PLANNING COMMISSION (PC)

REGULAR COMMISSION MEETING

February 21, 2024

6:00 PM – 8:00 PM

# MINUTES

**1. Call to Order, Roll Call:**

Chair N. Arbury called the meeting to order at 6:03 p.m.
*Commissioners present:* N. Arbury, L. Cavendish, J. Gale, B. Newell
*Present via Zoom:* J. Woomer
*Absent:* K. Wessell
*Staff present:* J. Dyer, Zoning Administrator
*Public present:* 0 in person, several via Zoom

**2. Approve December 20, 2023 meeting minutes.**

a. Motion by L. Cavendish to approve the minutes as presented, seconded by B. Newell. Motion carried.

**3. Additions or corrections to agenda**

a. Add Infrastructure Committee to the Reports section (although there is no report this month)

**4. Correspondence**

None unrelated to public hearing

**5. Public comment**

None at this time

**6. New Business**

**a.** Chair Arbury called to order a Public Hearing Concerning the Redraft of the Village of Northport Zoning Ordinance at 6:09 p.m. She gave an overview of the process the Commission followed to complete the review and redraft, including a contract with Arthur Mullen of Wade Trim for technical assistance and zoning expertise. Chair Arbury highlighted areas with significant changes: definitions were modified for clarity and consistency; a new R-2 S Shoreline Residential District was created; minimum lot width was reduced to 50 feet and the lot coverage area increased to 40% in district R-2 Village

Residential to encourage density; and the minimum home size/square footage was eliminated so long as the home meets Leelanau County Building Code requirements. Members of the public were recognized.

G. Schatz raised concern that the portion of the sign ordinance limiting political signs places limits on political speech and cited US Supreme Court decisions to illustrate his comments.

A. Harper seconded the concern of Mr. Schatz. She summarized the concerns she raised in her letter and email that will be included in with other correspondence regarding the zoning ordinance redraft. Her primary concern is two-story garages that may serve as guest houses require only a 3-foot rear setback. She proposed new definitions for "garage" and "accessory dwelling unit" that would address her concern.

B. Weber also expressed concern about political signs and cited a Michigan case to support her objection.

Chair Arbury closed the public hearing at 6:27 p.m. then reopened it in order to read correspondence.

L. Cavendish read a letter from B. Conley which will be retained with the record of the public hearing. Her concerns: define Short Term Rental, address preservation of wetlands with setbacks, consider smaller lot size in R-2, relax restrictions on political signs, and kudos for including renewable energy in the revisions.

ZA Dyer referenced the letter from A. Harper and summarized an email from Heather Smith of the Watershed Center who recommends an updated definition for "ordinary high water mark" and an increased setback in the R-2 S Shoreline Residential District.

The public hearing was closed at 6:34 p.m.

b. The Commissioners began discussion of the public comments with an acknowledgement that the restrictions on political signs should have been removed earlier. Motion by J. Gale to recommend to the Village Council the removal of paragraph 4.04 1 B, seconded by L. Cavendish. Roll Call Vote: Ayes - 4 Nays - 0.

After discussing several options regarding garages, their uses and setbacks the Commissioners elected to forward the proposed language to the Village Council for consideration. Motion by L. Cavendish, seconded by B. Newell, to recommend approval by the Village Council of paragraph 3.02 1 c of the Zoning Ordinance with the understanding that the Planning Commission is open to revised language that addresses non-storage uses of the structure. Roll Call Vote: Ayes - 4 Nays - 0.

The table of permitted uses by zoning district will be corrected to require a special use permit for transient housing in all districts. No additional changes regarding short term rentals will be considered until the task force issues its recommendations.

Discussion regarding wetlands and shoreline setbacks concluded that the Planning Commission needs evidence to support taking a more restrictive regulation than required by the state. Motion by J. Gale, seconded by L. Cavendish, to recommend the Village Council accept section 3.13 of the proposed zoning ordinance with the understanding that the Planning Commission would consider further study of more restrictive setbacks if asked. Roll Call Vote: Ayes - 4 Nays - 0.

As noted at the last meeting, the table at section 4.03 3 is titled "Schedule of Parking Maximums" in error. Motion by J. Gale, seconded by B. Newell to rename the table "Schedule of Parking Minimums." Roll Call Vote: Ayes - 4 Nays - 0.

ZA Dyer referred the commission to language in Article 12 C-1 Core Commercial District that would prohibit the owners of single family residences from renovating or making substantial improvements to their homes. He asked the commissioner to consider allowing existing single family homes to remain a lawfully permitted use. The commissioners agreed. Motion by L. Cavendish, seconded by B. Newell, to amend section 12.01 with language drafted by the zoning administrator to make existing single family residences a lawfully permitted use in District C-1. Roll Call Vote: Ayes - 4 Nays - 0.

Motion by B. Newell to Transmit Redraft of Zoning Ordinance to the Village Council per MCL125.3308, seconded by L. Cavendish. No further discussion. Roll Call Vote: Ayes - 4 Nays - 0.

At 7:58 p.m. the Commissioners agreed to extend the meeting in order to approve the 2024 meeting schedule. The remaining agenda items will be moved to the March agenda.

c. Motion by J. Gale to approve the 2024-2025 Planning Commission Regular Meeting Schedule as presented in the meeting materials, seconded by B. Newell. No discussion. Motion carried.

**7. Public Comment**

B. Hart asked the commission to consider increased setbacks on wetlands and other measures to preserve natural features for future generations.
A. Harper also supports more aggressive environmental protection and restated her objection to the setbacks for garages.
K. Pentzien noted formatting problems in the zoning ordinance and questioned the impact of rezoning on property taxes.

**8. Board member comment**

L. Cavendish asked if the Short Term Rental Task Force has a meeting date. ZADyer confirmed the meeting has not yet been scheduled, but new administrative staff will contact members to make arrangements.

**9. Adjournment**

a. Motion to adjourn by B. Newell, seconded by L. Cavendish.

**b.** Meeting adjourned at 8:11 p.m.

Submitted by,
Jane Gale
Secretary