be located on the same property as the premises they are intended to serve and shall consist of a driveway, a parking apron and/or a garage.

SECTION 6. Severability.

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

SECTION 7. Effective Date.

This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. 807 was adopted on the 3rd day of September, 2019 A.D., by the Charlevoix City Council as follows:

Motion by: Kalbfell

Seconded by: Cole
Yeas: Bryan, Oleksy, Cole, Kalbfell, Hagen, Perron
Nays: None
Absent: None

State of Michigan } §
City of Charlevoix }

Joyce M. Golding

Clerk

Luther Kurtz

Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 805 of 2019 adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at a regular meeting held on September 3, 2019 and published in the *Charlevoix Courier* on September 13, 2019, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1876.

Dated: September 4, 2019

Joyce M. Golding, City Clerk