

VILLAGE OF PENTWATER

ON PENTWATER LAKE AND LAKE MICHIGAN
327 South Hancock Street, P.O. Box 622, Pentwater, Michigan 49449
(231) 869-8301 - FAX (231) 869-5120
www.PentwaterVillage.org

Planning Commission Meeting Agenda April 18, 2018 - 7:00 P.M.

- I. Opening**
 - A. Call to Order.
 - B. Pledge of Allegiance.
 - C. Roll Call.

- II. Approval of Agenda and Minutes**
 - A. Approval of Agenda.
 - B. Approval of Minutes of the Meeting held February 21, 2018.

- III. Public Comments**

- IV. Public Hearing – None.**

- V. Old Business - Master Plan Amendment – Downtown Plan**
 - A. SWOT Analysis to Ideas to Goals and Objectives.
 - B. Review of Master Plan Goals for Downtown.

- VI. New Business – Zoning Ordinance Amendments – Introductory Discussion**
 - A. Downtown parking as it relates to residential uses and marinas.
 - B. Marinas and dockminiums in single-family residential districts.
 - C. Short-term rental houses in single-family residential districts.
 - D. Amendments after separation from the Community Zoning Ordinance

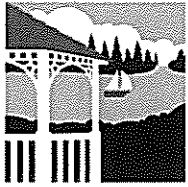
- VII. Department/Committee Reports**
 - A. Zoning Administrator – See attached reports.
 - B. Zoning Board of Appeals – No meetings, no report.

- VII. Communications from Planning Commission Members**

- VIII. Public Comments**

- IX. Adjournment**

Next Scheduled Planning Commission Meeting – May 16, 2018



VILLAGE OF PENTWATER

Planning Commission

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Regular Meeting Minutes – February 21, 2018

Chairman Ron Christians called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 7:03 pm, with the Pledge of Allegiance.

ROLL CALL

Present: Bruce Koorndyk, Michelle Angell-Powell, Mark Benner, Ron Christians & Paul Anderson. Kirstin McDonough arrived at 7:33 pm.

Absent: None.

Staff Present: Keith Edwards, Zoning Administrator, and Chris Brown, Village Manager.

APPROVAL OF AGENDA

Motion by Benner, second by Anderson to approve the Agenda as presented.

Voice Vote: Aye: 5 Nay: 0 Absent: 1 **Motion carried.**

APPROVAL OF MINUTES

Motion by Anderson, second by Angell-Powell to approve the January 17, 2018 regular meeting minutes as submitted.

Voice Vote: Aye: 5 Nay: 0 Absent: 1 **Motion carried.**

PUBLIC COMMENTS – No comments from the audience were submitted at this time.

PUBLIC HEARING – None.

OLD BUSINESS

A. Commencement of the Downtown Pentwater Planning Process

Motion by Angell-Powell, second by Koorndyk to commence or initiate the Downtown Pentwater planning process, a Sub-Area Amendment to the Village of Pentwater Master Plan Update, 2015.

Voice Vote: Aye: 5 Nay: 0 Absent: 1 **Motion carried.**

B. Discussion – Initiation of Downtown Pentwater Plan Focus Groups

Mr. Edwards explained the role of the focus groups to form group members and begin to discuss what it means for Downtown Pentwater to be a Waterfront Community, Arts & Garden Community, possess a Historic Heritage participate in Economic Development and add new infrastructure such as Complete Street and upgrade Infrastructure to Downtown Pentwater. Each Focus Group will initially begin their discussion with a Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis focused on their

respective topic area. Several members of the audience offered to join focus groups including Larry Conroy on the Waterfront Community Focus Group, Claudia Ressel-Hodan , Terry Valenzano and Chris Conroy on the Complete Streets and Infrastructure Focus Group with Terry Valenzano, and Rhonda Kraai joining the Economic Development Focus Group.

Further it was identified that there will be times when the Focus Groups report to the Planning Commission as a whole, especially where the topics overlap to impact each other in Downtown Pentwater.

NEW BUSINESS – None

COMMITTEE/DEPARTMENT REPORTS

A. Zoning Administrator – Mr. Edwards’ written report was received by the Planning Commission.

B. Zoning Board of Appeals - No meeting, no report.

COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS – None.

PUBLIC COMMENTS – None

ADJOURNMENT - The meeting was adjourned by Chairman Ron Christians at 7:50 pm.

Respectfully Submitted,

Keith Edwards
Zoning Administrator

February 27, 2018
Date

Approved by the Village of Pentwater Planning Commission on _____.

MEMORANDUM

To: Village of Pentwater Planning Commission

From: Keith Edwards, Zoning Administrator

Date: March 16, 2018

Subject: **Downtown Pentwater Plan – Amendment to the Master Plan
SWOT Analysis to Ideas to Goals and Objectives**

At this time, the Downtown Pentwater Plan Focus Groups are assembling their members and about to begin the SWOT Analysis of their area of Focus Groups' topic of study for Downtown Pentwater. The first thing for each Focus Group to do would be to identify the Assets associated with the Topic. For instance the Waterfront Group may identify the points of access from Downtown to Pentwater Lake. The Historic Group might identify the Downtown buildings that may be considered Historic and/or important to the representing the Historic Character of the Village. The Arts and Garden groups might identify all of the current displays of public art and/or garden spots in Downtown.

- Having identified the known assets, The SWOT Analysis will explore the Strengths, Weaknesses, Opportunities and Threats (SWOT) associated with those assets and each area of study.
- Looking back to the outline that we established for the Downtown Pentwater Plan document, (see attachment), the SWOT analysis will be used to generate ideas for attacking the weaknesses and threats while bolstering the strengths of each topic and going after those opportunities.
- The ideas generated will be used to develop Goals to achieve in Downtown Pentwater, and finally each group will come up with a few Objectives designed to meet those Goals. The objectives will describe the means to implement the plan which will work its way up to the Village Council and other committees for action. As the above work is being completed by the Focus Groups, Staff will be working on the Introduction and Strategies Sections of the Plan as shown on the attached outline.

All of the above then is compiled as "The Downtown Pentwater Plan" which is amended to the 2015 Master Plan Update for the Village of Pentwater.

"The Downtown Pentwater Plan" becomes the principal document used to guide the Village and all of its Boards and Committees in reviewing and amending public policy and as a basis to seeking funds through grants and other means to acquire the resources necessary to complete the objectives of "The Downtown Pentwater Plan".

MEMORANDUM

To: Village of Pentwater Planning Commission
From: Keith Edwards, Zoning Administrator
Date: March 16, 2018
Subject: Downtown Pentwater Plan –Review of Chapters 3 & 4 of the 2015 Master Plan Update

Introduction

I have reviewed the 2015 Master Plan Update, specifically the Vision Statement, Core Values and Goals of Chapter 3. It is my suggestion that the Planning Commission not consider changing the Vision Statement or Core Values at this time, for a purposeful public input process should be initiated for reexamining the Village's Vision and Core Values. Rather, the Planning Commission should be informed as to what this chapter says about the goals of commercial and residential uses as they relate to Downtown Pentwater.

I have reviewed Chapter 4 of the 2015 Master Plan Update, specifically pages 27 through 41 and concentrated the discussion below on the Infrastructure, Commercial, Residential and Semi-Public and Public Facilities portions of Chapter 4 – Charting the Future.

Discussion

Chapter 3 - Goals

The complete list of six (6) goals are described on pages 24 through 26 of the 2015 Master Plan Update. Below, I have provided some comments for Planning Commission discussion:

- Goal 1 – this goal reflects the bias or dogma for considering land use decision relative to “Village-scale density...to create a community consistent with our existing small town character”. Thus, the Planning Commission’s task at this point would be to identify and describe what it is or will be about Downtown Pentwater that development and new development will be consistent with village-scale, small town character. **We should begin to refine or define what is meant by “village-scale” such that it reflects the desired character of the built environment.**
- Goal 2 – is sort of a two-fold goal and really should be separated in the future because it relates to determining whether future uses can be supported by infrastructure, “...facilities and uses..., and preserve the natural character of the landscape”. The big concern seems to be a statement that follows: “Large industrial or commercial developments can neither be economically supported nor provided with the infrastructure necessary to accommodate them”. This statement seems to deter large scale “big box and junior box stores”, commercial and other industrial users that tax the roadways, parking, police and fire, sewer and water systems. **We can use some of the language from other sections of the Master Plan and Zoning Ordinance to further refine what is meant by this goal and prepare that revised version for the Downtown Pentwater Plan.** After defining the appropriate scale of commercial uses that “fit” Downtown Pentwater, the Planning Commission should work with Village staff and perhaps Village

engineers to determine whether our public facilities, services and infrastructure can manage the scale of development.

- Goal 3 – is really a repeat of Goals 1 and 2 above, however the discussion suggests that some development could be tolerated, but that there is little support by the public for attracting new commercial or industrial development. At this time, I suggest that the Planning Commission may want to create target areas for development or redevelopment and explore a range of uses and scale that may be acceptable in those locations. **Staff will review this items with Planning Commissioners on March 21, 2018.**
- Goal 4 – pertains to working with other interested parties to promote economic opportunities like jobs, and recognizes that those communities with highway interchanges like Pentwater Township, Summit Township, Weare Township and the Hart area may have property planned for larger scale commercial and industrial development. Planning Commissioners should consider these possibilities as they review proposed uses for the Village and Downtown Pentwater to provide housing, personal services, and small-scale commercial uses.
- Goal 5 - reflects the community’s desire to preserve natural resources. As it pertains to the Village, this goal points to seasonal attractions such as Charles Mears State Park and the public and private marinas. Integrating and/or connecting these attractions with the commercial core of the Village can have synergistic benefits.
- Goal 6 – is relative to creating housing for the aging population while keeping these populations connected to the community. Planning Commissioners should consider whether such uses are appropriate for the downtown geographic area and what areas in particular, if any, are appropriate for such uses.

Chapter 4 – Charting the Future

This part of the Planning Commission’s discussion should be informed by the sections on infrastructure; semi-public and public facilities (boat launch, marinas, village green, dinghy dock, shopper’s dock, water tower park and bell park); commercial and residential uses; assuming, of course, that the Planning Commission does not intend to include light industrial uses in the discussion.

Downtown Infrastructure – Planning Commissioners should consider a section of the Downtown Pentwater Plan that deals with “Complete Streets”, that deals with traffic patterns, destinations for parking and on-street parking, storm water management and pedestrian other forms of non-motorized transportation. We should also consider the idea that roadways may be used in the future for smaller forms of motorized transportation, autonomous and non-fossil fuel powered vehicles.

Downtown Semi-Public and Public Facilities - Integration of the Pentwater Design by Steve Bass will be critical in this step as well as important to inform other discussions, and viable connections between Downtown Pentwater and Charles Mears State Park, Channel Lane Park, Pentwater Lake, and Chester Street Park should also be explored.

Downtown Commercial Uses – The Planning Commission should consider the potential for Village-scale “boutique” hotel(s), ancillary uses like sundries, fitness and business service uses; restaurants and other “night-life”; medical and other service oriented offices uses; and, off-street parking facilities that could be woven into the commercial / single family residential area by use of appropriate design and buffering techniques.

Downtown Residential Uses – I was surprised to learn that the Master Plan and Zoning Ordinance seems to discourage residential uses in “downtown” Pentwater, yet not too surprised. Such bias in favor of keeping these uses out of downtown is customarily a relic of the late 1950’s through the 1970’s. Since 1980, there has been a resurgence in Planning Principles reversing those trends toward creating incentives for people to reside downtown. This movement began with “New Urbanism” in the late 1980’s, has continued under buzz words like Smart Growth and most recently “Sustainable Cities or Cool Cities”.

Chapter 4 provides the following Guidelines (labeled Design Guidelines) for Residential uses in the Business District:

- “Limited mixed-use scale in the downtown business district with second- and third-floor apartments / condominium units will provide a mixture of housing types to augment available housing options currently available in the Village. These units will be limited in size and scale in relation to the existing and historic structures of the Village and the height limits outlined in the Zoning Ordinance.” (p. 34)

And yet, the above statement seems to conflict with the next statement:

- “Downtown land use should ensure that retail development is concentrated on Hancock and office services are directed to side streets off Hancock. Residential Development should be considered as an accessory use to commercial uses in this district.” (p. 36)

This section should focus on consideration for upper floor residential uses in existing buildings and not require that residences on those upper floors be accessory to what is on the main or sidewalk level floor. Consideration should be given to locating Downtown residences on the second and third floor while prohibiting them at or below the grade of the main or sidewalk level.

Next Steps

Focus Groups will be generating Ideas from the Asset identification and SWOT Analysis to be used for developing Goals in a larger public forum. **We should discuss what this forum will look like at our March 21, 2018 Planning Commission meeting.**

MEMORANDUM

To: Village of Pentwater Planning Commission

From: Keith Edwards, Zoning Administrator

Date: April 10, 2018

Subject: Introduction of possible Zoning Ordinance Amendments

At the April 18, 2018 regular meeting of the Planning Commission, I would like to discuss with the Commission the following topics for consideration of Zoning Ordinance Amendments:

Downtown Parking

While most of our downtown buildings constructed prior to 1990 were constructed before cars existed, the use of the space above the storefront has also changed. Offices on upper floors are no longer in demand and upper level residential uses are desirable. Should the Planning Commission give special consideration, as it relates to required parking for residential uses to buildings where the second-story and upper floors of a building constructed prior to 1990? Why two (2) parking spaces per residential unit? Could the Planning Commission consider one space per residential unit and different means to obtain or provide parking spaces nearby? New buildings would remain to be held to the existing higher standards.

Marinas require one parking space for every boat slip. While our Zoning Ordinance lacks a definition for a boat slip, I cannot help but wonder if this requirement is over-done, and one parking space for every 2 slips, or part thereof, should be the requirement. Except for the fourth of July fireworks display, it seems unlikely to me that all boat owners would be taking their boats out at the same time, thus requiring one parking space per boat slip.

Chapter 8 – WD, Waterfront District – Marinas, Public and Private Boat Launches

You may be aware that the Pentwater Yacht Club is proposing to replace existing docks and may increase the number of slips for seasonal mooring of boats from 20 to 24. The suggestion of this expansion led me to a review of the Zoning Ordinance as it relates to marinas in the community.

While I have some difficulty with Chapter 8 as an unmapped *overlay* district, an issue we will bring up at a later date, I found that marinas are not listed as an allowable use in any other Zoning District except the WD-Waterfront District. This is very cumbersome, as typically land uses are dictated by the underlying zoning district, not the overlay district. Because marinas, as a land use, are listed as Special Land Uses within the WD District, that also means that they can be permitted in any underlying zoning district along the waterfront. For example, marinas can be allowed with Special Land Use Approval by the

Planning Commission upon any “waterfront or shoreline area within the Village including Single-Family Residential Zoning Districts along Lake Michigan and Pentwater Lake and other bodies of water such as inland lakes, ponds and creeks. I am not sure that this was the intent of the Planning Commission when Chapter 8 was last amended in 2002.

Some thoughts for discussion:

- First, I am concerned that the Zoning Ordinance does not have a definition of “waterfront”, except for “Lot, waterfront” in Chapter 2 – definitions of the Zoning Ordinance. This arrangement may be cumbersome for the public or casual users of the Zoning Ordinance.
- The existing definition in Section 2.13 Definitions – L of Lot, waterfront” is “A lot having frontage directly upon a lake, river or other naturally formed impoundment of water that meets the minimum lot width requirements of the district in which it is located.” Using this definition, the water body must be “naturally formed” and would then not apply to properties along the channel to Lake Michigan.
- I think we should review the Zoning Ordinance definitions of “Lot, waterfront”; “Ordinary High Water Mark”; “Shoreline”; “Significant natural feature”, “Public or private boat launch”; and, “Marina”.
- The definition of Marina should be reviewed. Perhaps it is necessary to further distinguish or define a “private boat dock” from a “membership only” or “public / commercial marina”? (See Chapter 2, Section 2.14, Definitions – M). There is no definition of public or private boat dock.
- We should also consider a definition of “Boat slip”, as distinguished from a dock, i.e. seasonal mooring vs. transient or temporary mooring of a boat, PWC, kayak, etc.
- Today, the public and commercial marinas are located primarily within the C3-Central Business Zoning District within the Village, though there may also be some other places with marinas in residential zoning districts. Should marinas whether membership only or public / commercial be allowed in residential zoning districts? I know of at least one existing nonconforming marina in a residential zoning district on Pentwater Lake in the Village of Pentwater.
- While I recognize that marinas will require permits from the Michigan Department of Environmental Quality (MDEQ) and/or the U.S. Army Corps of Engineers (USACE), should the Zoning Ordinance limit marinas to Pentwater Lake, as opposed to Lake Michigan rivers, inland lakes, streams and man-made waterbodies such as canals?

- Should public or private boat launches be further regulated by the Zoning Ordinance? There is one public boat launch in the Township on Longbridge Road on the west side of Pentwater Lake, and I do not have any knowledge of any private boat launches in the community at this time. I should note that the public boat launch on Longbridge Road is located within the road right-of-way and is nonconforming with respect to the size of the property, number of parking spaces and may be inadequate with respect to the required vehicular turn-around (See Section 15.04.N).
- Should boat launches be limited to Pentwater Lake or man-made waterfront properties such as canals or channels only? Should public or private boat launches be allowed upon residentially zoned property, or upon properties that have waterfront along the Pentwater River or man-made waterbodies such as the canal in the Apache Hills subdivision?
- I will also introduce the issue of a “dockominium” that is causing a stir in at least one area of the community.

Dockominiums

What are dockominiums? They are certainly not defined in the Zoning Ordinance, yet they seem to be of the community’s vocabulary. Dockominiums appear to be a structure placed on a dock or deck when no main or principal use structure has been constructed. Unlike a boat house, they are typically used to store recreational equipment, outdoor furniture, and allow for sleeping, changing of clothes or use of a porta-potty. The majority of these structures seem to have been constructed prior to the 1999 revision of the Zoning Ordinance, or illegally. A good example of these structures is on the lake side of Chester Street, just north of Suffolk Street.

Today, Chapter 8 – WD, Waterfront District, where a main or principal residential structure does not exist, allows for only one (1) lock box of no more than a three (3) ft. tall, and 20 sq. ft. in area, located at least six (6) feet from any side or rear lot line.

At this time, I am asking the Planning Commission for discussion and to provide direction regarding these structures.

Short-term Single-Family Residential Rentals

It appears that the State Legislature has lost quite a bit of steam to consider an amendment of the Michigan Zoning Enabling Act in favor short-term residential rental facilities as permitted uses.

At this time, I think it is appropriate to discuss a form of regulation of such uses within the R2, Single Family Residential Zoning District. However, I wish to proceed cautiously, with one eye on what the State Legislature may do and the other on the

separation of duties between Zoning Ordinance regulation; Housing and Building Code regulation; and, registration, inspection and permitting.

A suggestion might be to define a “short-term single-family rental” i.e. a lease period of less than 28 days and limited to one “family” as defined by Section 2.07 of the Zoning Ordinance with not more than two (2) guests.

I would very much appreciate the Planning Commission discussion and direction on this issue.

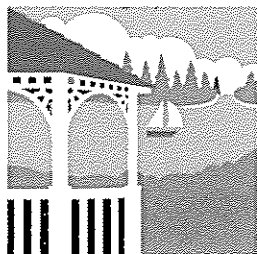
Amendments after separation from the Community Zoning Ordinance

The Village’s Zoning Map reveals properties that the Village is now limited to the presence of the R2, R3, R4, MHP, RO, C1, C3, C4, L1 and PUD Zoning Districts. In an effort to reduce the number of pages and provisions in the Pentwater Township Zoning Ordinance, the Planning Commission may wish to consider the following changes:

- Removal of the RR, Rural Residential District and its provisions, reserving this chapter for future use.
- Removal of the R1, Single Family Residential and its provisions, reserving this chapter for future use.

Additionally, the Planning Commission may wish to consider the provisions of the C-4, Hotel Resort District alongside of similar uses like Lodges, Inns, Private Clubs and Camps. A couple of opportunities, for instance, may be to:

- Exchange the C4, Hotel Resort Zoning District designation on the old Nickerson Inn Property with the R2, Single Family Residential Zoning District of the Channel Lane Inn.
- Consider removing hotels from the allowable uses, replacing it with motels, inns, lodges, private clubs, etc., then changing hotels from a Special Land Use to a permitted use within the C3, Central Business District.



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ZONING ADMINISTRATOR'S REPORT

March 2, 2018

The following is a summary of activity conducted by the Office of the Zoning Administrator in February, 2018.

Code Enforcement

Nothing outstanding at this time.

Planning Commission

The Planning Commission met on February 21, 2018 to hold its regular meeting where they:

- Made a motion to Commence the Downtown Pentwater Planning Process; and,
- Discussed the formation of the six focus groups for the Downtown Planning process.

Zoning Board of Appeals

The Zoning Board of Appeals did not meet in February 2018.

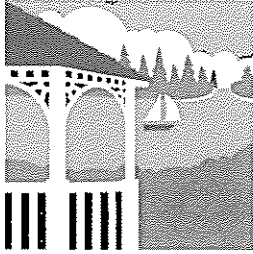
Zoning Permits

No Zoning Permits were issued in February, 2018

Sincerely,

Keith J. Edwards

Keith Edwards
Zoning Administrator



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ZONING ADMINISTRATOR'S REPORT

April 3, 2018

The following is a summary of activity conducted by the Office of the Zoning Administrator in March, 2018.

Code Enforcement

Nothing outstanding at this time.

Planning Commission

The Planning Commission did not meet on March 21 due to the lack of a quorum.

Zoning Board of Appeals

The Zoning Board of Appeals did not meet in March 2018.

Zoning Permits

One Zoning Permit was issued in March for the demolition of an old cabin behind 163 South Washington, just north of Second Street. According to Assessing Records, the cabin has no value. The permit was issued to the property owner Robert Young.

Sincerely,

Keith J. Edwards

Keith Edwards
Zoning Administrator