Introduction

This User Guide is intended to help citizens and developers understand the structure of the Suttons Bay Village Zoning Ordinance and how it is used to regulate the use of land within the Village boundaries.

What is regulated?

The regulations in the Zoning Ordinance cover many aspects of the use of land, including but not limited to:

- Types of structures and uses that are permitted (single-family, stores, offices etc.).
- Size, height and placement of buildings.
- The amount of parking required and standards for lot design.
- Design requirements and standards for landscape, lighting and signs.

Village Master Plan

The Michigan Planning Enabling Act (Act 33 of 2008) outlines the requirements for the Village Master Plan. The Master Plan is the guiding document for the development and update of the Zoning Ordinance. The Master Plan is intended to serve as a general statement of the community's goals and policies and provides a single, comprehensive view of the community's desire for the future. The Zoning Ordinance, which is based on the Master Plan, is the legal basis for land use regulation and is authorized by the Michigan Zoning Enabling Act (Act 110 of 2006).

Zoning Map

The Zoning Map is guided by the Master Plan Future Land Use Map and related goals and policies of the Master Plan. The Zoning Map classifies the Village into different zoning districts. The Zoning Ordinance describes permitted uses and the standards for building and site design for properties within each district.

Organization

The Zoning Ordinance is organized by major parts and articles (20 total).

Part I

The first part of the Zoning Ordinance begins with "General Provisions," which includes the Title and Purpose (Article 1) and the General Provisions for All Districts (Article 2). Part I sets the stage for the rest of the ordinance and outlines requirements that are applicable for situations that may occur in any location in the Village, regardless of zoning district designation.

Part II

The second part of the Zoning Ordinance is titled "Zoning Districts" and includes six (6) articles. Article 3, Zoning Districts and Map, addresses interpretation of Zoning Map boundaries, uses not listed, similar uses and zoning of vacated and annexed lands. The article also includes important and necessary guidance concerning district boundaries and land uses.

Articles 4-7 include all the existing zoning districts and groups them into classes: Residential, Mixed Use, Commercial/Industrial and Special Areas. Each article includes a combined table of allowed uses and spatial requirements, such as lot width, setbacks, building height and other lot and building dimensional requirements.

After the spatial requirements of each article are specific requirements that may only apply to an individual district, for instance “Hillside Residential Parcels” (Section 4-5) or “CB District Form Requirements- Commercial Buildings” (Section 5-5). Lastly, Part II includes a process and procedure for considering and adopting “Planned Unit Development Districts” (Article 8), which is a flexible zoning tool used to encourage innovative designs that may not be anticipated or allowed by traditional zoning provisions.

Part III

The third part of the Zoning Ordinance is “Development Provisions,” which includes Specific Use Requirements (Article 9), Off-Street Parking and Loading (Article 10), Landscaping and Lighting (Article 11) and Signs (Article 12). Part III also includes important guidance concerning review processes, such as Special Land Uses (Article 13) and General Review Procedures (Article 14).

Part IV

The final part of the Zoning Ordinance is titled “Administration.” This part covers Administration and Enforcement (Article 15), the Planning Commission and Village Council (Article 16), the Zoning Board of Appeals (Article 17), Amendments and Validity (Article 18), Nonconformities (Article 19), and Definitions (Article 20).

What is my property zoned?

The first step is to check the Zoning Map. This is important, as what is permitted in one district may not be permitted in another. The Zoning Map is posted on the Village website and is available at the Village offices. Because the published Zoning Map is periodically amended, such as when a landowner receives approval for rezoning their property, a zoning “confirmation” is always recommended prior relying on the map for decision-making.

What uses are allowed?

The Village Zoning Map classifies land into different zoning districts. Article 3 includes a list of the various zoning districts illustrated on the Village Zoning Map and the district descriptions. These districts include:

Residential Districts

1. Central Residential (CR).
2. Newer Village Residential (NVR).
3. Single-Family Waterfront Residential (SFWR).
4. Hillside Residential (HR).
5. Waterfront Condominium (WC).

Mixed Use Districts

1. Central Business (CB).
2. North Gateway (NG).

3. South Gateway (SG).
4. Bay View (BV).

Commercial and Industrial Districts

1. South Business (SB).
2. Warehouse Industrial (WI).

Special Areas

1. Public Lands (PL).

A list of uses allowed in each district can be found in Articles (4-7). Tables in each Article list uses in three classifications and includes references to specific conditions, if applicable:

- *Permitted Use (P).* The use may be established by right on land and/or within buildings in the applicable zoning district, subject to all other applicable provisions of the Zoning Ordinance.
- *Special Land Use (SLU).* Land and/or buildings in this district may be used if general standards and specific standards are met, as well as all other applicable provisions of the Zoning Ordinance. SLUs also require a public hearing and Planning Commission review and approval.
- *Not Permitted* (blank cell in table).
- *Specific Conditions*. The final column in each table will reference any specific conditions that apply to the land use.

What if my desired land use is not allowed?

If your proposed use is not listed as a permitted use or SLU within the zoning district that applies to your property, you have several options, including:

- Find an alternative use for your property that is permitted or find a site in the Village that is properly zoned for your intended use.
- If your use is not listed anywhere in the Zoning Ordinance, you could request that the Administrator consider your intended use based on a review against “similar uses” as explained in Section 3-5. In some cases, the Administrator may take the request to the Zoning Board of Appeals for a final determination.
- Request the Village rezone the property, which requires a public hearing, Planning Commission recommendation, and Village Council approval.
- Request the Village amend the Zoning Ordinance to add your proposed use, either as a Permitted or Special Land Use.

Please note that the Village does not allow “use variances”, which are variances that allow land uses that are not allowed within a zoning district.

What are my building requirements?

Within Articles 4-7, spatial and dimensional requirements for each zoning district are outlined in table form. In addition to spatial requirements, special zoning district provisions may also be included within each Article that may affect your development planning. Spatial requirements include:

- Minimum lot depth.
- Minimum frontage.

- Setbacks.
- Maximum height and stories.
- Maximum building and impervious coverage.

What are the next steps once zoning is confirmed?

Depending on your proposed use of land, the permitting process may be a simple administrative review to a more complex development plan review. Article 14 outlines general review procedures requirements for all development levels.

- Application Submission, Contents, and Fees (Section 14-2).
- Zoning, Development, and Building Permits (Section 14-3).

Once a process is confirmed by the Administrator, an application and checklist must be obtained. Copies of the application forms are posted on the Village website and are available at the Village offices. In some cases, the Administrator will schedule a pre-application conference to review the procedures and requirements with you.

Once you feel you have a complete submittal package, you may turn in your materials and the Administrator will begin the review process.

Checklists

Over the following pages (6-14), checklists for Village development applications can be found. Unless waived by the Administrator or Planning Commission, the items within the checklists are required to be provided at the time an application is submitted. Checklists are also available at the Village Hall and on the Village's website.

How can I get additional assistance?

If you have questions on the use or interpretation of the Zoning Ordinance, procedures, submittal deadlines, or other information, please contact the Administrator at the Village offices.

- Phone 231.271.3051
- Fax 231.271.5904
- Email zoning@suttonsbayvillage.org
- Website http://www.leelanau.cc/suttonsbayvill.asp

Shared and Back Lot Access Driveway Submittal Checklist	Submitted
Plan	
A plan drawn and sealed by a surveyor and/or civil engineer licensed by the State of Michigan.	
All lots to be served, with dimensions and lot area.	
The location and width of the private road easement.	
Width of the proposed pavement.	
Materials to be used for pavement.	
Frontage and width of all lots served by the private road.	
Drainage or utility structures to be located in the easement.	
Supplemental Information	
The required private easement and maintenance agreement.	

Private Street Submittal Checklist	Submitted
Plan	
A survey of the right-of-way by a registered land surveyor, together with surveys for each parcel to be served by the private road.	
The location of all public utilities, including, but not limited to, water, sewer, telephone, gas, electricity, and television cable to be located within the private road right-of-way.	
The location of any lakes, streams, wetlands and drains within the proposed right-of-way or within 100 feet thereof.	
The location of any other buildings and structures located within 100 feet of the private road right-of-way.	
Street names.	
Supplemental Information	
The required private easement and maintenance agreement.	
A detailed written description of the development to be served by the private road, including a description of the private road association or other party to be responsible for the ownership, operation and maintenance of the private road.	
Copies of the instruments describing and granting easements.	
An approved Soil Erosion and Sedimentation Permit.	
Required outside approvals.	

PUD Concept Plan Checklist	Submitted
Plan	
Site plan, professionally prepared by a licensed engineer, architect or landscape architect.	
Name and firm address of the professional individual responsible for preparing site plan and professional seal.	
Name and address of the property owner or petitioner.	
Boundary survey lines and required setbacks.	
Name and address of the property owner or petitioner.	
Location sketch showing site, adjacent streets and properties within 200 feet.	
The property, identified by parcel lines and location and size.	
Scale, north arrow and date.	
Zoning of adjacent properties.	
Location, width and purpose of all existing easements.	
Abutting street right-of-way width.	
Current topographical map clearly showing existing topographic conditions, including contour intervals of no more than two (2) feet, based on field survey or photo-grammetric methods.	
Natural features such as wooded areas, surface water feature, high risk erosion areas, slopes over 18% beach, sand dunes, drainage ways, and other significant site features.	
Existing buildings, structure, paved surfaces, installed landscaping and other significant physical infrastructure.	
Size and location of existing utilities.	
Proposed Development	
Conceptual layout and type of uses proposed within the PUD, including proposed principal and accessory structures, driveways, streets, parking lots, landscaped areas and other physical infrastructure, as applicable.	
Recreation areas, common use areas, dedicated open space and areas to be conveyed for public use.	
Layout and typical dimensions of proposed parcels and lots.	
Engineering	
Proposed method of handling sanitary sewage and providing potable water	
Utility concept plans.	
Stormwater concept plan.	
Building Details	
Building type concepts.	

Supplemental Information	
Name and address of the property owner(s), developer(s), and designer(s), and their interest in said properties.	
Project description and detailed narrative description of the project including proposed use, existing floor area (square feet), size of proposed expansion (square feet), and any change in the number of parking spaces.	
Zoning Designation.	
Legal description.	
Size of property in acres (square feet, if less than one acres).	
Any other information required by the Administrator or Planning Commission to demonstrate compliance with other applicable provisions of this ordinance.	

Level "A" Site Plan Submittal Checklist	Submitted
Plan	
Site plan, drawn to scale, or superimposed on an air photo, or superimposed on a survey, should include the following.	
The property, identified by parcel lines and location and size.	
Scale, north arrow and date.	
Natural features such as wooded areas, surface water feature, high risk erosion areas, slopes over 18% beach, sand dunes, drainage ways, and other significant site features.	
Existing buildings, structure, paved surfaces, installed landscaping and other significant physical infrastructure.	
Proposed principal and accessory structures, fences, pole-mounted light fixtures, driveways, parking lots, landscaped areas and other physical infrastructure, as applicable.	
Property lines and required setbacks.	
Building Details	
A façade plan showing a sketch or architect's rendition of the exterior appearance of the building, if applicable.	
Height, gross floor area, usable floor area, for all proposed buildings or additions.	
Description of building materials.	
Supplemental Information	
Name and address of the property owner(s), developer(s), and designer(s), and their interest in said properties.	
Project description and detailed narrative description of the project including proposed use, existing floor area (square feet), size of proposed expansion (square feet), and any change in the number of parking spaces.	
Zoning Designation.	
Legal description.	
Size of property in acres (square feet, if less than one acres).	
Any other information required by the Administrator or Planning Commission to demonstrate compliance with other applicable provisions of this ordinance.	

Level "B" Site Plan Submittal Checklist	Submitted
Plan	
Site plan, professionally prepared by a licensed engineer, architect or landscape architect.	
Name and firm address of the professional individual responsible for preparing site plan and professional seal.	
Name and address of the property owner or petitioner.	
Boundary survey lines and required setbacks.	
Name and address of the property owner or petitioner	
Location sketch showing site, adjacent streets and properties within 200 feet	
The property, identified by parcel lines and location and size.	
Scale, north arrow and date.	
Zoning of adjacent properties.	
Location, width and purpose of all existing easements.	
Abutting street right-of-way width.	
Current topographical map clearly showing existing topographic conditions, including contour intervals of no more than two (2) feet, based on field survey or photo-grammetric methods.	
Natural features such as wooded areas, surface water feature, high risk erosion areas, slopes over 18% beach, sand dunes, drainage ways, and other significant site features.	
Existing buildings, structure, paved surfaces, installed landscaping and other significant physical infrastructure.	
Size and location of existing utilities.	
Proposed Development	
Proposed principal and accessory structures, fences, pole-mounted light fixtures, driveways, parking lots, landscaped areas and other physical infrastructure, as applicable.	
Recreation areas, common use areas, dedicated open space and areas to be conveyed for public use.	
Landscape plan (showing location of proposed materials, size and type).	
Layout and typical dimensions of proposed parcels and lots.	
Engineering	
Proposed method of handling sanitary sewage and providing potable water	
Location and size of proposed utilities, including connections to public sewer and water supply systems.	
Location and spacing of fire hydrants.	
Location and type of all proposed surface water drainage and stormwater facilities.	

Grading plan at no more than two (2) foot contour intervals.	
Proposed streets (including pavement width, materials, and easement or right-of-way dimensions).	
Building Details	
A façade plan showing a sketch or architect's rendition of the exterior appearance of the building, if applicable.	
Height, gross floor area, usable floor area, for all proposed buildings or additions.	
Description of building materials.	
Supplemental Information	
Name and address of the property owner(s), developer(s), and designer(s), and their interest in said properties.	
Project description and detailed narrative description of the project including proposed use, existing floor area (square feet), size of proposed expansion (square feet), and any change in the number of parking spaces.	
Zoning Designation.	
Legal description.	
Size of property in acres (square feet, if less than one acres)	
Any other information required by the Administrator or Planning Commission to demonstrate compliance with other applicable provisions of this ordinance.	
Drawings and information prepared for a site condominium development, as required by Section 66 of the Condominium Act (if applicable).	

Groundwater Protection Plan Submittal Checklist	Submitted
Location and size of interior and exterior areas and structures to be used for storage, use, loading/unloading, recycling, or disposal of hazardous substances.	
Location of all underground and above ground storage tanks for such uses as fuel storage, waste oil holding tanks, chemical storage, hazardous waste storage, collection of contaminated storm water or wash water, and all similar uses.	
Location of exterior and interior drains, on-site sewage systems, dry wells; catch basins; retention/detention areas; sumps and other facilities designed to collect, store or transport storm water or wastewater. The point of discharge for all drains and pipes shall be specified on the site plan.	
Location of all water wells on the site and within 150 feet surrounding the property boundaries.	
Delineation of areas on the parcel which are known or suspected to be contaminated, together with a report on the status of site cleanup.	
Submission of the "Hazardous Substances Reporting Form for Site Plan Review."	
Submission of the "State/County Environmental Permits Checklist."	

Sign Permit Submittal Checklist	Submitted
The property owner's name, address and signature.	
The applicant's name, address and signature.	
The address and permanent parcel number of the property on which the sign is or will be located.	
The identification of the type of sign (ground, temporary, portable, wall) and method of illumination, if any.	
The name of business or name of premises to which the sign belongs or relates.	
Plans drawn to an accurate, common scale, depicting the following: ▪ A scaled drawing of the proposed sign showing the dimensions and display area. ▪ For ground signs and pole signs, a site plan drawn to scale, accurately identifying the location of the proposed sign and setbacks from the nearest public or private road right-of-way and property line. If there are proposed grade changes, such as adding a berm, this shall be noted on the site plan. ▪ For ground signs and pole signs, the height of the sign. ▪ For wall signs, the height and width of the building wall.	