



VILLAGE OF SUTTONS BAY

Planning Commission

420 N. Front Street, Suttons Bay, MI 49682

November 13, 2024 at 5:00 pm

Regular Meeting 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 October 9, Meeting Minutes
6. Public comment/Written communications (Reserved time for items listed on the agenda). Please limit remarks to no more than three (3) minutes
7. Unfinished Business
8. New Business
 - a. Zoning Amendments-Public Hearings
 - Section 5-3 Bayview Stories
 - Section 9-13 Wireless Communication
 - b. Master Plan Priorities
 - c. Budget 2025
 - d. Meeting Schedule 2025
9. Public comment
10. Reports
 - a. Zoning Administration Report
 - b. ZBA Report
 - c. Village Council Updates
11. Good of the order
12. Announcements: Next Regular Meeting December 11, 2024
13. Adjournment

If you are planning on attending this meeting and are disabled requiring any special assistance, please notify the Village Clerk by calling 231.271.3051 or by email at suttonsbay@suttonsbayvillage.org as soon as possible.



VILLAGE OF SUTTONS BAY
PLANNING COMMISSION
REGULAR MEETING
Meeting Minutes of October 9, 2024
420 N. Front Street
Suttons Bay, MI 49682

The meeting was called to order at 5:00 p.m. by Chairperson Hetler.

Present: Feringa, Hetler, Pontius, D. Smith & Campbell
Absent: F. Smith, Hylwa,
Staff present: Petroskey and Kopriva
Guests: None

Chair Hetler welcomed Michael Campbell to the Planning Commission.

Approval of Agenda

Smith moved, Feringa seconded, CARRIED, to approve the agenda as presented.
Ayes: 5, No: 0.

Conflict of Interest: None

Approval of Minutes

Smith moved, Feringa seconded, CARRIED, to approve the Planning Commission special meeting minutes of July 24, 2024 as presented. Ayes: 5, No: 0.

Public Comment/Written Communications

None.

New Business:

Section 5-3 Bayview Stories

Kopriva noted that the Bayview District allows for 1 ½ stories, however permits issued in the last few years allowed 1.0 stories to be built. The planner and zoning administrator noted this has not had any detrimental effects and suggests that the planning commission consider amending Article 5-3 to allow 1 story in the Bayview District.

Kopriva stated that the second housekeeping text amendment suggested is in Article 9-13 relating to wireless communications. This amendment brings the Article into compliance with State law that provides that a special land use permit is not required to put collation equipment on an existing tower.

Feringa moved, Smith seconded, CARRIED, to schedule a public hearing for November 13, 2024 at 5:00 p.m. on the text amendment for Article 5-3 Spatial Requirements relating to the Bayview District and bringing Article 9-13 Wireless Communications into compliance as it relates to the permitting process for collation on an existing tower.
Ayes: 5, No: 0.

Reports

Zoning Administration Report-as presented
Village Council Report: D. Smith indicated that the Village Council appointed Michael Campbell to the vacancy on the planning commission.

Good of the Order

Commissioner D. Smith would like height/stories in the Single-Family Waterfront District discussed at a future meeting and to look at encouraging ADU's/ room rentals.

Staff noted that the zoning administrator, recording secretary and a planning commission member has a conflict with the second Wednesday of the month. They would like to move the meeting to the third Wednesday of the month and move the current ZBA meeting to the second Wednesday. Chair Hetler suggested everyone review their schedules and the Clerk will provide a 2025 meeting schedule next month.

Next Regular Meeting is November 13, 2024. Agenda items to include 1) Public Hearings on Zoning Text Amendments, Height/Stories in the Single-Family Waterfront District, Master Plan Review of Priorities, 2025 Budget and 2025 meeting schedule.

Smith moved, Feringa seconded to adjourn. Ayes: 5, No: 0
The meeting adjourned at 5:30 p.m.

Meeting minutes submitted by Dorothy Petroskey, Clerk.

project memorandum



Landscape Architecture
Planning, Engineering &
Environmental Services

Date: 11.07.2024

From: Sara Kopriva, AICP
To: Suttons Bay Planning Commission

Project: Zoning Ordinance Amendments

 initiative

At the October Planning Commission meeting, the Planning Commission scheduled a public hearing on 2 zoning amendments.

1. Change the story requirement in the BV district
2. Updates to wireless communications to be consistent with State law

Criteria for consideration is located at the end of this report. This criterion must be considered by the Planning Commission when recommending a zoning amendment.

Changes are marked in red below.

BV District

In the BV district, the minimum stories has not been consistently enforced at 1.5 story minimum which has allowed for a few 1 story dwellings to be constructed. It appears that this has not been detrimental to the district and it is suggested to update the language to change the minimum stories for the district to 1.

Section 5-3 Spatial Requirements

Table 5-3 Spatial Requirements- Mixed Use Districts				
Zoning District	CB	NG	SG	BV
Stories- Maximum (number)	1 min., 3 max.	1 ½ min., 2 max.	1 ½ min., 2 ½ max.	1 ½ min. 1 min, 2 ½ max.

Wireless Communications

The wireless communications language in the current zoning ordinance is not consistent with State Law and needs to be updated. The law says that if a wireless provider is co-locating equipment on an existing tower, a special use permit is not required and can be approved administratively. The language below, updates the language to be consistent with State Law.

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- A. Application. The application for special use approval for a wireless telecommunications tower shall be submitted jointly by the owner/operator of the tower and the owner of the property on which the tower is to be located.
- B. Applicability. Pursuant to Section 3514 of P.A. 110 of 2006, as amended, wireless communications equipment is a permitted use of property with a zoning permit and is not subject to Special Land Use approval or any other approval if the following requirements are met:
1. The wireless communications equipment will be collocated on an existing wireless communications support structure or in an existing equipment compound.
 2. The existing wireless communications support structure or existing equipment compound is in compliance with this ordinance or was officially approved by the Zoning Administrator or Planning Commission.
 3. The proposed collocation will not do any of the following:
 - i. Increase the overall height of the wireless communications support structure by more than 20 feet or 10% of its original height, whichever is greater. Increase the width of the wireless communications support structure by more than the minimum necessary to permit collocation.
 - ii. Increase the area of the existing equipment compound to greater than 2,500 square feet.
 - iii. The proposed collocation complies with the terms and conditions of any previous final approval of the wireless communications support structure or equipment compound by the Zoning Administrator or Planning Commission.
- Wireless communications equipment that meets the requirements of subsection 1 (a) and (b) but does not meet the requirements of subsection 1(c) is a permitted use of property if it receives special land use approval.
- A. _____
- B-C. Use. Wireless communication facilities may be considered as principal or accessory uses.
- C-D. Co-Location. A co-location study must be submitted and co-location space must be provided on the proposed tower.
- E. Height. A wireless communications tower shall be exempt from building height limitations; provided, however, that the tower height shall be no higher than the minimum height necessary to serve its intended function and in no case shall exceed 199 feet.
- D. F. Setbacks. The wireless communication tower shall be set back from all property lines a distance not less than the height of the tower, including antennae.

~~E.~~ G. Location. The applicant shall demonstrate that it is not feasible to provide equivalent service by locating the antenna on an existing tower or other existing structure in the Village.

~~F.~~
Impact.

H. Visual

1. A visual impact analysis shall be submitted which includes graphic depictions of the anticipated appearance of the tower from adjacent vantage points in the surrounding area.
2. Photo renderings of the proposed tower at the proposed location must be submitted as part of Site Plan review.
3. The tower shall not have an adverse impact on significant views from properties within one-quarter (¼) mile of the tower site. For purposes of this section, a "significant view" is defined as a view from a residential property that has one or more of the following characteristics:
 - a. A view from a residence and its immediate perimeter that encompasses landscape features substantially free of manmade alteration, as a result of the unique topographic siting of the home.
 - b. A view which is a dominant feature of a residential building site and which contributes significantly to its value, as evidenced by the siting of a home on the property, the size, number, and orientation of windows on the home, and the location and orientation of improved outdoor spaces, such as patios and decks, on the home site.
 - c. The fact that the proposed tower may be visible from a residence shall not alone be considered an adverse impact on a significant view.

~~G.~~ L. Architecture. The tower and any ancillary building housing equipment needed for operation of the tower shall be of a size, type, color, and exterior materials that are aesthetically and architecturally compatible with the surrounding area, and as unobtrusive as possible. Landscape screening and appropriate camouflaging may be required by the Planning Commission to accomplish screening of equipment buildings.

~~H.~~ J. Lighting. The applicant shall provide documentation of any lighting to be installed on the tower. If tower lighting is required or proposed, the tower location may not be approved unless the Planning Commission determines that it will not have a significant adverse impact on properties and residents of the surrounding area.

~~I.K.~~ *Design.* The tower shall be designed to accommodate, and the owner/operator of the tower shall agree to permit, use of the tower by other communications services providers, including local government agencies, on reasonable commercial terms, so long as such use does not conflict with the owner/operator use of the tower.

~~I.L.~~ *Abandonment.* If, for any reason, the tower ceases operation or is abandoned, the Village may order its removal from the site by the owner of the tower and/or the owner of the property on which the tower is located. The tower shall be removed within 90 days of the date of such notification. If the tower is not removed within 90 days of notification by the Village, the Village may arrange for the removal of the tower and shall bill the cost of removal, plus 10 percent of the cost, to the owner of the tower and the owner of the property on which the tower is located.

~~I.M.~~ _____ *Signage.* All signs shall comply with Article 12.

Evaluation of Proposed Text Amendment

Below is an evaluation of the proposed Zoning Ordinance amendment based on the criteria for text amendments set forth in Sec. 18-3(C). (Evaluation in *italics*):

1. The proposed text amendment would clarify the intent of the ordinance.

The proposed text amendments clarify the intent of the ordinance of the ordinance and makes the language consistent with State Law (Wireless Communications)

2. The proposed text amendment would correct an error or oversight in the ordinance.

The amendment will update the ordinance to be consistent with State Law and past practices.

3. The proposed text amendment would address changes to the State legislation, recent case law or opinions from the Attorney General of the State of Michigan.

The proposed text amendment related to wireless communications addresses changes to State Law. The building height is not a change in law or legislation.

4. The proposed text amendment would promote compliance with changes in other County, State or Federal regulations.

The proposed amendment regarding wireless communications will bring the Village in compliance with required language that was changed by the State. Building height is not related to compliance with law.

5. In the event the amendment will add a use to a district, that use shall be fully consistent with the intent of the district and the character of the range of uses provided for within the district.

This amendment does not add a use to a district.

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6. The amendment will not create incompatible land uses within a zoning district, or between adjacent districts.

The amendment does not create incompatible land uses.

7. The proposed text amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.

There does not to appear to be any conflict with any other reports, studies, or other documents.

8. As applicable, the proposed change shall be consistent with the Village's ability to provide adequate public facilities and services.

The amendment will have no impact on the Village's ability to provide adequate public facilities and services.

9. The proposed change shall be consistent with the Village's desire to protect the public health, safety, and welfare of the community.

The proposed text amendments are consistent with the Village's desire to protect the public health, safety and welfare of the community.

project memorandum



*Landscape Architecture
Planning, Engineering &
Environmental Services*

Date: 11.07.2024
From: Sara Kopriva, AICP
To: Suttons Bay Planning Commission
Project: Master Plan Priorities

 *initiative*

Attached is worksheet for the action items from the recently adopted Master Plan. The Planning Commission should review and determine the priority of each of the items so that a plan can be established for implementing the Master Plan.

Please bring your master plan with you for reference and discussion.

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CATEGORIES

Housing: Provide a range of housing choices for all ages and incomes within proximity to local goods, services, and businesses.

Natural Resources: Maintain and improve the quality of the Village's natural resources to support the local ecosystem and recreational activities today and for generations to come.

Transportation: Provide safe, convenient, and accessible transportation network for residents, businesses, and visitors.

Economic Development: Strengthen the local economy by supporting local businesses and employers in the Village.

Community Identity: Foster a distinctive, attractive community with a strong sense of place.

Category	Action Item	Priority High / Medium / Low	Time Frame 1 yr / 1-3 yrs / 5 yrs
Housing	Consider changes to residential zoning districts to permit housing opportunities for all age groups that are consistent with the goals and intent of the Master Plan.		
Housing	Assess the Zoning Ordinance to ensure it allows appropriate residential retrofits for accessibility in order to help older residents remain in their homes.		
Housing	Streamline the development review process when units include workforce housing*		
Housing	Create incentive programs for developments that include a variety of housing sizes*		
Housing	Incorporate applicable concepts from the MEDC's Redevelopment Ready Communities program into the Zoning Ordinance and improve the development review process for applicants, the approving body, and community*		
Housing	Map priority development areas for workforce and/or attainable housing and "pre-permit" selected sites within the designated priority development area(s).^		
Housing	Consider permitting single-family homes to be converted to multi-family units.^		
Housing	Consider an overlay district to delineate priority development area(s) for housing options where they are not currently prohibited without adding new zoning districts or changing boundaries.^		
Housing	Consider zero lot line homes in mixed use areas. The CB district is currently the only district w/a zero front setback.^		

Housing	Consider dormitory housing or boarding room housing in certain districts under defined conditions for the purposes of seasonal workforce housing.^		
Housing	Consider allowing accessory dwelling units (ADUs) in all districts (currently only permitted in NG, SG and BV districts).^		
Housing	Consider allowing an additional ADU (one attached and one detached) on the same property.^		
Housing	Limit or eliminate short-term rental of ADUs in districts targeted for workforce housing.^		
Housing	Define "long-term rental" in the Zoning Ordinance and distinguish between "long-term rental" and "workforce housing."^		
Housing	Consider limiting short-term rentals in areas/districts targeted for workforce housing and identifying areas where both may be appropriate.^		
Housing	Consider developing form-based zoning standards associated with residential areas to promote walkability and compatibility with existing development.^		
Housing	Update Planned Unit Development (PUD) regulations to include more specific language to support workforce housing.^		
Housing	Incorporate incentives with the PUD standards in the Zoning Ordinance (density bonus, reduced parking required, utility hookup fees, minimum dwelling and lot width and size, height bonuses, etc.).^		

^ Derived from Housing North's Northwest Michigan Housing Ready Checklist. The Planning Commission discussed the checklist and its applicability to the Village during the planning process. Additional study is required.

* Originally from the 2011 joint Master Plan's action plan. These items continue to be relevant to Village goals, but may have been adapted to ensure relevance to the Village going forward.

Category	Action Item	Priority High / Medium / Low	Time Frame 1yr / 1-3 yrs / 5 yrs
Natural Resources	Develop and enforce a set of natural features ordinances that will protect key natural features.*		
Natural Resources	Preserve and enhance the natural characteristics found at the "gateways" to the Village along M-22 and M-204 through the Zoning Ordinance, landscaping, signage, and site plan review process.*		
Natural Resources	Create a tree planting plan that identifies a priority list for tree planting and maintenance.		
Natural Resources	Discourage development in areas with slopes greater than 18 percent through the Zoning Ordinance, natural features ordinances, and site plan review process.*		
Natural Resources	Review the environmental standards in the Zoning Ordinance (Section 2-6) to assess whether they are producing expected protection and/or if any refinements to the ordinances are needed.*		

Natural Resources	Assess Zoning Ordinance standards for stormwater management and alternative energy systems to ensure alignment with best practices.		
Natural Resources	Encourage or incentivize energy efficiency, environmental sensitivity, and sustainability in the Zoning Ordinance (e.g., solar panels, EV charging stations, etc.).		

* Originally from the 2011 joint Master Plan's action plan. These items continue to be relevant to Village goals, but may have been adapted to ensure relevance to the Village going forward.

& Originally from Village 2022 Goals/Objectives.

Category	Action Item	Priority High / Medium / Low	Time Frame 1 yr / 1-3 yrs / 5 yrs
Transportation	Update parking standards to facilitate the installation of electric vehicle (EV) infrastructure.		
Transportation	Assess Zoning Ordinance standards for new sidewalks and pathways associated with the construction of recent developments in the Zoning Ordinance.		

* Originally from the 2011 joint Master Plan's action plan. These items continue to be relevant to Village goals, but may have been adapted to ensure relevance to the Village going forward.

& Originally from Village 2022 Goals/Objectives.

Category	Action Item	Priority High / Medium / Low	Time Frame 1 yr / 1-3 yrs / 5 yrs
Economic Development	Assess the Zoning Ordinance to ensure that building design is high quality and encourages pedestrian activity.		
Economic Development	Assess how well the Zoning Ordinance standards provide for adequate buffering, lighting, and noise regulations to minimize the negative impact on neighboring residents and businesses. Make refinements to these standards as needed.*		
Economic Development	Assess the Zoning Ordinance standards for mixed land uses to see if development has occurred as anticipated and/or if any refinements to the ordinances are needed.*		
Economic Development	Assess the Village's ADU provisions to determine whether refinements are needed to encourage additional ADUs and/or to update standards for layout and appearance.*		

* Originally from the 2011 joint Master Plan's action plan. These items continue to be relevant to Village goals, but may have been adapted to ensure relevance to the Village going forward.

Category	Action Item	Priority High / Medium / Low	Time Frame 1 yr / 1-3 yrs / 5 yrs
Community Identity	Plan for and install wayfinding signage throughout the Village.*		
Community Identity	Incorporate recommendations of the M-22 Scenic Corridor Guidebook into the Zoning Ordinance.		
Community Identity	Update the Village's sign ordinance as needed to ensure that signs are compatible with the character of the Village.*		
Community Identity	Assess Zoning Ordinance standards for waterfront and shoreline development (public and private) to ensure that public access and views of the shoreline and Suttons Bay are adequately protected.*		
Community Identity	Assess Zoning Ordinance standards to ensure new development and redevelopment supports walkability.*		
Community Identity	Assess Zoning Ordinance standards for streetscapes, landscapes, and façades for residential and non-residential developments within the Village.		


* Originally from the 2011 joint Master Plan's action plan. These items continue to be relevant to Village goals, but may have been adapted to ensure relevance to the Village going forward.

2024 AMENDED BUDGET PROPOSAL
2025 PROPOSED BUDGET
Submitted for November Committees

	2022 Actual	2023 Actual	2024 Adopted	2024 Amended	2025 Proposed	
Planning & Zoning						
Administrative Wages	15,993	16,953	18,100	22,709	11,580	
Wages	6,497	13,005	15,100	620	6,000	
Wages - Planning Commission	3,880	2,800	4,825	4,825	4,825	PC per diem, pd annually in Dec
Wages - Zoning Board of Appeals	280	720	850	400	800	ZBA per diem,pd annually in Dec
FICA Contribution	1,618	2,099	1,450	1,785	1,345	
Medical Insurance	2,097	2,332	2,300	2,022	740	
Workers Compensation Insurance	43	140	155	842	850	
Retirement Contribution	2,199	2,803	2,600	1,841	1,158	
Life, AD&D Insurance	171	171	167	115	70	
Unemployment Insurance	1	2	640	117	101	
Office Supplies	157	680	700	300	700	
Postage	152	250	500	100	500	
Professional Planning Services	20,000	7,463	5,000	0	5,000	Prof Services -not part of monthly planning agreement
Zoning Ordinance - Planning	500	0	15,000	0	15,000	Zon Ord Review/Reformat moved to 2025
Legal Fees	2,273	7,020	7,000	0	7,000	
Contractual Services	9,710	7,431	6,000	7,000	7,000	Planner - billed monthly
Printing & Publishing	1,331	1,498	4,000	3,000	5,000	legal notices, mtg pubs, prc and master plan copies
Education, Training & Dues	2,208	150	2,000	1,000	2,000	PC Training
Total Planning & Zoning	69,110	65,517	86,387	46,677	69,669	

2025 MEETING SCHEDULE
FOR THE
VILLAGE OF SUTTONS BAY

[illegible]

		VILLAGE OF SUTTONS BAY ZONING REPORT	
Prepared:	11/01/2024	Pages:	1 of 1
Meeting:	November PC & Council	Attachments:	0 <input type="checkbox"/>
Subject:	Zoning Report for October 2024		

LAND USE PERMITS ISSUED

		NEW	ADU	ALTERATIONS	ACCES.	FENCE	COMMERCIAL,
DATE	TOTAL	HOMES		ADDITIONS	STRUCT.		SIGNS / OTHER
October 2024	0	0	0	0	0	0	0
Year To Date	25	9	1	4	4	2	5

STAFF REPORT

- Inquiries on Land Use Permits.
- One Land Use Permit pending.
- Two driveway permit reviews in conjunction with the DPW.

FUTURE ACTION REQUESTED: