



**VILLAGE OF SUTTONS BAY**  
Planning Commission  
420 N. Front Street, Suttons Bay, MI 49682  
**August 9, 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 July 12, 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. Public Hearing Amendment to Section 9-7A. Multi Family Development
  - b. Review and Make Recommendation on Draft Master Plan -Future Land Use Map and Text recommended changes
  - c. Wetland Protection Language/Ordinance Discussion
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 September 13, 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](mailto:suttonsbay@suttonsbayvillage.org) as soon as possible.



VILLAGE OF SUTTONS BAY  
PLANNING COMMISSION MEETING  
MINUTES OF JULY 12, 2023

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

Present: Feringa, Hetler, Ostrowski, Pontius, Smith and Suppes  
Absent: Hylwa  
Staff present: Fay and Jill Bahm of Giffels Webster

Approval of agenda

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

Approval of minutes

Suppes moved, Ostrowski seconded, CARRIED, to approve the June 14, 2023 meeting minutes as submitted. Ayes: 6, No: 0.

Public comment

Public comments received from Larry Mawby representing Peninsula Housing, and Lois Bahle.

Master Plan – Future Land Use Map (FLUM) discussion

It was the consensus of Commissioners to change the FLUM in several areas (listed here from north to south):

- Where the proposed FLUM indicates “Mixed Use North” along the shoreline, should be designated “Shoreline Residential,” consistent with the existing development.
- North of Broadway, east of West Street, should be designated “Public/Quasi-Public,” for Ice Rink Park.
- South of Broadway, west of Elm should be designated “Public/Quasi-Public,” for St. Michael’s Church
- South of Fourth, roughly between M-22 and Elm, should be changed back to the previous FLUM designation of “Commercial,” to align with the zoning map designation of “south business district.”
- West of the beach lot (north of Beach Road) should be designated “Recreation,” consistent with the current public properties along either side of M-22.

- The area south of Beach Road, between M-22 and the boundary of the M-22 Heritage Corridor should be designated “Neighborhood Residential to align with existing development.
- Check the orientation of the label for Bracken Road on the south end of the Village.

Along with the map changes, the Planning Commission also discussed the land use descriptions noted on pages 32-33 of the Master Plan. The following modifications were discussed:

- Mixed-Use North: clarify that the direction for the Mixed-Use North area is to have a mix of residential housing types north of M-204; limited commercial businesses may also be considered to serve that residential area.
- Update the Mixed-Use South to clarify that it is not the intention to add intense, auto-oriented uses in those areas nor along M-22.
- Add a “Commercial” land use designation back that provides for non-residential uses that serve the Suttons Bay community as well as residential uses; over time, it is envisioned that sidewalks will be added and the area will become more pedestrian-friendly.

Action item: Update the FLUM as noted. Add clarifying language to the FLUM descriptions.

The Planning Commission discussed other areas and confirmed keeping the previously approved PUD with the remaining property. The intent is to keep it mixed residential with small commercial.

#### Master Plan Draft – Action Items: Housing – Zoning, pages 43-44

Commissioners discussed the action items list for the Housing goal and confirmed that the section reflects earlier discussions, but did recommend the following changes:

- Strike the following action item:  
Consider allowing an accessory dwelling (one attached and one detached) on the same property.
- Add Consider before limiting or eliminating short-term rental of ADUs in districts targeted for workforce housing.
- Add Consider the differences, if any, between (deleting “define...”) long-term, seasonal, and work-force housing.
- Add Consider updating Planned Unit Development (PUD) regulations to include more specific language to support workforce housing.
- Add Consider incorporating 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.
- Add a new zoning item, “Consider adding residential uses to the South Business Zoning District.”

It was the consensus of Commissioners that once the Master Plan has been approved, that the Planning Commission agendas should include a “Master Plan Implementation” agenda item where topics from the Action Items can be discussed.

#### Resolution – Peninsula Housing

Smith moved, Ostrowski seconded, CARRIED, to support the Resolution submitted by Peninsula Housing found in this packet. Ayes: 6, No: 0.

#### Public comment

Public comment received from Larry Mawby.

#### Reports

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

ZBA report – Smith stated a variance request submitted by Crackels to add a front porch, was approved.

Village Council updates – Suppes stated a Transportation Economic Development Fund Resolution for road maintenance funding (50% match) to apply for grant funding was adopted.

#### Announcements

The next regular Planning Commission meeting will be held on August 9, 2023.

The meeting adjourned at 6:28 p.m.

Shar Fay

Date: July 19, 2023

Approval date:

STATE OF MICHIGAN  
COUNTY OF LEELANAU  
VILLAGE OF SUTTONS BAY

PUBLIC HEARING NOTICE

The Village of Suttons Bay Planning Commission will hold a public hearing at the Village office meeting room located at 420 N. Front Street, Suttons Bay, MI at their Commission Meeting scheduled for Wednesday, August 9, 2023 at 5:00 P.M. regarding the following text amendments:

To amend section 9-7 A. Multi-Family Development to read:

A. *Maximum Units.*

- 1) No more than **18 units per structure**
- 2) No more than 18 units per acre gross density.

Information regarding the request may be examined by contacting the Office of Planning & Zoning at the Village of Suttons Bay, during regular business hours of 8:00 a.m. – 4:00 p.m., Monday through Thursday, and 8:00 a.m. – Noon on Friday, at 231-271-3051. Comments or questions may be sent by email to [suttonsbay@suttonsbayvillage.org](mailto:suttonsbay@suttonsbayvillage.org); or to Village of Suttons Bay, PO BOX 395, Suttons Bay, Michigan 49682.



Date: 08.04.23  
From: Sara Kopriva, AICP  
To: Suttons Bay Planning Commission  
RE: **Section 9-7 Remove 8 unit per Building** Amendment

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**Action:** Motion to recommend **approval/approval with changes/denial** of the zoning ordinance amendment to increase number of units per building to 18 from Section 9-7 to Village Council, as it **meets/does not** meet the criteria of Section 18-3(c) of the Zoning Ordinance.

At the June meeting, the Planning Commission discussed concerns that came from the Village Council meeting. It was decided that the maximum number of units in a multiple family dwelling should not removed but could be increase from 8 units to 18 units. The text to be considered is below and included in the public hearing notice.

**Section 9-7 Multi-Family Development**

- A. *Maximum Units.*
  - 1. No more than 18 units per structure
  - 2. No more than 19 units per acre gross density
- B. *Open Space.* Open spaces comprising at least 10 percent of the total gross area of the project shall be planned and built as a common area.

The Planning Commission will need to review the amendment against the criteria listed in Section 18-3(C) of the Zoning Ordinance. Below are proposed findings that are a starting point for the Planning Commission to consider but feel free to amend or change as you see fit.

**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 intent of the zoning ordinance is to allow for a variety of housing choices in the Village and protect the public health, safety and welfare of the residents and visitors. The*

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231.933.8400 ph  
231.944.1709 fx

616.585.1295 ph

*amendment does not increase the overall density allowed on a property. It does increase the number of units allowed per building.*

2. The proposed text amendment would correct an error or oversight in the ordinance.  
*The amendment would not correct an error or oversight.*

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 is not in response to any State legislation, recent case law or opinions from the Attorney General.*

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4. The proposed text amendment would promote compliance with changes in other County, State or Federal regulations.  
*The proposed amendment would not promote compliance with changes in other County, State or Federal regulations.*

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.*

6. The amendment will not create incompatible land uses within a zoning district, or between adjacent districts.  
*The amendment does not add a use to a district but amend a requirement for construction. Multi-family dwellings are currently allowed in the Waterfront Condominium (WC) district and Bay View (BV) and proposed in South Gateway (SG) and South Business (SB).*

*Typically lots are smaller in the Village but there would be opportunities for larger lots to have one building with many units which may create a look and character, incompatible with adjacent uses. For example, a 3 acres lot under the current ordinance would be able to have 54 units but a maximum of 18 units per building.*

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 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.

*It is currently unknown whether the proposed change is consistent with the Village's ability to provide adequate public facilities. The Village is in the process of determining the available capacity of public water and sewer. There is a potential that the increased density will not be able to be developed should the Village find out that the public water and/or sewer system cannot support the addition units.*

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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 is consistent with the Village's desire to protect the public health, safety and welfare of the community.*



# memorandum

**DATE:** August 1, 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 – Final Changes

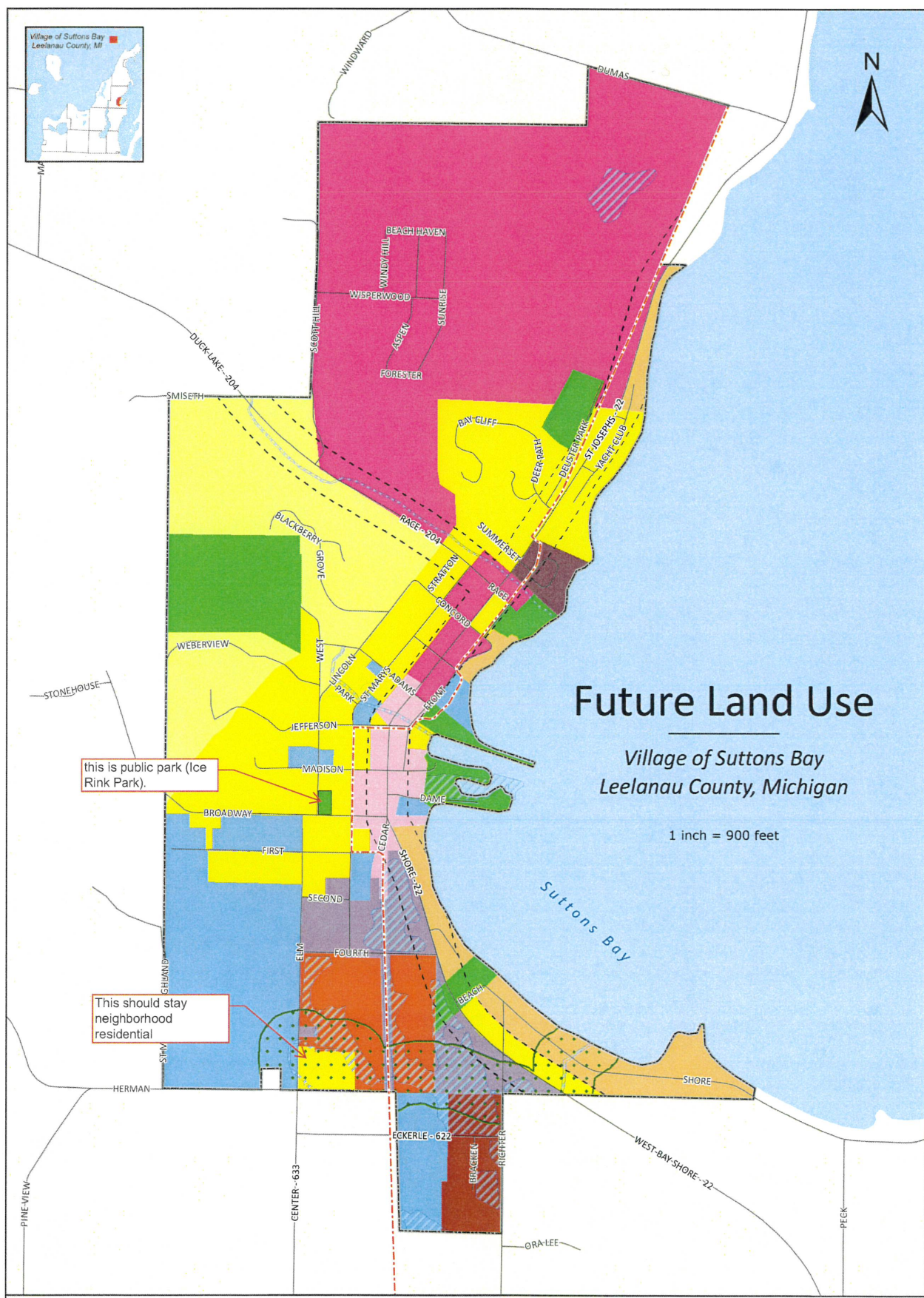
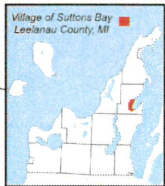
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At its July meeting, the Planning Commission reviewed the Final Draft Master Plan and considered feedback from Village Council. A few refinements to the Plan were directed by the Planning Commission. Those items are shown with ~~strike through~~ for deleted text and **pink** for new language. Changes may be found on:

- Modifications to the Mixed Use North, Mixed Use South and Commercial land use designations – see pages 32-33. The first change notes that, while a PUD is in place over property at the north end of the Village, this situation could change and the intent is to see a mix of residential housing types in this area (with limited commercial uses to serve those residents). The other changes bring the Commercial land use designation back to the map, noting that there is existing development that should transition to a more walkable environment in the future. Further, language is added to clarify that the Mixed Use South designation is not intended for auto-oriented uses.
- Map 2 – the Future Land Use (FLU) map has been updated per our discussion
- Map 3 – the changes from the 2011 FLU map and the associated text with those changes (pages 34-35) are updated.
- The Zoning Plan on page 40 is updated to reflect the Commercial land use designation
- Housing Action Items are updated based on the Planning Commission's discussion. The language about additional study for certain items has been refined for clarity.

## Next Steps

- The changes made are minor in nature and do not require additional review by the agencies who have already reviewed the Village's final working draft plan. At this time, the Planning Commission may wish to set the required public hearing for September and consider adopting the Master Plan.



# Future Land Use

Village of Suttons Bay  
Leelanau County, Michigan

1 inch = 900 feet

this is public park (Ice Rink Park).

This should stay neighborhood residential

## Future Land Use - Village Districts

- |                          |                            |                                 |
|--------------------------|----------------------------|---------------------------------|
| Shoreline Residential    | Mixed Use Central Business | Public/Quasi-public             |
| Hillside                 | Mixed Use North            | Recreation                      |
| Neighborhood Residential | Mixed Use South Gateway    | Conservation Overlay            |
| Commercial               | Mixed Use Waterfront       | M-22 & M-204 Heritage Corridors |
| Light Industrial         |                            |                                 |

## Other Features

- Roads
- Leelanau Trail (TART)
- Village Boundary
- Wetlands
- Lakes



Date: 08.04.23  
From: Sara Kopriva, AICP  
To: Suttons Bay Planning Commission  
RE: Wetland and Waterfront Amendment



**Action:** Discussion. After discussion, the Planning Commission may decide to move forward with a public hearing on the language.

At the June meeting, the Planning Commission directed staff to look at potential changes to the Zoning Ordinance related to wetlands. Currently there is no protection of wetlands from filling or clearing if a State permit is issued. The Village would like to protect the existing wetlands better by not allowing for the filling or destroying of wetlands.

#### Section 2-6 Environmental Protection

- G. *Wetland Protection.* Within 10 feet of a delineated wetland, an undisturbed area of vegetation shall be maintained and woody and native herbal species shall not be removed. Trees with a trunk diameter of three (3) inches at breast height, four and a half (4 ½) feet or greater, shall not be removed unless dead or dying. Trees and other woody plant material of a smaller diameter at breast height shall not be removed. **No construction, filling, grading, or removal of vegetation shall occur within a regulated or unregulated wetland.**

While looking at language related to protecting natural resources, language clarifying the setback from Lake Michigan to all districts. It is proposed to add the following language to the following sections:

***Shoreline Yard and Setback Requirements.*** Except for boat ramps, docks, harbor master offices, and piers, all other structures shall be set back a minimum of 50 feet from the established Lake Michigan historic high-water elevation (582.3 feet IGLD 1985) unless a greater setback from the shoreline is required by the DNR/DEQ or other public agency.

**Section 4-3 Spatial Requirements (Residential Districts).** Add "C".

**Section 5-3 Spatial Requirements (Mixed Use Districts)** Add "B".

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**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. **ADD: For Lake Michigan, it shall be the historic high-water elevation of 582.3 feet IGLD 1985.**

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		<h2 style="margin: 0;">VILLAGE OF SUTTONS BAY</h2> <h3 style="margin: 0;">ZONING REPORT</h3>	
Prepared:	08/04/2023	Pages:	1 of 1
Meeting:	August PC & Council	Attachments:	0 <input type="checkbox"/>
Subject:	Zoning Report for July 2023		

**LAND USE PERMITS ISSUED**

DATE	TOTAL	NEW HOMES	ADU	ALTERATIONS ADDITIONS	ACCES. STRUCT.	FENCE	COMMERCIAL & SIGNS
<b>July 2023</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>
<b>Year To Date</b>	<b>19</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>10</b>

- LUP 2023-16    Addition to single-family dwelling – West St.
- LUP 2023-17    Sign – St. Joseph Street
- LUP 2023-18    New single-family dwelling – Stratton Way
- LUP 2023-19    Bed & Breakfast – S. Shore Dr.

**STAFF REPORT:**

- Several Inquiries on zoning requirements and standards – preliminary reviews.
- Follow-up on complaints and zoning letters.
- Circuit Court appeal of ZBA Decisions – Brief being prepared - Hearing set for August 28.
- Keeping a log of items in the zoning ordinance that should be addressed in the future.

**FUTURE ACTION REQUESTED: None at this time.**