

# Article 1: Title, Purposes And Legal Clauses

## THE VILLAGE OF SUTTONS BAY HEREBY ORDAINS:

### 101 Title

Suttons Bay **Village** Zoning Ordinance *shall* be known as the "Suttons Bay **Village** Zoning Ordinance", hereinafter called the "Ordinance".

### 102 Intent

This Ordinance is intended to implement:

- A. The **Village** of Suttons Bay Land **Use** Master Plan of June 2000 as adopted per P.A. 285 of 1931, as amended being the Municipal Planning Act, MCL 125.31 et. seq. and;
- B. Concepts outlined in Suttons Bay **Village** Plan developed by Andrews University (Fall 2000) and;
- C. The Smart Growth Tenets adopted by the Governors Land **Use** Leadership Council including:



**Suttons Bay's Traditional Small Town Layout**

1. Encouraging a more efficient **Use** of land and public services and to reflect changes in philosophy of land development and by directing new development and redevelopment in a traditional pattern of mixed and multiple **Uses**.
2. Preserving Suttons Bay's small town and historic character by directing new development to appropriate locations and minimizing the visual impact of development upon the viewsheds as seen from the public **Streets**.
3. Encouraging innovative, traditional small town residential mixed **Use** developments that the growing demand for housing may be met by a greater variety of type, design, and layout of **Dwellings**.
4. Extending greater opportunities for traditional community living, working, housing, and recreation to all residents.
5. Providing a guide which can relate the type, design, and layout of development to the particular site, the particular demand for housing existing at the time of development and to the **Village's** goal of encouraging traditional residential/mixed **Use** development in a manner consistent with preservation or enhancement of property values.
6. Insuring the increased flexibility and design specificity of regulations in this document will encourage the disposition of proposals of land development without undue delay.
7. Promoting alternative land development practices, which will otherwise promote the public health, safety, and welfare. Traditional neighborhoods and developments are the desired alternatives to conventional modern, **Use**-segregated developments, such as large **Parcel** suburban subdivisions and strip commercial centers.
8. Reducing the sprawl of development and the segregation of land **Uses** that result in the inefficient **Use** of irreplaceable natural energy resources due to dependence upon private vehicles for transportation.
9. Reducing the sprawl of development and the segregation of land **Uses** that causes unnecessary traffic congestion. Discourage the development of **Drive Through** and drive to facilities, which encourage the **Use** of private automobiles.
10. Discouraging generic, modern suburban development that bears no relation to the historic development pattern of Suttons Bay.

11. Maintaining a **Village** that is oriented to the pedestrian, promotes citizen security, and social interaction.
12. Promoting developments which are a mix of **Dwelling** types, range of **Parcel** sizes, and mixed **Use Structures**, with offices and apartments above ground retail suites, that surround a community green and related community facilities.
13. Promoting development with the desired visual and spatial characteristics which will create a strong sense of community identity as expressed in community design charrettes.
14. Promoting development where the physical, visual, and spatial characteristics are established and will be compatible with other existing and planned **Structures**/development, resulting in a coherent overall pattern and **Streetscape**.
15. Promoting the creation of developments that preserve sensitive natural features.
16. Discouraging commercial or industrial **Uses** that create objectionable noise, glare, or odors.
17. Local ordinance regulation of **Parcel** size, width, and width-to-depth for purposes of review of land divisions pursuant to P.A. 288 of 1967, as amended, (being the Land Division Act; M.C.L. 560.101 et. seq.); and;
18. To accomplish any other purposes contained in P.A. 207 of 1921, as amended, (being the City and Michigan Zoning Enabling Act, M.C.L. 125.3101 et. seq.)

### **103 Legal Basis**

This Ordinance is enacted pursuant to P.A. 207 of 1921, as amended, (being the Michigan Enabling Act, M.C.L. 125.3101 et. seq.)

### **104 Effective Date**

This Ordinance, Ordinance No. 8 of 2006, was adopted by the **Village Council** of the **Village** of Suttons Bay, Leelanau County, Michigan, at a meeting held on November 20, 2006 and a notice of publication ordered published in the Leelanau Enterprise, a newspaper having general circulation in said **Village**, and has an effective date of December 30, 2006.

### **105 Scope**

This Ordinance is not intended to repeal, abrogate, annul or in any way impair or interfere with existing provisions of deed restrictions; subdivision regulations; private restrictions placed upon property by covenants; condominium rules, **Ownership** association rules; ordinances, laws, regulations of any federal, state or county agency. When this Ordinance has more restrictive regulations, limitations or requirements, then this Ordinance **shall** control. The **Administrator shall** not be engaged in the enforcement of deed restrictions or private restrictions placed upon property by covenants.

### **106 Codification**

A. This Ordinance is codified by **Use of Articles** and **Sections**, and is organized in the following manner. (**Section** numbers and **Article** numbers not used in this Ordinance, or skipped, are reserved for future **Use**.)

1. **Article** 1-9 for introductory material for this Ordinance.
2. **Article** 1 for basic legal clauses such as but not limited to title, citation, purposes, legal basis, effective date, explanation of scope and codification.
3. **Article** 5 for definitions of words and **Uses** which are used in this Ordinance.
4. **Article** 10-19 for general regulations applicable to all of the land under jurisdiction of this Ordinance.
5. **Article** 10 for general regulations which are applicable in all zoning areas. This **Article** is further subset as follows:

- a. **Sections** 1000-1009 for general provisions.
  - b. **Sections** 1010-1019 for water related environmental regulations.
  - c. **Sections** 1020-1029 for solid waste related environmental regulations.
  - d. **Sections** 1030-1039 for land and other environmental regulations.
  - e. **Sections** 1040-1049 for **Parcel** and setback regulations.
  - f. **Sections** 1050-1059 for vehicle access, **Street** and parking regulations.
  - g. **Sections** 1060-1069 for aesthetic (sign, viewshed, sex oriented businesses) regulations.
  - h. **Sections** 1070-1079 for **Structure** (not **Dwelling**) regulations.
  - i. **Sections** 1080-1089 for **Dwelling** and residential regulations.
  - j. **Sections** 1090-1099 for other special purpose general regulations which are not classified above.
6. **Article** 16 for standards for specific possible conditional and special **Uses**.
  7. **Article** 18 for establishment of the zoning map and definition of zoning Areas.
  8. **Articles** 20-79 for each zoning Area, further organized as follows with **Articles** 20-69 organized from least intense to most intense.
  9. **Articles** 20-29 for environmental, historic and other special zoning Areas with each zoning Area organized from least intense to most intense.
  10. **Articles** 30-39 for agricultural, forestry, rural and rural residential zoning areas with each zoning area organized from least intense to most intense.
  11. **Articles** 40-49 for residential zoning Areas with each zoning Area organized from least intense to most intense.
  12. **Articles** 50-59 for commercial zoning Areas with each zoning Area organized from least intense to most intense.
  13. **Articles** 60-69 for industrial zoning Areas with each zoning Area organized from least intense to most intense.
  14. **Articles** 70-79 for overlay Areas.
  15. **Articles** 80-89 for permit process and procedures.
  16. **Article** 80 for nonconformities.
  17. **Article** 82 for administration of the Ordinance.
  18. **Article** 84 for permit procedures.
  19. **Article** 85 for conditional **Uses** procedures.
  20. **Article** 86 for special **Uses** procedures.
  21. **Article** 88 for **Planned Unit Development** procedures.
  22. **Articles** 90-99 for Ordinance administration.
  23. **Article** 94 for site plan review process.
  24. **Article** 96 for appeals Board.
  25. **Article** 98 for Ordinance amendment, validity, enforcement and penalties.



