

VILLAGE OF NORTHPORT
PLANNING COMMISSION
Special Meeting
116 W. Nagonaba St.
Tuesday April 26th, 2022
Minutes

***Please note due to technical difficulties at the meeting site, the first several minutes were not captured.**

Call to Order, Roll Call

Chair Arbury called the meeting to order at 9:00 a.m.

Members present: Arbury, Cavendish, Newell, Gale, Woomer, and Wessell. **Absent:** Caudill

Public Present

Members of the public present.

Guest Present

Professional Certified Planner: Arthur Mullin

Staff Present

Recording Secretary-Sarah Murphy, Zoning Administrator- Joni Scott

Approval of Minutes

No previous minutes to approve

Agenda

Review of highlighted areas in the Village of Northport Zoning Ordinance.

Correspondence

All correspondence was emailed to Commissioners, Chair, ZA, and Recording Secretary

Public Comment

No public comment.

New Business:

Purpose of special meeting was to be a work session and review of the initial draft of the Village of Northport Zoning Ordinance. Each draft to be dated in order to maintain updates, with the first draft to be dated April 25th, 2022.

Document will be worked through by addressing highlighted areas and strike throughs. Any subject that requires a longer discussion will be documented and discussed at future work sessions. Any further communication beyond the work sessions will be directed through ZA Joni Scott and passed along to Arthur Mullin.

Abandoned Solar Energy System

- Highlighted addresses nonfunctional units that have sat continuously idle for 180 days
- Focus on current issues vs what goals are for zoning

Article 2-Definitions

Defined for Zoning-Zoning is what is allowed

- Leelanau Code and wording example Accessory Structure vs Accessory Dwelling- Looking into the building code-Detached or above garage. table the item
- Alternative Access-remove backage roads and change to secondary roads
- Automobile Filling Stations-changing language to also include retail sales not limited to gasoline
- Basement-clarifying definition
- Bed and Breakfast-including language that owner resides on the premises during operation
- Building Integrated Photovoltaic System-language to include type of building components for solar/green energy. Per Commissioner Gale to share information about renewable energy with Leelanau Energy board.
- Driveway- included information from 2021 draft. Discussion ensued requiring apron for driveway
- Essential services- updating language to telecommunications

- Language was changed in Home Occupation, Improvements and Intensity of Development based off of 2021 audit and Michigan Zoning Enabling Act
- Lot Line-inclusion of Michigan Zoning Enabling Act language. Discussion on how water edge could impact lot lines.
- Mobile Home-language to included definitions from Michigan Mobile Home Commission Act
- Practical Difficulties-taking from Michigan Zoning Enabling Act
- Language changes in Right of Way and Setback
- Break downs commercial vs residential solar energy-discussion about future use and use by right.
- Undeveloped State-definition from Michigan Zoning Enabling Act
- Wind Energy-broken into 3 parts and defined-add to list to bring back for discussion
- Yard excess & yard waterfront-language changes

Article 3-General Provisions

Looking to renumber several things and remove the reserved articles.

Accessory building vs structures- discussion ensued about setbacks and dwellings above garage. Fire codes regarding setbacks-placed to be discussed in future work sessions

Dwelling units-language added pertaining to sewage regulations #6
#10 deals with Mobile homes and safety standards.

The plan is to move Outdoor Lighting to Article 4.

Condominium and Subdivision section 7 pertains to installing all utilities to be underground

Solar Energy Systems-defining small vs large

Solid Waste Enclosure-Mullin to check into suggested language

Wind Energy Devices- Focuses on height, location, and setbacks for devices

Article 4-Site Development Standards

-Maintaining quality and character of the village

-Landscaping and buffering-discussion furthering about trees, intent and purpose, and use of native species. Buffering and fencing, electric and barbwire fencing not allowed. ZA can determine how much of existing plants/fencing count towards buffering. Definitions of what buffering, filtering, medium, and intensive. Discussion about street trees.

Interior Parking Lot Landscaping-defined and ensuring safety of pedestrians and traffic.

Parking -Topics of joint use and requirements from Planning Commission.

Sign regulations-types of signs, wording, illuminations, temporary, defined. Also defining commercial vs residential areas.

Questions on heights of fence and whether it will change to 6 ft or 8ft. Discussion about types of fences and what is nonconforming. Topic to be moved for further discussion.

Discussion about natural buffers and what is standard. Per table there is not a requirement for residential for buffer.

On street parking and discussion, no parking requirements. Trying to eliminating requirements for parking i.e. you must have x amount of parking for a business. Opportunities and working with signage. Reducing dangers to pedestrians.

Color coded table has current village requirements, 3 other communities' requirements for parking, and then the recommended from the Institute for Transportation Engineers. This is to be tabled for future discussion.

Buffers for parking lot areas to not only be structure but also natural/plant buffers and maintenance. Buffers allow traffic flow but can impact heat island effect and wet weather events and storing water.

Committee continued to discuss other fire codes pertaining to capacity and how those numbers are determined. This will be tabled to be discussed in the other working sessions.

Reed vs Gilbert-cannot regulate a sign by the content on the sign. Can only regulate by time, place, and manner. Current ordinance is light in wording for signage but need to clearly define the purpose statement for each district. Substitution clause needed to show that commercial vs noncommercial speech is treated equally. This is tabled for further discussion

Need to define banners and temporary signs including length of posting sign.

Changing light intrusion to light trespassing to be in line with Dark Skies.

Article 4-Nonconforming uses, structures, and lots moved to Article XX

Article 5-Off Street Parking moved to section 4.03

Article 6-Signs and Billboards moved to 4.04

Article 5 -Districts

Suggestion D-1 change to Multiple Use

Committee discussed creating a use table to give clarity and consistency.

Article 7-R-1 Rural Residential District

Mullin talked about sizes of lots and setbacks and what defines rural, and explaining rationale of R-1. Change word building to structures. Tabled item

Article 8 R-2 Village Residential District

R-2 Mullin discussed sizes for each allowed type in R2, including set backs for front yards, side yards, access to property, and building heights.

Article 9 R-3 Single Family Residential Development District

R-3 definition and dimensional requirements

Intent should match the Master Plan

Article 10 R-4 Multi-Family Residential District

R4 Intent and purpose, including but not limited to building height, setbacks for rear and front yards, and lot coverage.

Article 11 CR-1 Commercial/Residential District

CR-1 Intent and purpose, including but not limited to building height, setbacks for rear and front yards, and lot coverage.

Not much was changed and there will be need further discussion with colleague per Mullin, however, it is possible to go forth with zoning adoption then adding amendments later date.

Article 12 C-1 Core Commercial District

CR-1 Intent and purpose, including but not limited to building height, setbacks for rear and front yards, and lot coverage.

Form based code is recommended, answers the question of aesthetics and how it is driven into the community.

Article 13 C-2 Commercial/Resort/Residential District

CR-2 Intent and purpose, including but not limited to building height, setbacks for rear and front yards, and lot coverage. More unique to Village.

Article 14 D-1 Multi-Use District (Change in language)

D-1 Intent and purpose, including but not limited to building height, setbacks for rear and front yards, general requirements, and lot coverage. Committee to look at resizing and what type of usage Village is looking at for D-1 zoning

Article 15-Reserved

Article 16-Reserved

Article 17- Special Uses

Looking at the scope of special uses and renumbering sections pertaining to the use. Permit procedures including expiration of permits, hearing notices, and time period for response of the Planning Commission to change to 45 days.

Language change to Automobile Carwash instead of Wash. Including changes in perimeter landscaping and requirements for yard buffering.

Reference the Village's Architectural Design Standards.

Mullin discussed Institutional Uses and where mechanical equipment needed to be located with in the building and not in the within the front yard setbacks

Junk Yards- buffering yard and referencing the requirements found in sct 4.02.9C and all activities are confined to buffering area. Looking into county codes in relations to junks yard

Changing language to Senior Citizen Housing and referencing the requirements found in sct 4.02.9C. Also, maximum building heights changing to forty-five feet.

Committee talked about changing the building height requirement from 35ft to 45ft. Heights and setbacks are to be further discussed.

Towers Communication-referencing the Michigan Zoning Enabling Act. State law requires collocating on existing structures.

Committee discussed why transient setbacks are at 40 ft. RV parks and adding the definition of what an RV park is vs using RV for affordable housing. Specific language regarding the number of days that an RV can be parked within the Village vs Township.

Define Art vs Signage. Goes to time, place, and a manner.

Next work Session to be May 20th, 2022, 9am-12pm

Proposed third work session to be June 2nd 9am-12pm

Committee continued to discuss signage vs art.

Public Comment-Karl W. Thank you for your time and diligence on going through this discussion. Discussion of hospital property and being sold.

Motion to adjourn meeting at 12:22pm by Commissioner Newell, seconded by Commissioner Woomeer. Motioned Carried and meeting adjourned.

Next Regular Meeting will be May 18th, 2022, at **6pm**.