



VILLAGE OF SUTTONS BAY
Planning Commission
420 N. Front Street, Suttons Bay, MI 49682
September 13, 2023 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 August 9, 2023
6. Public comment/Written communications (Reserved time for items listed on the agenda). Please limit remarks to no more than three (3) minutes
7. Old Business
 - a. Draft Master Plan -Review Changes-Set for Public Hearing for October 11, 2023
 - b. Wetland Protection Language/Ordinance Discussion
 - c. Zoning Amendment- High Water Mark, Water's Edge
 - d. Zoning Amendment- ADU definition
8. New Business
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 October 11, 2023
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
MEETING MINUTES OF AUGUST 9, 2023

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

Present: Feringa, Hetler, Hylwa, Pontius, Smith and Suppes
Absent: Ostrowski
Staff present: Fay and Kopriva, Planner

Approval of agenda

Hylwa moved, Smith seconded, CARRIED, to approve the agenda as presented.
Ayes: 6, No: 0.

Approval of minutes

Smith moved, Suppes seconded, CARRIED, to approve the Planning Commission meeting minutes of July 12, 2023, as presented. Ayes: 6, No: 0.

Public comment

Public Comment received from Lois Bahle.

Public Hearing – Amendment to Section 9-7A. Multi Family Development

Hetler noted a typo in Kopriva's report dated 8-4-23 and under Section 9-7, #2 should read, No more than 18 units per acre gross density.

Larry Mawby, applicant on behalf of Peninsula Housing, urges recommendation to Village Council of this proposed amendment.

The public hearing opened at 5:05

The public hearing was closed at 5:06

Commissioners considered the Findings of Facts found in Sara Kopriva's report dated 08-04-23. Following consideration, Smith moved, Suppes seconded, CARRIED, to recommend approval to Village Council of the zoning ordinance amendment, to increase number of units per building to 18 in Section 9-7, as it meets the criteria of

Section 18-3 (c) of the Zoning Ordinance. Commissioners stated the amendment does not increase density, but rather keeps the gross units in a single building per acre.

Ayes: 6, No: 0.

Review and Recommendation on Draft Master Plan – Future Land Use Map and Text recommended changes

Commissioners reviewed the proposed Future Land Use Descriptions, the Future Land Use Map changes, the Zoning Plan changes, and the Implementation/Housing changes of the proposed Master Plan presented at the meeting, and made the following comments, further requesting changes/corrections to Jill Bahm.

Future Land Use Plan

- Page 33, under Commercial; add the word “Community” preceding the word “Commercial.” Also under this section, add language similar to what is in the Central business district that would encourage, or give the opportunity to expand, 2nd floor residential (commercial on the ground floor and residential on the 2nd floor).

Future Land Use Maps

- Confirm the colors on the map are correct, are easily differentiated, and make changes if necessary.

Commissioners requested a Zoom meeting with Jill Bahm as soon as possible, if necessary, to confirm the FLUM is correct and in accordance to the Planning Commission meeting minutes of July 12, 2023.

Wetland Protection Language/Ordinance Discussion

Commissioners reviewed proposed language for Section 2-6 Environmental Protection and requested Kopriva to continue to work on this section. Commissioners requested integrating an overlay of the wetlands in the Zoning ordinance, and adding language concerning the removal of invasive species in the wetlands.

Commissioners requested Kopriva to work on clarifying the language regarding the setback from Lake Michigan to all districts and define the high-water mark as the historical high-water mark.

Commissioners further requested continued work on Section 4-3 Spatial Requirements (Residential District) and Section 5-3 Spatial Requirements (Mixed Use Districts).

Public comment

Public comments received from Larry Mawby and Lois Bahle.

Reports

Zoning Administration Report - The ZA report was submitted by Patmore and can be found in this meeting packet.

Village Council updates – Suppes stated Village Council has scheduled a joint meeting with the DDA for September 13th.

Good of the order

Pontius asked why Village Council wanted Planning Commissioners to look at the definition of an ADU? Kopriva stated she is working on clarifying language for the September meeting.

Adjournment

Feringa moved, Hylwa seconded, CARRIED, to adjourn the meeting.
The meeting adjourned at 6:27 p.m.

Meeting minutes submitted by Shar Fay, Clerk.

memorandum

DATE: September 7, 2023
TO: Village of Suttons Bay Planning Commission
FROM: Jill Bahm, Giffels Webster
CC: Rose Kim and Eric Pietsch, Giffels Webster
SUBJECT: 2023 Master Plan Update – Public Hearing & Adoption

Please find attached the Final Draft Master Plan for consideration. The remaining steps in this planning process are as follows:

- The Planning Commission sets a date the public hearing, allowing time for the required 15-day notice.
- The Planning Commission holds the public hearing.
- The Planning Commission considers adoption of the Plan as outlined in the attached resolution.
- Following the Planning Commission action, the Village Council will also consider adoption of the Plan as outlined in a separate resolution.
- Begin Implementation!

We are available to assist with wrapping up the Master Plan and moving forward as needed. We thank the Planning Commission and Village Staff for their hard work and thoughtful consideration during the planning process.

Future Land Use Plan

Future Land Use Map

The Future Land Use Map illustrates where the Village intends to locate general land use categories into the future. [Map 2](#) is accompanied by text that describes the categories shown on the map. The text is general in nature, to allow for some flexibility, but it should also be specific enough to not only guide any zoning amendments that may be needed to realize the vision of the plan but also to provide the Village support for land use policies and decisions (like a planned unit development (PUD) or a rezoning application). Where the Future Land Use Map and Zoning Map are out of alignment, zoning amendments may not be intended to be imminent; rather, the recommendations set a long-range planning goal.

[Table 1](#) shows the future land use designations from the 2011 joint Master Plan. Descriptions of the 2011 land use categories can be found in [Context: Long-Range Planning in the Township](#).

Table 1. Future Land Use Categories, 2011 to 2022

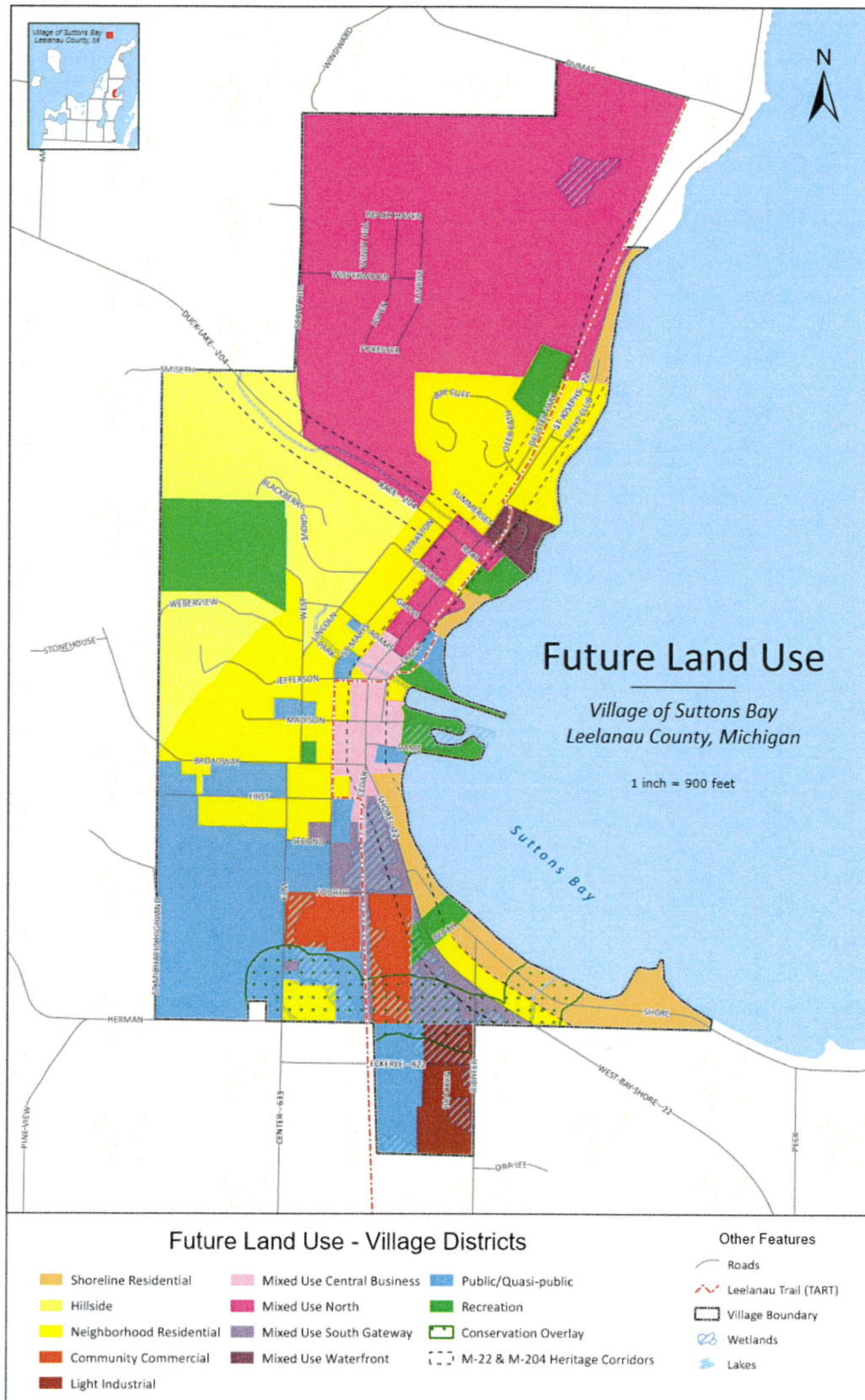
2011 Future Land Use Category	2022 Future Land Use Category
Rural Residential	Hillside
Neighborhood Residential	Neighborhood Residential
Shoreline Residential	Shoreline Residential
General Commercial	Community Commercial
Mixed Use Center	Mixed Use Central Business
Mixed Use North	Mixed Use North
Mixed Use South	Mixed Use South Gateway
Mixed Use Waterfront	Mixed Use Waterfront
Business Park	Light Industrial
Recreation	Recreation
Public/Semi-Public	Public/Quasi-public
Conservation (overlay)	Conservation (overlay)
M-22 and M-204 Heritage Corridors (overlay)	M-22 and M-204 Heritage Corridors (overlay)
Village Growth Management Area	--*

* The Village Growth Management Area was included in the previous 2011 joint Master Plan with the Township. Containing development in the Village does not seem practical or necessary at this time, but the Village may revisit it in the next update to the Master Plan.

Indicates category has been renamed



Map 2. Future Land Use Map, 2023



2022 Future Land Use Descriptions

Hillside

The Hillside category includes residential developments that represent the transition from the Township to the Village to a setting that is comprised of single-family dwellings characterized by the presence of natural landscape features and scenic views. Two-family dwellings and accessory dwellings that are compatible with single-family homes offer different dwelling types in this area. Space between homes preserve scenic views.

Neighborhood Residential

The Neighborhood Residential category includes homes laid out in a pattern based on the Village's historic grid street and sidewalk system and features a mix of small lots and shallow setbacks and larger lots with wider setbacks. New homes and additions should be compatible with the site layout and building form found in Neighborhood Residential areas. Non-residential uses commonly found in residential areas, such as parks, playgrounds, places of worship and schools are expected. Improving and maintaining walkability is essential in these areas to ensure residents have access to local goods and services.

Shoreline Residential

The Shoreline Residential category includes residential developments that occur along shorelines. These developments incorporate techniques which help minimize the potential negative environmental and aesthetic impacts on the water resource. For example, shoreline buffers that help prevent erosion and filter storm water run-off is an encouraged design feature of new residential developments. In addition, developments that provide visual access to the water, pedestrian paths, public parks, and open space are preferred over developments that "wall off" the community from the water resource.

Mixed Use

The Mixed Use category provides for areas where combinations of employment, housing, shopping, services, and recreational amenities are integrated in a compact, pedestrian oriented form. The Suttons Bay Community has several mixed use areas. However, each area has its own character and key features, which sets the tone for future development. These categories include:

Mixed Use Central Business

The Mixed Use Central Business area is comprised of the historic core of the Village and is characterized by traditional multi-story buildings set to the sidewalk. The area will contain a mix of uses to serve visitors and tourism as well as year-round residents and contribute to and promote active street life and vitality in the center of the Village. The repurposing of buildings is encouraged to promote sustainability and preservation while filling the gaps in otherwise walkable blocks.

Mixed Use North

The Mixed Use North area starts at the northern boundary of the Village, through the intersection of M-22 and M-204 and moves south to the traditional center of downtown. The area closer to downtown was originally developed with a detached single-family home form that has been allowed to transition from residential to non-residential uses that have the effect of extending downtown north along M-22. Residential uses are still encouraged, particularly moving north out of the downtown area. Existing structures could be renovated with additional units, into duplex, triplex and quadplex homes to provide additional needed housing close to downtown.

Further north (north of M-204), most of this designated area is currently zoned "PUD." However, the development approved several years ago stalled and there has been minimal development associated with that approval. Should that change over time, it is envisioned that an amendment to that PUD, or new PUD agreement, would be a mix of residential dwellings including single-family detached homes, townhomes, duplex, triplex, and quadplex homes. This may also include limited commercial businesses that serve the nearby residents.



Mixed Use South Gateway

The Mixed Use South Gateway area at the south end of the Village is intended to provide goods, services and residential opportunities to the Suttons Bay community. Building siting and design encourages pedestrian activity, with sidewalks and pathways connecting land uses to surrounding areas. Landscaping and building materials should be high quality to ensure long-term maintenance. Auto-oriented uses are not envisioned in this area.

Mixed Use Waterfront

There is one area along the lake shore designated as Mixed Use Waterfront; this is a mixed residential development that includes a marina. There are no additional areas of the Village with this designation at this time.

Community Commercial

The Community Commercial land use category includes existing stand-alone business and shopping centers that are intended to provide service to the Suttons Bay community rather than regional shoppers. Similar to the Mixed Use **Central Business and South Gateway** land use designations, new building siting and design should support pedestrian activity, with sidewalks and pathways being added over time to connect land uses to surrounding areas. Future landscaping and building materials should be high quality to ensure long-term maintenance. **Mixed-use buildings (commercial uses on the ground floor level and residential uses on the second floor level) should be encouraged or given opportunities to expand to serve residents and contribute to walkability in the Village.**

Light Industrial

The Light Industrial category provides for limited industrial, public service and office uses activities that pose minimal environmental impacts. Support uses such as childcare, community center, and technical training/educational facilities would also be appropriate in these areas. To support the local workforce, these areas should provide sidewalks and pedestrian access to both downtown and commercial areas as well as to nearby residential housing.

Recreation

The Recreation category includes existing and future recreational facilities identified in the Village of Suttons Bay Recreation Plan. In general, this includes active and passive parks in addition to specialty parks, regional facilities, water access, trails, and other unique recreational facilities based on physical features or community focus.

Public/Quasi-public

The Public/Quasi-public category includes facilities that are designed to serve the public interest, such as educational, governmental, religious, health, correction, military, cemeteries, airports, and public safety.

Conservation (overlay)

The Conservation category includes lands that have extremely sensitive natural systems, significant public/semi-public land holdings, or managed forest preserves. Permanent alterations to the natural landscape and the development of infrastructure are discouraged in these areas.

M-22 and M-204 Heritage Corridors Overlay

The M-22 Heritage and M-204 Corridors category includes lands adjacent to the M-22 and M-204 Corridors, which are part of the state-designated “Leelanau Scenic Heritage Route,” a 64-mile route around the Leelanau Peninsula. The 2012 Leeland Scenic Heritage Route Corridor Management Plan provides guidance on access management, landscaping, and other aesthetic standards to help preserve the natural character of the roads.

Future Land Use Map Changes

Comparing the previous map from the 2011 joint plan ([Map 3](#)) The new Future Land Use map prepared for this update ([Map 2 on page 31](#)) illustrates the changes that have been made from the 2011 joint plan's Future Land Use Map ([Map 4 on page 78](#)). The changes are discussed in detail below.

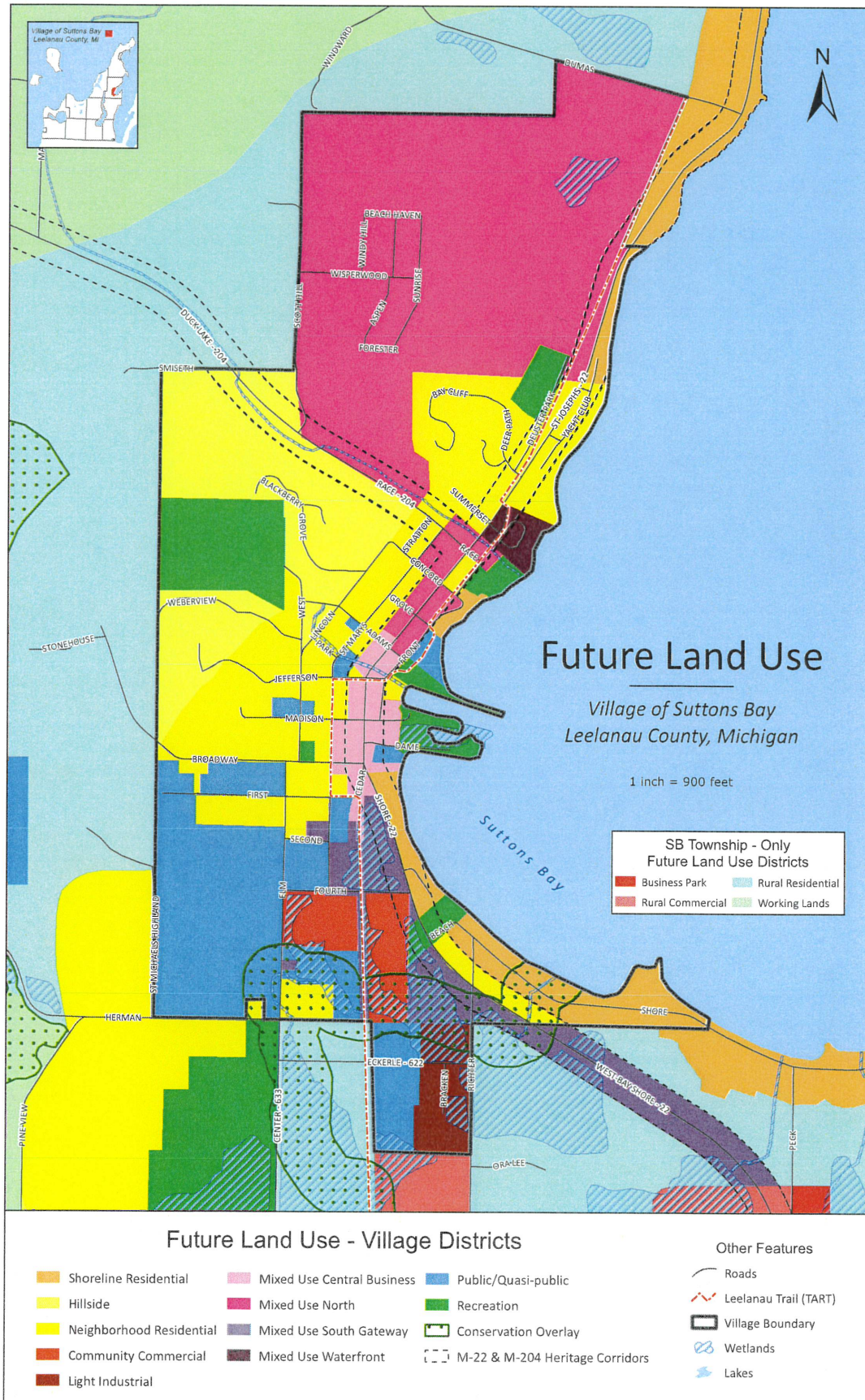
The Future Land Use map from the 2011 joint Master Plan can be found in the [Context: Long-Range Planning in the Township](#) section of [Appendix A: Community Profile](#).

- **Northwest of Lincoln Street.** This area has changed from Neighborhood Residential to Hillside to align with its zoning of Hillside Residential and the less traditional neighborhood design of the Neighborhood Residential category.
- **West of Elm Street between Broadway and 1st Street.** A portion of this area's designation has changed from Public/Quasi-public to Neighborhood Residential, as it is zoned Newer Village Residential and not intended to primarily accommodate public uses in the long term.
- **East of M-22, roughly between Broadway and 4th Street.** This area is similar to the stretch below it along Shore Drive, and is zoned **Single Family Waterfront** and is unlikely to redevelop to fit into a Mixed Use category, so it has been changed from Mixed Use South to Shoreline Residential.
- **North of M-204.** These areas were identified based on a 2006 land use change analysis completed by Michigan State University. In general, the methodology involved interpretation of aerial photography into a multilevel system of land use categories. The Suttons Bay Joint Planning Commission relied on the 2006 analysis to help determine the location of existing land uses for the purposes of the Future Land Use map, but there were no concrete plans for the recreation areas other than Deuster Park, which has seen an increase in use in recent years. They are now designated Mixed Use North to allow for greater flexibility in the northern part of the Village going forward. The developed portion of the shoreline has been designated as Shoreline Residential.
- **Areas near Leo Creek between Elm Street and Richter Road.** ~~These~~ areas in the southern portion of the Village ~~that~~ were designated as Rural Residential; ~~the area northeast of the creek has also been consolidated from General Commercial~~ ~~are being updated to Community Commercial~~ to Mixed Use South Gateway, and the corresponding areas on the Zoning Map are zoned as South Business, the areas now reflect the extension of Mixed Use South Gateway in the south end of the Village ~~to align with the Zoning Map's South Business district.~~
- **East of Elm Street and around the Leelanau Trail, south of downtown.** North of 4th Street, this area was mostly designated as General Commercial ~~and Public/Quasi-public~~, but has now been consolidated with the former Mixed Use South category into a new Mixed Use South Gateway category for clarity and consistency of development because of the similarities in the two areas designated in 2011.
- **Leo Creek Preserve.** The unlikelihood that this property will change compelled an update to its future land use designation from Rural Residential to Public/Quasi-public.
- **North of Eckerle Road, south of Leo Creek between the Leelanau Trail and Richter Road.** These properties are similarly unlikely to change and Light Industrial is a more appropriate category than Hillside or Mixed Use South Gateway.
- **Other changes.** The Village Growth Management Area has been removed in this iteration of the Future Land Use Map. Other features and elements that were not present in the Village were also omitted, including tribal properties and the Lake Leelanau Mixed Use category. St. Michael's Church is designated as Public/Quasi Public. Finally, the areas owned by the Village and operated as parks, including Ice Rink Park and areas at the south end by the bay are updated to Recreation.



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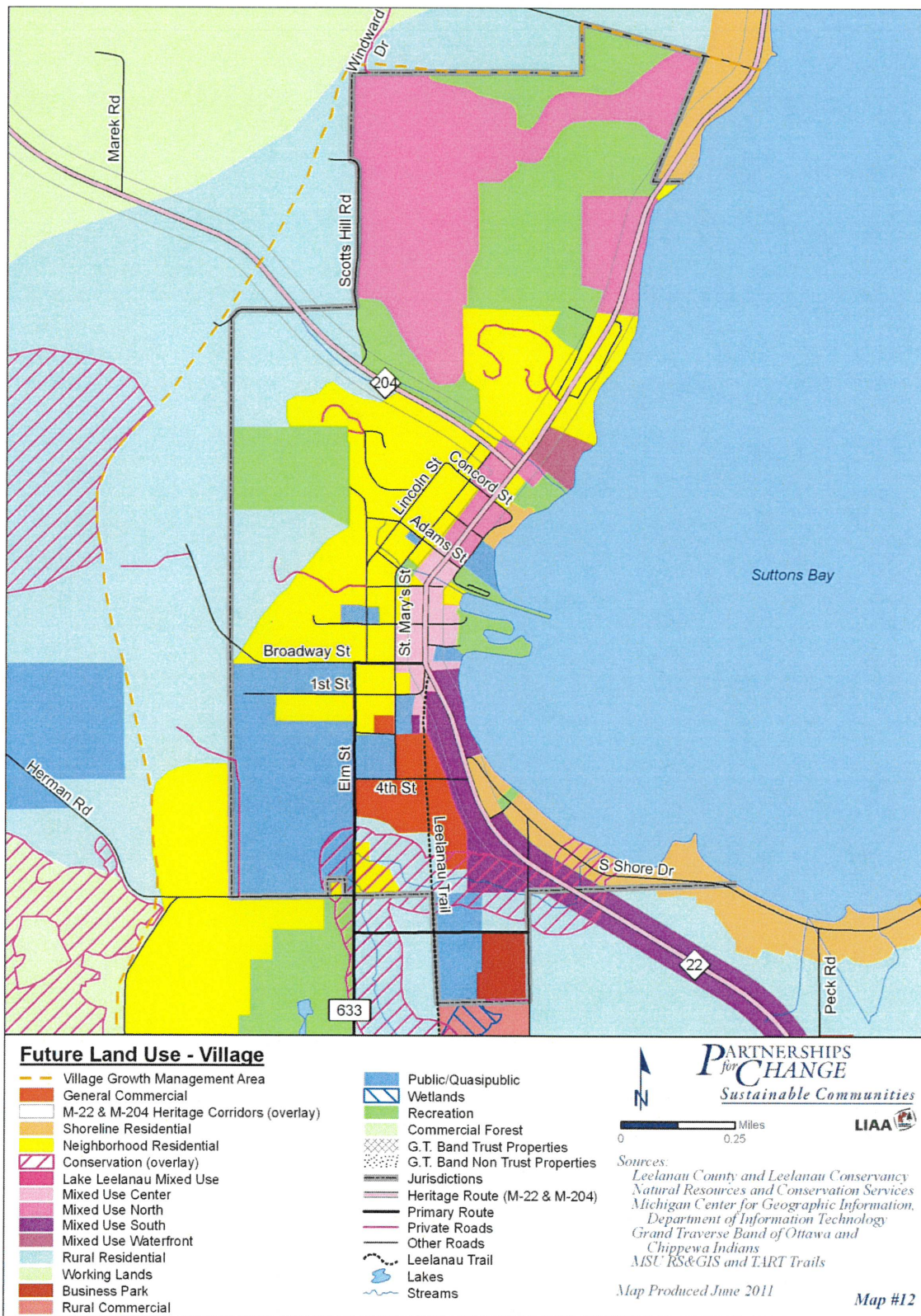
Map 3. Updated Village of Suttons Bay Future Land Use Map with Bordering Township Areas, 2023



This map is prepared by Leelanau County for reference purposes only. Leelanau County is not liable for any errors that may be found herein.

RHerman_8_30_2023

Map 4. Village of Suttons Bay Future Land Use Map, 2011



This map is used for general planning purposes only. The map layers are compiled from a variety of sources and should not be used for site specific decision making. No liability is assumed for the accuracy of the data delineated herein either expressed or implied.



Date: 09.08.23
From: Sara Kopriva, AICP
To: Suttons Bay Planning Commission
RE: Wetland Ordinance


initiative

Action: Informational

At the August meeting the Planning Commission discussed the need to regulate wetlands as a way to protect the valuable natural resource in the community. Upon further research for this meeting, I have found that while setbacks from wetlands can be easily regulated in the Zoning Ordinance, the work that is within the wetland, should be in a separate ordinance and needs to comply with State requirements.

I have attached some reading materials and sample ordinance that the State has available. I am working with our GIS technician to see if a wetlands map that is acceptable to the State is something that is easily made or if it will take many hours to accomplish. I'm hoping to have more details available at the meeting for you.

At this time, please read through the same ordinance to see if this is accomplishing what you would like to protect the wetlands.

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Date: 09.08.23
 From: Sara Kopriva, AICP
 To: Suttons Bay Planning Commission
 Project: Zoning Amendment- High Water Mark, Water's Edge

 initiative

Next Steps: Following discussion by the Planning Commission, the next step would be to schedule a public hearing.

Recommended Motion: Motion the schedule a public hearing on the high water mark zoning amendment for October 11, 2023 at 5 PM

Last month the Planning Commission discussed adding a definition regarding water's edge and high water mark. It was determined that the Lake Michigan setback would be measured from the historical high water mark. Language has been updated and clarified to show changes that are needed in the Zoning Ordinance. Changes are in **bold** and highlighted in **Yellow** below.

Section 4-3 Spatial Requirements

A. *Spatial Requirements- Residential Districts.* All lots shall meet the minimum area and width requirements of Table 4-3. New lots shall not be created, except in conformance with these requirements. All structures and their placement on a lot shall conform to the minimum dimensional requirements listed in Table 4-3.

Table 4-3 Spatial Requirements- Residential Districts

Residential Districts	Min. Depth (ft.)	Min. Width/ Frontage	Setbacks (feet)					Height of Primary (feet)	Stories	Building Coverage	Max. Impervious Coverage
			Primary Street Front	Side Street Front	Side	Rear/ Alley	Lake Michigan				
CR	100	40/40	15-251	62	6	10	-	30	2.5	40%	50%

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Table 4-3 Spatial Requirements- Residential Districts											
Residential Districts	Min. Depth (ft.)	Min. Width/ Frontage	Setbacks (feet)					Height of Primary (feet)	Stories	Building Coverage	Max. Impervious Coverage
			Primary Street Front	Side Street Front	Side	Rear/ Alley	Lake Michigan				
NVR	100	80/40	15	15	15	15	-	30	2.5	30%	40%
SFWR	200	100/100	25	25	15		50	30 (street) 40 (lowest grade)	2.5	Greater of 30% or 2,500 SF	Greater of 30% or 2,500 SF
HR	100	100/20	40	40	40	40	-	30, 40 for dwellings with walk out basement	2.5	Lesser of 40% or 8,000 SF	Lesser of 50% or 10,000 SF
WC	150	200/200	35	35	Lesser of 35 or height of bldg.		50	35	2.5	25%	40%

B. *Single-Family and Two-Family Garages.* If garage doors are oriented toward the primary street frontage, they must be positioned at least five (5) feet behind the primary façade of a house. The total width of garage door openings shall not exceed 40 percent of the total width of any street-facing elevation of the house. On a corner lot, a garage facing a secondary street may be flush with the secondary side elevation or behind.

C. The Lake Michigan setback shall be measured from the Lake Michigan Historical High Water Elevation as determined by the US Army Corp of Engineers.

Section 5-3 Spatial Requirements

A. *Spatial Requirements- Mixed Use Districts.* All lots shall meet the minimum area and width requirements of Table 5-3. New lots shall not be created, except in conformance with these requirements. All structures and their placement on a lot shall conform to the minimum dimensional requirements listed in Table 5-3.

 initiative

Table 5-3 Spatial Requirements- Mixed Use Districts		CB	NG	SG	BV
Zoning District		CB	NG	SG	BV
Minimum Depth (ft.)		120	100	120	
Width (ft.)		25 min.	60 min., 120., max.	60 min., 120., max.	
Minimum Frontage		25	Equal to width	Equal to width	
Front Setback	Front/ Primary Street (ft.)	0 max. ³	15 min.	15 min.	15 min.
	Front/ Secondary Street (ft.)	0 min., 5 max.	10 min.	15 min.	15 min.
Side Setback	Adjacent Commercial (ft.)	0 min.	10 min.	10 min.	5 min.
	Adjacent Residential (ft.)	10 max.	10 min.	10 min.	5 min.
Rear Setback	Alley (ft.)	0 min.	10 min.	10 min.	10 min.
	Lot (ft.)	10 min.	10 min.	10 min.	20 min.
	Secondary Street (ft.)	0 min., 20 max.	15 min.	15 min.	15 min.
	Lake Michigan(ft.)	50 min.	50 min.	50 min.	50 min.
Height- (ft.) ⁴	All buildings	15 min., 35 max.	35 max.	35 max.	35 max.



	Corner lot buildings	20 min. 5	35 max.	35 max.	35 max.
Stories- Maximum (number)		1 min., 3 max.	1 ½ min., 2 max.	1 ½ min., 2 ½ max.	1 ½ min., 2 ½ max.
Building Coverage Maximum (%)		-	40	40	-
Impervious Surface Maximum (%)		-	50	50	-
Front Parking Setback (ft.)		25 min.	-	-	-
Building Frontage Minimum (%)	Primary Street	80	-	-	-
	Side Street	50	-	-	-
	Secondary Street	50	-	-	-

B. The Lake Michigan setback shall be measured from the Lake Michigan Historical High Water Elevation as determined by the US Army Corp of Engineers.

Section 20-11

SETBACK means the minimum required horizontal distance measured from the lot lines or Lake Michigan Historic High Water Elevation as determined by the US Army Corp of Engineers to a building as designated by the applicable zoning district, or a structure, as applicable elsewhere in the ordinance.

Section 20-13 Definitions: W-Z

Water's Edge means the line where the water and shore meet when the water level is static. For fluctuating water bodies other than Lake Michigan, it shall be the line where the water and shore meet when the water is at its annual high level. **For Lake Michigan, it shall be the Lake Michigan Historic High Water Elevation as determined by the US Army Corp of Engineers.**

Date: 09.08.2023
From: Sara Kopriva, AICP
To: Suttons Bay Planning Commission
Project: ADU Definition

i
initiative

Next Steps: Following discussion by the Planning Commission, the next step would be to schedule a public hearing.

Recommended Motion: Motion to schedule a public hearing on the ADU definition for October 11, 2023 at 6PM.

When the Village Council was reviewing and adopting changes to the accessory dwelling unit restrictions there was discussion about clarifying the definition to Accessory Dwelling to ensure that only 1 accessory dwelling unit would be allowed per parcel. Below are proposed changes in **bold** and highlighted in **yellow**.

Section 20-12 Definitions: U - V

USE

A. **ACCESSORY USE** means a use naturally and normally incidental to, subordinate to, and devoted exclusively to the principal use of the land or buildings located on the same lot.

1. **ACCESSORY DWELLING** means **one** attached or detached dwelling subordinate to the principal single-family dwelling, **on the same parcel**, that contains an independent living area, including sleeping quarters, a bathroom, living area and kitchen facilities. **Not included in this definition are parcels containing more than a single-family dwelling and one accessory dwelling.**

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		VILLAGE OF SUTTONS BAY ZONING REPORT	
Prepared:	09/07/2023	Pages:	1 of 1
Meeting:	September PC & Council	Attachments:	0 <input type="checkbox"/>
Subject:	Zoning Report for August 2023		

LAND USE PERMITS ISSUED

DATE	TOTAL	NEW HOMES	ADU	ALTERATIONS ADDITIONS	ACCES. STRUCT.	FENCE	COMMERCIAL & SIGNS
August 2023	2	0	0	2	0	0	0
Year To Date	21	2	1	5	1	2	10

LUP 2023-20 Addition to single-family dwelling – 25 S. Shore Dr.
 LUP 2023-21 Addition to single-family dwelling – 917 S. Elm Street
 Revisions to previously issued permits.

STAFF REPORT:

- Several Inquiries on zoning requirements and standards – preliminary reviews.
- The Circuit Court held a hearing on August 28 on the appeal of the ZBA Decisions earlier this year. The Judge will issue a written opinion.
- Inquiries from Bayview Phase 1 Association regarding unbuilt residential units that they own and possible revisions to PUD.

FUTURE ACTION REQUESTED: None at this time.