

AGENDA
SUTTONS BAY TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
Tuesday, April 4, 2023
6:00 PM

The Meeting will be held at the Suttons Bay Township Office, 95 W. Fourth Street, Suttons Bay, MI 49682. The public may also participate in the meeting through Zoom access by computer and smart phone using the following link:

<https://us02web.zoom.us/j/87951055085?pwd=WktrZ0ZnUkpBQkhmZ2tPSURuWUFmdz09>
Meeting ID: 879 5105 5085 Passcode: 216670 Phone Number: (312) 626-6799 or (305) 224-1968

Call to Order and Notation of Quorum

Approval of Agenda

Conflict of Interest

Approval of Minutes:

- February 7, 2023
- March 7, 2023

Public Comment

Items of Discussion/Consideration:

1. Update on the Application for Housing at 1054 S. Herman Road – Richard & Michelle Baldwin.
2. Zoning Ordinance Overhaul Project:
 - Staff update and research
 - Continue Review of Article 6 – referring back to definitions and chart of uses.
 - Articles 7, 8, and 4 as time allows

Reports:

Zoning Administrator	Steve Patmore
Planner:	Mathew Cooke, Networks Northwest
Township Board:	Doug Periard
Chair Comments:	Tom Koernke

Commissioners' Comments

Public Comment

Next Meeting: Special Meeting/Workshop on Tuesday, April 18, 2023 at 6:00 p.m.

Adjournment (8:00 PM unless extended by a motion.)

Commission Packets can be viewed at: <https://www.leelanau.gov/suttonsbaytwppln.asp>

This meeting is a session of the Suttons Bay Township Planning Commission held in public for the purpose of conducting the Commission's business and is not to be considered a public community meeting. There is time set aside for public comment during the meeting as noted on the Agenda, and the Planning Commission welcomes the public's input at that time.

STAFF COMMENTS ON JANUARY 3 & FEBRUARY 7, 2023 PC MINUTES

FOR APRIL 4, 2023 MEETING

SUTTONS BAY TOWNSHIP PLANNING COMMISSION

January 3, 2023:

These Minutes were corrected and approved at the February 7, 2023 PC Meeting, with changes to page 2 and page 3.

These changes have been incorporated into the Approved Minutes, which are attached.

February 7, 2023:

These Draft Minutes were tabled at the March 7th PC meeting, as they stated that the January 3rd Minutes were approved as presented.

These Draft Minutes have been amended to incorporate the changes made at the February meeting and are attached for your approval.

DRAFT MINUTES

SUTTONS BAY TOWNSHIP PLANNING COMMISSION REGULAR MEETING - FEBRUARY 7, 2023

The public may participate in person or by remote access through Zoom by computer or smart phone - Meeting ID - 826 8343 0359 Passcode 051170

CALL TO ORDER and NOTATION OF QUORUM

Tom Koernke, Chair, called the Regular Meeting of the Suttons Bay Township Planning Commission to order on Tuesday, February 7, 2023, at 6:02 p.m.. at the Suttons Bay Township Office, 95 W. 4th St., Suttons Bay, MI.

Present: Tom Koernke, Dee McClure, Rhoda Johnson, Patti Miller, Doug Periard
Don Gregory, Andy Brandt, John Clark, Dennis Rathnaw

Absent: None

Staff: Steve Patmore, Mathew Cooke, Marge Johnson

Chair Koernke declared a quorum of the Planning Commission is present.

APPROVAL OF AGENDA

Dee McClure/moved, Tom Koernke/supported, to approve the Agenda, motion passed.

PUBLIC COMMENT

Sharon Livingston asked a question regarding Leelanau Watersports. Steve Patmore responded to Ms. Livingston's question.

CONFLICT OF INTEREST

Dee McClure received Notice regarding Korson Rezoning. Steve Patmore said no conflict of interest at this meeting.

APPROVAL OF MINUTES - JANUARY 3, 2023

Chair Koernke asked if there were any additions or changes to the draft Minutes of the January 3, 2023 Minutes. The following were offered:

- *On page 2, top paragraph, 2nd bullet point should read: "Plan on moving the sewer to the south side of Herman Road which would tie into the Village sewer with permission from the Village." (Commissioner Miller noted that any sewer extension will require village approval.)*
- *On page 3, the motion for Chair should be corrected to read: "Dennis Rathnaw/moved, Don Gregory/supported to nominate Tom Koernke as Chair and to close the nominations, and cast a unanimous ballot, motion carried. Tom Koernke was ~~appointed~~ elected as Chair."*
- *On page 3, the motion for Vice-Chair should be corrected to read: "Dennis Rathnaw/moved, Tom Koernke/supported, to approve Don Gregory as Vice-Chair, and Dee McClure as Secretary, and to close the nominations, and cast a unanimous ballot, motion carried."*

Dee McClure/moved, Dennis Rathnaw/supported, to approve the January 3, 2023 Minutes ~~as-submitted~~ as-corrected, motion passed.

Items of ~~Discussion~~ Discussion/Consideration:

1. Introduction of Application for Re-Approval of Special Use Permit for Multi-Family Housing at 1054 S. Herman Road - Richard & Michele Baldwin - Schedule Public Hearing

Steve Patmore submitted his Report -

Herman Road Apartments -

Applicant - Richard & Michele Baldwin.

Current Owner - Baldwin Homes and Land

Existing ~~Zoning~~ **Zoning**: Agricultural

Proposed Project: 14 Unit Multi-Family Site Plan, 1054 S. Herman Rd.

Background:

- The Applicant received Site Plan Approval and Special Land Use Permit Approval in January 2021.
- These approvals expired on January 1, 2023.
- There are no provisions in the current zoning ordinance ~~to extend~~ **ordinance** to ~~extend~~ **extend** this approval any further.
- The Applicants have indicated that they do intend on proceeding with this project.
- The Applicant ~~has~~ **Applicant** has re-applied for approval.
- The new Application is almost ~~identical~~ **identical** to the previously approved Site Plan.
- The Final Site Plan is very similar to the Preliminary Plans that were approved in 2021.
- The zoning ordinance has not changed since 2021 in a manner that would affect this project.
- One change in the Application is that some of the units may be sold as condominium units. They would still meet the definition of a multi-family dwelling. However, the condominium documents would need to be reviewed and approved by the township.
- This is a detailed Site Plan Review - a Public Hearing must be conducted.

Attachments:

- Application and Site Plan for Special Land Use Permit and Site Plan Approval.
- Excerpt of Minutes from January 5, 2021 PC Meeting showing approval.
- Staff Report and Findings from Final Site Plan Review.

Michele Baldwin, represented Baldwin Homes & Land

Presentation -

- Site Plan - 4 buildings with 14 units which will be sold as "Homeownership Units".
(Plan to sell 10 units (3 buildings) and keep 4 units (1 building) for long term rentals.
Will be condominium project. (\$200,000 to \$300,00 housing range)
Funding thru grants will be available for units targeted for middle income population.

Obtained and completed following permits, approvals and plans:

- DEQ with State of Michigan.
- Well Permit with Leelanau Health Department.
- Approval letter with Steve Christensen for storm water, retention pond, soil erosion.
- Approval letter from Leelanau County Road Commission.
- Filed Part 41 Sewer Application with State of Michigan.
- Final sewer plans with requested revisions from The Village by Umlor Group
- Construction drawings (blueprints) and elevations for construction by architect.
- Drawings from Consumers Power for electrical.
- Drawings from DTE for natural gas.

Need to complete the following -

- Maintenance agreement with the Township for roads, retention pond, drainage, common areas.
- Easement with Township for roads, drainage, retention pond
- Condominium documents/bylaws
- Final landscape plan per township ordinance
- Sewer permit (working on this with The Village)
- Leelanau County Road Commission bond and traffic control procedures for construction.

Steve Patmore - The Planning Commission requested that the February 7th meeting be an introduction. There can be no deliberations made until after the Public Hearing. Planning Commissioners can ask ~~questions~~ **questions**. Unless there are any objections to scheduling the Public Hearing, it will be scheduled for March 7, 2023.

2. Introduction of an Application to Rezone Property off of Lover's Lane from Agricultural to Residential, submitted by Gloria Korson, 166 N. Stony Point Road. Part of 45-011-023-002-00.

Steve Patmore submitted his Report.

Korson Rezoning Application

Applicant - Gloria Korson

Existing Zoning: Agricultural

Proposed Project: REzone 2.854 acres of the parcel from Agricultural to Residential

Process -

- A rezoning is a Zoning Map Amendment to the Official Zoning Ordinance, and is covered in the Michigan Enabling Act and the Suttons Bay Township Zoning Ordinance.
- The ~~Planning~~ **Planning** Commission reviews applications for Map and Text ~~Amendments~~ **Amendments**, conducts a Public Hearing, and makes a recommendation to the Township Board.
- By statute, the recommendation is also reviewed by the County Planning Commission.
- The Township Board then considered the formal amendment to the zoning ordinance.
- The Michigan Statute provides for the ~~voluntary~~ **voluntary** offering of conditions for a rezoning by an applicant. These must be voluntary and must be submitted in writing. **There are no voluntary conditions included with this application.**

Background:

- Application received on January 18, 2023

- A Public Hearing is required, and can be scheduled for March 2023.
- Neighboring properties were rezoned to Residential in 2010 and 2014.
- A Staff Report and Findings will be presented for the Public Hearing.
- Note: The Planning Commission is not being asked to ~~approve~~ **approve** the lot layout shown on the survey. This would be a Land Division review. Only review the overall 2.854 acres.

The February 7th meeting is an introduction. There can be no ~~deliberations~~ **deliberations** or decisions made until after the Public Hearing. Planning Commission can ask questions. Unless there are any objections to scheduling the Public Hearing, it will be scheduled for March 7, 2023.

Attachments provided in meeting packet:

- Application, Survey, and Legal Descriptions.
- Vicinity Map prepared by Staff.
- Article 25 of zoning ordinance that provides standards for rezoning.

Comments

PC requests Minutes from previous rezoning.

Tom Koernke - Propose when the first lot is sold, that some of the proceeds to toward cleaning up junk along Stony Point Rd on the original parcel.

3. Zoning Ordinance Overhaul Project-Networks Northwest
 Mathew Cooke submitted a Memo regarding the Zoning Ordinance **Ordinance** Overhaul Project. PC would like to review definitions and tables before sending the document to the township attorney. Special meeting to be held on April 18, 2023.

4. Distribution of current Planning Commission By-Laws as requested in January.
Dee McClure/moved, John Clark/supported, to amend Section 10, paragraph 2 of the Bylaws, that the regular meetings of the Planning Commission will be held on the 1st Tuesday of the month at 6:00 p.m., and adjourning the meeting at 8 pm, motion carried.

Reports

Zoning Administrator - Steve Patmore submitted his Report and discussed training ~~opportunities~~ **opportunities**.

Planner - Planning Commission Roster sent out.

Township Board - Changes in accounting procedures.

Chair Comment - Hope to begin reviewing master plan.

Commissioner Comments - Status of Housing Checklist

Public Comment - None

Next Regular Meeting - March 7, 2023

Adjournment - Meeting adjourned at 7:17 p.m.

Minutes by Marge Johnson, Recording Secretary

Dee McClure, Secretary

Clarifications noted at the March 7, 2023 were made by Staff.

Minutes approved as-corrected on _____.

MINUTES
SUTTONS BAY TOWNSHIP PLANNING COMMISSION
REGULAR MEETING - JANUARY 3, 2023

The public may participate in person or by remote access through Zoom by
computer or smart phone - Meeting ID 8268343 0359 Passcode 051170

Call to Order and Notation of Quorum

Dennis Rathnaw, Chair, called the Regular Meeting of the Suttons Bay Township Planning Commission to order on Tuesday, January 3, 2023, at 6:02 p.m. at the Suttons Bay Township Office, 95 W. 4th St., Suttons Bay, MI

Present: Dennis Rathnaw, Dee McClure, Rhoda Johnson, Patti Miller, Doug Periard, Tom Koernke, Don Gregory

Absent and excused: Andy Brandt, John Clark

Staff Present: Steve Patmore, Mathew Cooke, Marge Johnson

Approval of Agenda

Dennis Rathnaw/moved, Don Gregory/supported, to approve the Agenda as amended, striking Item #1, Sharon Livingston Documents, motion carried.

Public Comment

Zach Hillyer, Housing Program Director for Leelanau County with Housing North, thanked the Planning Commission for having the Housing North Checklist on the agenda.

Larry Mawby, Peninsula Housing, asked the Planning Commission to consider the Housing Checklist and accessory dwelling units in the Master Plan and Zoning Ordinance update.

Conflict of Interest - None

Approval of Minutes - November 1, 2022

Tom Koernke/moved, Rhoda Johnson/supported, to approve the November 1, 2022 Minutes as submitted, motion carried.

Items of Discussion/Consideration

2. Richard Baldwin- Special Use Permit - Multi-Family Residential Development- Herman Road

Steve Patmore -

- Special Use Permit will expire in January 2023. The Permit cannot be extended, it would need to re-approved by the Planning Commission.
- Nothing has changed in the Zoning Ordinance at this time that would affect the project as far as zoning is concerned. The Special Land Use Permit has to be reapproved starting at the February Meeting with a public hearing.
- There are conditions with the Special Use Permit. The Permit approval would be contingent upon the sewer being resolved.

Approved Suttons Bay Township Planning Commission Regular Meeting Minutes
January 3, 2023

Richard Baldwin -

- Has DEQ Permit from the State, well permits, letters of approval from Steve Christensen, have final site plan approval.
- **Ended-up Plan on** moving the **proposed** sewer to the south side of Herman Road which **is would** tied into the Village sewer, **with permission from the Village**. Hasn't seen new Agreement for sewer with the Village of Suttons Bay.
- Applied for PART 41 Permit, EGLE, construction permits.

Consensus of the PC to have an introduction in February with the Public Hearing in March.

3. Housing Ready Checklist

Steve Patmore -

- It should be noted a similar checklist was discussed with Leelanau County Housing Action Committee. However, to the best of our knowledge, no further feedback or discussion has been received back from HAC.
- In preparing the new draft zoning ordinance overhaul, Kathy Egan was well aware of the Housing Readiness Checklist.
- Suttons Bay Township Planning Commission should be cognizant of the checklist when finalizing the zoning ordinance overhaul.
- Steve Patmore did the checklist based upon his knowledge of the Zoning Ordinance before the Planning Commission recently made changes to the Zoning Ordinance.

Discussion held regarding how Planning Commission should proceed with reviewing the checklist with the new Zoning Ordinance.

- Rhoda Johnson and Dee McClure agreed to be on the subcommittee to review the checklist and will present it to the Planning Commission at its March 2023 Meeting.
- Mathew Cooke would use a new checklist and go thru it in February 2023.
- Zach Hillyer would be willing to review the checklist.

4. Zoning Ordinance Overhaul Project-Networks Northwest

Mathew Cooke

Issues of concern to address-

- Food trucks -
- Camper in residential district - how many days should it be allowed.
- Address short term rentals beyond residential district.
- Special Land Uses.
- Affordable Housing

Steve Patmore said he could address the Planning Commission's comments regarding camping and food trucks at the February meeting.

5. Resolution for 2023 Meeting Dates

Don Gregory/moved, Dee McClure/supported, to adopt a Resolution approving the 2023 Planning Commission Meeting Dates. Roll call vote: Yes: Rathnaw, McClure, Johnson, Miller, Periard, Koernke, Gregory. No: None. Motion carried.

6. Election of Officers

Dennis Rathnaw said he is stepping down as Chair of the Planning Commission.

Dennis Rathnaw/moved, Don Gregory/supported to nominate Tom Koernke as Chair and to close the nominations, and cast a unanimous ballot, motion carried. Tom Koernke was appointed elected as Chair.

Dennis Rathnaw/moved, Tom Koernke/supported, to approve Don Gregory as Vice-Chair, and Dee McClure as Secretary, and to close the nominations, and cast a unanimous ballot motion carried.

Reports:

Zoning Administrator - Steve Patmore submitted his Report which included an update on Leelanau Watersports Site Plan.

Planner - Mathew Cooke - Master Plan Update - March Meeting

Township Board- Doug Periard - Status of dog park at Herman Park

Chair Comments - Real joy to work with the Planning Commission

Commissioner Comments - Request the following: Updated contact list with PC terms, bylaws, rules of procedure. Cheat sheet - Roberts Rules of Order.

Public Comment -

Larry Mawby said he appreciates the work the Planning Commission does.

Next Meeting - February 7, 2023

Adjournment - Meeting adjourned at 7:58 p.m.

Minutes by Marge Johnson, Recording Secretary

Dee McClure, Secretary

Approved as-corrected on February 7, 2023

STAFF COMMENTS ON MARCH 7, 2023 DRAFT PC MINUTES

FOR APRIL 4, 2023 MEETING

SUTTONS BAY TOWNSHIP PLANNING COMMISSION

According to our procedures, Staff is not normally authorized to make revisions to draft Minutes, however, I was asked by the Recording Secretary to assist with the completion of the March 7, 2023 Draft Minutes, specifically the rezoning considerations on page 6,7, & 8 of the draft. I also added the discussion of the motion in front of the Planning Commission, and formatted the page numbers.

I did not feel comfortable amending anything else, so I would like the PC to consider the following in their review of the Draft Minutes:

- I have highlighted and circled some typos that should be corrected.
- I recommend that the roll-call vote list the names of who voted and how they voted. That is one of the purposes of a roll-call vote.
- After the rezoning vote there were a couple statements by PC members on how the lack of potential conditions of rezoning mentioned at an earlier meeting impacted their vote. The Planning Commission might want to consider noting this in the Minutes.

DRAFT MINUTES
SUTTONS BAY TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
MARCH 7, 2023

The public may participate in person or by remote access through Zoom by computer or smart phone.

Call to Order and Notation of Quorum

Tom Koernke, Chair, called the Suttons Bay Township Planning Commission Meeting to order on Tuesday, March 7, 2023, at 6:00 p.m. at the Township Offices, 95 W. 4th St., Suttons Bay, MI.

Present: Tom Koernke, Dee McClure, Rhoda Johnson, Patti Miller, Doug Periard,
Don Gregory, Andy Brandt, John Clark

Absent and excused: Dennis Rathnaw

Staff Steve Patmore, Mathew Cooke, Marge Johnson

Chair Koernke declared a quorum of the Planning Commission present.

Approval of the Agenda

Doug Periard/moved, Andy Brandt/supported, to approve the Agenda as submitted, motion carried.

Public Comment

Lois Bahle, 376 N. Lincoln, on Housing Action Committee, community needs 650 units of affordable housing.

Peter Leabo, 8210 E. Duck Lake Rd., Suttons Bay, said the community is in favor of affordable housing in the master plan.

Conflict of Interest - None.

Approval of Minutes - February 7, 2023 Meeting Minutes

Don Gregory/moved, Dee McClure/supported, to table approval of the February 7, 2023 Meeting Minutes .

Discussion - Clarify January Minutes re appointment of Tom Koernke as Chair.

Corrections to the Minutes stated by Rhoda Johnson. Motion carried.

Items of Discussion/Consideration:

1. Public Hearing and Consideration of an Application of Richard & Michele Baldwin for re-approval of the Special Use Permit for multi-family housing at 1054 S. Herman Rd. - Parcel #022-032-005-00. a Special Use Permit for Multi-Family Housing at 1054 S. Herman Rd - Parcel #011-032-005-00.

Steve Patmore's Staff Report -

Steve Patmore said an introduction of the Application was held in February and scheduled for reapproval at a public hearing on March 7, 2023 because the special use permit granted in 2021 had expired.

Michele Baldwin commented on the reason why the site plan is being changed.

Richard & Michele Baldwin, Baldwin Homes & Land, are considering changes in their Application and Site Plan for re-approval. These possible Site Plan changes, shown on attached sketch, are the result of uncertainty over the sanitary extension shown on the previous plans. The revised plan shows less units, an on-site septic system, and a revised driveway and parking plan.

It is recommended that the Suttons Bay Township Planning Commission table the Application at this time to allow the Applicants to investigate and make potential revisions. The Public Hearing will be re-conducted once revised plans are received.

- At the time of the previous Site Plan Approval, there was an intergovernmental agreement between Suttons Bay Township and the Village of Suttons Bay that covered potential extensions of the Village Water and Sanitary Sewer Systems to serve properties in the township. Since that time, the Suttons Bay Village Council has rescinded this intergovernmental agreement.
- The Village of Suttons Bay is currently reviewing the condition and capacity of their sanitary sewer and water systems, and has stated that they are working on the new ordinance and possible policies and agreements to allow future water and sewer extensions.
- The Baldwin's previous Site Plan and Special Use Permit approval from the PC, and the current Application in front of the PC is based upon an extension of the village sewer system to serve the project. Therefore, the township needs some assurance from the Applicant that an on-site septic system is feasible.

Chair Koernke opened the public hearing.

Larry Mawby said he owns two properties on Herman Rd. and supports the Baldwin Project.

Peter Leabo, 8210 E. Duck Lake Rd. said he has property on Herman Road and supports the Baldwin project.

The public hearing was closed.

Steve Patmore said it is recommended that the current Application for Special Land Use Permit and Site Plan Review be tabled for up to nine (9) months to allow the

Applicant to investigate on-site sewer options and revised their Site Plan. The nine month period is based upon the anticipated time discussed by the PC for implementation of the revised zoning ordinance.

Dee McClure/moved, Rhoda Johnson/supported, to table the Application for a Special Use Permit submitted by Richard and Michele Baldwin, Baldwin Homes and Land, for multi-family housing at 1054 S. Herman Road for up to nine (9) months from this date to allow the Applicant to investigate on-site septic disposal and revise their Site Plan. A Public Hearing will be conducted once the Application proceeds. Motion carried.

2. Public Hearing and Consideration of an Application to Rezone Property off of Lover's Lane from Agricultural to Residential submitted by Gloria Korson, Part of 45-011-023-002-00.

Steve Patmore's Staff Report -

Applicant/Owner: Gloria Korson
Subject Property: Property No.: Part of 45-011-023-002-00 and
Part of 45-011-023-011-04
No addresses assigned.
Legal Description is **lited** in Application packet.
Existing Zoning: Agricultural
Request: Rezone 2.854 acres of the subject parcel from Agricultural Zoning District to Residential Zoning District

Process

- A rezoning is a Zoning Map Amendment in the Official Zoning Ordinance, and is covered in the Michigan Zoning Enabling Act and Suttons Bay Township Zoning Ordinance.
- The Planning Commission reviews applications for Map and Text Amendments, conducts a Public Hearing and makes a recommendation to the Township Board.
- By statute, the recommendation is also reviewed by the County Planning Commission.
- The Township Board then considers the formal amendment to the zoning ordinance.
- The Michigan Statute provides for the voluntary offering of conditions for a rezoning by an applicant. These must be voluntary offering of conditions for a rezoning by an applicant. These must be voluntary and must be submitted in writing. **There are no voluntary conditions included with this application.**

Background

- The Planning Commission is only reviewing the rezoning of the overall described 2.854 acres.
- The Planning Commission is not reviewing the parcels shown on the Land Survey (Parcel A and Parcel B) or the private road. Any future division of this land would be **reviewec** by the Land Division Committee (Assessor, Supervisor, Zoning Administrator).

- Approval of the rezoning does not infer or imply that the parcels shown on the survey would be approved by Suttons Bay Township, and does not infer or imply that the parcels are buildable.
- However, under current zoning, the rezoning would allow a one acre density compared to the two-acre density of the current **Agirulcutral** District.
- If the overall Suttons Bay Township Zoning Map is changed in the future, as is being discussed by the Planning Commission, that revised zoning map would supersede this zoning action.

Schedule

- Application received on January 18, 2023.
- Introduction was held on February 7, 2023.
- A Public Hearing has been published **fo** March 7, 2023.

Previous Activity on Parent Parcels:

- Suttons Bay Township approved a rezoning of 2.24 acres on Lovers Lane from Agricultural to Residential to allow for two parcels on Lover's Lane.
- Subsequently a Land Division was **approved** for two lots.
- In 2014, the township approved the rezoning of an additional 0.637 acres of adjacent land from Agricultural to Residential to allow one of the two previous lots to be shifted to the West.
- In 2017, the township approved the rezoning of an additional 0.344 acres of land adjacent to one of the two lots (parcel 45-022-023-011-02) from Agricultural to Residential, to enlarge this lot and expand the building area.
- This 0.344 acres was added to 45-011-023-011-02 as a boundary line adjustment.
- The subject property proposed for rezoning in this Application is adjacent to the land that was rezoned in 2016 and 2017.

Attachments:

- Application, Survey, and Legal Descriptions.
- Vicinity Map prepared by Staff.

Master Plan

The 2011 Master Plan Future Land Use Map (page 56-Map #11) lists the general area of the subject property as on the borderline between Shoreline Residential, Rural Residential & Working Lands.

Supplement to Staff Report - Steve Patmore

1. How many "splits" are allowed on the property?

I was asked by the Planning Commission to find out how many "splits" are left on the Korson property. I researched the Land Divison files and found the following:

- The Parent Tract, as defined in the Michigan Land Divison Act, consisted of two parcels totaling approximately 63 acres.
- According to our records, there are four (4) remaining Divisions from the Parent Tract after previous divisions were made.

- It should be noted that the Michigan Land Division Act also contains provisions for Redivisions after ten years.

It should be noted that this answer applies to metes and bounds divisions, and that there are other methods to convey land, including condominiums and subdivisions, which are not limited to the divisions noted above.

As mentioned in the original report, the Planning Commission is not being asked to review lot layouts or private roads.

It should also be noted that the current Application for rezoning includes only 2.854 acres of the Parent Tract. **This** is what the PC is reviewing, not the remaining property.

Chairman Koernke opened the public hearing on the proposed rezoning -

- Jeremy Peplinski, 465 N. Lover's Lane Ct., looking to purchase one acre for a garden and have a buffer between any changes that may happen in the future, in favor of the rezoning, not looking to put dwelling out there.
- Bridget Klassen, Lover's Lane - concerns are lack of transparency with the application. Road application is for 5-14 lots, how can you split the 2.584 acres into 14 lots. Road Commission issued permit where no residential zoning exists. Lack of accountability when project will be completed. Not adequate information at this time to make a decision.
- Mr. Mikowski, Elm St., Suttons Bay - is helping Ms. Korson with this property. She is trying to utilize her property in a manner she sees fit. This is happening to other farms in the area.
- Gloria Korson, Stony Point Rd - Want to rezone the 2.584 acres to 2 lots and from there have 3 lots that are going to be put in there. Waiting for rezoning before can move forward with the road.
- Linda Schlot, 260 N. Nanagosa Trail - Finds there would be adverse impact on neighbors who have lived in the area with the understanding that was ag property when they bought it, no expectations was going to be turned into mini development in the future.
- Peter Leabo, 8210 E. Duck Lake Rd - has been approached by potential clients who have purchased property adjacent to subject property. Are alternatives to rezoning. Don't support the rezoning.
- No public comment on Zoom.
- Written comments from Claudia Hendry, Gardner and Bridget Klassen, and Jerry and Joan Hjelle.

The Chair closed the public hearing.

General Findings of Fact:

1. Parcel 45-011-023-002-00 **with** the legal description as filed with the Township.
2. The subject property is currently zoned Agricultural.
3. The subject property is currently vacant.
4. According to the Application, the subject property contains 2.854 acres.

5. According to Township records, the Master Parcel/Parent Parcel contains a total of approximately 56 acres.
6. According to Township record the subject parcels are owned by Gloria I. Korson.
7. Gloria Korson submitted an application to re-zone the subject property from **Agricultural** to Residential.
8. Properties Adjacent to subject property:

North:	Zoned: Residential	Use: Residential/Subdivided
West:	Zoned: Residential	Use: Residential
East:	Zoned: Residential	Use: Residential/Subdivided
South/SW:	Zoned: Agricultural	Use: Vacant/Agricultural

Incorporated in the General Findings of Fact
 Agricultural Map, Master Plan Map, Split Lot Information.

Maps and Documents Reviewed by the Planning Commission
 Proposed Parcel Division, Master Plan, Future Land Use Map, Zoning Ordinance, Tart Cherry Inventory Map, Three (3) Leelanau Parcel Viewer Maps.

Rezoning Factors:

Factors that should be considered by the Planning Commission and Township Board include but are not limited to the factors listed below. These are considerations, and not all of these factors are required to be met to approve or deny the application.

Listed after each consideration are the individual comments made by planning commission members, and not the consensus of the commission. The individual PC members will make their decision based upon their review of these considerations.

A. The proposed rezoning is consistent with the surrounding uses:

Individual PC Comments:

- The surrounding area is agricultural and residential, ½ and ½.
- There are residentially zoned parcels in this area and adjacent areas.
- The subdivision adjacent to this property is residential and was created prior to the Suttons Bay Township Zoning Ordinance.
- The parcel, with houses on three sides, is not an attractive piece of property to farm.

B. There is no adverse physical impact on the surrounding properties.

Individual PC Comments:

- It was mentioned that one of the new parcels would be used by an adjacent owner.
- During the Public Hearing, it was noted that adjacent neighbors bought their land with the idea that this land would remain agricultural.
- Surrounding properties are both residential and agricultural.
- Just because a property is zoned agricultural doesn't mean that there can't be a house on the property. Need to look at the difference – 1 acre lots vs. 2 acres.
- Do one acre lots create an adverse physical impact?
- Look at the topography – all of the subdivided lots are lower.

C. There is no adverse effect on property values in the adjacent area.

PC Comments:

- Same comments as B.
- There was no evidence presented that adjacent property values would be lower.

D. There have been changes in land use or other conditions in the immediate area or in the community which justify the rezoning.

Individual PC Comments:

- It is harder to farm this property because of nearby development. There are houses on three sides of this property.
- This is too small of an area for intensive farming.
- Don't know anyone who would plant orchards on this small of a parcel with houses on three sides.
- There is a huge difference in topography between this land and the (neighboring) subdivisions that would provide a buffer.

E. Rezoning will not create a deterrent to the improvement or development of the adjacent properties in accordance with existing regulations.

PC Comments:

- By consensus, the PC found this not applicable to this case.

F. Rezoning will not grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public

Staff Comments: When asked what this means, ZA Patmore explained that he believes that this factor is talking about spot zoning, that is, an isolated case of rezoning different than the neighboring area. You shouldn't create an island of residential in the middle of agricultural.

Individual PC Comments:

- The subject parcel is next to residential zoning, it is not spot zoning.
- Applicant owns most of the other agricultural property in the area.
- Rezoning of this property would be a special privilege for the owner when contrasted with the residential property owners in the area.
- Neighbors have already had their property rezoned.

G. There are substantial reasons why the property cannot be used in accordance with its present zoning.

Individual PC Comments:

- PC made referral to the farming comments made earlier (in Factor D).
- The property owner could still split this land with two acre parcels.

H. The rezoning is not in conflict with the planned use for the property as reflected in the master plan.

Staff Comments: The Future Land Use Map in the 2011 Master Plan was reviewed and distributed. The map does not show individual property lines on purpose. It delineates the area of the Subject Property as being on the border of lands being Shoreline Residential, Rural Residential, and Working Lands.

I. If rezoned, the site will be served by adequate public facilities.

Staff Comments: This could be referring to roads, schools, police, water, sewer, etc. The access to the subject property would be a private road, and would be approved by the township prior to land use permits. The access to Lover's Lane would have to meet Road Commission standards.

Individual PC Comments:

- If the road doesn't get built would the subject property be landlocked?
- Prior to Land Division Approval, the road easement would be established. The PC is not approving any splits with this application.
- A rezoning is not a guarantee that the Land Division will be granted.
- There was no mention of any lack of public facilities associated with this request.

J. There are no sites nearby that are already properly zoned and that can be used for the intended purposes.

Individual PC Comments:

- The intended purpose is residential lots.
- Discussed the zoning of other houses under construction on Nanagosa Trail.
- Discussed a boundary line transfer as an alternative to allow the neighbor to have land for a garden. Staff noted that the adjacent parcels to the northwest are platted, and the Assessor does not allow metes and bounds land to be added to platted lots.
- Several property owners on Stony Point Road added property to their metes and bounds lots from the Korson property.
- Adding land to the parcel does not automatically change the zoning designation.
- Having splits on the NW portion of this property could actually preserve some of the farmland on the remainder of the property.
- When was the Korson property first divided? 2002 was first Land Division Act division.
- Some concern about potential re-division rights under the Land Division Act.

Additional Individual PC Comments and Discussion:

- To be clear, the PC is focused on a change of zoning on the 2.8 acres – not the split.
- If the property is rezoned, then the underlying density will change and the parcel could be split into two lots.
- The decision should be made by each commissioner's review of Factors A-J discussed above.
- The factors do not take into account that the Applicant has divided the property in 2010 and 2014 and set a precedence.
- Each individual rezoning request should be looked at independently.
- The PC is working on a new zoning map – what happens then? ZA Patmore noted that the draft zoning ordinance does not include the Residential Zoning District, there are new Shoreline Residential, Rural Residential, and Neighborhood Residential districts. The subject parcel will be subject to whatever zoning district that it is assigned on the new map. He admitted that the new designation should take into account this discussion.

General Findings of Fact:

ZA Patmore noted that the General Findings of Fact included items 1-8 included in the Staff Report and listed above, the supplemental information on number of divisions reviewed tonight, the Future Land Use Map reviewed tonight, the farmland maps reviewed tonight, and the list of currently allowed uses in

the Agricultural and Residential Zoning Districts that the ZA discussed tonight.

Chair Koernke asked if there was a motion:

Dee McClure/moved, Rhoda Johnson/supported, to recommend to the Suttons Bay Township Board denial of the Application for rezoning of 2.854 acres as described in the Application from Agricultural to Residential submitted by Gloria Korson. This recommendation is based upon Application, Findings of Fact, Rezoning Factors, and Public Comment.

McClure noted that her decision was based upon Rezoning Factors A and B as demonstrated by the Public Comment and letters we received.

***Roll call vote: Yes: 5. No: 3. Absent and excused: 1
Motion carried.***

Chair Koernke asked if there is any public comment.

- Mary Leabo McManamey, owns the Leabo Farm, learning the procedure for zoning.
- Linda Schlot, Knorr Drive - difference between good and bad development. Knorrwood Subdivision used to be a farm.
- Jeremy Peplinski - lived on Lover's Lane for 42 years, some of that property has been rezoned and houses built there, had no adverse affects on his property.

Public comment was closed.

3. Zoning Ordinance Overhaul Project - Networks Northwest

Mathew Cooke submitted proposed definitions for the new zoning ordinance. There was a brief discussion of some of the definitions. The Zoning Ordinance Overhaul Project will continue at a special meeting on March 21, 2023.

Reports:

Zoning Administrator - Steve Patmore submitted his Report.

Planner - Mathew Cooke - Housing Ready Checklist and Plann Comm Roster submitted.

Township Board - No report.

Chair - Affordable Housing Committee, March 16th, 9:30 a.m.

Next Regular Meeting -

Adjournment - The meeting was adjourned at 8:02 p.m.

Minutes by Marge Johnson, Recording Secretary
Dee McClure, Secretary

At the request of the Recording Secretary – Staff supplemented the Rezoning Factors section of these Minutes. Staff also adjusted page numbers.

HERMAN ROAD APARTMENTS
SUTTONS BAY TOWNSHIP PLANNING COMMISSION
APRIL 4, 2023

APPLICATION FOR RE-APPROVAL OF THE SPECIAL USE PERMIT

Applicant: **Richard & Michelle Baldwin**
 Current Owner: **Baldwin Homes and Land**
 Proposed Project: **1054 S. Herman Rd.**

Richard & Michelle Baldwin, Baldwin Homes & Land, are considering other changes to their Application and Site Plan.

Instead of Multi-Family Housing as previously approved, they would like to consider smaller single-family dwellings in what is commonly known as a “pocket neighborhood”.

The attached sketch shows 9 single-family dwellings on the property, each with a footprint of 35’ x 35’ (1225 square feet).

Current Zoning Ordinance:

While the current zoning ordinance allows up to 16 multi-family units on this property as a Special Land Use, (Agricultural Zoning District) the current ordinance only allows one (1) single-family dwelling per lot, and the minimum lot size is two (2) acres. Therefore, under current zoning, this parcel could have one single-family dwelling.

Draft Zoning Ordinance and Map:

The Draft Zoning Map indicates that this parcel could be zoned Neighborhood Residential in the future.

The Neighborhood Residential language (Article 8) does not have a density for single-family dwellings, but does have a minimum lot width of 60 feet and a minimum depth of 100’ (6000 square feet).

If you divide 2 acres by 6000 square feet, you could conceivably get 14 lots. However, the sketch submitted by the Baldwins would not meet the draft Article 8 standards.

Maybe during the upcoming review of Article 8, the PC could have discussion on the potential to allow clustering within this zoning district under certain conditions. The Master Plan does encourage a mixture of various housing types.

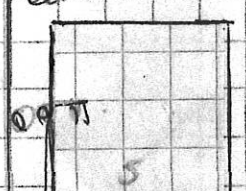
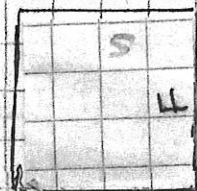
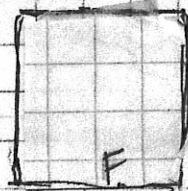
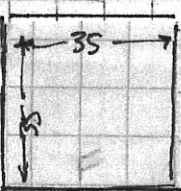
I do not believe that a detailed discussion of this particulate Site Plan is beneficial at this time. This discussion is intended to broach the subject of clustered housing prior to the Article 8 review.

Attached are some materials submitted by the Baldwins to assist the Planning Commission.

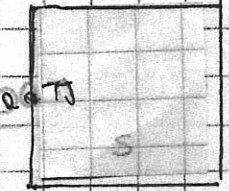
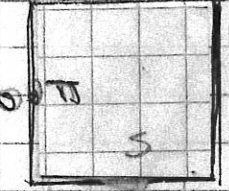
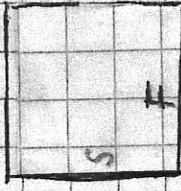
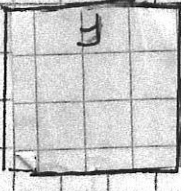
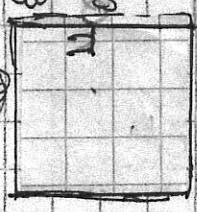
Township park

323

POSSIBLE
RETENTION
POND



Walkway (freelane)



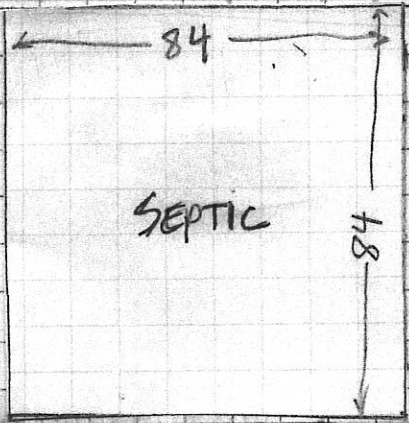
Well House

ROAD

(10) parking

Walking Path

Backup
Septic



SET BACK

163

SET BACK

111



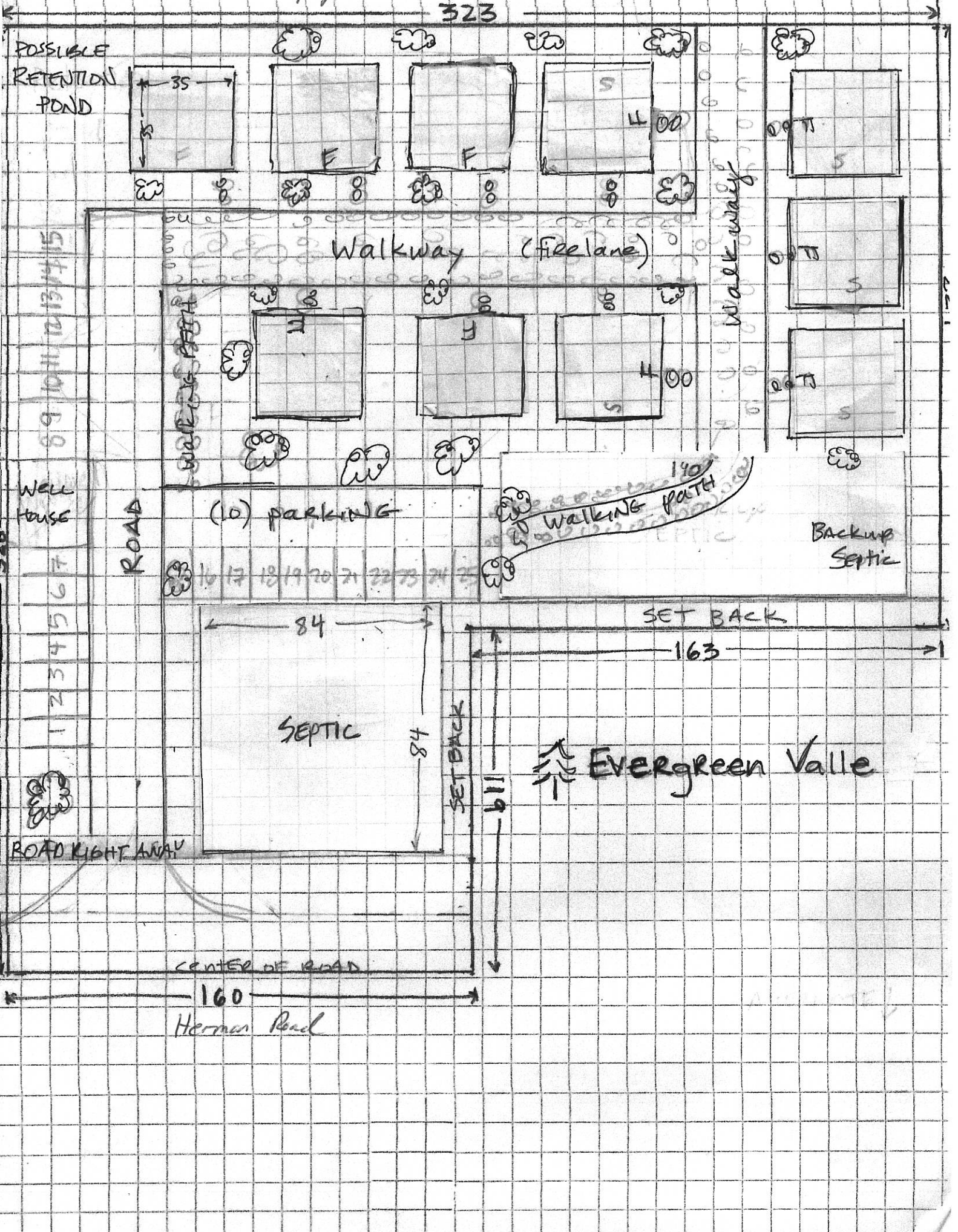
Evergreen Valle

ROAD RIGHT AWAY

CENTER OF ROAD

160

Herman Road



Pocket neighborhood

A **pocket neighborhood** is a type of planned community that consists of a grouping of smaller residences, often around a courtyard or common garden, designed to promote a close knit sense of community and neighborliness with an increased level of contact.^[1] Considerations involved in planning and zoning pocket neighborhoods include reducing or segregating parking and roadways, the use of shared communal areas that promote social activities, and homes with smaller square footage built in close proximity to one another (high density). Features in the smaller homes are designed to maximize space and can use built in shelves and porch areas, encouraging time spent outside with a focal point around a greenspace (instead of parking areas).^[2]

Environmental considerations often play a role in the planning of pocket neighborhoods, and those advocating them promote their design as an alternative to the sprawl, isolation, expense, and commuter and automobile focus of many larger homes in suburban developments.

Origins

The term "pocket neighborhood" was coined by architect Ross Chapin.^[3] In 1995, Chapin partnered with The Cottage Company founder Jim Soules to build the first contemporary pocket neighborhood, the Third Street Cottages, in the city of Langley on Whidbey Island in Puget Sound.^[4] The Third Street Cottages, a collection of 8 modest 650–1,600-square-foot (60–149 m²) cottages,^[2] were developed to take advantage of Langley's cottage ordinance,^[5] where zoning allowed for double density housing "if the homes were limited to 975 square feet".^[2]

Soules describes a pocket neighborhood as "a group of homes that face and relate to one another around a landscaped common area—the old bungalow court approach." Chapin also credits Radburn design housing, architect Bernard Maybeck's Rose Walk in the Berkeley Hills, and early 20th century cottage courts such as Seattle's Pine Street Cottages^[6] as influences on the pocket neighborhood plan.^[3] Pocket neighborhoods often adopt a model of cooperative ownership and shared community responsibilities similar to cohousing communities.

Examples

Boston's pocket neighborhood of Audubon Circle added 20 sculpted bird silhouettes over one of the city's busiest intersections to "beautify and define" the area.^[7] A small neighborhood in Fife limited commercial development in a pocket neighborhood of 12 homes built in the 1930s.^[8] A grouping of three houses in Duluth, Minnesota, designed by architect David Salmela, adopts the "Scandinavian tradition of pocket neighborhood" using common style and appearance for the homes and a central courtyard to enhance views and neighborly contact.^[9] A planned pocket neighborhood on 3.7 acres (15,000 m²) in Beloit, Wisconsin was designed to include geothermal heating and cooling and is a sustainable development that will use a common road at the back of the homes, geothermal energy, and a community tea garden, while limiting the need to remove existing oak trees on the property.^[10]

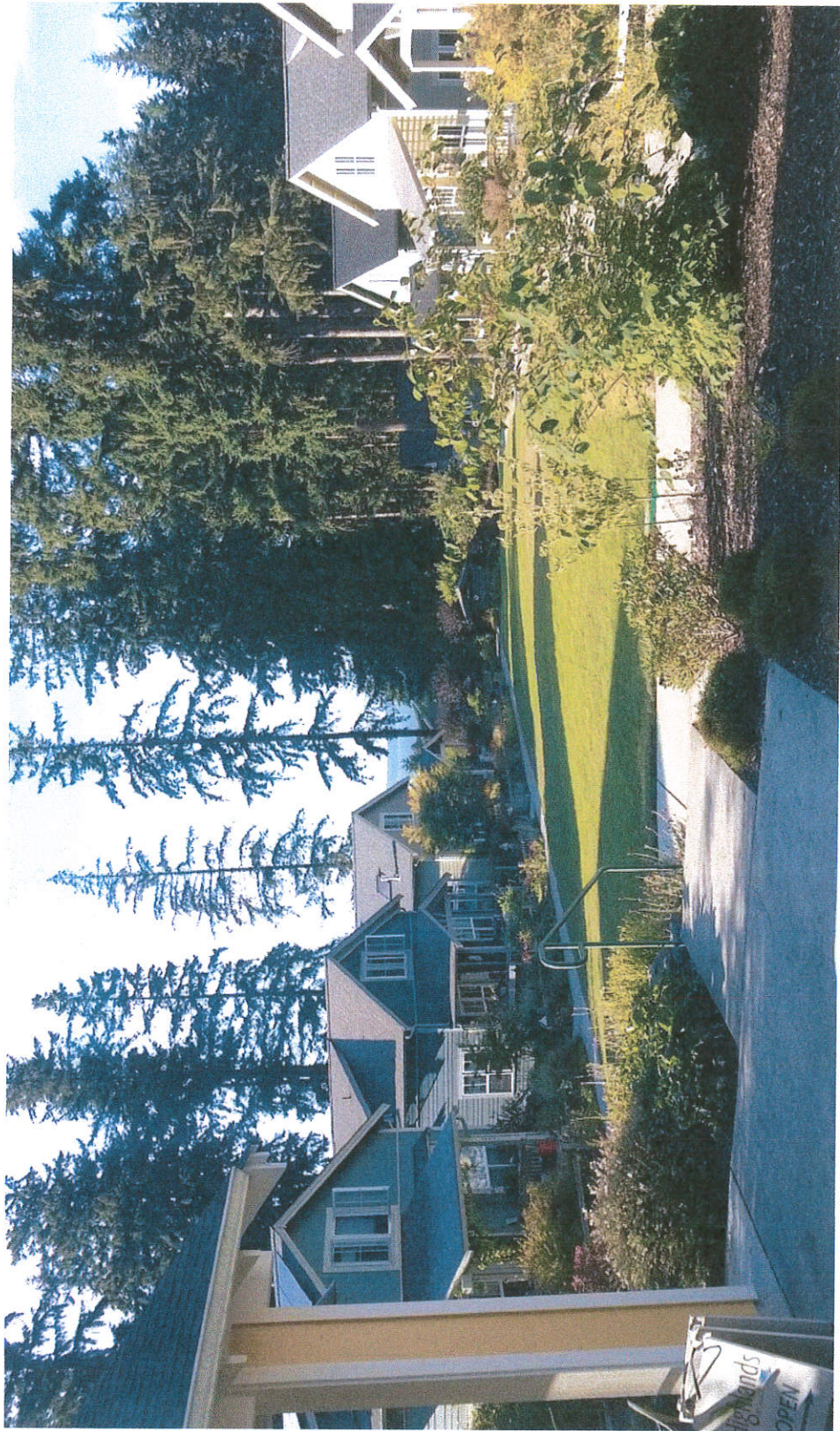


A pocket neighborhood in Langley, Washington.

Other projects include Conover Commons in Redmond, Washington, Greenwood Avenue Cottages in Shoreline, Washington, Danielson Grove in Kirkland, Washington, Umatilla Hill in Port Townsend, Washington and Salish Pond in Gresham, Oregon.^[2] The smaller homes are more affordable to maintain and keep up, and cooperation can be a benefit when it comes to watching children and pets.^[2]

References

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Cottage Housing in Your Community

A guide to drafting a cottage housing ordinance

June, 2001

The Housing Partnership
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The Housing Partnership is a non-profit organization (officially known as the King County Housing Alliance) dedicated to increasing the supply of affordable housing in King County. This is achieved, in part, through policies of local government that foster increased housing development while preserving affordability and neighborhood character. The Partnership pursues these goals by: (a) building public awareness of housing affordability issues; (b) promoting design and regulatory solutions; and (c) acting as a convener of public, private and community leaders concerned about housing. The Partnership's officers for 2000 are: **Rich Bennion**, HomeStreet Bank, Chair; **Paige Miller**, Port of Seattle, Vice Chair; **Gary Ackerman**, Foster Pepper & Shefelman, Secretary; **Tom Witte**, Bank of America, Chair, Finance Committee; **J. Tayloe Washburn**, Foster Pepper & Shefelman, Chair, Land Use Committee.

Cottage Housing in Your Community

A Guide to Drafting a Cottage Housing Ordinance

Introduction

Cottage housing is receiving increased attention as a way to meet the needs of a significant and growing share of the housing market. A number of successful examples in the region provide useful lessons.

With the high price of multi-family zoned land, cottage development is really only practical in single family zones. Several jurisdictions in the Puget Sound area have adopted, or are considering adoption of ordinances to allow construction of cottage housing in those zones.

It should be emphasized that cottage housing does not represent a completely new type of zoning, but rather an alternative use of land with an existing underlying zoning. In some respects cottage housing is similar to single family housing and some respects it is more like multi-family housing.

Approaches to allowing cottage housing will vary by jurisdiction, existing land uses and market conditions. What works well in one area will not necessarily be appropriate in another. This report provides guidance to those looking for an approach that will both encourage cottage construction and ensure that the developments fit well into existing neighborhoods.

Cottage housing does not represent a completely new type of zoning, but rather an alternative use of land with an existing underlying zoning.

For builders to want to undertake cottage development, as opposed to building single family houses as the zoning would allow, cottage development has to be at least an equal, if not a better business proposition than single family

General considerations

When drafting a cottage housing ordinance the following should be kept in mind:

Entitlement. Most cottage projects will be built on infill sites in established single family neighborhoods, so jurisdictions will need some process to determine if a proposed cottage development is appropriate. This process should not be so cumbersome and uncertain that it scares away potential cottage developers and results in conventional single family development on parcels of land that would work well for cottages. An administrative conditional use permit seems to strike a good balance between developer certainty and community input.

Making cottage development pay. Because of the high price of land in multi-family zones, infill cottage development is, for the most part, only practical in single family zones. But for builders to want to undertake cottage development, as opposed to building single family houses as the zoning would allow, cottage development has to be at least an equal, if not a better business proposition than single family. A cottage ordinance and its accompanying processes must not be so restrictive that they tend to make single family construction a better option.



Most jurisdictions measure allowable densities by units-per-acre or by minimum lot sizes. But all units are not created equal, and such measures foster a misperception of cottage housing

Cottages allow empty-nesters, seniors, the newly-single to get the equity out of their large house but still have a detached home in a comfortable setting near friends and family

Re-defining density. Most jurisdictions measure allowable densities by units-per-acre or by minimum lot sizes. But all units are not created equal, and such measures foster a misperception of cottage housing. For cottages it is more helpful to think of:

Floor area ratio (FAR). By measuring the total floor area of a cottage development against the parcel size, cottages will likely have a smaller impact than the single family homes that would be allowed in the zone.

Population. A cottage development will likely have the same, or fewer people than the single family homes that could be built on the site.

Cars and traffic. A cottage development that attracts a mix of singles and couples will have no more cars than a group of houses, especially those with teenagers.

Another way to think about cottage housing is to measure *intensity of use* rather than counting the number of structures.

What is the market? Cottage developments built to-date have attracted large numbers of buyers who are single. Some developments have attracted young or empty-nester couples. Children are rarely seen in cottage housing built thus far. A somewhat larger cottage could work for families with children, but parking may become an issue as those children get to driving age.

Planning decisions can affect the ability of builders to target certain market segments. Holding cottages to too small a size limit may eliminate couples or small families (single parent with one child, for example) from the market. Zoning that makes a single floor possible will make cottages attractive to seniors who want to avoid stairs. Parking requirements (either minimums or maximums) will strongly influence marketability.

Meeting a neighborhood need. Cottage housing provides a way for people to give up their large house but stay in their neighborhood. The reason that many people hold onto large single family houses long after they need all the bedrooms and the big yard is simply that they want to stay in an area they are familiar with. Cottages allow empty-nesters, seniors, the newly-single to get the equity out of their large house but still have a detached home in a comfortable setting near friends and family.

Affordability. Although cottages are small, they are not necessarily inexpensive to build. A cottage includes all of the most expensive rooms of a house (kitchen, bathrooms) as well as heating, ventilation and other systems. Moreover, it can be expensive to do construction work in the tight spaces of a cottage cluster.

Nevertheless, cottages and small lot houses have been built to sell at modest prices and have introduced some affordability into desirable neighborhoods. Some requirements, however, will affect costs and the ability of a developer to build an affordable cottage cluster. For instance, full two-story framing is less expensive than story-and-a-half framing, so, ironically, height restrictions can drive up construction costs. Excessive setbacks, separations and parking requirements can use land that could otherwise accommodate



Rather than codifying all parameters of cottage development, jurisdictions should consider a more informal approach of design guidelines and design review

A two-for-one cottage ordinance can work where land is relatively inexpensive. In high demand areas . . . an increase in the number of cottages allowed may tip the economic scales in favor of a cottage housing development

more cottages or common buildings. If impact fees, permit fees and utility hook-up fees are based on single family housing, they may be unreasonably high.

Utilities. The treatment of public utilities is not a land use issue, but it needs attention. Because most cottages are sold in condominium ownership, the water utility can provide a single water meter and leave it up to the owners association to install sub-meters and collect water and sewer fees from residents. Where sewer rates are tied to water use, offset meters should be allowed to account for water used in site irrigation. The stormwater run-off from cottages will be about the same as the equivalent single family development and should be treated the same.

Design guidelines and review. Rather than codifying all parameters of cottage development, jurisdictions should consider a more informal approach of design guidelines and design review. These processes, which should be handled administratively, allow a developer and city to work together to craft a development that meets community needs and works well with the site and the target market.

Parameters for Cottage Housing

Following are descriptions of the key parameters that make up a cottage housing ordinance, as well as some possible approaches. For illustration, the application of each parameter within three cottage developments is shown. (descriptions of these projects are at the back of the report). Comments address both market and neighborhood factors.

Cottage Units Allowed

One way to determine the number of cottages that can be built on a site is to work through the underlying zoning. Cottage ordinances adopted thus far in the region allow up to two cottages in place of each single family house that would otherwise be built on the site. Where the zoning is more dense and/or the cottages are larger, this might be reduced to something like 1.75 cottages per house.

Ravenna	Greenwood Avenue	Poulsbo Place
3 for 1, not counting carriage units; 4.5 to 1 counting carriage units.	2 for 1	Part of a planned unit development. Cottages are 12 units/acre on land zoned up to 22 units/acre.

Comments: A two-for-one cottage ordinance can work where land is relatively inexpensive. In high demand areas a developer could easily find that building one large house is easier and more profitable than building two cottages. In that case, an increase in the number of cottages allowed may tip the economic scales in favor of a cottage housing development.



Creating a sense of community requires at least four cottages around a common open space. If a cottage cluster gets too big it begins to lose the sense of intimacy

Cluster Size

The clustering of cottages is an important design feature. Creating a sense of community requires at least four cottages around a common open space. If a cottage cluster gets too big -- more than a dozen units -- it begins to lose the sense of intimacy. A masterplanned community may have as many units as space will allow and the market will absorb. These units should, however, be arranged in their own smaller clusters.

Ravenna	Greenwood Avenue	Poulsbo Place
Six cottages and three carriage units in one cluster	Eight cottages and one common building in one cluster	Six clusters with between five and ten cottages per cluster

Comments: The cluster and its central open space is meant to provide a quasi-public space for residents, with a presumption of a certain amount of sociability. Planning and design guidelines, however, should not try to force this too much. Experience and site-specific considerations will be the best guide to what configurations and features will work best.

Total Floor Area per Cottage

To be defined as a "cottage," some upper limit may be placed on total floor area. The examples top out at 1265 square feet, but it is suggested that a cottage could be larger.

Ravenna	Greenwood Avenue	Poulsbo Place
850 sf	768 to 998 sf	870 to 1265 sf

The size of a cottage will play a large part in determining what market segments find it appealing. . . . A cottage cluster could have several different sized cottages, giving buyers a variety of choices and encouraging some diversity of household sizes and make-ups.

Comments: The size of a cottage will play a large part in determining what market segments find it appealing. Smaller cottages -- under 1000 square feet or so -- will attract mostly single buyers with some couples, whereas larger cottages work well for couples or even small families. A cottage cluster could have several different sized cottages, giving buyers a variety of choices and encouraging some diversity of household sizes and make-ups.

The option of a larger cottage will be attractive to developers since the additional space, such as an extra bedroom, is less expensive to build, but may increase the value of the building significantly. If larger cottages are part of a development, however, provision must be made for some additional parking that would be needed for teenagers with cars.

Main and Second Level Floor Areas

Regulating the main floor area controls the footprint and scale of each cottage. Some jurisdictions have then imposed a maximum for the second floor as a percentage of the first floor area, in order to minimize mass and bulk. These parameters can vary within the cluster.

Another consideration comes from viewing cottages as senior housing. Many seniors will look for a one-story home so they do not have to worry about stairs as they become older.

Ravenna	Greenwood Avenue	Poulsbo Place
425 sf main floor, 425 sf upper floor	648 to 798 sf main floor. 118 to 203 sf upper floor	805 sf main floor, 460 sf upper floor in two-story cottage. 870 sf main floor in rambler.

Comment: Instituting complex formulas for floor areas can give neighbors some assurance that the cottage development will not overwhelm its surroundings. At the same time, rigid formulas will complicate the design process and may foreclose options that would work well on a given site (for example, a daylight basement on a steep site).

Another consideration comes from viewing cottages as senior housing. Many seniors will look for a one-story home so they do not have to worry about stairs as they become older.

Height Limit

A number of factors determine appropriate height limits for cottage development. The underlying zoning will have a height maximum. Additional height can be granted for steeply pitched roofs (greater than 6:12, for example).

Ravenna	Greenwood Avenue	Poulsbo Place
28 feet max	22 feet max	20 feet max.

Comments: The architectural styles favored in cottage developments built thus far tend to include lower plate heights on the second floor, placing part of the living space in the roof. This building style is common in most neighborhoods, so cottages built this way will fit in. But because this style uses dormers and results in complicated interior and exterior angles, it is a more expensive style of construction, as compared to a full two-story building with an attic. Going to a full two stories must be approached with great care, however, due to concerns about "skinny houses."

Another architectural feature that will affect height is the desire to raise cottages off the ground. When cottages are clustered close together, a few steps up to a porch allows for a visual separation between community space and private space.

Common Open Space

Cottage developments generally cluster around some common open space. The size of this space will be determined by the overall density of the project, the footprints of the cottages as well as the setbacks and separations.

Ravenna	Greenwood Avenue	Poulsbo Place
200 square feet per unit	575 square feet per unit	Common space in clusters ranges from 259 sf to 780 sf per unit. 370 sf average.

Another architectural feature that will affect height is the desire to raise cottages off the ground. When cottages are clustered close together, a few steps up to a porch allows for a visual separation between community space and private space.



Comments: More dense projects on expensive land will, naturally, have less open space, so it is important to maximize the common space by minimizing space in setbacks and separations.

Building codes specify a minimum of six feet between structures for fire safety, and this may be sufficient in many developments.

Distance between Structures

The buyer of a cottage home is presumed to be more concerned with ownership of four walls and the simple fact of detachment, than with the distance from the neighbors. Building codes specify a minimum of six feet between structures for fire safety, and this may be sufficient in many developments.

Ravenna	Greenwood Avenue	Poulsbo Place
Six feet	10 feet minimum	Six feet

Comments: For projects with high land cost, the site plan will need to emphasize the maximum footprint of the cottages for economic reasons, and put as much of the remaining space as possible into the common areas. Such a site plan will need to have minimal separations. Careful design can preserve privacy.

Setbacks

Front, side and rear yard setbacks will likely begin with those in the underlying zoning. An averaging of setbacks around the side and rear yards can provide design flexibility while not overwhelming the neighbors.

Ravenna	Greenwood Avenue	Poulsbo Place
10 feet front, five feet side, two feet along alley	Average of 10 feet side and rear. Front setback N/A	Three feet side and rear, 10 feet front.

Setbacks from the street and from adjacent property represent land that cannot be used very productively in a cottage cluster. Because the emphasis of a cottage development is on common central open space, peripheral areas should not be expected to have much utility.

Comments: Setbacks from the street and from adjacent property represent land that cannot be used very productively in a cottage cluster. Because the emphasis of a cottage development is on common central open space, peripheral areas should not be expected to have much utility. Therefore, setbacks should be minimized so the central common space can be maximized. If setback averaging is used, the cottages closest to the property line may be those with the least bulk.

Parking

Parking is perhaps the most significant factor in the economics of cottage housing. The space needed to maneuver and park a car is nearly the same as the footprint of a small cottage. Moreover, clustering does not generally allow parking immediately adjacent to each cottage. Cottage projects must have enough land to provide a separate parking area, preferably out of view of the street. The presence of an alley can eliminate the need for a driveway and turn-around space.

The number of spaces required per unit will be determined primarily by the market segment the development is targeting. Smaller cottages (under 1000 square feet) will typically be owned by single adults, who will probably own just one car. Larger cottages are suitable for couples who may own two cars



and even a third if they have teenagers. If there is no on-street parking for guests, additional spaces will be needed on-site. Parking requirements may be lowered if good transit service is nearby.

One way to recoup the cost of providing parking is to build carriage houses over the parking area. Although it is possible to build one carriage unit over two parking spaces, a more likely configuration would be one unit over three or four spaces.

One way to recoup the cost of providing parking is to build carriage houses over the parking area. . . . A likely configuration would be one unit over three or four spaces

Ravenna	Greenwood Avenue	Poulsbo Place
One enclosed space per unit. Three carriage units on top of nine-car parking structure. On-street parking available	One enclosed space per unit and seven uncovered spaces. No on-street parking.	One enclosed space per unit. Some attached to unit. On-street parking available.

An evolutionary process

Although the region has seen several successful cottage developments, both new and old, the concept is still evolving. Developers continue to learn what designs and configurations work best for various market segments. Communities continue to learn how to make cottages fit well into existing neighborhoods.

Cottage ordinances should recognize the continuing evolution of cottage housing and be written with enough flexibility so that builders and communities can work together to create great projects. Jurisdictions should anticipate fine-tuning their approach to cottage housing after some projects are on the ground.

Cottage ordinances should recognize the continuing evolution of cottage housing and be written with enough flexibility so that builders and communities can work together to create great projects.



SECTION 0.00.000 COTTAGE HOUSING

- A. Cottage Housing is permitted in all residential zones by administrative Conditional Use Permit or Site Plan Approval.
- B. General development standards are listed in Table 0.00.000(A) and in this chapter.

TABLE 0.00.000(A)

	Existing Single Family Zone - DU/Acre or SF/DU		
	R-4 or R-10,000	R-6 or R-7,200	R-8 or R-5,000
Total Floor Area per Cottage	1,000 to 1,400 SF	975 to 1,200 SF	950 to 1,100 SF
Main Level Max Floor Area:			
Min. Percentage of Cottages All others	700 to 800 SF 800 to 900 SF	675 to 750 SF 800 to 850 SF	650 to 700 SF 700 to 800 SF
Cottage Units Allowed in Place of Each SFR Allowed by Zone:			
Main floor < 701 to 751 SF	2.00	2.00	2.00
Main Floor > 750 SF	2.00	1.75	1.75
Cluster Size – Min and Max	4 and 12	4 and 12	4 and 12
Height Limit – Average	18 feet	18 feet	20 feet
Additional Height if >6:12 pitch	25 to 28 feet	25 to 28 feet	25 to 28 feet
Min. Common Open Space/Cottage	400 to 500 SF	250 to 350 SF	200 to 300 SF
Min. Distance between Structures	10 to 15 feet	6 to 10 feet	6 feet
Parking space per Cottage* (See also 0.00.000(C))			
Main Floor < 701 SF	1.5 to 2.0	1.0 to 1.5	1.0 to 1.5
Main Floor > 700 SF	2.0	1.0 to 2.0	1.0 to 2.0
Interior Setbacks from Adjacent Property:			
Average	15 to 20 feet	7 to 10 feet	7 feet
Not less than	15 to 20 feet	5 to 7 feet	5 feet
Setback from Public Street Average	15 to 20 feet	10 to 15 feet	7 to 12 feet
Not Less than	10 feet	7 to 10 feet	5 to 10 feet

- C. Additional parking requirements and methods of modification.
1. 50 % of adjacent street parking spaces may count towards meeting minimum parking space requirements; however, at least 1.0 space per cottage must be provided on site.
 2. Parking may be reduced by 25% if there is bus service within 500 feet walking distance; however, there must still be at least 1.0 parking space per cottage on site.
 3. Parking spaces that are provided on site shall be clustered to the side or rear of the development unless the site is accessed directly from an alley and the parking is screened from the public streets and adjacent properties.
- D. Cottage orientation and application of current lot size requirements.
1. Cottages shall be oriented around the common open space.
 2. Cottages may be developed as multiple cottages per parcel. Minimum lot sizes per unit do not apply. *(Note: An exception for cottage housing should be noted in the code where minimum lot sizes for residential zones are prescribed).*
- E. Additional restrictions.

(Additional possible restrictions include covered porches; pitched roofs; private yards; some parking with direct back-out into the street.)

NOTES ON FORM OF MODEL ORDINANCE

This model ordinance is not intended for adoption as is. The ordinance must be tailored to the needs of each individual jurisdiction. Also, the current code must be reviewed to ensure that the new cottage housing ordinance is consistent with all other code provisions. If amendments to other code language is necessary this can not be done by mere reference in this ordinance but requires a specific amendment. Each jurisdiction will have their own preferred form of adoption which will include such as things as a valid enacting clause, an effective date, a severability clause, and signatures of the appropriate officials.

Cottage Housing Examples

Ravenna Cottages

The Ravenna Cottages is a nine-unit project in Seattle's Ravenna/Greenlake neighborhood. Threshold Housing developed the project and all units have been sold to individual buyers at market prices. The project consists of six cottages facing each other across a central courtyard, and three carriage units that sit above a nine-car above-ground parking structure accessed from the alley. The Ravenna Cottages were built under the Seattle design demonstration program, which allows projects to be built that would not otherwise conform with existing zoning.

Parcel Size	10,500 sf. 0.25 acres
Number of Units	Nine
Density	37 units/acre net (no on-site right of way)
Type/Size of Units	Six detached cottages 850 sf. Three carriage units 830 sf
Building Height	Lowest point on site to highest point of a structure is 40 feet. Tallest structure is 30 feet.
Set-backs	Fifteen feet front yard, Five feet side yard. Zero along alley.
Site Coverage	Structures cover 55 percent of lot.
Open Space	Courtyard of approx. 1800 sf.
Parking	Nine covered stalls
Year built	2000/2001
Ownership	Condominium
Sales price.	Cottages \$288,000 to 308,000. Carriage units \$258,000 to 268,000
Buyer profile	Single professionals, retirees

Cottages at Poulsbo Place

Poulsbo Place is a planned unit development (PUD) just north of downtown Poulsbo, in Kitsap County. It is being developed by Security Properties. The 17.3 acre development was the former site of military housing. Four types of homes are being built, ranging from 870 square feet to 2250 square feet. The project includes a 3.7 acre section with 45 cottages arranged in clusters around common yards. Some front on the street while others front on walkways. Some have attached garages.

Parcel Size	Overall development is 17.3 acres. Cottage portion covers 3.7 acres.
Number of Units	45 cottages in six clusters within the larger development
Density	12.2 units/acre, gross (including private roads)
Type/Size of Units	Cottages. 870 to 1265 sf.
Building Height	Up to 20 feet
Set-backs	3 feet side and rear, 10 feet front
Site Coverage	33.3 percent
Open Space	Courtyards within each cluster vary in size.
Parking	One covered space per unit. Some detached, some attached.
Year built	1999-2001
Ownership	Fee simple
Sales price	\$149,000 to 180,000
Buyer profile	Empty nester, retirees



Greenwood Avenue Cottage Homes

This cluster of eight cottages is being built in Shoreline, under its cottage zoning ordinance which permits cottages as a conditional use. The 35,000 square foot parcel sits behind two single family homes fronting on the street. The cottages in the rear are accessed by a driveway between the houses. The cluster employs six different designs, with two models repeated. They surround a lawn and pea patch garden and share a common building and storage shed.

Parcel Size	34,755 sf. 0.8 acres
Number of Units	Eight
Density	10 units/acre gross (includes drive and parking area)
Type/Size of Units	Cottages. Between 968 sf. and 998 sf.
Building Height	18-22 sf
Set-backs	Average of 10 feet on side and rear. Parking structure is five feet on front. Closest cottage 30 feet on front.
Open Space	575 sf per cottage
Parking	Eight covered spaces, seven uncovered.
Year built	2001
Ownership	Condominium
Sales price	\$220,000 to 250,000
Buyer profile	Single professionals, women, empty nesters



STAFF INFORMATION FOR ZONING ORDINANCE REVIEW

FOR APRIL 4, 2023 MEETING

SUTTONS BAY TOWNSHIP PLANNING COMMISSION

1. Attached is potential language for Adult Day Care for consideration.
2. Attached is a larger size, color copy of the latest draft zoning map that I could find on our computer system.
3. I am working on clarifications for the terms duplex, accessory dwelling unit, and owner occupied based upon other zoning ordinances, research, and discussions with agencies such as Housing North.

POSSIBLE LANGUAGE FOR ADULT DAY CARE
SUTTONS BAY TOWNSHIP PLANNING COMMISSION

APRIL 4, 2023

This is the language adopted by Leelanau Township for Adult Day Care Facilities.

I. Definition:

ADULT DAY CARE HOME: A home that provides care to adults for periods less than 24 hours a day located in a dwelling occupied by the operator of the Home.

II. This use is now allowed in the Agricultural Zoning District and all Residential Zoning Districts as a permitted use, subject to the following conditions:

ADULT DAY CARE HOME, subject to the following conditions:

1. The operator of the home must reside on the premises.
2. A maximum of four (4) Day Care Adults may be on the premises at any time, not including permanent residents of the dwelling.
3. There shall be a minimum of three (3) off-street parking spaces provided.
4. Hours of operation shall not exceed 16 hours in any 24 hour period.
5. Must obtain a Leelanau Township Land Use Permit.