

A REGULAR MEETING OF THE LEELANAU COUNTY PLANNING COMMISSION WAS HELD ON TUESDAY, APRIL 25, 2023, AT THE LEELANAU COUNTY GOVERNMENT CENTER.

Proceedings of the meeting were recorded and are not the official record of the meeting. The formally approved written copy of the minutes will be the official record of the meeting.

CALL TO ORDER Meeting was called to order at 5:30 p.m. by Chairman Yoder who led the Pledge of Allegiance. The Meeting was held at the Leelanau County Government Center, 8527 E. Government Center Dr., Suttons Bay, MI.

ROLL CALL

Members Present: S. Yoder, T. Nixon, M. Black, C. Brown, T. MacDonald
B. Fenlon, M. Lautner, R. Brush, A. Trumbull

Members Absent: C. Noonan
(prior notice)

Members Absent: R. Miller

Staff Present: G. Myer, Senior Planner

Public Present:

Yoder welcomed new member Craig Brown.

CONSIDERATION OF AGENDA

Yoder added “2024 CIP Additions” as item #5 under “New Business.”

Motion by Nixon, seconded by Trumbull, to accept the agenda as amended. Motion carried 9-0.

CONFLICT OF INTEREST – None.

PUBLIC COMMENT – None.

STAFF COMMENTS – None.

CONSIDERATION OF MARCH 28, 2023 MEETING MINUTES

MacDonald stated that he did not oppose the motion made regarding “New Business” item #1. Fenlon said he was the person who opposed the motion.

Motion by Fenlon, seconded by Black, to accept the minutes as amended. Motion carried 9-0.

NEW BUSINESS

PC08-2023-04 Elmwood Twp.–Text Amend.

Myer said this request was received on March 28 and the last day to review under the 30-day review

period was April 27. The Elmwood Township Master Plan does not specifically address this amendment and neither does The Leelanau General Plan. A public hearing was held on March 21, 2023, at which time no public comments were received.

Myer continued, reviewing the proposed amendments to the definitions of Basement, Club, Building Height, Campground and Motel. Myer said the proposed definition for Motel reads as follows:

A building or group of buildings on the same lot, whether detached or attached, containing a minimum of ten sleeping or dwelling units are combined in one facility, which may or may not be independently accessible from the outside, with garage or parking spaces located on the parcel and which offers lodging, with or without meals, for compensation on a transient or periodic basis in which access to the rooms is arranged in a lobby or office, with someone on duty at all times. The term shall include “hotels” and any building or building groups designated as motor lodges, transient cabins, rooms, or by any other title intended to identify them as providing lodging, with or without meals, for compensation on a transient or periodic basis.

Myer reviewed the proposed changes to the Land Use And Zoning District Table and said the proposed amendment will also amend Article 8 Site Plan Review, Section 8.3 Site Plan Review Application Procedures, Section 8.4 Requirements for Site Plan Approval and Section 8.5 Review and Approval A & B will be combined into the following:

A. Standards for Site Plan Approval. The Planning Commission shall make a finding that the following standards are met prior to approving a site plan:

Myer continued, saying the proposed amendment will amend #2 and delete #4 in this same Section 8.5. Section 8.6 Administration of Site Plans is being amended to read as follow:

A. At least one copy of the approved site plan, all accompanying documents, record of approval, and list of conditions shall be kept by the Township for its record.

Myer said Article 3 General Provisions, Section 3.7 Flood Plain Management, C. E and F will also be amended by the proposed amendment. Myer said staff noted that the motion made at the township to approve ZO2017-04-20 states “recommend to the township board and forward it onto the county with the text added “typically” within the Motel definition.” Staff does not see this included in the definition for Motel. Staff also questions the language in Section 9.5 Special Land Use Approvals and Extensions. Myer stated the language “for each extension” implies for than one is available. In conclusion, Myer said that it was noted in the township minutes that some of the changes were recommended by the Michigan State Floodplains Coordinator and are required if the township wishes to continue to participate in the National Flood Insurance Program.

MacDonald questioned the meaning of “substantial” used in Article 9 Section 9.5 Special Land Use Approval and Extensions, B. This is kind of vague, what determines substantial?

Nixon commented on the proposed amendment to “Motel” and said it may be a little confusing with the last line reading “The term shall include “hotels”. He assumes they are eliminating “Hotel” from any identification so you go to “Motel” first and then “Hotel”. Nixon said this was a pretty ambitious definition. Also, under Section 8.5, #2, it may be a little redundant to list all of those agencies. He is not sure why they needed to articulate each and every organization. It seems getting “required permits and approvals” covers this as was stated in the original and the proposed amendment.

Brush questioned why they were trying to define certain things in the “Motel” definition? How did they come up with “ten sleeping or dwelling units”. The definition is a little confusing, he had to read it several times, and is still not sure what they are getting at.

Black mentioned the motion made to “approve in accordance with the National Flood Insurance Program flood plain insurance requirements and comply with all applicable statutory and regulatory requirements.” He would like to know if this is based on FEMA’s (Federal Emergency Management Agency) recommendations? He would hate to see them get locked into something. Flood insurance is astronomical.

Fenlon commented on the acronym “FIRM” used in Article 3, Section 3.7 C. and said he doesn’t know what that stands for. Members agreed, this needed to be spelled out as they didn’t know what it stood for either.

Motion by Fenlon, seconded by Trumbull, to recommend approval and to forward the staff report, minutes and all comments to the Elmwood Township Planning Commission. Motion carried 9-0.

PC09-2023-43 Suttons Bay Village – Master Plan Review

Myer reviewed the staff report, saying this request was received on March 2, and the requested action is to review and comment on the proposed Suttons Bay Village Master Plan. The Village has been working on this Plan for some time and conducted a survey in 2022 to gather input from citizens. THE Village Planning Commission passed a motion to forward the Master Plan draft to the Village Council for review with the changes discussed at the January 25 meeting. At the February 21, village council meeting, they passed a motion to allow staff to distribute the final draft of the 2023 Village of Suttons Bay Master Plan for a 63-day review as required by the Michigan Planning Enabling Act.

Myer referenced Section 41 of the MPEA (Michigan Planning Enabling Act) which requires a copy of a Plan or extension, addition, revision or other amendment of a Plan to be submitted to the County Planning Commission for review and comment. Myer said a Master Plan is the vision of how a community will develop over time, providing guidance regarding how areas should be zoned, and standards that should be incorporated into the Zoning Ordinance. At least every five years after adoption of a Master Plan, a Planning Commission shall review the master plan and determine whether to commence the procedure to amend the Master Plan or adopt a new Master Plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the Planning Commission. This doesn’t require a local municipality to do an update every five years, but it does require a review and then recording that decision in the minutes.

Myer continued, saying staff is not aware if the Village has asserted its right to approve or reject the Master Plan under Section 43 of the MPEA. If the Village Council passes a resolution, then the final approval of the Plan will be taken by the Village Council. Otherwise, the Planning Commission has final approval. The Plan is well organized, easy to read, and the use of charts, maps and photos provide a clear document. The Village has incorporated the items that are to be included in a Master Plan, as noted in the MPEA. They have also included a substantial amount of information on housing which could increase the type and variety of housing options offered in the Village. The Implementation section is done well and includes Action Items, who is responsible for the item, potential funding, time frame and potential partners. In conclusion, Myer said staff has pointed out a few minor corrections that should be made.

Fenlon said the plan looked good and that there were just some minor corrections needed.

Nixon said the document was well organized and easy to read. The charts, maps and pictures have all been nicely laid out. This Plan impressed him as one of the finer ones he's seen in some time. It's very user friendly and he liked the way they incorporated the color contrast. Nixon said he found it interesting to hear comments about the use of the vacated building in downtown Suttons Bay, the concern about trees, interest in a dog park and other things that Suttons Bay Township is equally interested in as well. He compliments the Village of Suttons Bay and their Master Plan.

Trumbull reiterated what Nixon said and commented that the document was easy to access and very well done. MacDonald stated the Future Land Use Map was greatly improved, and much more effective than others he's seen. It appears to be consistent with the county's General Plan, and overall, they did a great job.

Yoder commented on the fact that staff referenced Section 41 of the MPEA and said that he would trust staff to point out something that was inconsistent.

Motion by Nixon, seconded by MacDonald, to recommend approval, and find that the Suttons Bay Village Master Plan is consistent with the Master Plan of any municipality (within or contiguous to the local unit of government) or region, and consistent with the Leelanau County General Plan, and to forward the staff report, minutes and all comments to the Suttons Bay Village Planning Commission. Motion carried 9-0.

PC10-2023 – Long Lake Township – Master Plan Amendment

Myer reviewed the request from Long Lake Township and said it was received on April 25, and according to the township planner, the township board approved this for distribution but did not have any other discussion as part of their minutes.

Myer pointed out that Section 41 of the Michigan Planning Enabling Act (MPEA) was referenced in the Staff Report and the principal goal of the Leelanau General Plan was also included. Myer said a Master Plan is the vision of how a community will develop over time, providing guidance regarding how areas should be zoned, and standards that should be incorporated into the Zoning Ordinance. At least every five years after adoption of a Master Plan, a Planning Commission shall review the Master Plan and determine whether to commence the procedure to amend the Master Plan or adopt a new Master Plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the Planning Commission. This doesn't require a local municipality to do an update every five years, but it does require a review and then recording that decision in the minutes.

Myer concluded by saying staff received notice of an Amendment to the Long Lake Township Master Plan. The township's website page includes a map for the proposed expansion of a Village Center and the request was made by Corbin Buttleman. According to the Township Planner, the change in the Future Land Use plan district allows the applicant to apply for a Village Center PUD – allowing for higher densities than the underlying zoning. No other information on this request was available.

Trumbull questioned what PUD stood for. Yoder said Planned Unit Development.

Nixon pointed out that the "applicant" is not the Suttons Bay Village Planning Commission, as shown on the Staff Report.

Lautner wanted clarification that the only change being proposed was for the Village Center. Yoder

said that was his understanding.

Motion by Fenlon, seconded by Brush, to recommend approval and find that the Long Lake Township Master Plan amendment is consistent with the Master Plan of any municipality (within or contiguous to the local unit of government) or region, and consistent with the Leelanau County General Plan, and to forward the staff report, minutes and all comments to the Long Lake Township Planning Commission. Motion carried 9-0.

2022 Annual Report

Members were in agreement that the report looked good. Nixon thanked staff for their work. Yoder said the report was very impressive.

Motion by Lautner seconded by Nixon to accept the 2022 Annual Report as presented. Motion carried 9-0.

2024 CIP Additions

Yoder explained the process for new members and said it was the job of this body to rank the additions in order of priority and then forward them on to the County Board for review and approval. Yoder said in prior years they had a subcommittee, but, last year staff prepared the document and passed it along the Planning Commission for review and approval and he thought that process worked well. Yoder said he spoke with staff and they will provide more details on each of the projects this year.

Black commented on the final outcome/ranking of some of the project last year and said that staff may see things from a different point of view. Yoder said they do get a pretty good idea when looking at the applications, of what is being proposed, what's the necessity of it and how important it is.

Fenlon said some of the items could potentially be legally binding obligations, so he would lean on staff for input and direction on those items. If the importance of an item comes down to more of an opinion or perspective, than he feels it would be more relevant for the Planning Commission to have a say. Lautner mentioned certain items are already rolled into the budget, so does that rise to a level of importance or not? Does it come in higher than fixing the heating and cooling in the Government Center? Things can become a little bit of a tug-of-war.

Nixon said one of the advantages of the way it was done, is that all commissioners had an understanding of what the CIP (Capital Improvement Plan) was and he felt as one person, his voice was part of how the plan was put together. They had some good discussions and staff was able to help guide them on which items were important to include.

Lautner commented that there was some confusion on the scoring; whether a one or a three was the highest. She likes the idea of ranking them 1-5 with 3 being neutral. Yoder suggested staff include scoring information with the packets that are emailed to members.

REPORTS

Housing Action Committee – No report given.

Parks & Recreation

Lautner reported that they just did their CIP, and are continuing to move forward with their parks and structures. Lautner said when the county sold the Maple Valley Nursing Home to the Kasben family, they had a 15-year grace period to use their drain field, which is located on the opposite side of the road, on county park property. This right expired at the end of March and nothing has been done. There were plans for an update/larger nursing home with its own septic field, but COVID hit and it just didn't happen. He has given a six-month extension to show measurable progress. Parks & Recreation was not interested in selling the parcel that contains the drain field to Kasben because future park plans include that parcel of land.

REPORTS from LCPC members

Black said he attended the recent Brownfield session and found it very interesting.

Brush said he took the online housing training through the state which talked a lot about increasing density and other topics that tie in with affordable housing. Brush said we talk a lot about that up here, but he is not sure after this training, and seeing examples, if we actually walk-the-walk or just talk-the-talk. Brush said when options are proposed, they are met with opposition. He doesn't know if we are truly pushing towards that, if that is what our goals are. Black said he agreed, and stated that he didn't know how it could be done.

Nixon mentioned a rezoning request the Planning Commission reviewed previously for a parcel in Suttons Bay Township. The Suttons Bay Township Board took the Planning Commission comments into consideration and overruled their own Township Planning Commission decision.

Yoder informed members that staff has lined up Mary Reilly from the MSU Extension Office for a fall session on Wednesday, September 20th. Mary will speak on the topic of big development and focus on the proper steps to take when a large development is proposed. Claire Karner from East Bay Township will also be a presenter.

COMMUNICAITONS – 2023 National Planning Conference Summary.

PUBLIC COMMENT – None.

STAFF COMMENTS – None.

COMMISSIONER & CHAIRPERSON COMMENTS – None.

ADJOURN

Meeting adjourned by consensus at 6:33p.m.