



VILLAGE OF SUTTONS BAY
Village Planning Commission
Village Hall
420 N. Front Street,
Suttons Bay, MI. 49682
February 12, 2020 at 5:30pm
Agenda

1. Call to order
2. Roll call and notation of quorum
3. Approval of agenda
4. Member conflict of interest on any item on the Agenda
5. Approval of minutes dated: November 13, 2019
6. Public comment/Written Communications (Reserved time for items listed on the Agenda). Please limit remarks to no more than three (3) minutes
7. New Business:
 - a. Election of Officer(s)
8. Old business
 - a. Report VSB- 2020- 08 Zoning Map Discussion
 - b. Report VSB- 2020- 10 Waterfront Parcel Discussion
9. Public comment
10. Reports:
 - a. Zoning Administration Rpt.
 - b. Manager Report
 - c. ZBA Report
 - d. Village Council updates
 - e. Parks Committee
11. Good of the order
12. Announcements
13. Next Meeting Date: March 11, 2020
14. Adjournment

P.O Box 395 - Suttons Bay, MI. 49682 - suttonsbay@suttonsbayvillage.org - 231-271-3051



Village of Suttons Bay
Planning Commission
Meeting minutes of November 13, 2019

The meeting was called to order at 5:30 p.m. by Chairperson Hetler.

Present: Danielson, Hetler, Hylwa, Pontius, Smith and Suppes
Absent: Smith and Couturier, Zoning Administrator
Staff present: Fay and Larrea

Approval of Agenda

Hylwa moved, Ostrowski seconded, CARRIED, to approve the Agenda as amended.
Hetler added Agenda item 10h., Norte walk update. Ayes: 6, No: 0.

Approval of Minutes

Suppes moved, Hylwa seconded, CARRIED, to approve the Planning Commission meeting minutes dated October 9, 2019, as presented and submitted by Fay. The minutes can be found in this meeting packet. Ayes: 6, No: 0.

Public Comment/Written Communications

Lois Bahle stated that if staff needed any older maps, or plat maps of the Village, to please contact her. Bahle asked if staff will be reviewing lot splits back to 1974; Larrea stated yes.

Old Business

Zoning Map Discussion

It was discovered that there is an issue with a parcel currently listed in the North Gateway, that actually should be in the Central Business District. This is a Village error. Staff located a document that confirms this. The Zoning Map needs to be corrected. Zoning Administrator Couturier will request the property owner of this parcel initiate in writing a request that the Zoning Map be corrected at which time a public hearing will be set to adopt the corrected Zoning Map. In addition, Larrea would like to see public lands, including cemeteries, churches and parks, be separated on the Zoning Map. The Zoning Map will eventually be recreated to aid in better viewing of the map. It was the consensus of Commissioners to support steps to correct the Zoning Map.

Waterfront Parcel Study

Danielson moved, Pontius seconded, CARRIED, to support the Village initiative to move forward with the Lakefront Lot dimensional study as identified in Report VSB-2019-79. Larrea stated that once the 2020 budget process is complete, work can begin on the research necessary to review the lakefront lots, likely beginning in January. Ostrowski asked if the Village will hire the research out; Larrea stated it will be done in house. Ayes: 6, No: 0.

New Business

2020 Meeting Dates

Danielson moved, Ostrowski seconded, CARRIED, to adopt the 2020 Planning Commission meeting calendar as presented in the packet. Planning Commission meetings will take place on the second Wednesday of every month, beginning at 5:30 p.m. Ayes: 6, No: 0.

2020 Budget

Suppes moved, Ostrowski seconded, CARRIED, to recommend approval to Village Council of the 2020 Planning Commission budget as presented in the packet. The increase requested covers additional hours and the ability to work remotely in the contractual services of the Zoning Administrator, and for educational training. Ayes: 6, No: 0.

Reports

Manager Report VSB 2019-74

Larrea stated that in addition to the Manager report, he has an ongoing Work Plan he can provide if requested. Larrea stated the landscapers did a great job on the new Village Hall landscaping noting the large 600-pound stone that is standing upright faces due north. Larrea stated the plow truck has been repaired and is back in the Village and that the new Utility truck is getting picked up on Thursday.

ZBA Report

The ZBA meeting on the variance request will be held in December.

Parks and Rec Committee

Committee members will meet briefly following tonight's meeting to set up meeting dates and times.

Master Plan Workshop

Hetler, Hylwa, Suppes and Couturier attended this workshop. Hetler stated the workshop was very informative and that a very useful book was provided to them which will assist during the update of the Village's Master Plan. It is recommended the Village use 2020 census information when updating the Master Plan, which should be available in early 2021. The update will begin prior to the 2020 census availability however, noting a process that involves notifications of the "Intent to Plan", as well as other notifications to the Village population.

Housing Summit

Suppes and Ostrowski attended the Housing Summit, stating it was a great learning experience. The role of the Summit was to provide tools to create affordable housing in Northwest Michigan. Challenges, examples, processes and financing were all discussed at the Summit.

Norte Walk Update

Ostrowski participated in the walk and provided a summary of the various aspects of the walk. The goal of the walk was to identify areas that may present issues in creating/enhancing a walkable and cycling community. Larrea stated he supported the idea of extending sidewalks and further stated the information assembled as a result of the walk could be useful when developing the Master Plan.

Announcements


The next Planning Commission meeting will be held on December 11, 2019, at 5:30 p.m.

Adjournment

Suppes moved, Pontius seconded, CARRIED, to adjourn the meeting. Ayes: 6, No: 0.

The meeting adjourned at 6:20 p.m.

Meeting minutes submitted by Shar Fay, Village Clerk.

		VILLAGE OF SUTTONS BAY REPORT VSB -2020- 08	
Prepared:	February 5, 2020	Pages:	1 of 1
Meeting:	February 12, 2020	Attachments:	<input checked="" type="checkbox"/>
Subject:	Map Amendment		

PURPOSE

To correct the inadvertent rezoning of properties located at 408 & 410 N. St Joseph Street (45-043-770-285-00 and 45-043-770-288-00).

BACKGROUND

Based on previous discussions and an inquiry made by the owner of 410 N. St. Joseph Street, it is apparent that the Village unintentionally changed the zoning of two parcel's, with the adoption of the 2018 Zoning Map. We have received a formal request by the owner of the property of 410 N. St. Joseph Street to correct the map.

Based on our research it is apparent that the petitioner requested a zoning change from the N-G North Gateway zoning district to the CB Central Business district and was granted the request. (See Ordinance 3 of 2007) Unfortunately, when the Village adopted the NEW 2018 Zoning Map, the map failed to reflect the change made to the previous map. The attached amendment will rectify the mistake and grant the owner the proper zoning of CB Central Business district.

ACTION REQUESTED:

If the Planning Commission feels it has the information necessary to move forward with the correction of the map, a motion for consideration is provided.

MOTION THAT the proposed amendment to the Village of Suttons Bay Zoning Map, as described in Report VSB-2020- 08 be scheduled for a public hearing.

VILLAGE OF SUTTONS BAY
Zoning Ordinance Amendment No. 2

Village Ordinance No. 3 of 2007

AN ORDINANCE TO AMEND ARTICLE 2 OF THE VILLAGE OF SUTTONS BAY ZONING ORDINANCE.

THE VILLAGE OF SUTTONS BAY ORDAINS:

Section 1. Article 2: Official Zoning Map of Suttons Bay

The Official Zoning Map of Suttons Bay is hereby amended to change the zoning designation of the following described parcels from North Gateway Area (NGA) to Central Business Area (CBA).

Address of property: 408 and 410 N. St Joseph Street

Property Numbers: 45-043-770-285-00 & 45-043-770-288-00

Legal Description of property: Lots 285, 286, 287, and 288, Block 10, Village of Suttons Bay, Section 28, T30N R11W.

Section 2. Conflicts.

If any provision of the Village of Suttons Bay Zoning Ordinance conflicts with this Ordinance, then the provisions of this Ordinance shall control.

Section 3. Effective Date.

This Ordinance shall become effective the day following its publication in a newspaper of general circulation within the Village.

VILLAGE OF SUTTONS BAY

By: Larry Mawby

Larry Mawby, Village President


By: Dorothy Petroskey

Dorothy Petroskey, Village Clerk

Date of Council Approval: 4-16-07

Date of Publication: 4-26-07

Effective Date: 4-27-07

		VILLAGE OF SUTTONS BAY REPORT VSB -2020-10	
Prepared:	February 6, 2020	Pages:	1 of 4
Meeting:	February 12, 2020 Planning Commission	Attachments:	<input type="checkbox"/>
Subject:	Lakefront Lot Summary		

PURPOSE

The Planning Commission requested that Staff perform a Lakefront Lot Dimensional study as identified in Report VSB-2019-79. There were several variables to consider in determining how the new zoning ordinance standards came to be and how the current standards best fit the Village. The intent of this report is to provide a brief summary of our findings.

BACKGROUND

The Village adopted its first “official” Zoning Ordinance in 1974, officially repealing the Interim Zoning Ordinance adopted in 1970. The dimensional lot standards were essentially the same as those in the interim ordinance therefore, we did not incorporate those standards into the study. The chart below, identifies various dimensional standards and how they have evolved over the last 45 years along the Villages waterfront district.

TABLE 1 – Lakefront Lot Dimensional Standards

Year	Lakefront District	Minimum Lot Area (SF)	Minimum Lot Width	Maximum Lot Depth	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Waterfront Setback
1974	MDR	9,600	80	N/A	30	10	30	30
1991	MDR	10,000	40	N/A	35	15	40	40
2006	SFW	20,000	100	200	25	15	50	50
2018	SFW	20,000	100	200	25	15	50	50

In reviewing Table 1, it appears that the Village created numerous nonconformities with the adoption of the 1974 ordinance, and looked to correct that mistake in 1991 by reducing the minimum lot width by 40 feet. An increase in setbacks was likely to offset or lessen the burden on neighboring properties and/or to ensure emergency services were taken into consideration.

Interestingly, the change in dimensional zoning standards from 1991 to 2006 was contrary to the statements made by the planning commission who correctly felt“...that the purpose of the Rewrite was to bring everything into conformity; to create less non-conforming uses.” This was not the result, rather, the zoning change produced an increase in non-conformities along the lakefront making it more difficult to improve or expand a resident’s structure. The dimensional standards were then transferred to the 2018 Ordinance.

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STAFF COMMENT

The information provided in Table #1 shows the progression of the minimum lot area required to create a new parcel. Although the increase in size from 1991 to 2006 is substantial the size itself is not that uncommon. The 20,000sf lot area is common along lakeshores and residential single-family districts in this region however they typically lack water and sewer services. Due to the number of non-conformities formed during the change there may be an opportunity to adjust the standards to benefit current land owners.

WATERFRONT REGULATIONS

Single-family residentially zoned properties vary from community to community. Although there are underlying reasons for the size difference there are typically only a handful of variables that dictate residential lot sizes along waterfront properties. For comparison purposes, we researched lakefront communities that permitted single family residential along their shorelines and compared them below.

TABLE 2 – Lakefront Dimensional Standards

Municipality	Lot Area	Maximum Lot Depth	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Waterfront Setback
Bingham Twp.	43,560	N/A	150	40	10	30	30/40
Centerville Twp	22,000	N/A	100	40	10	15	15
Cleveland Twp	30,000	N/A	150	40	10	10	75
Elmwood Twp	12,500	N/A	100	30	10	25	30
Empire	30,000	N/A	100	40	10	10	N/A
Glen Arbor	15,000	N/A	100			15	40
Leland	15,000	N/A	100	40	10	25	N/A
Suttons Bay Township	43,560	N/A	150	40	10	30	50
Kasson (Cedar)	10,000	100	50	25	10	25	N/A
Village of Empire	6,250	100	50/100	10 min 20 max	5	10	N/A
Village of Bellaire	6,000	N/A	50	15	5	10	25
Village of Ellsworth	12,000	N/A	60	25	10	10	50
Village of Northport	15,000	N/A	100	35	20	30	N/A
Village of Suttons Bay	20,000	200	100	25	15	50	50

PLANNING COMMISSION

STAFF COMMENT

Of the 13 communities researched, only 5 of those communities require a larger minimum lot size than the Village of Suttons Bay. Based on the information in Table #2 other communities appear to have already adjusted their parcel size, minimum lot width and setbacks to reflect the needs of their community. From a comparison standpoint, our dimensional standards appear restrictive considering they are serviced by water and sewer.

VILLAGE RESIDENTIAL REGULATIONS

There were several red flags regarding the residential districts within our community some of which we will discuss at a later date. We will narrow our focus to our dimensional standards as they exist today within our residential districts. The Village currently has three single -family zoning districts, which are described in brief, as follows:

- 1) Central Residential – this district is located within “the original street grid system and allows the lowest possible lot sizes”.
- 2) Newer Village residential - which is intended to house “medium density residential lots”
- 3) Single Family Waterfront district - intended for “larger lots, close to a half-acre minimum”

This report has largely focused on waterfront districts however it helps to be able to visually identify these parcels as we move forward. As with comparing our lot sizes to neighboring communities it is also important to look at our residential dimensional standards as a whole also.

Table #3 – Residential Districts Dimensional Standards

Village Residential Districts	Minimum Lot Area	Minimum Lot Depth	Minimum Lot Width/Frontage	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Waterfront Setback
CRD	4000	100	40	15-25	6	10	
NVR	8000	100	80	15	15	15	
SFW	20000	200	100	25	25		50
HR	10000	100	100	40	40	40	
WC	30000	150	200	35	40		50
NG	7200	100	60	15	10	10/15	50
SG	7200	120	60	15	10	10/15	50

STAFF COMMENT

As we noticed in Table #2, our lakefront lots are among the largest along the lakeshore at 20,000 sf. Again, that size is common however it is more common among smaller inland lakes rather than the much larger Lake Michigan. Interestingly, Table #3 identifies a far more intense, multi-family residential district (WC)

PLANNING COMMISSION

that is permitted with comparable dimensional standards. Bayview is another multi-family district (not listed) with a far more intense use than that of single family.

CONCLUSION

The changes to the Ordinance from 1991 to 2006 were quite drastic for an area that was largely developed at the time and served by water and sewer. In addition, it is also likely that property non-conformance, and property owner burden was a secondary concern to their reasoning. Regardless, if the Planning Commission desires to change various dimensional standards within the Single-Family Waterfront District, they are justified to do so however any changes should consider lessening the non-conformities rather than creating more of them.

From the research performed, the Planning Commission should consider the following:

1. The Planning Commission could ask Staff to *recommend new dimensional standards* for the district.
2. The Planning Commission may choose to *decrease the dimensional standards* to lessen the non-conforming parcels created by the 2006 zoning ordinance.
3. The Planning Commission could choose to *leave the district standards as is* and not modify them at this time.

OTHER CONSIDERATIONS

The Village incorporates a minimum lot depth. This standard further complicates lot area and is not needed or used in most communities. The state requires any new parcel to comply with a 4:1 width to depth ratio, therefore, it is unnecessary standard that should be eliminated throughout the Ordinance.